

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS

OF

**NATIONAL COUNCIL OF
PROVINCES**

TUESDAY, 6 DECEMBER 2011

1. The Council met in the Old Assembly Chamber at 10:02.
2. The Chairperson took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [10:04] Ruling by the Chairperson on a point of order raised by Ms. M G Boroto during the sitting of the Council on 1 December 2011.
4. [10:06] Notices of motion.
5. [10:19] Mr S S Mazosiwe moved without notice: That the Council -
 - (1) notes the extreme shock and disbelief that cell phones, knives and dagga were found in Eastern Cape prisons during recent security raids “Operation Vala” and “Operation Coca” held across the province;
 - (2) further notes that the 50 day festive season clean up operation in prisons was first launched in 2006 to deal with prevention of escapes, reduction of assaults and the curtailing of smuggling of illegal substances into prisons;
 - (3) acknowledges that a total of 70 cell phones, 255 dagga bompies, 19 knives and self-made sharpened objects, 11 blades, three memory cards, 16 sim cards and R851 in cash were seized; and
 - (4) takes this opportunity to applaud the implementation of such operations to curb the criminal activities and also appeals to all those who visit their loved ones to desist from smuggling illegal items into prisons.

Motion agreed to in accordance with section 65 of the Constitution.

6. [10:20] Mr M J R de Villiers moved without notice: That the Council -

- (1) notes that many people in the informal settlements in Cape Town, namely Khayelitsh, Langa, Mfuleni and Lawandle, were once again struck by fire and the loss of life;
- (2) further notes that many people, including women and children, were devastated by this tragic experience and poor people who earned their belongings through hardship and struggle, lost everything;
- (3) acknowledges the heartbreak of this tragic experience every year, and one can ask the question “Why them and what have they done to be destroyed by fire like this”; and
- (4) conveys its condolences to everybody who lost a loved one in this tragedy.

May God have mercy on them and grant His mercy and Wisdom on the leaders to find a workable solution for the problem.

Motion agreed to in accordance with section 65 of the Constitution.

7. [10:21] Mr M C Maine moved without notice: That the Council -

- (1) notes with a great sense of pride the launch of a flagship solar power plant in Hazelmere, KwaZulu-Natal by President Jacob Zuma;
- (2) further notes that this is as a result of the partnership between Soitec and eThekweni Municipality;
- (3) acknowledges that the solar plant is expected to improve the lives of people of Hazelmere and surrounding areas, and was also designed to include skills development from which the local community will benefit, especially the youth; and
- (4) takes this opportunity to applaud the great initiative which seeks to address the issues of green economy, access to clean electricity, creation of employment and the alleviation of poverty.

Motion agreed to in accordance with section 65 of the Constitution.

8. [10:22] Ms B P Mabe moved without notice: That the Council -

- (1) notes that 3 December marked the celebration of the United Nations' International Day of Persons with Disabilities, which is celebrated annually to raise awareness of the challenges and conditions facing people with disabilities, and especially draws attention to the dignity, rights and well-being of persons with disabilities;

- (2) further notes that during the commemoration of the International Day of People with Disabilities in Bloemfontein on 3 December, the Minister of Women, Children and People with Disabilities, Ms Lulu Xingwana, noted the failure of both the public and private sector to achieve the 2% target set for the employment of people with disabilities;
- (3) further notes that Minister Xingwana challenged all Ministers, Premiers, MECs, Mayors, Directors General, municipal managers and CEOs of state owned enterprises and industry, to stop hiding behind excuses and to take concrete steps to exceed the 2% target within their institutions by December 3, 2012; and
- (4) takes this opportunity to support the views expressed by minister Xingwana by calling on all private and public sector entities and departments to move with speed in increasing the representation of people with disabilities in the work force.

Motion agreed to in accordance with section 65 of the Constitution.

9. [10:24] Ms B L Abrahams moved without notice: That the Council -

- (1) notes with great sadness the passing away of Councillor Nukululeko Dlamini, a colleague of Hon Abrahams in the City of Johannesburg and good friend and comrade to all in the Johannesburg region, on Friday, 2 December 2011;
- (2) further notes that councillor Dlamini had been a councillor since 2004 for the City of Johannesburg;
- (3) conveys its condolences to the family of Councillor Dlamini, who was one of the youngest councillors in the City of Johannesburg and also served as an activist councillor serving the Orange farm community unconditionally in very trying and difficult times;
- (4) acknowledges that he is survived by his mom and two daughters.

Robala Ka Khotso!

Motion agreed to in accordance with section 65 of the Constitution.

10. [10:25] Mr D Joseph moved without notice: That the Council -

- (1) extends its congratulations to the African National Congress on their centenary celebrations in January 2012;
- (2) notes that the once liberation movement that fought with many other organisations for a democratic South Africa is now the ruling party;

- (3) further notes that the struggle against poverty, economic freedom, HIV/Aids, abuse against women and children and social justice is not over and that members of the NCOP should undertake to work together in Parliament to enhance opportunities for the millions who have not experienced the benefits of a free and democratic South Africa.

Motion agreed to in accordance with section 65 of the Constitution.

11. [10:26] Ms M P Themba moved without notice: That the Council -

- (1) notes the wage increase of domestic workers with effect from 1 December 2011 as announced by the Department of Labour;
- (2) further notes that the minimum wage for those working 27 ordinary hours a week in area A would increase from R9.12 to R9.85 an hour and from R246.30 to R265.94 a week;
- (3) also notes that the minimum wage for those working more than 27 hours would increase from R7.72 to R8.34 an hour, from R347.79 to R375.19 a week and from R1 162.70 to R1 506.35 a month; and
- (4) applauds this pay rise announced by the Department of Labour and appeals to all law abiding citizens to implement the increase as a matter of urgency for the protection of the rights of our domestic workers and to improve the quality of life of this marginalised group.

Motion agreed to in accordance with section 65 of the Constitution.

12. [10:30] Mr A J Nyambi moved without notice: That the Council -

- (1) notes the official handing over of the new water treatment plant to the Victor Khanye local municipality in Delmas by the Premier David Mabuza and MEC for Cooperative Governance and Traditional Affairs, MEC Madala Masuku;
- (2) further notes that the new water treatment plant, which cost R80 million to build and which can process 15 megalitres a day, will alleviate the water problems that have affected the municipality in the past and about 10 000 households in the Victory Khanye local municipality are to benefit from this new water treatment plant going forward; and
- (3) takes this opportunity to applaud this major initiative which will provide access to fresh drinking water to all, especially the poorest of the poor and rural people and is in pursuit of a better life for all.

Motion agreed to in accordance with section 65 of the Constitution.

13. FIRST ORDER [10:32]

Consideration of Report of Select Committee on Women, Children and Persons with Disabilities (Announcements, Tablings and Committee Reports, 16 November 2011, p 4742 – **SADC Protocol on Gender and Development**).

Debate concluded.

Question put: That the Report be adopted.

IN FAVOUR: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West, Western Cape.

Report accordingly adopted in accordance with section 65 of the Constitution.

14. SECOND ORDER [10:38]

Consideration of Report of Select Committee on Women, Children and Persons with Disabilities (Announcements, Tablings and Committee Reports, 16 November 2011, p 4719 – **Study Tour to United States of America**).

Debate concluded.

Question put: That the Report be adopted.

IN FAVOUR: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West, Western Cape.

Report accordingly adopted in accordance with section 65 of the Constitution.

15. THIRD ORDER [10:46]

Consideration of Report of Select Committee on Women, Children and Persons with Disabilities (Announcements, Tablings and Committee Reports, 16 November 2011, p 4712 – **Oversight Visit to Saartjie Baartman and Thuthuzela Care Centres for Abused Women**).

Debate concluded.

Question put: That the Report be adopted.

IN FAVOUR: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West, Western Cape.

Report accordingly adopted in accordance with section 65 of the Constitution.

16. FOURTH ORDER [10:54]

Consideration of Report of Select Committee on Land and Environmental Affairs (Announcements, Tablings and Committee Reports, 26 October 2011, p 3683 – **Oversight visit to Bojanala District and Madibeng Local Municipalities in North West Province**).

Debate concluded.

Question put: That the Report be adopted.

IN FAVOUR: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West, Western Cape.

Report accordingly adopted in accordance with section 65 of the Constitution.

17. FIFTH ORDER [11:01]

Consideration of Report of Select Committee on Public Services (Announcements, Tablings and Committee Reports, 2 November 2011, p 4143 – **International Study tour to Republic of Cuba**).

Debate concluded.

Question put: That the Report be adopted.

IN FAVOUR: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West, Western Cape.

Report accordingly adopted in accordance with section 65 of the Constitution.

18. SIXTH ORDER [11:07]

Consideration of Report of Select Committee on Appropriations (Announcements, Tablings and Committee Reports, 8 November 2011, p 4470 – **First Quarter Expenditure on Provincial Roads Maintenance Grant (S'hamba Sonke) in 2011/12 Financial Year**).

Debate concluded.

Question put: That the Report be adopted.

IN FAVOUR: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West, Western Cape.

Report accordingly adopted in accordance with section 65 of the Constitution.

19. SEVENTH ORDER [11:07]

Consideration of Report of Select Committee on Appropriations (Announcements, Tablings and Committee Reports, 28 October 2011, p 3767 – **Fourth Quarter Expenditure for 2010/11 financial year and First Quarter Expenditure for 2011/12 financial year on Conditional Grants Spending Patterns on Land Care Programme Grant: Poverty Relief and Infrastructure Development**).

Debate concluded.

Question put: That the Report be adopted.

IN FAVOUR: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West, Western Cape.

Report accordingly adopted in accordance with section 65 of the Constitution.

20. EIGHTH ORDER [11:20]

Consideration of Report of Select Committee on Appropriations (Announcements, Tablings and Committee Reports, 8 November 2011, p 4474 – **First Quarter Expenditure on Comprehensive HIV and AIDS Grant, Hospital Revitalisation Grant and Forensic Pathology Services Grant in 2011/12 Financial Year**).

Debate concluded.

Question put: That the Report be adopted.

IN FAVOUR: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West, Western Cape.

Report accordingly adopted in accordance with section 65 of the Constitution.

21. NINTH ORDER [11:20]

Consideration of Report of Select Committee on Appropriations (Announcements, Tablings and Committee Reports, 1 November 2011, p 3989 – **Oversight Visit to Free State's Pelonomi Hospital: Hospital Revitalisation Grant Project**).

Debate concluded.

Question put: That the Report be adopted.

IN FAVOUR: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West, Western Cape.

Report accordingly adopted in accordance with section 65 of the Constitution.

22. TENTH ORDER [11:30]

Consideration of Report of Select Committee on Appropriations (Announcements, Tablings and Committee Reports, 8 November 2011, p 4485 – **First Quarter Expenditure on Mass Sport and Recreation Participation Programme Grant in 2011/2012 Financial Year**).

Debate concluded.

Question put: That the Report be adopted.

IN FAVOUR: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West, Western Cape.

Report accordingly adopted in accordance with section 65 of the Constitution.

23. [11:38] Ruling by the Deputy Chairperson on a point of order raised by Mr RJ Tau during the sitting.

BUSINESS SUSPENDED AT 11:42 AND RESUMED AT 14:02.

24. ELEVENTH ORDER [14:03]

Consideration of Report on **Taking Parliament to the People, Nquthu – uMzinyathi, KwaZulu-Natal, 6 – 11 November 2011** (Announcements, Tablings and Committee Reports, 30 November 2011, p 5268): **Celebrating the legacy of freedom through strengthening the link between Parliament and the people.**

Debate concluded.

Question put: That the Report be adopted.

IN FAVOUR: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West, Western Cape.

Report accordingly adopted in accordance with section 65 of the Constitution.

25. The Council adjourned at 15:46.

Z A DINGANI
Secretary to Parliament