

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS

OF

NATIONAL COUNCIL OF PROVINCES

WEDNESDAY, 7 DECEMBER 2011

1. The Council met at 10:05 in the Old Assembly Chamber.
2. The Deputy Chairperson took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [10:06] Notices of motion.
4. [10:11] Ms L Mabija moved without notice: That the Council -
 - (1) notes that the Minister of Labour, Ms Nelisiwe Oliphant presided over the graduation ceremony of 176 artisans who qualified in November 2011;
 - (2) also notes that the function was attended by government representatives, business representatives and labour unions in the form of Cosatu, Fedusa and Nactu who are also UIF Board members;
 - (3) further notes that this initiative was undertaken with the Gauteng Departments of Infrastructure Development and of Local Government, National Skills Fund and Merseta as a pilot project in the Gauteng province;
 - (4) acknowledges that the 176 graduates were put into the Accelerated Artisan Development Program by the Department of Labour under the leadership of the Unemployment Insurance Fund and the project had achieved an 85% pass rate and learners had achieved qualifications in the areas of fitting and turning, boiler making, welding and as electricians;

- (5) further acknowledges that the Minister of Labour announced a R129 million fund allocation from the Unemployment Insurance Fund to put 2 500 learners through the Accelerated Artisan Development Project, which will see 2 500 retrenched workers and unemployed young people in all provinces being trained into artisanship through the Mining Qualification Authority and Merseta; and
- (6) applauds this great initiative and commitment by all state institutions which really shows that the Government can achieve more through cooperative governance and supports the New Growth Part and job initiatives spearheaded by President Jacob Zuma.

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

5. [10:13] Mr T A Mashamaite moved without notice: That the Council -

- (1) notes that the Department of Basic Education and the Department of Sport and Recreation have adopted a new school sports plan at the recently held sport indaba, to be launched at the beginning of 2012;
- (2) further notes that this plan will see schools participating in 16 sport codes and will be accompanied by the roll-out of sport facilities and equipment to all underprivileged schools;
- (3) also notes that the schools sport programme will make a huge contribution towards development and transformation in sport; and
- (4) takes this opportunity to commend both departments on signing a memorandum that will provide much needed sport opportunities to learners.

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

6. [10:14] Ms R M Rasmeni moved without notice: That the Council -

- (1) notes the opening of the revamped and renamed Germiston Hospital, now called Bertha Gxowa Hospital in Ekurhuleni Municipality;
- (2) further notes that Ma Bertha was a struggle stalwart and spent her formative years at Dukathole township and was amongst the thousands who participated in the women's march to the Union buildings in 1956;
- (3) also notes that this hospital first opened its doors 100 years ago with separate sections for black and white patients and the new and revamped Bertha Gxowa Hospital has been upgraded to the tune of R550 million and will cater to all our people, with dedicated neonatal, paediatric high care units and four fully equipped operating theatres amongst others; and

- (4) takes this opportunity to welcome this initiative to ensure that health care services are provided to all our people as well as the naming of this hospital in honour of this stalwart of the liberation struggle.

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

7. [10:15] Ms M P Themba moved without notice: That the Council -

- (1) notes that the Minister of Communications, Minister Dina Pule will officially switch on the low power transmitter in Tjakastad in the Mpumalanga province;
- (2) further notes that the community of Tjakastad has been part of the 3.6 million people in South Africa who do not have access to any SABC television or to any of the SABC FM radio services and that with the switching on of the transmitter today, the community of Tjakastad will be able to watch SABC 1, 2 and 3 and listen to Ligwalagwala FM and other radio stations; and
- (3) takes this opportunity to congratulate the Minister of Communications and the South African Broadcasting Corporation (SABC) for such sterling work and for their dedication to ensure universal service and access to broadcasting services, thereby keeping our people informed and empowered.

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

8. [10:17] Mr A J Nyambi moved without notice: That the Council -

- (1) notes the tragic death of two brave men, Sinethemba Mathala and Malizo Martin ,they died whilst attempting to help other residents in two deadly fires in Du Noon in Table View in the Western Cape;
- (2) further notes that in the first fire 7 shacks were destroyed, leaving 24 people homeless and with the help of Sinethemba and Malizo the fire was stopped from spreading to other shacks, possibly saving lives;
- (3) also notes that when the second fire started, the two brave men were killed in a blaze that destroyed 12 shacks leaving 50 people homeless; and
- (4) takes this opportunity to convey its profound condolences to the family of the two men who lost their lives and urges our people to be extra careful over this period and implores the City of Cape Town to move with speed to address the huge housing backlog in the City.

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

9. [10:19] Mr J M G Bekker moved without notice: That the Council -

- (1) notes that the City of Cape Town was awarded eight Blue Flag beaches, the highest number for 2011/2012 in South Africa;
- (2) further notes that this Blue Flag status for beaches like Bikini Beach, Camps Bay, Clifton's Fourth Beach, Llandudno, Muizenberg, Mnandi, Silverstroom and Strandfontein were earned through high quality water, cleanliness, sufficient lifeguards, security, access to clean drinking water and an environment that is consistently well managed;
- (3) acknowledges that the Blue Flag Programme is run by the Wildlife and Environmental Society of South Africa; and
- (4) acknowledges that these beaches in Cape Town are safe havens to be visited during the festive season.

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

10. [10:20] Ms M W Makgate moved without notice: That the Council -

- (1) notes that the Minister of Basic Education, Minister Angie Motshekga has reported that solutions have been found for the problems in the Eastern Cape Education department;
- (2) further notes that after months of wrangling between Basic Education Minister and the provincial department over her intervention, the department has started cleaning up its act and has rehired 4 000 dismissed temporary teachers;
- (3) also notes that the pupil transport system is being reinstated, the school feeding scheme was reintroduced and pupils are now benefiting from the programme; and
- (4) takes this opportunity to congratulate the inter-ministerial task team on their success in bringing stability and order into the Eastern Cape Department of Education and urges the national department to put measures in place to ensure that we do not see a recurrence of these problems.

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

11. FIRST ORDER [10:23]

Consideration of **Tax Administration Bill** [B 11B – 2011] (National Assembly – sec 75) and of Report of Select Committee on Finance thereon (Announcements, Tablings and Committee Reports, 30 November 2011, p 5382).

Debate concluded.

Bill agreed to in accordance with section 75 of the Constitution.

12. SECOND ORDER [10:29]

Consideration of **Intellectual Property Laws Amendment Bill** [B 8B – 2010] (National Assembly – sec 75) and of Report of Select Committee on Trade and International Relations thereon (Announcements, Tablings and Committee Reports, 16 November 2011, p 4743).

Debate concluded.

Declaration of votes made on behalf of the African National Congress and the Democratic Alliance.

Bill agreed to in accordance with section 75 of the Constitution.

13. THIRD ORDER [10:43]

Consideration of **Further Education and Training Colleges Amendment Bill** [B 13D – 2011] (National Assembly – sec 76(1)) and of Report of Select Committee on Education and Recreation thereon (Announcements, Tablings and Committee Reports, 30 November 2011, p 5382).

Debate concluded.

Declaration of vote made on behalf of the Western Cape.

Question put: That the Bill be agreed to.

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

ABSTAIN: Mpumalanga

AGAINST: Western Cape

Bill accordingly agreed to in accordance with section 65 of the Constitution.

14. FOURTH ORDER [10:55]

Consideration of **Skills Development Amendment Bill** [B 16B – 2011(Reprint)] (National Assembly- sec 75) and of Report of Select Committee on Education and Recreation thereon (Announcements, Tablings and Committee Reports, 30 November 2011, p 5382).

Debate concluded.

Bill agreed to in accordance with section 75 of the Constitution.

15. FIFTH ORDER [11:00]

Consideration of Report of Select Committee on Finance (Announcements, Tablings and Committee Reports, 24 November 2011, p 5190 – **Oversight Visit to Free State Municipalities**).

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. SIXTH ORDER [11:12]

Consideration of Report on **Whippery Study Tour to India** (Announcement, Tablings and Committee Reports, 1 December 2011, p 5395).

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. SEVENTH ORDER [11:22]

Consideration of **Military Ombud Bill** [B 9B – 2011] (National Assembly – sec 75) (introduced as **Military Ombudsman Bill** [B 9 – 2011] and of Report of Select Committee on Security and Constitutional Development thereon (Announcements, Tablings and Committee Reports, 24 November 2011, p 5183).

Debate concluded.

Bill, subject to proposed amendments, agreed to in accordance with section 75 of the Constitution.

18. [11:25] Farewell Speeches.

19. The Council adjourned at 11:47.

Z A DINGANI
Secretary to Parliament