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No 85—2023] FIFTH SESSION, SIXTH PARLIAMENT

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
 TABLINGS AND
 COMMITTEE REPORTS**

THURSDAY, 15 JUNE 2023

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ANNOUNCEMENTS

National Assembly and National Council of Provinces

The Speaker and the Chairperson

1. Classification of Bills by Joint Tagging Mechanism (JTM)

(1) The JTM in terms of Joint Rule 160(6) classified the following Bill as a section 75 Bill:

(a) **Merchant Shipping Bill** [B12–2023] (National Assembly – sec 75).

2. Assent by President in respect of Bills

(1) **Division of Revenue Bill** [B 2 – 2023] – Act No 5 of 2023 (assented to and signed by President on 15 June 2023). (*Nawu wa ku Aviwa ka Mali ya Tiko, 2023*) (*Xitsonga*)

National Assembly

The Speaker

1. Referral to Committees of Bills introduced

(1) The following Bill is referred to the **Portfolio Committee on Public Works**:

(a) **Relocation of the Seat of Parliament Bill** [B29–2022] (National Assembly –sec 76).

COMMITTEE REPORTS

National Assembly and National Council of Provinces

1. Report of the Joint Standing Committee on the Financial Management of Parliament on the Parliament of the Republic of South Africa's 2022/23 Fourth Quarter Report, dated 15 June 2023

The Joint Standing Committee on the Financial Management of Parliament having considered the Parliament of the Republic of South Africa's performance in the fourth quarter of 2022/23, reports as follows:

1. Introduction

- 1.1 Section 4 of the Financial Management of Parliament and Provincial Legislatures Act, No. 10 of 2009 (the FMPPLA) provides for the establishment of an oversight mechanism to maintain oversight of the financial management of Parliament. The Joint Standing Committee on the Financial Management of Parliament (the Committee) was established in terms of the Joint Rules of Parliament. The Committee has the powers afforded to parliamentary committees under sections 56 and 69 of the Constitution of the Republic of South Africa, 1996 (the Constitution).
- 1.2 Section 52 of the FMPPLA requires that the accounting officer must, within 30 days of the end of each quarter, report to the Executive Authority on Parliament's quarterly performance in respect of the implementation of the Annual Performance Plan (APP). The Executive Authority in turn, and in terms of section 54 of the FMPPLA, must table each quarterly report within five working days of receiving it, for the consideration of the oversight mechanism i.e. the Joint Standing Committee on the Financial Management of Parliament. The 2022/23 Fourth Quarter Report was accordingly tabled on 8 May 2023.
- 1.3 The senior management team, led by the Secretary to Parliament, appeared before the Committee in a meeting held on 19 May 2023 during which the institution's performance in the period under review was interrogated.
- 1.4 This report comprises four parts: Part A, containing the background to the fourth quarter performance report; Part B, a summary of the institution's financial and performance information for the period under review; Part C, the Committee's observations; and Part D, the Committee's recommendations.
- 1.5 This report should be read along with Parliament's Strategic Plan for 2019-2024, the 2022/23 APP and budget, and the Committee's reports in respect thereof.

Part A

2. Background

2.1 Mandate

2.1.1 Parliament derives its mandate from:

- Chapter 4 of the Constitution;
- the FMPPLA which regulates the institution's financial management;
- the Money Bills Amendment Procedure and Related Matters Act, 2009 No 9 of 2009 which provides procedures to amend money bills; and
- the Powers, Privileges and Immunities of Parliament and Provincial Legislatures Act No 4 of 2004 which defines and declares the national and provincial legislatures' powers, privileges and immunities.

2.2 Mission and vision

2.2.1 Parliament has as its vision to be an activist and responsive people's Parliament that improves the quality of life of South Africans and ensures enduring equality in our society. Its mission is to represent the people and to ensure government by the people by fulfilling its constitutional functions of passing laws and overseeing executive action. To this end, the institution conducts its business in line with the following values: openness, responsiveness, accountability, teamwork, professionalism, and integrity.

2.3 Strategic Priorities

2.3.1 Parliament has identified only two strategic priorities for the Sixth Parliament i.e. to strengthen oversight, and to enhance public involvement in Parliament's activities.

2.3.2 In order to achieve the above outcome, the Sixth Parliament will:

- *improve committee oversight work* in relation to the budget cycle in particular, through allowing more time in the parliamentary programme for oversight activities and by encouraging committees to undertake such activities jointly.
- *improve the effectiveness of public hearings* through greater public participation, expanding public education, better dissemination of information, effective use of broadcasting, technology and social media, the use of more

official languages, and encouraging committees to undertake joint public hearings.

2.3.3 To aid in the above activities, the institution will:

- enhance research and legal support in respect of oversight activities;
- improve members' capacity through capacity-building programmes that will empower parliamentarians to be effective and efficient in executing their oversight responsibilities;
- improve oversight and accountability through better monitoring, tracking and evaluation in respect of Parliament's own work, as well as the work of the Executive;
- ensure openness and accessibility through the use of modern technology in respect of social media, tools-of-trade, workflows and automation; and
- cut costs to allow for operational sustainability.

Part B

3. Fourth Quarter Performance

3.1 Overview

3.1.1 Parliament succeeded in meeting all eleven quarterly targets in the period under review. Activities of the term included:

- tributes to Dr F N Ginwala, former Speaker of the National Assembly, after her passing on 12 January 2023;
- a debate in the NCOP on inter-provincial red tape reduction i.e. transforming the service delivery value chain for faster growth and development; and
- a debate in the NA on the electricity crisis in South Africa and how to address it.

3.1.2 In the period under review 1 269 written questions, and 69 oral questions were posed to the Executive by members of the National Assembly. Of these 1 045 written questions, and 68 oral questions were responded to. In the NCOP, 245 written questions, and 6 oral questions were posed to the Executive. Of these 159 written questions, and all 6 oral questions were responded to.

3.1.3 In respect of the oversight activities of committees, the following highlights were reported:

- oversight visit undertaken by the Portfolio Committee on International Relations and Cooperation to diplomatic academy facilities and premises within the headquarters of the Department of International Relations and Cooperation (DIRCO); Protocol State Lounge; and the site identified for the Pan-African Parliament; and
- an oversight visit by the Portfolio Committee on Women, Youth and People with Disabilities to the Kwazulu-Natal province to assess progress in relation to providing support to flood victims and gender-based violence matters.

3.1.4 In respect of law-making, the institution processed 10 bills including the Prevention of Hate Crimes Bill, the Housing Consumer Protection Bill, and the Electoral Amendment Bill. Eleven public hearings were held in relation to, amongst others, the Basic Education Amendment Bill, and the Climate Change Bill.

3.1.5 In respect of public participation, Parliament's followers on Twitter, Facebook and Instagram increased by 24 019, 5 852, and 1 314 respectively. Views on Parliament's YouTube Channel increased by 385 519. Only one petition was finalised in the period under review.

3.1.6 In respect of International Relations, four activities were supported in the period under review, including preparations for Parliament's participation in the 67th United Nations Commission on the Status of Women which took place in March 2023.

3.1.7 Table 1 below illustrates the outcome of the survey of services in the period under review. The institution succeeded in meeting all 11 quarterly targets.

Indicator	Overall Member Satisfaction %	Ease of Access	Timeliness	Reliability	Fairness	Usefulness
ICT Services	87,72	86,90	87,59	87,59	N/A	88,28
Facilities Management Services	79,56	80,00	79,63	80,00	N/A	78,91
Capacity Building Services	77,29	77,33	76,00	76,00	N/A	79,11
Research Services	83,38	82,80	81,57	82,80	83,60	85,10
Content Advice	79,87	80,00	79,64	80,36	80,36	79,26
Procedural Advice	78,22	77,55	77,55	78,78	79,18	78,00
Legal Advice	77,45	76,44	77,27	77,21	77,67	78,22
Committee Support Services	78,94	80,00	79,64	78,95	79,31	77,93

Public Participation Support	75,70	76,00	75,20	75,92	75,92	75,51
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Table 1: Outcome of Member Satisfaction Survey, Fourth Quarter 2022/23 (Source: Parliament of the RSA)

3.2 Programme-by-programme summary of performance information

Paragraphs 3.2.1 to 3.2.50 provide a summary of Parliament's performance across programmes.

Programme 1: Administration

3.2.1 Programme 1 provides strategic leadership, management and corporate services to Parliament, and comprises the following sub-programmes: Executive Authority, Office of the Secretary, and Corporate and Support Services.

3.2.2 All targets under this programme were met. Table 2 below illustrates that sub-programmes Digital Service and Facilities Management Service exceeded their targeted performance by 7,72 per cent, and 4.56 per cent respectively. Key performance trends under this programme are captured in paragraphs 3.2.3 to 3.2.24 below.

Parliamentary Service	Indicator	Annual & Q4 target	Annual Performance	Q4 Performance	Q4 Variance	Status	Reasons for Variance/Mitigation
Digital service	% Member satisfaction	80%	85,15%	87,72%	+7,72	✓	Target exceeded
Facilities management service	% Member satisfaction	75%	78,57%	79,56%	+4,56	✓	Target exceeded

Table 2: Programme 1: Administration (Source: Parliament of the RSA)

Information Communication Technology (ICT)

3.2.3 ICT provides business analysis, business process mapping and development and implementation services for the implementation of technology solutions.

3.2.4 In the period under review The Webex Legislate site was created and is up and running. The integration between customer Webex Org and the Legislate site has also been completed.

3.2.5 Continuous ICT technical support was provided to the Members Support Services division to acquire new devices for Members. The following devices were delivered to parliamentarians: mobile devices (260); laptops (323); and tablets (329).

3.2.6 The oversight monitoring and tracking system was rolled out, and in the period under review 59 resolutions were added for tracking. Training in how to use the system was in progress. In the NCOP engagements to document the House Resolution Tracking System business requirements were underway. Engagements with parliamentary committee stakeholders were in progress to document the Committee Decisions Tracking System business requirements.

3.2.7 The Legislative Drafting System business case has been signed off and the terms of reference were in the process of being approved.

3.2.8 The petitions business process and business requirements were documented and the current version of the system was being assessed to determine whether the requirements aligned with the potential solution. The mapping of requirements and business processes for submissions has been completed.

3.2.9 The modernisation of committee rooms and the NCOP Chamber was initiated, and the business case has been revised to take into consideration the impact of the 2022 fire and the NCOP Chamber requirements.

3.2.10 The implementation of the Enterprise Planning, Budgeting and Reporting Cloud module was also in progress. The systems' specifications were being finalised with the appointed service provider.

3.2.11 The average availability of the network and key systems (e.g. ERP, email, intranet website, uVimba, Bungeni, etc.) during the reporting period, was 99,86 per cent. The offsite Disaster Recovery was being finalised.

Facilities Management

3.2.12 Institutional Support Services continued to be delivered albeit with limited staff on the precinct. Off-site support was also provided for parliamentary activities. Venue management support was provided to the sittings of the NA and NCOP, committee meetings and the enquiry undertaken by the Committee for Section 194 Enquiry.

3.2.13 Members were provided with transport between the parliamentary villages and the parliamentary precinct. Daily transport services supported the various parliamentary divisions for the movement of tools of trade, shuttle service provision (internal and external) and movement of furniture and/ or goods.

3.2.14 Security screening took place as required, with 28 screening requests completed for human resource-related purposes, and 52 applications for permits processed.

3.2.15 A task team was appointed to draft a Hazard Analysis Critical Control Points (HACCP) programme document. This programme will assist with safety, health environment (SHE) compliance and risk mitigation in all kitchens.

Parliamentary Communications Services

3.2.16 The Parliamentary Communication Service (PCS) supported 25 oversight committees in the period under review. Communication support including media liaison, stakeholder management, branding, social media services to all the public hearings and oversight visits that took place.

3.2.17 More than 50 public hearings on bills before numerous committees were held across various provinces and platforms. Communication support was provided to 39 public hearings. Promotional videos and social media promotional banners were produced. Interviews with chairpersons were conducted and bills statements were published internally, and externally to keep the public informed.

Human Resource Management

3.2.18 The development of potential successors for the posts of Procedural Adviser: Questions in the NA and the Chief Editor: Bills Office continued to progress well. The focus was on “on-the-job training” and this component was spearheaded by the potential successors’ line managers. For the Chief Editor: Bills Office position, the focus was on preparing for a “readiness assessment” to determine the readiness of the potential successor to be considered for the position.

3.2.19 The development of the Online Learning Programme progressed well: Unit 3 comprising three modules dealing with the public participation model, voting and elections, and international participation, was finalised. The development of Unit 4 dealing with nation building and citizenship was started.

3.2.20 In respect of the organisational realignment work relating to the analysis and design was completed. A draft analysis and design proposal have been completed for the following: Public Participation, Involvement and Education; Houses and Committees; (KIS) – Documentation and Records Management, Library and Language Services; ISS – Catering, Household, Facilities and SHE (Safety, Health and Environment); and Protection and Security Services. A draft proposal was still in progress for the Legislative Sector Support programme.

3.2.21 There was one resignation in the period under review from the Information and Communication Technology (ICT) section. This represents a turnover rate of 0.08 per cent of the staff establishment for the quarter. The targeted percentage for the 2022/23 financial year was five per cent.

3.2.22 The Culture, Art, Tourism, Hospitality, and Sport Sector Education and Training Authority (CATHSSETA) had funded employee development initiatives and a second tranche payment of R91 000 was processed in the period under review.

3.2.23 Employee training interventions were delivered to 81 participants, and in the following categories to enhance their expertise and specialist skills: behavioural skills training (34); communication and language training (1); computer information technology training (12); financial and remuneration training (1); human resource training (17); induction programme (5); knowledge and information management (10); and safety, health and environmental training (1).

3.2.24 The bursary committee awarded bursaries to 41 applicants, and funding to 13 grant applicants amounting to a total cost of R1 504 923.88 for the academic year. Bursaries were awarded towards the following qualifications: doctorates (2), Masters (3), Honours (13), degree/B Tech (15), National Diploma (6), and National Certificate (2).

Programme 2: Legislation and Oversight

3.2.25 Programme 2 provides for support services for the effective functioning of the National Assembly (NA) and the National Council of Provinces (NCOP) including procedural, legal and content advice; information services and record keeping; and secretarial and support services for the houses and their committees. The programme covers the core business of Parliament and focusses on the outputs, activities and inputs related to legislation and oversight functions.

3.2.26 The programme comprises the following sub-programmes: National Assembly (House; Committees); National Council of Provinces (House; Committees); Public Participation and External Relations; Shared Services; Sectoral Parliaments and Joint Business.

3.2.27 According to the tables 3 and 4 below, all quarterly targets under this programme were met. Key performance trends under this programme are captured in paragraphs 3.2.28 to 3.2.43 below.

Parliamentary Service	Indicator	Annual Target	Annual Performance	Q4 target	Q4 Performance	Q4 Variance	Status	Reason for Variance Mitigation
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Programming Service	# of annual parliamentary frameworks adopted	1	1	1	1	0		
	# of NA programmes adopted	4	4	1	1	0		
	# of NCOP programmes adopted	4	4	1	1	0		

Table 3: Programme 2 – Legislation and Oversight (Programming Service) (Source: Parliament of the RSA)

3.7.28 Programmes are an essential tool in facilitating the smooth coordination of activities of the NCOP, NA, provincial legislatures and the South African Local Government Association (SALGA). The programmes outline activities of portfolio and select committees, House and other fora in which the NA and the NCOP participate, in particular taking into account the legislation before committees. Per Table 3 above all targets in relation to the Programming Service were met.

Parliamentary Service	Indicator	Annual & Q4 target	Annual Performance	Q4 Performance	Q4 Variance	Status	Reasons for Variance/ Mitigation
Capacity Building service	% Member satisfaction	70%	74,31%	77,29%	+7,29	✓	target exceeded
Research service	% Member satisfaction	75%	80,32%	83,38%	+8,38%	✓	Target exceeded
Content advice service	% Member satisfaction	75%	80,24%	79,87%	+4,87%	✓	Target exceeded
Procedural advice service	% Member satisfaction	75%	77,05%	78,22%	+3,22%	✓	Target exceeded
Legal advice service	% Member satisfaction	75%	76,08%	77,45%	+2,45%	✓	Target exceeded
Committee support service	% Member satisfaction	75%	82,77%	78,94%	+3,94%	✓	Target exceeded
Public participation service	% Member satisfaction	75%	75,28%	75,70%	+0,70%	✓	Target exceeded

Table 4: Programme 2 – Legislation and Oversight (Source: Parliament of the RSA)

Members Capacity Building

3.2.29 In relation to members' capacity building, further progress was made in the development of the capacity-building framework, preparation and consultation on the revised capacity-building policy, and the implementation of a client engagement and ticketing model.

Committee Support

3.2.30 The Committee Support service is focused on supporting the core mandates of Parliament i.e. law making, oversight, public participation, cooperative government and inter-governmental relations, and international engagement. In the period under review:

- 44 Announcement Tabling and Committee Report publications were published;
- 12 committee reports were produced on bills that were before the NA (11) and NCOP (1);
- 94 per cent of the 253 minutes that were produced within the 3-day deadline;
- 95 per cent of the 67 reports that were produced within the 8-day deadline;
- 100 per cent of the 8 requested legal opinions were provided to committees.

3.2.31 In respect of the Legal Drafting Service (Contracts and Bills) 7 evaluations, 15 drafts, 1 lacuna opinion, 2 other legislative opinions were delivered per the agreed to procedures;

- 7 out of 7 bills were introduced; and
- 2 of 2 Act forms were sent to the President for assent.

Knowledge Management

3.2.32 In the period under review the Parliamentary Research Unit (PRU) produced 236 research papers in support of oversight and accountability within the operational timeframes. These included analyses of budget votes and annual performance plans; background papers for committee meetings where relevant, to provide committee members with the information that they may require to meaningfully interrogate the information presented to them; papers on various topical issues before committees. Research services were also provided to the NCOP strategic planning session including background notes on relevant sectoral areas for oversight in preparation for the session.

3.2.33 The PRU provided selective papers specifically for distribution to members to support them in their preparations for debates in the NA and the NCOP. These included a paper on Investment in Water Infrastructure Development in South Africa in support of the NCOP debate on Water

Infrastructure Investment: Building viable water Infrastructure for Sustainable and Reliable Water to Communities, which took place in March 2023.

3.2.34 In support of Parliament's Plan for the implementation of recommendations of the State Capture Report, the PRU prepared a paper entitled 'A Comparative Overview - Enhancing Parliamentary Oversight and Executive Accountability' at the request of Parliament's management.

3.2.35 During this period several proactive papers and bulletins were produced in support of the oversight function of Parliament, and in line with the themes contained in the Oversight Plan for the 6th Parliament.

3.2.36 The PRU also supported NCOP committees to ensure they were kept abreast of discussions and amendments made in the NA processes when the bills were referred to them. These included background information and context to the bills, a concise summary of the key aims of the bill and key issues emerging from engagement on and NA amendments to the bills.

Language Services

3.2.37 Language services support was provided to the Houses on several oversight and accountability activities. Interpretation, translation and Hansard reporting services were provided in support of the State of the Nation Address and the budget processes. Language services facilitated debate on matters of oversight over the Executive including Questions to the President, Deputy-President and ministers, and through consideration of numerous reports.

3.2.38 Unrevised Hansard reports were produced within 5 days for 23 of 24 sittings of the National Assembly (21) and the NCOP (3) combined.

Public Participation

3.2.39 The PRU supported the public participation function by, amongst others, producing draft committee reports for the Portfolio Committee on Forestry, Fisheries and the Environment following the public hearings on the Climate Change Bill (B9-2022) held in Mpumalanga, Limpopo, Gauteng and Kwazulu-Natal. These reports on public submissions received during hearings provided an overview of proposed amendments to the bill as well as a breakdown of participants by age and gender.

3.2.40 Parliament's library provided a total of 93 key information resources to Members, internal staff and external clients in support of public involvement.

Support to delegations participating in international fora

3.2.41 Support was provided to parliamentary delegations to assist in effective participation in international fora including the 67th United Nations Commission on the Status of Women in March 2023 and the SA-EU Parliamentary Meeting, the 2nd International Parliamentary Conference (Russia-Africa Relations).

Public Participation

3.2.42 In the period under review the public participation team implemented interventions focusing on mobilising stakeholders, and capitalising on the use of digital and preferred platforms in order to improve the delivery of public education and information programmes, and to empower citizens to participate in parliamentary processes.

3.2.43 A total of 49 public hearings were supported. A total of 406 live-stream sessions were held with 348 unique listeners and 82 hours of listening. The total number of website users was 357,148, an increase of 170,233.

Programme 3: Associated Services and Transfers

3.2.44 Programme 3 provides for facilities and financial support to political parties including leadership, administrative and constituency support. It also provides for transfer payments to entities in Parliament. It comprises the following sub-programmes: Members' Facilities, Leadership, Administrative and Constituency support to political parties; Transfer to the PBO, Legislative Sector Support, and Office Supporting ISDs. Performance in respect of this programme was not measured.

Members' Interest

3.2.45 Members must be supported in an accessible, effortless, accurate and friendly manner. In order to do so it was critical to adopt an appropriate technology solution to enable workflow automation, real-time process optimisation, process performance measurement, monitoring and tracking and to provide parliamentarians with multiple simple ways to engage with staff and each other. With the disruption resulting from the 2022 fire, the rollout of the online mobile support solution was of even greater priority to ensure members could access support and information remotely.

3.2.46 The turnaround time for claim processing and reimbursement averaged 1.48 days with R5,910 million paid out on 6 958 claims in the period under review.

3.2.47 Claims and reimbursements increased by R724 066. Tools of trade increased by 103 per cent from R814 704 to R1 650 026. This is attributable to the extension of the tools of trade provision.

Parliamentarians may now claim for equipment, accessories and additional storage services like Google Drive.

Parliamentary Budget Office

3.2.48 In the period under review the PBO delivered sixteen outputs related to the budget, Medium Term Budget Policy Statement (MTBPS) and Adjusted budget analysis reports including a brief on the 2023 Division of Revenue Bill for the Standing Committee on Appropriations, and an analysis of government underspending between 2011 – 2021 (in the departments of Health, and Social Development).

Office on Institutions Supporting Democracy

3.2.49 At the time of reporting there were nine vacancies across the Public Service Commission (3), the Independent Communications Authority of South Africa (1), the Pan South African Language Board (1), the Independent Electoral Commission (1), the Financial Fiscal Commission (2) and the South African Human Rights Commission (1).

3.2.50 The ISDs tabled several substantive reports in the period under review including the Implementation of Remedial Actions contained in the various reports issued by the Public Protector for the 2021-22 and 2022-23 financial years (Public Protector of South Africa), and an Overview Report on the Implementation of the Financial Disclosure Framework for the 2021/2022 Financial Year (Public Service Commission).

4. Financial Performance in the period under review

4.1 Overview

4.1.1 Table 5 below illustrates that by the end of the fourth quarter Parliament had spent 70 percent or R724,3 million of the R1,035,3 million fourth quarter budget. Excluding the direct charges, Parliament had by the end of the fourth quarter spent 60 per cent or R562,1 million of the

R939,7 million budget. The underspending comprises R49, 5 million not spent due to delays in the filling vacant positions, delay in the finalisation of the Voluntary Early Retirement Dispensation (VERD), and the non-payment of performance bonuses; R118 million not spent due to delays in the finalising the Disaster Management Projects, and R135,6 million unspent from operational budgets. In line with section 16(2) of the FMPPLA the unspent funds will be available for allocation in the next financial year.

- 4.1.2 The spending on direct charges stood at R162,1 million or 170 percent of the fourth quarter budget of R95,6 million. The overpayment was the result of the payment of loss of office and exit gratuity to Members. In line with section 23(4) of the FMPPLA the overspent amount will be refunded by the National Revenue Fund.

	January – March 2023				Annual			
Main Division	Quarterly Budget R'000	Actuals R'000	Variance R'000	% Spent	Annual Budget R'000	Actuals R'000	Variance R'000	% Spent
Administration	428 680	177 078	251 602	41	951 221	699 619	251 602	74
Legislation and Oversight	301 748	194 109	107 639	64	871 659	764 020	107 639	88
Associated Services	209 280	190 960	18 320	91	770 250	751 930	18 320	98
Sub-Total	939 708	562 147	377 561	60	2 593 130	2 215 569	377 561	85
Direct Charges	95 628	162 156	(66 528)	170	471 709	538 237	(66 528)	114
TOTALS	1 035 336	724 303	311 033	70	3 064 839	2 753 806	311 033	90

Table 5: Expenditure across programmes (Source: Parliament of the RSA)

- 4.1.3 Table 6 below details spending across economic classification.

	January – March 2023				Annual			
Economic classification	Quarterly Budget R'000	Actuals R'000	Variance R'000	% Spent	Annual Budget R'000	Actuals R'000	Variance R'000	% Spent

Compensation of Members	95 628	162 156	(66 528)	170	471 709	538 237	(66 528)	114
Compensation of Employees	379 889	284 876	95 013	75	1 286 842	1 191 829	95 013	93
Goods and Services (APP)	360 221	106 546	253 675	30	606 265	352 590	253 675	58
Goods and Services (Members' entitlements)	35 188	39 662	(4 474)	113	144 872	149 346	(4 474)	103
Transfers	137 384	127 633	9 751	93	518 572	508 821	9 751	98
Capital Expenditure	27 026	3 430	23 596	13	36 579	12 983	23 596	35
TOTALS	1 035 336	724 303	311 033	70	3 064 839	2 753 806	311 033	90

Table 6: Spending across economic classification (Source: Parliament of the RSA)

Compensation of Members

- 4.1.4 As indicated above the spending on compensation of Members amounted to R162,1 million or 170 percent of the fourth quarter budget of R95,6 million. The overpayment was due to the payment of loss of office and exit gratuities, and will be refunded from the National Revenue Fund in line with section 23(4) of the FMPPLA.
- 4.1.5 The spending on compensation of employees amounted to 75 percent or R284,8 million of the R379,8 million fourth quarter budget. The underspending was mainly due to delays in the filling of vacant positions (R49, 5 million); delays in the finalisation of the VERD (R32,0 million); and non-payment of performance bonuses.
- 4.1.6 The spending on goods and services which relate to the APP amounted to 30 per cent or R106, 5 million of the R360,2 million fourth quarter budget. The underspending amounts to R253, 6 million which was mainly as a result of delays in finalising and spending on the Disaster Management Projects (R118 million), and underspending of operational budgets (R135,6 million). All unspent funds will be available for allocation in the next financial year in line with section 16(2) of the FMPPLA.
- 4.1.7 Post the adjustments budget, a virement of R14,5 million was processed from underspending under the Human Resources Division (R9,6 million), PCS (R1 million), Core Business Support Services (R1,9 million) and NCOP (R2 million) to Members Facilities. This virement was

necessary as the prices of airfares had increased by 45 percent. Actual spending for the fourth quarter amounted to R39,6 million or 113 per cent which represents an overspending of R4,4 million.

- 4.1.8 Spending on transfer payments, which relate to transfers to political parties represented in Parliament, amounted to 93 per cent or R127,6 million of the R9,7 million budget. An amount of R3,6 million was set aside to pay the increases for the leadership and administration allowances payable to the parties for the 2022/23 financial year.
- 4.1.9 The spending on capital expenditure stood at 13 per cent or R3,4 million of the R27 million fourth quarter budget. The underspending was due to the delays in the refurbishment and restoration projects of Parliament.

4.2 Expenditure across programmes

Programme 1: Administration

- 4.2.1 The Administration programme had spent 41 percent or R177 million of its fourth quarter budget. The underspending was due in the main to the delay in the filling of key vacancies, and delays in the finalisation of the projects related to the restoration of the fire damaged buildings.
- 4.2.2 The spending on compensation of employees stood 68 per cent or R129 million of the R188,4 million fourth quarter budget. The underspending was due in the main to delays in the filling of vacancies (R17,5 million), the VERD (R32,0 million), and the non-payment of performance bonuses.
- 4.2.3 The spending on goods and services stood at 21 per cent or R45,1 million of the R214,6 million fourth quarter budget. The underspending was due to delays in the restoration of the fire-damaged buildings and slower than anticipated spending institutionally.
- 4.2.4 The spending on capital expenditure stood at 11 percent or R2,8 million of the R25,5 million fourth quarter budget, resulting in underspending of R14,7 million mainly due to delays encountered with the implementation of projects related to the restoration of the fire-damaged buildings.

Programme 2: Legislation and Oversight

- 4.2.5 The Legislation and Oversight programme spent 64 per cent or R194,1 million of its R301,7 million fourth quarter budget.
- 4.2.6 The spending on compensation of employees stood at 85 per cent or R132,18 million of the R155,3 million fourth quarter budget. The underspending was due to the non-payment of performance bonuses and delays in the filling of critical vacancies.
- 4.2.7 The spending on goods and services stood at 42 per cent or R61,3 million of the R144,9 million fourth quarter. No explanation was provided for the underspending.
- 4.2.8 Spending on capital expenditure stood at 41 per cent or R594 000 of the R864 000 fourth quarter budget.

Programme 3: Associated Services

- 4.2.9 A virement amounting to R14,5 million was processed between Programme 1: Administration (Human Resources Division, R9,6million; PCS division, R1 million; Programme 2 (NCOP R2 million) and Core Business Support division, R1,9 million to Programme 3 (Members Facilities) to cater for the increase in airline tickets for Members entitlements. The Associated Services has spent 91 percent or R190,6 million of its quarterly budget of R209,2 million.
- 4.2.10 Spending on compensation of employees stood at 66 per cent or R23,6 million of its fourth quarter budget and related to Parmed payments for the medical aid of former members of Parliament and provincial legislatures. The variance was as a result of resignations/deaths of former members.
- 4.2.11 The spending on goods and services, which includes Members' entitlements, stood at 111 per cent or R39,7 million of the R35,8 million fourth quarter budget. The R3,8 million overspending was due to the drastic increase in airline tickets.
- 4.2.12 Spending on transfers to political parties stood at 93 percent or R127,6 million of the R137,3 million fourth quarter budget. R3,6 million of this amount will be used to pay the increases for the leadership and administration allowances payable to the parties for the 2022/23 financial year.

Part C

5. Observations

5.1 *Petitions*

- 5.1.1 The petitions process was an important mechanism for public participation. Efforts to streamline the petitions process were noted.

5.2 *Resolution Tracking Mechanisms*

- 5.2.1 The Committee notes progress made in the development of the oversight monitoring and tracking mechanism. This intervention is welcomed as it will assist in ensuring Executive accountability.

5.3 *Underspending*

- 5.3.1 The Committee notes with concern the underspending reported in the period under review. Underspending has the potential to undermine Parliament's negotiations for a more appropriate budget.

5.4 *Parliamentary Protection Service*

- 5.4.1 The Committee notes with concern that the institution has not yet filled the long-vacant Head: Parliamentary Protection Service position. This post is integral to the security strategy and arrangements on the precinct.

Part D

6. Recommendations

The Executive Authority should provide the Committee with a response to the recommendations below within 30 days of the adoption of this report by the NA and the NCOP.

6.1 *Petitions*

- 6.1.1 The Committee recommends that the petitions process be automated and streamlined to allow for the more expeditious processing of petitions.

6.1.2 The Committee also recommends that the institution investigate the feasibility of select committees receiving petitions directly from the Chairperson of the NCOP instead of via the Select Committee on Petitions and Executive Undertakings. Should it be found to be feasible, the Rules Committee should consider amending the parliamentary rules in this regard accordingly.

6.2 *Resolution Tracking Mechanisms*

6.2.1 The Committee recommends that a comprehensive oversight monitoring and tracking mechanism be finalised and put in place before the Seventh Parliament.

6.3 *Underspending*

6.3.1 The Committee recommends that the institution addresses the institutional weaknesses that contribute to underspending, including the finalisation of the organisational realignment project and the filling of all vacancies within the prescribed timeframes.

6.4 *Parliamentary Protection Service*

6.4.1 The Committee recommends that the Head: Parliamentary Protection Services post be filled as a matter of urgency. The Committee should receive quarterly progress reports in this regard.

Report to be considered.

National Assembly

1. Report of the Portfolio Committee on Communications and Digital Technologies on the Oversight Visit to Gauteng and Free State over the period 29 to 31 March 2023, dated 13 June 2023.

1. Introduction

Chapter 4 of the Constitution of the Republic of South Africa, No. 108 of 1996 and Section 55 in particular, outline the powers of the National Assembly, while the Rules of the National Assembly further explicate these powers and functions assigned to Portfolio Committees. The mandate to the Portfolio Committee on Communications and Digital Technologies (PCCDT), to legislate, conduct oversight over the Executive and facilitate public participation, is thus derived from these sources. In executing its oversight functions, the Committee oversee the Department of Communications and Digital Technologies (DCDT) and the Government Communications and Information Systems (GCIS), as well as all organs of State reporting to the Departments.

For the 6th Parliament, this was the first oversight visit the Committee undertook. While constrained by time, it was important for the Committee to ensure that it maximises engagements with the Departments and its Entities. The Committee was cognisant that it would be impossible to engage all areas warranting oversight intricately and to engage with both Departments and the twelve Entities within a time-constrained and tight schedule.

Since the mid-5th Parliament, the Committee did not conduct any oversight visits and with the numerous changes of Members, none had the opportunity to visit, first-hand, the programmes of the Departments and Entities.

For this reason, the Committee decided that the Departments would be the first order of priority to allow it to meet with the Minister and Deputy Minister as well with the respective Management structures. The second order of importance was to meet with Entities experiencing challenges. Such a strategy was important to efficiently conduct oversight of critical areas of the portfolio, namely at SAPO, SABC MDDA and SITA. Lastly, the Broadcasting Digital Migration Programme value chain was also identified as a key oversight focus, over and above the Community Media Projects and the assessment of critical communications infrastructure managed through the Entities reporting to the Departments.

2. Committee Delegation

The Delegation consisted of seven (7) Members and four (4) support staff:

Name	Designation	Organisation
Mr B Maneli	Chairperson and Leader of the delegation	African National Congress (ANC)
Mr LE Molala	Member of the Committee	ANC
Mr TT Gumbu	Member of the Committee	ANC
Ms NJ Kubheka	Member of the Committee	ANC
Ms TK Bodlani	Member of the Committee	Democratic Alliance (DA)
Ms D Kohler-Barnard	Member of the Committee	DA
Mr S Tambo	Member of Committee	Economic Freedom Fighters (EFF)
Support Staff		
Ms H Salie	Committee Secretary	Parliament
Mr M Erasmus	Committee Assistant	Parliament
Dr J Medupe	Content Advisor	Parliament
Mr M Maleka	Content Advisor	Parliament

The Committee received apologies from the following Members:

- (a) Ms Xego - African National Congress (ANC)
- (b) Ms Mthembu - (ANC)
- (c) Ms Majozi- Inkatha Freedom Party (IFP)

3. Oversight Overview

The purpose of the oversight visit of the Committee was, in the main, to assess the implementation of the Digital Terrestrial Television (DTT) programmes of the DCDT over and above other programmes of both Departments. It was conducted over the period 29 to 31 March 2023. While the further intention of the oversight was also to assess the implementation of the SA-Connect programme, the Committee needed to manage it owing to time constraints and the distance to be covered.

The abovementioned programmes are considered strategic for economic stimulation and have become urgent. The oversight of the Committee was even more urgent because it needed to

physically witness and track progress as well as to measure whether the Departments and its Entities would be able to meet commitments set by the government.

Conducting comprehensive oversight based on theoretical reporting by the Departments and Entities is challenging, and for this reason, Oversight visits are crucial to avoid the oversight function being diminished. Without proper and effective oversight, it will become increasingly difficult for the Committee to carry out its mandate. As the President said about the DTT, *'completion of digital migration is vital to our ability to effectively harness the enormous opportunities presented by technological change.'*

It is in the interest of Parliament, and in particularly committees, to assess the levels of achievement of targets set by the government and to measure the extent to which such implementation impacts ordinary citizens of South Africa.

3.1 Day One: Engagement with DCDT, Sentech, FPB and ICASA (29 March 2023)

3.1.1 Delegation engagement with DCDT

The Delegation held a briefing at the office of DCDT and was welcomed by the Deputy Minister, where the Delegation engaged with DCDT and its Entities, namely Sentech, FPB and ICASA.

The Department noted that no SA-Connect sites are *en route* from Gauteng to Bloemfontein. The SA-Connect sites are two hours away from Senekal, outside the scope of the current Committee programme. The SA-Connect sites in the Free State are in Thabo Mofutsanyane District Municipality at Phuthaditjhaba, and details will be provided to the Delegation.

The Department proceeded to make a presentation to the Delegation, which highlighted the following areas:

- Portfolio readiness for the oversight visit: The programme from 29-31 March 2023
- DCDT highlights performance, key priorities, and capacity to deliver
- Status on the rationalisation of entities
- FPB
- ICASA
- Sentech

The FPB made a presentation which highlighted the following areas:

- Introducing the FPB
- Challenges
- Emerging Issues from the Regulatory Environment
- Budgetary Issues
- Conclusion

ICASA made a presentation which highlighted the following areas:

- ICASA Policy Mandate
- Nature of Operations
- State of Governance
- Financial Performance
- Challenges
- Recommendations

Sentech made a presentation which highlighted the following areas:

- Overview of the entity
- Key Programmes
- Governance matters
- Strategic programmes
- Broadcasting Digital Migration (BDM)
- Sentech/BBI Merger
- Satellite launch Project
- Way-forward: Targets of 6 and 12 months
- Conclusions

3.1.2 Observations

The Committee noted:

- with scepticism that the Department indicated that they would meet the deadline for Analogue Switch-Off (ASO) on 31 May 2023;
- as per the Deputy Minister's briefing to the Delegation that there are three (3) upcoming pieces of legislation namely the SAPO Amendment Bill, the Electronic

Communications Amendment Bill and the SABC Bill, which will be tabled to the Committee through Parliament before it rises;;

- further the report by the Deputy Minister that R2.4 billion has been allocated for connecting 80 per cent of South Africa as part of the SA-Connect programme;
- with appreciation that there is a concerted effort by the Department to digitise government;
- that, in addition to the issue of the Broadband Infraco (BBI) and Sentech acquisition, legislative amendments are required;
- that all vacancies have been advertised and approved at the Department and that a panel for the post of Director General still has to be set up;
- that tariffs, as set by the Film and Publications Board (FPB), are regulated and that smaller players are exempted from paying tariffs;
- with an appreciation for the support given to online abuse victims by the FPB, albeit minuscule;
- with an appreciation for the training offered by the FPB to the South African Police Services' members; however, further noted with concern the possible negative impact on related costs that the FPB will incur;
- with further concern about the inadequate budget for the FPB;
- that while the FPB was self-sustained, there was general concern that there was no allocated budget for the upgrade of technology at the Entity;
- that since the amendment of the Act, the FPB is evolving to become an authentic online content regulator;
- with concern (i) the inadequate funding of ICASA; (ii) the shortage of suitably-trained and skilled staff; (iii) the difficulty of attracting or retaining suitable staff calibre at top management and Council of the Regulator; and (iv) the delays in the finalisation of the Performance Management System (PMS) and the associated benchmarking and alignment of Council remuneration;
- that ICASA is undergoing a review of the current funding model, which includes self-funding hybrid provisions and alignment of the required funding about the benefits to be derived as part of the digital strategy, amongst others;
- that ICASA recommends that a future regulatory strategy should enable it to become a Regulator of a digital economy and a digital society;

- that ICASA further recommended an urgent review of enabling legislation to address the problem areas identified and to cater for rapid market and technological developments;
- the proposal by ICASA for the establishment of cross-functional structures between regulators to speed up collaboration and coordination;
- that ICASA is engaging training institutions to solicit suitable personnel and to support this initiative with adequate funding to pay competitive salaries;
- that the funding model of ICASA needs to be a hybrid model which is most suitable for the Regulator as opposed to a self-funding model;
- that training and upskilling of staff at ICASA is ongoing;
- that its employees are required to sign a contract to keep ICASA's information secret;
- with concern that the PFMA prohibits ICASA from putting stringent conditions to restrain staff to put policies in place for 'cooling-off period' conditions;
- that ICASA has issued spectrum plans, and a WOAN report was presented to Council;
- that there is a practice of spectrum hogging by dominant operators at the expense of service delivery;
- with concern that some of the auction sale proceeds have not been paid owing to delays in the implementation of DTT;
- that only four provinces remain for the ASO to be fully concluded;
- with appreciation that the Audio-visual policy is almost ready to be tabled to Cabinet;
- that the acquisition by Sentech of BBI is at an advanced stage;
- that while the acquisition is at an advanced stage, legislation must be amended to realise the policy intent fully;
- with great concern that load-shedding is negatively impacting poor communities' access to communications services, thereby contradicting the Universal Service Obligations (USO) and Quality of Service (QoS) policies of the government;
- that 76 per cent of South Africans rely on satellite services to consume content; and
- with concern the growing SABC debt, which impacts Sentech revenues.

3.1.3 Recommendations

The Committee recommended that the Minister should ensure the following:

- that the Department appears before the Committee and presents a timetable on forthcoming legislation so that the Committee can plan realistic timeframes to pass legislation and taking into consideration the upcoming National Elections and end of the 6th Parliament;
- that the Department provides the Committee with a timeline to fill all vacancies in the Department;
- that the Department develops policies aligned with the legislative agenda;
- that the Department makes resolute plans to meet the ASO on the 31 May 2023 deadline and appear before the Committee as soon as feasible;
- that the Department supports the FPB to integrate fully technological solutions in its regulatory operations;
- that the FPB is capacitated to fully implement its mandate, including increasing its budget requirements;
- that the Department develops an adequate regulatory framework of the FPB to strengthen oversight over the rife abusive content material solicited illegally and negatively impacting on children and society at large;
- that there is adequate allocation of the FPB budget to increase campaigns utilising all available communications network platforms to educate the public about the regulatory importance of the Board;
- that there is targeted training for the FPB staff;
- that the FPB's programmes on rehabilitation of victims of child trafficking and pornography are fortified and expanded;
- that the FPB is proactive in its new role as a content regulator;
- that there is engagement with the Minister of Police to ensure that technologies used are not harmful to children and can be constantly monitored;
- that the FPB should report back to the Committee on the impact of harmful content Tik Tok on, its impact on broader FPB programmes and the general success rate of the regulatory mandate of FPB.
- that the FPB broadens its support structures of social workers to assist victims of online abuse;
- that the FPB should report back to the Committee on the use of Artificial Intelligence (AI) on FPB programmes before the end of the Term of the 6th Parliament;

- that the FPB is suitably enabled to expand its collaboration with the media sector as well as the justice sector to curb the illegal distribution of pornography and children abuse;
- that ICASA mitigates the shortage of suitably trained staff and market-related salaries;
- that ICASA embraces global trends on the regulation of Over-The-Top Operators (OTTs) and ensures that relevant tax regimes are implemented;
- that the Wireless Open Access Network (WOAN) as a policy of the government should be structured in such a manner that the previously disadvantaged communities are at the forefront;
- that an effort is made to review the funding model of ICASA so that it continues to build sustainable collaborations for the benefit of all South Africans;
- that ICASA adopts a regulatory approach that supports the transformation agenda, which aims to uplift Previously Disadvantaged Individuals (PDIs);
- that processes are put in place to prevent the loss of staff in critical positions at ICASA;
- that the Department presents to the Committee a timeline overview before the end of the 6th Parliament relating to legislative amendments specific to the expected acquisition;
- that the Department appears before the Committee before the end of the 6th Parliament to present a comparative study on the remuneration of similar regulators; and
- that the Department appears before the Committee before the end of the 6th Parliament to present mitigating plans to address the growing SABC debt.

3.2 Engagement with Management at GCIS Offices

The Delegation visited the GCIS offices to engage with the management and staff of GCIS. The management of GCIS noted that the discourse between the management and the Committee is ongoing in the form of Committee meetings. Therefore, the oversight would entail a walkabout and introductions to expose the Delegation to various departments within the GCIS.

The Members of the Delegation proceeded to have a walkabout in the GCIS office and were introduced to the following sections:

3.2.1 South African News Agency

The SA News Agency plays a pivotal role in feeding news media locally and internationally with news as it relates to government policies and implementation thereof. It has the role of

tracking the President's engagements and reporting on his functions. In addition, it also provides online services and will be conducting a pilot project with social media network giants Tik-Tok.

3.2.2 *Vukuzenzele* Community Paper

The publication is a community paper called *Vukuzenzele*, regarded as the paper for the people and produces 850 000 copies monthly. It also has a growing digital following and concentrates on stories from all communities nationwide.

3.2.3 Library and Research Centre

The Library and Resource Centre works in conjunction with the Research Analysis Centre to ensure research analysis for GCIS. It is also available for any staff member to enrich their knowledge.

3.2.4 Studios

The radio stations provide content to 160 Community Radio Stations (CRS). The studios also work in conjunction with MDDA community media. The GCIS is engaging Sentech to include streaming facilities.

3.2.5 Community Resource Centre (Media Monitoring Unit)

This Centre updates its database thrice daily by printing headline news and researching and collating reports on government and, after that, sending such reports to the relevant government departments. The Unit also focuses on the English and Afrikaans languages in print media and radio stations but also broadcasts in five official languages.

3.2.6 The Official Studio for Government Broadcasting

This studio is where Ministers broadcast to the public on official matters such as the COVID pandemic, amongst others. This studio can link to all stations nationally and internationally.

3.2.7 Resource Centre

This Centre serves the public and services about 110 walk-in clients per month. It benefits the community and provides services such as access to job seculars.

3.2.8 Meeting with the staff of GCIS

The Delegation met and greeted staff members and noted that GCIS has a young workforce that should be appropriately incentivised to stay at GCIS.

3.3 Visit and interaction with Board, Management and staff (Unions) at SITA Head Offices

The Delegation was welcomed by the Chairperson of the Board and other members of SITA as well as management. The Delegation leader informed SITA that the purpose of the oversight was to validate the information that is otherwise provided to the Committee through the usual sittings most of which have been virtually conducted during the 6th Parliament.

The SITA presentation made by Acting Managing Director to the Delegation highlighted the following issues:

- SCM Reforms
- Investments in the Infrastructure
- Digital Transformation
- SA Connect (Broadband Connectivity)
- Broadcast Digital Migration (BDM)
- Employment Opportunities (Youth Internships)

3.3.1 Observations

The Committee noted:

- that the integration of government ICT systems is a complex process and requires intricate planning and budgeting;
- with great concern that the vacant post of Managing Director has not yet filled;
- with greater concern that despite numerous warnings by the Committee that once the Caretaker leaves, SITA would underperform and that is exactly what transpired;
- with concern that the Department did not take necessary precautions to stabilise SITA thereafter;
- with concern that SITA has not improved its ICT services to communities;
- with appreciation that SITA is making progress in dealing with all issues referred to it by the Auditor-General;
- with relief that an audit action plan was drafted and workshopped and that 65 per cent of the audit findings have been resolved to date;
- that SITA achieved an improvement of 80 per cent in its debt collection rate;
- with comfort that SITA conducts annual employee lifestyle audits; and

- that lifestyle audits include looking at the credit records of employees, their spouses, and business interests.

3.3.2 Recommendations

The Committee recommended that the Minister should ensure the following:

- that all outstanding posts are filled expediently, in particular, the vacant post of Managing Director;
- that SITA provide a resolute plan to fill all outstanding vacancies;
- that SITA automates all procurement processes to promote transparency;
- that SITA appears before the Committee to present the outcomes of the lifestyle audits of staff before the end of the 6th Parliament;
- that SITA provides targets and deadlines for implementation of the integration of government ICT systems before the end of the 6th Parliament;
- that SITA addresses all Auditor Generals' findings as a matter of priority before the end of the 6th Parliament; and
- that SITA improves on its ICT services to improve service delivery and positive impact on all communities.

3.3.3 Meeting with Union at SITA

The Delegation met with a Public Servants Association of South Africa (PSA) representative. The Union representative of the PSA, Mr Mandladla, insisted that the executive members of SITA must be present in the meeting. The Union representative further informed the Delegation that the invitation to meet with PSA was received late and:

- that there appears to be delaying tactics deployed by executive management to prevent the Union from engaging the Board despite numerous correspondence requesting to meet the Board to address staff demands;
- With concern that lifestyle audits are only directed towards junior staff members and not executive management;
- that there are salary issues concerning its members and that SITA does not want the bargaining council to have a constitution;
- that there was a need to in-source security companies as the outsourcing of security companies contributes to high operational costs in the organisation;

- that there is a need for SITA to take PSA seriously and that SITA should stop kickback practices borne out of contracting; and lastly
- that PSA is fully committed to improving relations with SITA.

The Delegation sought clarity seeking questions, and thanked the Union for availing itself on short notice. SITA management proceeded with the programme of the day.

3.4 Site Visit

3.4.1 The Network Operations Centre (NOC) and Security Operations Centre (SOC) at SITA

The Delegation took a walkabout and visited the SITA Control Centres, operated by qualified engineers 24 hours and 365 days a year.

In summary, the Control Centres ensure that all government departments stay connected to their systems with adequate control systems to monitor departments' ability to provide efficient service delivery.

The Delegation commended the recruitment of youth for running the Centres but it however raised concerns specific to SAPO ICT services and SITA's involvement in resolving ICT challenges. The Delegation further cautioned towards the increasing cyber security concerns and their impact on service delivery by government departments.

4. Day 2: SAPO Head Office, Pretoria (30 March 2023)

The Deputy Minister, Mr P Mapulane, welcomed the Delegation at the SAPO Head Office, Pretoria. The Deputy Minister and the Chairperson of the Board, Mr S Majombozi, made opening remarks. It was noted that the financial position of SAPO was still to improve as most of its income is used to pay salaries.

Mr G Bataille, Acting GE Strategy, presented on behalf of SAPO. The presentation highlighted the following issues:

- Financial Performance
- Creditors
- Branch Closures
- Voluntary Severance Packages
- Security and Investigations
- Government Assistance

- Immediate Priorities

4.1 Observations

The Delegation noted:

- With great concern that staff costs account for 70 per cent of operational costs;
- that the R2.4 billion to be received by SAPO has preconditions on how it should be spent;
- that the bailout will be used for logistics modernisation, Business Digital Hubs, the Trust Centre, Point of Sale (PoS) hardware and software, reduce staff costs and establish employee-owned companies and partial settlement of liabilities;
- with comfort that National Treasury still has to formally outline the conditions under which monies may be spent ;
- with great concern that SAPO owes R5.4 billion to creditors and R3.2 billion to the Postbank;
- with great concern the increase in the closure of post office branches across the country;
- with appreciation that branch rationalisation processes were followed to ensure that a branch is closed in a community, another one in proximity is used to compensate for services provided to affected communities;
- with further appreciation that a new strategy involves establishing Points Of Presence (PoP) at retail shops and malls, amongst others;
- with appreciation that SAPO has successfully made strides to improve its IT systems;
- with relief that there is no political interference at the Entity;
- that SAPO can only become competitive once it has fully integrated new technologies;
- with concern that over 2 000 staff members will leave SAPO and take severance packages;
- with concern that staff medical aid scheme monies have not been paid;
- with concern that as a result of the transfer of the SASSA contract to Postbank, the number of clients has significantly declined;
- that accountability for the conditions under which approval of funds is granted is an important component for improving the financial stability of SAPO;
- that the stabilisation of the Board at SAPO is a vital part of its recovery; and
- that SAPO is in the process of placing advertisements to appoint the full Board.

4.2 Committee Recommendations

The Committee recommended that the Minister should ensure:

- that processes are in place to stabilise SAPO as an important pillar of government to provide services to the poor;
- that the appointment of the Board and the filing of all vacancies is expedited;
- that SAPO provide a list of post offices that are closing and the interventions used initially to prevent further branches from closing before the end of the 6th Parliament;
- that SAPO appear before the Committee to report on (i) progress made to improve IT systems;(ii) an audit of all closed post office branches and strategies to prevent future closure;
- that the Department presents integrated plans to improve the adoption of new technologies, including of its entities;
- that staff medical aid scheme monies are paid;
- that SAPO increases the number of clients using SAPO branches;
- that the Department improves the financial stability of SAPO;
- that SAPO Board is appointed expediently; and
- that SAPO capacitates its staff, especially on professional behaviour, to improve customer service experience.

The Committee reiterated its commitment to support SAPO because of its national footprint and role in providing services to the poorest of the poor communities.

4.3 Visit to Halfway House Post Office SAPO Outlet

The Deputy Minister and the Chief Executive Officer of SAPO welcomed the Delegation at the Halfway House Post Office. The Delegation met with the Regional General Manager, Aerial Manager and Branch Manager.

The Delegation noted that they were initially informed that the Post Office was closed. The Aerial Manager indicated that this outlet was still in operation, although it was experiencing some challenges.

One of the challenges at the Post Office, is the delivery of parcels and post because of the need for proper transportation and outdated computer systems at the Branch.

The major challenge is that the property owner has given the Post Office branch a letter of eviction. Still, the property owner is currently engaging the Post Office on the matter. Only after the outstanding rental fees are settled will the property owner renew the lease agreement.

4.3.1 Observations

The Delegation of the Committee noted:

- that the Halfway House branch provides various services to the community, including SASSA payments and delivery services, amongst others;
- that the Branch serves approximately 500 customers daily, depending on the volume of people at the mall within which it is situated.
- that all complaints are received by the branch manager and resolved;
- that there is a need for more uniforms for employees at the branch.
- with concern the low morale of staff at the branch and that this might be a reflection of general staff morale at other SAPO branches; and
- that modernisation of the systems of all SAPO branches will assist in customer service;

4.3.2 Recommendations

The Committee recommended that the Minister should ensure the following:

- that SAPO addresses all challenges experienced by the Branch and develops a monitoring and evaluation system on the status of all branches; and
- that the Department establish systems to ensure the general stability of all Post Office branches.

5. Visit to the SABC, Auckland Park

The Deputy Minister and the management team of the SABC welcomed the Delegation. The Chairperson of the Delegation noted that the intention of the oversight was not to receive presentations but to engage and interact with staff, among other activities. The request was that the presentations are high-level and that the Delegation does a walkabout to observe new improvements at SABC. The Delegation also requested an opportunity to listen to the plight of the workers through the union representatives.

The Group Chief Executive Officer, SABC, outlined how the bailout monies were spent on the SABC buildings. He noted that the SABC Bill is still to be processed and, as a result, holds back the competitive edge of the Corporation.

The Delegation was introduced to a demo of SABC Plus that went live on 7 November 2022. Live television and live radio would be made available on the platforms.

5.1 Site Visit at SABC Offices

The Delegation conducted a site visit at the SABC offices. One of the SABC news channel interviewed the Chairperson of the Delegation. The issues posed to the Chairperson ranged from the role and intention of the Delegation on its oversight of the Entity to an update on the appointment of the SABC Board.

The Delegation visited a radio station within the building, and the television studios where shows such as the Generations and Muvhango are filmed.

5.2 Meeting with Union Representatives at SABC

The Delegation only met with the union representatives from the Broadcasting, Electronic, Media & Allied Workers Union (BEMAWU) because the other union, the Communications Workers Union (CWU), was not present at the meeting and did not forward an apology for the reason for its absence.

Mr Hannes du Buisson, the President of BEMAWU, gave an overview of the union's concerns. He noted that the main concern was that the SABC Board needed to be appointed, and the contract of the Chief Executive Officer would soon end.

He noted that the staff morale was low due to the Section 189 process that was implemented. He felt that there must be more basic amenities such as toilets, amongst others. There was also a concern with the recruitment policy of Human Resources in that there needs to be more skilled and fit-for-purpose staff at the SABC. The situation is so dire that the SABC outsources projects because there are not enough competent staff skilled to complete some projects.

He noted that the SABC could not retain skilled staff due to its low salaries. In addition, personnel are dismissed for the smallest transgressions.

5.3 Observations

The Delegation noted:

- that the SABC Plus will charge a subscription fee in the future;
- that BEMAWU will provide the Committee with names of companies to whom SABC outsources;
- that there was a need to further engage with the unions;
- with great concern the low staff morale at the SABC;
- with concern that a stringent regulatory environment is a detriment to SABC's endeavour to source new contracts; and
- with concern that SABC does not have a process in place to train or acquire skilled staff.

5.4 Recommendations

The Committee recommended that the Minister should ensure the following:

- that the SABC should soon commence with the appointment process of a Group Chief Executive Officer before the current GCEO's contract expires;
- that BEMAWU sends further details in writing to the Committee outlining details of challenges experienced by its membership; and
- that the Committee further engage unions if the Parliament's schedule permits.

5.5 Media Development AND Diversity Agency (MDDA)

The Delegation had scheduled to visit with management and Staff (unions) at MDDA Offices Auckland Park, Johannesburg. On request by the Minister, this visit was cancelled and will be rescheduled for another date.

The Delegation drove to Bloemfontein to proceed with its programme of the 31st March 2023.

6. Meeting with the Department: Bloemfontein Hotel (31 March 2023)

The Acting Director-General made a presentation to the Delegation on the planned oversight activities in the Free State Province.

6.1 Site Visit to Motheo FM Community Radio Station

The Station Manager, Mr Lebo Matolong, welcomed the Delegation and various officials from the DCDT led by the ADG, and he presented the following issues:

- that the station is undergoing a rebranding exercise;

- that the station has a listenership of 99 000, which accounts for 20 per cent of the local population;
- that the station has a *not-so-good* relationship with the signal provider Sentech;
- that the station is facing challenges as far as ICASA and the renewal of the seven years broadcasting licenses that will expire on 8 December 2023;
- ICASA is running workshops on non-compliance, and the station is a participant;
- that the station has good relations with ICASA despite the historical debt amounting to R700 000, of which R329 000 is owed to Sentech for signal distribution costs;
- that Sentech fees are exorbitant;
- that the station experienced regulatory challenges post the pandemic;
- that it has since become difficult for the station to stay afloat;
- that support from the local government is minimal;
- that intermediaries in the payment of grants which are contracted for bulk-buying have a negative impact on the total grants granted to the Community Radio Stations (CRS);
- that the station endeavours to directly engage with government departments that need station services;
- that some government officials are guilty of unethical practices of , which is rife in the area; and
- that the station received a grant from MDDA to build new studios.

6.2 Observations

The Delegation noted:

- that Sentech tariffs are high and have a negative impact on the operations of CRS in general;
- with serious concern that in the forthcoming year, communities will not have this important medium to receive and engage in political campaigns relating to the national elections;
- with greater concern that only eleven of the previously 22 stations remain on air;
- that this is a siege from Sentech;
- with relief that engagements between MDDA and Sentech are ongoing; and
- with concern that contrary to policy, there are government employees who also are members of stations.

6.3 Recommendations

The Committee recommended that the Minister should ensure the following:

- that the signal distribution costs challenges faced by CRS are speedily resolved;
- the investigation of government officials who are transgressing government policy and report back to the Committee before the end of the 6th Parliament;
- that Community Media Projects (CMP) are not shut down in the wake of upcoming national elections;
- that the Department plays a greater role in supporting CMPs;
- that the funding model for CMPs is reviewed;
- that there is a cordial relationship between the Departments and all Entities and CMPs, in particular, Sentech;
- that the station stays on the air, considering that it recently received a grant from MDDA to build new studios;
- that local government support Community Media Projects; and
- that the Department investigates all contracts managed by intermediaries at CRS.

6.4. Site Visit to SAPO Warehouse Branch

The Delegation was received by ADG, the USAASA CEO and other officials of the DTT programme at the Set-Top-Box (STB) warehouse. The ADG presented the status of DTT implementation in the Municipality shortly. The Delegation was also visually exposed to the difference between Digital Terrestrial Television (DTT) and Direct-To-Home (DTH) STBs.

6.4.1 Observations

The Delegation noted:

- that 90 per cent of installations have been completed in the area;
- that there is now an electronic management system for DTT;
- that USAASA has deployed a Monitoring and Evaluation (M&E) system to manage the distribution of STBs;
- that there is a call centre for households to report issues;
- that the remaining stock at the warehouse was made up of returned equipment;
- that the returned boxes also consist of boxes from other smaller branches;
- that some of the returns are damaged;
- that out of the 847 decoders yet to be assigned to households, only 248 dishes will be paired and ready to be assigned;

- that USAASA pays for all the logistics, including transportation, storage and distribution, as well as the return logistics;
- that the Department does reissue the STBs when the need arises; and
- that SAPO has been fully paid for storage at this branch

6.4.2 Recommendations

The Committee recommended that the Minister should ensure the following:

- that media campaigns continue to be rolled out even after Analogue Switch-Off (ASO) date; and
- that USAASA appears before the Committee to present the audit emanating from the M&E processes before the end of the 6th Parliament.

6.5. Site Visit to the Sentech Senekal Transmitter

Councillors Mmasa Ponya and Chere Moipatli of the Senekal Municipality welcomed the Delegation at the Ventersburg Junction. Once again, the ADG, CEO of USAASA, Chief Operations Officer (COO) of Sentech, and other Departmental officials were present.

Sentech COO Mr T Leshope presented to the Delegation:

- that Sentech pays to the region of R50 000 per month for electricity;
- that the cost is R1.5 million nationally per month;
- that Sentech generates its own power during load-shedding;
- Security-related costs are exceptionally high, even more, so where physical guards are required, as is the case in some signal stations;
- that Zama Zama's are an obstacle towards service delivery for Sentech;
- that DCDT partakes in the collaboration Energy Crisis Committee which also includes municipalities;
- that there is a high cost related to infrastructure maintenance, including access roads to tower sites;
- that these increased costs exclude technology costs to make sites operational;
- that due to lack of funds, digital radio migration will only be realised in 2028;
- that the backlog is the result of the litigation in the DTT migration programme;
- that the radio transmitters have been operational for the past 30 years; and
- that there is a need for adequate appropriation to support digital television.

6.5.1 Observations

The Delegation noted:

- with concern the high-cost burden associated with load shedding;
- the impact of Zama Zama syndicates on service delivery;
- with the consolation that Sentech is devising means to circumvent load-shedding by generating its power supply;
- that maintenance of signal distribution infrastructure is extremely high; and
- that migration of radio to digital platforms is costly, and there needs to be adequate funding to support migration.

6.5.2 Recommendations

The Committee recommended that the Minister should ensure the following:

- that relevant authorities in the Justice cluster are consulted on ways to prevent Zama Zama's from derailing service delivery; and
- that adequate funding is sourced and ring-fenced to support the complete migration of the country to digital technologies.

6.6 Households Site Visits: OK Furniture Store and Senekal Township

The Delegation visited the furniture store to check whether there was still a sale of TV sets that are not digitally ready. The store manager received the Delegation and indicated that the store has digital-ready and non-digital TVs. He noted that, most often than never, consumers are restricted by budget and will purchase based on affordability.

The Delegation proceeded to conduct household visits and was divided into three groups for spot checks in different households in the area. The spot checks were mainly used to evaluate the Quality of Service (QoS), such as in signal reception, picture quality, content availability, etc., of the DTT programme. Speaking to available household members, the Delegation was able to engage citizens on the impact of the service, particularly to the chosen households.

6.6.1 Observations

The Delegation noted:

- that there are some signal issues impacted by weather patterns;
- that household can use WhatsApp to log faults;
- that some boxes malfunction after deployment;
- that at times, households freely exchange boxes with relatives;
- that at times, the fault emanates from the LLB connector cables; however, households are not aware;

- that the evaluation of Quality of Service appears to be minimal; and
- that some households often prefer to reinstall the antennas indoors because of theft.

6.6.2 Recommendations

The Committee recommended that the Minister should ensure the following:

- that there is an adequate response by the DTT team to communities;
- that the Department reviews services standards to improve QoS;
- that USAASA appear before the Committee to present a project evaluation report of QoS before the end of the 6th Parliament;
- that the Department ensures that the policy directive to stop the sale of Analogue TVs by the end of the financial year is adhered to;
- that the Department ensures that there is no analogue TV dumping in South Africa;
- that the Department strengthens its support campaign so that communities have fault-logging mechanisms available at all times;
- that the Department addresses the issue of households freely exchanging STBs while the policy does not allow; and
- that the Department presents to the Committee (i) an audit of all faulty STB's before the end of the 6th Parliament; and (ii) a theft audit of already installed STBs nationally.

Report to be considered.

2. Report of the Portfolio Committee on Communications and Digital Technologies on the oversight visit to Gauteng and Northern Cape Province, over the period 19 to 21 April 2023, dated 13 June 2023.

1. Introduction

Chapter 4 of the Constitution of the Republic of South Africa, No. 108 of 1996 and Section 55 in particular outline the powers of the National Assembly, while the Rules of the National Assembly further explicate these powers and functions assigned to Portfolio Committees. The mandate to the Portfolio Committee on Communications and Digital Technologies (PCCDT) to legislate, conduct oversight over the Executive and facilitate public participation is thus derived from these sources. In executing its oversight functions, the Committee oversee the Department of Communications and Digital Technologies (DCDT) and the Government Communications and Information Systems (GCIS), as well as all organs of State reporting to the Departments.

Therefore, the oversight approach of the Committee entailed visiting various projects implemented by entities such as the Broadband Infracore (BBI), the Universal Service and Access Agency of South Africa (USAASA), the State Information Technology Agency (SITA), South African Post Office (SAPO) and Sentech to monitor and oversee the implementation of key national priorities which underpin the NDP. The Committee also conducted an extensive engagement with organised labour from the Department and its Entities.

The oversight visit of the Committee was mainly concentrated on the key programmes of DCDT, namely the implementation of the SA Connect Broadband Policy and the Direct-To-Home (DTH) broadcasting, which is a subset of the Digital Terrestrial Television (DTT) project. The oversight visit was primarily focused on both the Gauteng and Northern Cape Province.

The above-mentioned programmes are considered priority programmes, and it had become urgent that the Committee witnesses and tracks progress physically to be able to measure whether the Department and its Entities would be able to meet the tight deadlines set by the government. Without proper and acute oversight, it would become increasingly difficult for the Committee to conduct its oversight role diligently. As the President put it, *'completion of*

digital migration is vital to our ability to harness the enormous opportunities presented by technological change effectively.'

2. Committee Delegation

2.1. The Delegation from the Portfolio Committee was comprised of seven (7) members and four (4) support staff.

Name	Designation	Organisation
Mr B Maneli	Chairperson & Delegation Leader	African National Congress (ANC)
Mr LE Molala	Member of the Committee	ANC
Mr TT Gumbu	Member of the Committee	ANC
Ms NJ Kubheka	Member of the Committee	ANC
Mr MR Mdakane	Member of the Committee	ANC
Ms TK Bodlani	Member of the Committee	Democratic Alliance (DA)
Ms Z Majози	Member of Committee	Inkatha Freedom Party
Support Staff		
Mr M Erasmus	Committee Assistant	Parliament
Dr J Medupe	Content Advisor	Parliament
Mr M Maleka	Content Advisor	Parliament
Mr J Molafo	Committee Media Officer	Parliament

2.2 The Committee received apologies from the following Members:

- (a) Ms Mthembu - (ANC)
- (b) Mr S Tambo – (EFF)

3. Day One: 19 April 2023: Engagement with DCDT, NEHAWU, PSA, CWU and Un-Unionised Members' Engagement.

The Chairperson of the Committee, Honourable Boyce Maneli, introduced the Members of Parliament and called on the Minister for the opening remarks.

The Minister, Mr Mondli Gungubele, made the opening remarks and stated he was excited about the visit of the Committee. He indicated that the Department had recently conducted a meet-and-greet session with organised labour. He further emphasised that it was imperative for

the Department not to be perceived as interfering in the engagement between the Committee and the organised labour. The Minister indicated that whenever the Committee decided to meet, different stakeholders, including organised labour, would be allowed space to do so.

The Minister mentioned that the Department had quickly realised the need to unlock the economy through digitalisation. Thus, the Ministry heeded the call to provide leadership on the appropriation of the digital economy for the country. Therefore, one of the important assignments would be to ensure that all the digital dividend spectrum was vacated by the broadcasters and urgently released for the cost-effective rollout of broadband connectivity in the underserved areas. The Minister highlighted that the Department had committed to the Presidency to roll out 412 Internet connections to the Province of the Eastern Cape in 100 days.

The Minister reiterated that the Department committed to connecting a total of 40 000 sites as part of its broadband rollout. He indicated that Sentech, SITA and BBI, together with the private sector, will play a role in speeding up broadband connectivity. He further reiterated that one of the major concerns was that it was only the Mobile Network Operators (MNOs) who were still dominant within the space, and the Department would make sure that the Small, Micro, and Medium Enterprises (SMMEs) were included in the procurement value chain of the broadband rollout.

The Minister emphasised the role which will be played by the Electronics Communications Act (ECA) in the universal service implementation of broadband and that the amendment of the bill will need to be processed expeditiously. He further highlighted that the market inquiry on the reduction of the cost of data was in the process of being implemented. The Minister further highlighted that the ECA Amendment Bill was being prioritised, and this would assist in the universal service implementation and coverage as part of the mandate of the Department. He indicated that the national policy on rapid deployment of electronic communications networks and facilities was approved by the Cabinet on 29 March 2023 and was in the process of being implemented.

The Minister further submitted that on 29 March 2023, Cabinet also approved the new Sentech Interim Board and that the Department is busy finalising the SAPO board. He emphasised the importance of the National Electronic Media Institute of South Africa (NEMISA) around skills development for an appropriation of the digital economy. The Minister said that India was one good model to be learnt from in terms of the development and exportation of digital expertise and skills.

The Committee appreciated the feedback from the Minister, and it noted the work done to stabilise the various governance structures within the Entities. The Chairperson also appreciated the urgency of filling the Director-General position for the Department. The Committee proceeded to excuse the Executive from the meeting in order to pave the way for the engagement with the unions. He highlighted that the voice of the workers was very important as part of the oversight and that the union needed to speak without any fear of victimisation.

The Delegation held engagements with various unions, including National Education, Health, and Allied Workers (NEHAWU), Public Servant Association (PSA), Communications Workers Union (CWU), and the non-unionised representatives.

3.1. Day One: Committee Engagement with the Unions

3.1.1. NEHAWU'S submission on DCDT

The representatives of NEHAWU presented the various grievances of its members. One of the issues raised was the ballooned staff structure due to the redundant staff members who were at political appointments but did not move with Executives after the Cabinet reshuffles, and these members were left redundant in the process. The union further submitted that the organisational structure of the Department was approved in 2018, but that there were still a number of critical positions that needed to be filled. Notably, the following critical positions were yet to be filled: Director-General, Chief Financial Officer, and Deputy Director General – Policy.

NEHAWU further submitted that junior staff members were not considered whenever there were vacant positions. The union highlighted that the Department needed a formal succession planning strategy. One of the major concerns raised by the union was that the employment equity report indicated that the department was ageing.

3.1.2. NEHAWU'S submission on Film and Publications Board (FPB)

NEHAWU submitted that one of the major problems was that salary negotiations were always delayed due to the time it takes for the FPB Council to engage organised labour. This was exacerbated by the fact that the leadership needed to be more consultative and needed to have a better attitude towards the staff, and this led to the staff's low morale. The Entity had failed on numerous instances to pay performance bonuses despite the number of clean audits. No one

was prepared to take responsibility between Executive Management and the Council. The union further mentioned that there needed to be more alignment between the funding of the tertiary studies and the skill sets needed at the Entity. NEHAWU also indicated there had been several international study trips which did not benefit the rest of the staff members and that these trips were only applicable to a small group.

The union further highlighted that there had been a continuous change of management structure without formal consultation with staff and labour. There was also a complaint about the FPB Council's interference in operational matters. The union also submitted that there had been a lack of transparency from the entity and that there had been a number of investigations on the overpayment of certain staff members, but the final report back is never shared with labour.

3.1.3. NEHAWU'S submission on ICASA

NEHAWU submitted that the delayed appointment of the ICASA Chairperson was creating instability in the organisation. One of the issues raised is that the revenue collected from the spectrum sale goes to the national fiscus and hardly benefits the Entity or the staff. The issue of the appointment of the former Chief Executive Officer (CEO) and ICASA Chairperson by the private sector was also concerning, as this was perceived as a direct conflict based on their previous roles at the regulator.

3.1.4. Committee Observations on NEHAWU'S Presentation

The Delegation noted:

- the general low staff morale at DCDT and its Entities;
- that the general staff members were likely to be more disgruntled given that the union members displayed many frustrations across the entities;
- that the old DCDT structure remains a serious concern, and there was an urgent need to fill all vacant funded posts;
- that there is no succession planning in the Department;
- that the issue of the staff linked to the ministerial handbook needs to be addressed as staff members get left redundant when there is a change of Executive;
- the lack of job and performance evaluation at DCDT;
- the concerns around the bloated structure and the duplication of positions and roles at FPB;

- that ICASA should utilise bargaining avenues for remuneration issues and performance bonuses at the Entity;
- that the funding model on ICASA needs to be revisited;
- the concerns about lack of restraint of trade and a cool-off period for Entities' senior management when they join the private sector with a possible conflict of interest;
- the concerns with the salary structure at ICASA, where the total cost to the company is a major challenge when it comes to the recruitment of the relevant skill sets; and
- that the victimisation of staff by management is likely to lead to some of them to leave the Entity.

3.1.5. Committee Recommendations on NEHAWU'S presentation

The Committee recommends:

- that DCDT address the staff morale at the Department and its Entities;
- that DCDT deal with the issue around the organisational structure and ensure that all the funded posts are filled;
- that DCDT look at the issue of succession planning in the Department;
- that DCDT deal with the issue of the staff who were linked to the ministerial handbook and have been left behind after the Ministers have been reshuffled;
- that DCDT must ensure that job and performance assessments processes are in place and conducted regularly;
- that the DCDT look at the FPB's bloated structure and duplication of positions;
- that the DCDT look at the funding model at ICASA;
- that DCDT look at the restraint of trade across all the Entities for all the senior management after leaving the organisations;
- that ICASA look at the salary structure on the total cost to the company, which remains a serious challenge to address the relevant skill sets due to its non-competitiveness to the market; and
- that the DCDT look at the victimisation of staff who raised grievances across all the Entities.

3.1.6. Committee Engagement with PSA

The representative from Public Service Administration (PSA), Mr Kagiso Kagiso, appreciated the opportunity to be heard by the Delegation of the Committee. The union highlighted that it

had similar concerns as those raised by NEHAWU. He submitted that they had a few issues related to the Department as it had a very small representation within DCDT. The only major concern was the proposed organisational structure within the Department, which needed to be more balanced. The structure, which was yet to be approved, had seven DDGs before it was rescinded. The union indicated that DCDT had always consulted in bad faith. PSA further highlighted the high vacancy rate in the department and indicated that there was a total of 150 000 vacancy rate in the public service, and the Department was also contributing to that. The union commended the Department for the finalisation of the policy on sexual harassment.

3.1.7. Committee Observations on PSA

The Delegation noted:

- the presentation and expressed appreciation for the submission by PSA;
- that there was a bloated structure in the Department;
- with concern to the number of vacant positions within the Department; and
- a need for a commitment to further engagement with PSA and the rest of the unions.

3.1.8. Committee Recommendations on PSA

The Committee recommends:

- that the Committee will ensure a follow-up discussion with the PSA and the rest of the unions.

3.1.9. Committee engagement with the Communications Workers Union (CWU)

The representative from CWU, Mr Tshabalala, appreciated the audience of the Committee. The union raised some concerns about the limited time allocated to the Committee, given the number of labour issues which the sector was faced with. The union further highlighted that the issue of SAPO was rather becoming too volatile, and three staff members were assassinated recently in Bizana, in the Eastern Cape. The workers were targeted at SAPO due to non-payment of grants of R350. The union also raised a major concern that SAPO had been closing retail outlets in a number of areas, and citizens had to pay more for transportation to access other outlets for grant payments.

The union submitted that there should be a financial audit on SAPO before the bailout was finalised. It submitted that the biggest fear was another misappropriation of the latest bailouts

due to the misallocation of the funds. The union further indicated that there were a number of ghost workers at SAPO, and there is an urgent need for a skills audit. The union indicated that due to the financial constraints at SAPO, there was a huge challenge in the payment of voluntary severance packages, including pension payouts.

The union also submitted that there had been a trend where every two years, there have been retrenchments at Telkom and that there was a deterioration at the organisation. The Company had been reporting profit over the years, but recurring retrenchments were still being implemented. The union was also concerned that a reported rampant corruption at Telkom was being covered up and that Telkom had challenged the recent Special Investigating Units (SIU) report.

The union further submitted that the Over-The-Top (OTT) services were negatively affecting the SABC bottom line with serious concern that profits accumulated by these OTTs do not remain in the country, and that these were also not their revenue is not being subjected to company taxation. This exacerbated the pressing need for more regulations on OTTs.

The union also raised the delayed merger between Sentech and Broadband Infraco, which had negatively affected the morale of the workers. The union added that the corruption allegation around the Sentech Nasrec building was yet to be finalised, and this was worrying greatly as the matter had been dragging since the 2010 World Cup.

3.1.10. Committee observations on CWU

The Delegation noted:

- and appreciated the submission by CWU;
- the issues raised on corruption and the killing of staff at SAPO in Bizana;
- that there should be a full financial audit on SAPO before the bail-out process is completed;
- that there is a suspected number of ghost employees at SAPO;
- that there is a challenge with the payment of voluntary severance packages due to the lack of funds at SAPO;
- the union's concerns on the reporting line of Telkom, where the entity is not accountable to any Department and the Committee is unable to conduct an oversight role on the organisation;

- the concern of the union on the selling of the State assets, including the planned sale of Telkom;
- that there has been recurring retrenchment at Telkom even though the company has been reporting profits over the years;
- the concerns around the OTTs and their impact on SABC sustainability;
- that the merger of Sentech and BBI is referred to as an acquisition, and this has added to the confusion;
- DCDT has operated for a long time without a revised organisational structure;
- concerns on the elimination of whistle-blowers in public service;
- the issue around the challenge of the unpaid pensions at SAPO, even for those employees who have passed on; and
- encouraged CWU to collate all the related information on unpaid pensions by SAPO on affected employees.

3.1.11. Committee recommendations on CWU

The Committee recommends:

- that DCDT look into the issue of staff safety at SAPO after the killings in Bizana at the Eastern Cape;
- that DCDT look at the allegations of ghost workers and deal with the reported corruption at SAPO;
- that DCDT look into financial sustainability at SAPO, including the lack of funds for the payment of voluntary severance packages;
- that DCDT look at the reporting line of Telkom and the oversight role played by the government as one of the shareholders in the organisation;
- that DCDT scrutinise the reported deal on the selling of part of Telkom;
- that DCDT look at the ongoing retrenchments at Telkom to safeguard further job losses at the organisation;
- that DCDT comes up with the legislation and intervention to minimise the impact of the OTT on the sustainability of the SABC;
- that DCDT ensure that the whistle-blowers are protected;
- that SAPO attend to the outstanding pension funds of the employees who have passed on; and
- that CWU submits the rest of the information on labour matters to the Committee.

The Department must report back to the Committee on all matters, including those raised by the unions, before the end of the 6th Parliament.

The Committee Delegation concluded the business of the day and proceeded to the Airport *enroute* to Northern Cape Province.

4. Day two: 20 April 2023: Committee oversight at Hopetown (Thembelihle Local Municipality)

4.1. Briefing by the Acting Director General

The Acting Director General (ADG), Ms Nonkqubela Jordan-Dyani, briefed the Delegation on the programme for the oversight in the Northern Cape. She highlighted that the Pixie Ka Seme District was one of the eight chosen for the National Health Insurance (NHI) project, and that was what informed the rollout of the SA Connect programme in the District. The ADG indicated that the programme had only enough funds to maintain the implemented sites under Phase 1. She further submitted that the Phase 2 funding application, including financial analysis for an amount of R2.5 billion, had been submitted to the National Treasury for consideration and approval. She indicated that the BDM Policy implementation was unique in the Northern Cape due to the implementation of the Square Kilometre Array (SKA) and that Direct-To-Home (DTH) was implemented to minimise interference. She indicated that in Hopetown, there were an estimated 1 324 indigent households, and the registration for Set-Top Boxes (STBs) was 834 households, and these have been connected. In Douglas, under the Siyancuma Local Municipality, there were 2 144 households and 1 400 turnouts to register, with 1 044 migrated to BDM. The ADG indicated that there was a post-implementation network support structure with Sentech running the call centre for the first line of support. The Delegation proceeded to the next site.

4.2. Committee visit at Steynville Primary School – SA-Connect

The Executive Mayor of Thembelihle Local Municipality, Honourable Leonard Makena, made opening remarks and appreciated the visit by the Committee to Thembelihle. The Mayor appreciated that the school and community were benefiting from the Wi-Fi connectivity. However, he complained about the reliability of the service as the network availability was very poor most of the time. The school was connected by both BBI, providing the backhauling, and SITA, which provided the backhaul and the end-user equipment. The biggest problem was

attributed to the poor quality of service provided by SITA. The Mayor submitted that the network failure was 90 per cent of the time in any given month.

The Acting Deputy Principal, who was also a grade one teacher, made some remarks on the benefits of having internet services. She indicated that in the morning, the children could go on the Internet and check the weather services for the day, and this assisted with better planning for the day.

The subject advisor to the Department of Basic Education, Mr Caven Vries, indicated that he had been part of the broadband project from its inception. He indicated that the connectivity was intended to benefit the learners for research and learning purposes. He highlighted that the network throughput was at 10Mb p/s. He further highlighted that there were two APs (access points) to the network, one dedicated to the learners and the other one for guests, where the guest access point was at the speed of 2Mb p/s.

4.3. Committee observations on the visit to Steynville Primary School

The Delegation noted:

- that SITA network downtime was concerning and implored that this be resolved speedily;
- with concern to the slow speed and throughput of the Internet connectivity;
- the need for training of the end-users to have the basic knowledge of troubleshooting network failures for speedy fault resolutions;
- the lack of a clear fault reporting mechanism for quicker response from SITA and BBI;
- a need for Internet access to be provided to the surrounding communities for broader benefits; and
- that the Internet connectivity was adding value to the school.

4.4. Committee recommendations on a visit to Steynville Primary School

The Committee recommends:

- that SITA should ensure that the network availability is maintained with a clear fault escalation process during the network failure;

- that BBI, SITA and USAASA should ensure that the end-users are trained with basic skills for network troubleshooting to resolve minor faults as first-line support before escalations to the second level support; and
- that the implementing Entities should ensure that the surrounding communities benefit from Internet connectivity surrounding the school facility.

The Department must report back to the Committee before the end of the 6th Parliament.

4.5. Committee visit to Hopetown Clinic – SA-Connect

The Portfolio Committee Chairperson, Honourable Maneli, introduced the Members of the Delegation and indicated that this is a Committee from the National Assembly (NA) constituted by a multi-party system. He indicated that the Committee needed to come and make an assessment of the implemented services and get feedback on the user experience of the services. The Chairperson highlighted that the Committee was there to do two things, to hear how were the performance of the service and the assessment of the network functionality.

The senior nurse at the clinic indicated that the connectivity has been working fine since inception, but the only problem was the Health Patient Records System (HPRS), which is a Department of Health solution. HPRS is currently inaccessible, and the clinic was unable to retrieve the patients' records. The clinic also indicated that the connectivity assists the patients in communicating with their family members during their stay at the clinic.

The technical representative from SITA, Mr Thulani Mavusi, Technical Manager, indicated that this was one of the sites where SITA was expected to provide the Local Area Network and WIFI connectivity, with BBI providing the backhaul connectivity. SITA would then install several Access Points (APs) depending on the size of the site. SITA also conducted handover training for the end-users on how the systems work.

One of the major problems was that there were longer outages on the network due to the time it took for the faults to be reported back to the SITA Network Operations Centre. The primary reason was that as the staff came and went into the clinic, there needed to be a proper handover which resulted in the new staff battling to log faults on time with SITA due to wrong contacts. This was very critical for first-line support for SITA, where a person would need to be onsite for basic troubleshooting before the problem could get escalated to second-line support, where a field technician would have to be dispatched to the affected site. There were also equipment warranties with the service providers where faulty equipment could be replaced whenever there was a major failure.

The technical representative from BBI, Mr Peter Magafane, Acting Chief Technical Officer, highlighted that the feedback has been positive. BBI provided a physical connection which was layer 2 of the network. The SMMEs were utilised to provide the base stations, which were part of the points of presence before the local area networks. Important to highlight that the SLA on fault resolution required that the network was restored within fourteen hours for all the major faults. The connectivity was tested, and Members were given a first-hand experience of the performance of the network. One of the major challenges is vandalism on the equipment, and this was worse during COVID, but the network has protection where there is redundancy.

4.6. Committee observations on a visit to the Hopetown Clinic

The Delegation noted:

- that fault logging and escalation were major problems due to a lack of updated contacts for the onsite support; and
- that vandalism remains a major problem as it exacerbates network downtime and poor Quality of Service.

4.7. Committee recommendations on a visit to the Hopetown Clinic

The Committee recommends:

- that BBI and SITA should ensure that the fault logging and escalation processes are refined and that contact details are regularly updated; and
- that DCDT ensures that all the State's assets are safeguarded from theft and vandalism.

The Department must report back to the Committee before the end of the 6th Parliament.

4.8. Committee visit to the Community Hall and Youth Centre – SA Connect

The representative from the youth centre received the Delegation and highlighted that this is a public WIFI site. The connectivity is funded by USAASA and implemented by BBI. USAASA is in the process of connecting additional access points as there was vandalism, and the additional APs will be installed for better and wider coverage.

The Chairperson of the Committee emphasised the importance of sites such as this public facility where the community is benefiting directly. This is what the essence of community development is all about.

The USAASA Acting CEO, Ms Cwayita Madikizela, indicated that there were ongoing discussions with NEMISA and . ZADNA to ensure that there was full access to services offered by other government entities. She emphasised that this was very important to ensure that not only connectivity is provided, but other ICT auxiliary services can be accessed. This would address the issue of skilling through these entities. The Chairperson highlighted that the local members of Parliament through their constituencies would have to be brought on board to keep abreast with the development, and this would serve as ongoing oversight where parliament will be kept updated on further developments around these communities.

Members were also taken to the youth centre, which needed more resources to be fully functional. The youth centre needed the funding and budget to ensure that the centre was fully operational. One of the major concerns was the lack of enough space to accommodate the infrastructure, and security remained a major concern due to vandalism.

The Executive Mayor indicated that the facility was sponsored by Vodacom, and the people who used to work for the centre have since left. Vodacom donated about ten laptops, but the people who used to work for the centre did not return the laptops after they had left. The Executive Mayor committed that a strategic place will be identified to relocate the centre.

4.9. Committee observations on a visit to the Community Hall and Youth Centre

The Delegation noted:

- that there was vandalism of the installed equipment and limitation on the community access to WIFI due to the number of installed APs.
- that there is a plan to install additional Access Points (Aps) for improved coverage and efficiency;
- that there are plans to bring other entities such as NEMISA and. ZADNA on board for digital skills training for the youth and ensure that the connectivity is of economic benefit for the youth and communities;
- with concern that the youth centre is not functional due to vandalism and theft;
- that the current site for the youth centre must be relocated to a secured site before further investment could be made to ensure a functional facility providing services to the youths; and
- that the Executive Mayor has committed that the municipality will ensure that the youth centre is relocated to a secure and functional site.

4.10. Committee recommendations on a visit to the Community Hall and Youth Centre

The Committee recommends:

- That USAASA should ensure that additional APs are installed for wider coverage for the benefit of surrounding communities;
- that DCDT ensures that there is collaboration amongst its Entities, such as NEMISA, .ZADNA, BBI, USAASA and SITA for wider uptake of installed connectivity infrastructure; and
- that DCDT follows up on (i) the relocation of the dysfunctional Youth Centre to a new and secured location; and (ii) remedial actions to minimise theft of infrastructure such as the laptops invested by the State and private sector.

The Department must report back to the Committee before the end of the 6th Parliament.

4.11. Committee visit to DTH households for spot checks

The Delegation conducted spot checks to assess the challenges on the rollout of the BDM programme, which are mainly DTH platforms. There were several households that migrated to DTH that were visited. One of the common observations was that households chose to install more than one television service. One household that was visited had three satellite services which are Multichoice, OpenView and DTH. The owner of the home indicated that he was happy with the connectivity and that there were no challenges. He indicated that he uses DTH mainly to watch sports in his bedroom. The community member further complained that he was unable to pay for his television license due to SABC services which are never available in Kimberly.

The Members raised concerns that during the briefing of the ADG, there was an indication that there was a total of 834 community members migrated to DTH from a total of 1 324 qualifying households and walking around, it took a bit of time for the Delegation to come across households who were connected. The Members highlighted that the numbers shared by the ADG might need to be verified for validation purposes as there was a discrepancy.

The Delegation raised further concerns about how communities are reliant on Multichoice as a primary source for receiving broadcasted content, bringing into question the value of government provision of DTH services. The issue is not necessarily the quality but is more related to premium content choices.

The Chairperson elaborated that one of the reasons why people prefer the Multichoice service over the DTH services provided by the government was because the former was able to commission a certain type of content that viewers prefer. The fact that all the SABC channels were available on the DTH platforms and yet people are still loyal to the Multichoice service was further proof that '*Content is King*'. The Chairperson highlighted that this called for greater collaboration amongst the various infrastructure and content providers in order to avoid duplication of services.

The ADG indicated that the ability of the SABC to compete for premium content had been a major concern for the government and that SABC had previously indicated the risks associated with the restrictions on the PFMA. The SABC was always required to fulfil certain PFMA rules in order to source premium content. The rules were an impediment to the multinational companies that were selling premium content. The deviation from the PFMA was required for the SABC to source competitive and relevant content.

The relaxation of the PFMA rules in content acquisition could ensure that the SABC sourced content from other community television stations in order to attract viewership. For example, the Soweto TV station, which was quickly snatched by Multichoice due to the slow process of acquiring such services by the public broadcaster, could ensure an increased viewership on the SABC platform and help drive advertising revenues.

The ADG indicated that there was definitely a need for the rollout of the DTH as some households depended on DTT as the only source of television.

4.12. Committee observations on household spot checks for DTH services.

The Delegation noted:

- with concern that some households have three satellite dishes installed with different service providers due to the limitation of the content offered on some of the platforms, particularly the SABC DTH platform;
- with concern that the total number of 844 DTH-migrated households, as was reported by the Department, does not reconcile with the evidence gathered by the Committee Delegation during the oversight in Northern Cape;
- that there is a need for consolidation and sharing of infrastructure by the various broadcasting service providers in order to avoid duplication of hardware installed in households on the basis of content variation; and

- with greater concern that the SABC is unable to acquire new content for the DTH platform due to the stringent PFMA and National Treasury rules.

4.13. Committee recommendations on household spot-checks for DTH Services.

The Committee recommends:

- that the SABC should look into the development and acquiring relevant content to ensure uptake of DTH services provided by the public broadcaster;
- that the DCDT should explore the possibility of collaboration with other broadcasters such as Multichoice and the ETV Group in order to minimise duplication of infrastructure such as the satellite dishes and ensure optimisation of resources; and
- that the DCDT should urgently review, consult and make recommendations to relevant authorities on how to ease PFMA regulations, which impede the SABC from being competitive in acquiring premium content. The Committee should be apprised on developments before the end of the 6th Parliament.

The Department must report back to the Committee before the end of the 6th Parliament.

4.14. Committee visit to Hopetown Community Health Centre

The Members visited Community Health Centre, where positive feedback was received that the service has been working to date. The Health Centre also indicated that the fault resolution process has been effective and helpful.

The infrastructure is funded by USAASA and implemented by BBI. USAASA also highlighted that there are three APs connected throughout the hospital and that there were plans to move one of the APs to the nurses' homes for access to systems after-hours.

4.15. Committee observations on Hopetown Community Health Centre

The Delegation noted:

- that the connectivity is fully functional and the response time on fault resolutions is commendable; and
- that USAASA has committed to moving one of the three APs connected at the health centre to the nurses' home to ensure after-hours access to Internet services.

4.16. Committee recommendations on Hopetown Community Health Centre

The Committee recommends:

- That USAASA should ensure that an additional AP is installed at the nurse's home for coverage during after-hours.

The Department must report back to the Committee before the end of the 6th Parliament.

4.17. Committee visit to Hopetown Magistrate Office

The Acting Chairperson introduced the Members and requested that the court official present the user experience. BBI indicated that this was one of the new projects with about 112 facilities connected in Pixie Ka Seme District. Ms R May, Court Manager, welcomed the Delegation and indicated that the service is working fine, however it is not accessible from outside of the court building. The Delegation noted that the court does not provide online court services, perhaps because it is a new installation.

BBI further indicated that the reason why the service was not accessible from outside the court was that there were no APs installed outside the court, and this was due to the limitation on the scope of the project and that extending the original scope has cost implications. USAASA also indicated that the configuration of the services was by design to work only inside the court. BBI and USAASA will review the original scope in order to accommodate outside-of-the-Court coverage.

The ADG also committed that all the issues raised will be followed up and communicated back to the client. The Delegation emphasised the importance of ensuring that the service is all-inclusive and positively impacts the broader community in the vicinity of the Magistrate Court building.

4.18. Committee observations on a visit to Hopetown Magistrate Court

The Delegation noted:

- that the service is working properly and always accessible;
- that coverage is limited to the inside of the court building;
- that BBI and USAASA will look into the feasibility of extending the service to the outside of the court building; and
- with concern that the court does not provide online court services yet.

4.19. Committee recommendations on a visit to Hopetown Magistrate Court

The Committee recommends:

- that BBI and USAASA should ensure that (i) there is also connectivity outside the court to ensure access by the public in the proximity of the court; and (ii) online court services are deployed.

The Department must report back to the Committee before the end of 6th Parliament.

The Committee Delegation concluded the business of the day and returned to the Hotel in Kimberly.

5. Day three: 21 April 2023: Committee oversight to Douglas (Siyancuma Local Municipality)

5.1. Committee visit to Radio Taemaneng

The Acting Chairperson, Honourable Molala, introduced the Committee Delegation and its support team. The Station Programme Manager, Mr Winston Mosimanyane, stated that the station was one of the seven community radio stations in the Northern Cape. The station was the first in the Province and was established in 1993. The station was established during multiple stakeholder engagements, including civil society. The station went on air on 1 May 1995. The management structure was made up of five members with a total of 19 radio presenters.

The presenters were a mixture of part-time and full-time. The station was first given six hours on air based on the Independent Broadcasting Authority (IBA) regulations when the license was first acquired. The station was originally based at the building where Sol Plaatjie University is located before relocating to the current building. The station was now accommodated by the Griqualand Rugby team, with the current 10-year lease about to expire. There was some engagement with the university with the possibility of being the tenant of Sol Plaatjie University.

Getting a permanent building for the station had been a major challenge because of affordability. The station had also approached the Provincial government for intervention. There were also offers to move to the Sol Plaatjie Municipality, which is likely to result in a conflict of interest as we are supposed to be an independent entity, a station.

Mr Mosimanyane indicated that there was a governing structure in place, but its term had expired, and the station was in the process of calling an Annual General Meeting (AGM) to appoint a new board. The station was also in the process of renewing the license, which expires in August 2023, and the application document has been processed and sent to the regulator for a decision. He further submitted that one of the major consistent challenges was the governance and had always been related to tensions between the board and management.

Mr Mosimanyane further submitted that it was the expectation that all persons serving on the boards of Community Radio Stations (CRS) served selflessly without expectation of financial reward. It was common knowledge that CRS experience generally has financial constraints due to the nature of the business model, which limits modes of source of income.

The public generally needed to be made aware that Community Radio Stations were like diamond mines. There had been a recommendation with the Regulator Regional Office to educate those in governance structures of CRS on the legislative mandate and what was expected from the CRS governance structure. He further highlighted that the bulk of the work in the station had been on the shoulder of management and, in some instances, with little support from the board over the years.

The Programme Manager indicated that the current studio equipment was funded by the MDDA. The Agency also assisted the radio with the bail-out during Covid-19. The station does not have any donors, and ninety per cent of its revenue is derived from advertising. The bulk of the station revenue goes to paying staff and the rest of the operations.

In terms of coverage, it was the license conditions that dictated coverage of the station. However, Radio Taemaneng only covered a radius of 100 kilometres, just under the required radius, due to cost constraints. The station recently tried to apply for additional funding with the MDDA, but due to non-compliance with governance, the application could not be processed.

One of the other challenges has been load-shedding because the station normally uses a small generator to power the studio. There was a challenge to remain on-air and be able to sustain the station for long periods without incurring additional costs. Management was in the process of looking into the possibility of procuring a more-powered generator, which costs about R100 000. This would ensure that the whole operation of the station was not affected by power cuts. The station is self-providing for signal distribution because tariffs from Sentech were quite unaffordable.

The station had produced a number of media personalities, such as Ms Mercedes Besent, Ms Mokopi Molebatsi from Motswedding FM and Ms Crystal Arnold from Supersport. Currently, gender balance was an issue, the station only had four women on air out of 19 presenters. The trend had been that women who come to the station did not last and this matter was being addressed in order to ascertain the actual reason behind less representation of women at the station. The station had made some attempts to recruit across the racial divide, but that had yet to be successful.

5.2. Committee observations on the visit to Radio Taemaneng

The Delegation noted:

- and appreciated the presentation by the Programme Manager and that he was articulate on the important matters affecting the station because of his long-serving years at all structures of the CRS since its inception;
- with appreciation that the station has produced some well-known media personalities;
- that Taemaneng FM is an exemplary model for the sustainability of Community Radio Stations, given its twenty-seven years of existence;
- that over the years, station management has been mostly responsible for sustaining Taemaneng FM when compared to various boards who served the station and failed to play their fiduciary roles in growing the station;
- with great concern that the station has only four women on air out of 19 presenters;
- that it is the responsibility of the government to support Community Radio Stations so that our citizens can have a plurality of voices as annotated in the Constitution of the Republic;
- with concern that the station is struggling secure permanent accommodation but that there is an engagement with the Provincial Government for urgent intervention;
- that a new board is yet to be appointed however that the process is underway;
- with concern that the station is negatively impacted by load-shedding and unable to procure backup power which costs in the region of R100 000, a predicament that might be a reflection of all other Community media;
- that the station is self-providing on signal distribution due to the unaffordable tariffs quoted by Sentech; and

- with concern that the station is being sustained on a hand to mouth basis, and is likely to impact on the future sustainability and/or existence of the station.

5.3. Committee recommendations on a visit to Radio Taemaneng

The Committee recommends:

- that Ministers and relevant Departments of GCIS and DCDT solidify corporation for the benefit and sustainability of community media in general;
- that the Minister, GCIS and relevant Entities should ensure that there is a gender balance in all structures of Community Media projects, including of radio presenters;
- that the GCIS, together with relevant Entities, should (i) urgently facilitate between the station and Municipality in finding a permanent location for Radio Taemaneng because the current lease is close to expiry; and (ii) sustain and growing services and relations with the Municipality;
- that there is a board at the station adequately empowered to maintain and grow community broadcasting services as well as upholding democratic values;
- that the GCIS, together with relevant Entities, should corporate and develop a plan to minimise the impact of load-shedding on Community media in general;
- that the Minister, GCIS and relevant Entities should collaborate to continuously educate CRS about governance and legislative mandate of serving in community media, including differentiation between executive and non-executive roles;
- that DCDT and ICASA should review the license conditions such that geographic proximity of CRS is less encouraged. This will ensure that CRS attracts increased listenership and more advertisement, ultimately contributing to the financial sustainability of CRS; and
- the GCIS must provide an audit on the status of Community media per province, including an audit of governance and financial status.

The Department and relevant Entities must report back to the Committee before the end of the 6th Parliament.

5.4. Committee visit to Ikageng Intermediate School

The Principal of the School, Ms Marie Ximena, welcomed the Delegation of the Committee. The Chairperson introduced the rest of the Delegation and made opening remarks that the

oversight visit is on behalf of a National Assembly Committee in order to check the extent of service delivery that is provided to communities on behalf of the Portfolio.

The ADG briefed the Committee on the work done at the School by the various Entities reporting to the Department. She indicated that this was a multidisciplinary project within the Department in order to ensure broadband access. The school is one of the 69 sites of the targeted Schools in the Province. USAASA CEO, Ms Cwayita Madikizela, emphasised that in the Northern Cape, there were 112 sites earmarked for broadband connectivity. She indicated that this is one of the new sites and has two APs installed, one for the administration block and the other one for the staff room and computer room. The Agency had also indicated that an additional AP is needed for the back office, and this was due to be connected in a week. The need for an additional AP was due to the size of the school, and the additional AP will also be able to provide connectivity to the surrounding communities. The BBI CEO, Mr Gift Zowa, highlighted that for any technical problems, BBI would be the first point of call. BBI has 13 regional offices in all the provinces, including the Northern Cape.

The Principal indicated that the school appreciates the service and it's quite helpful for the school and community alike, given its location in a farming community and connectivity is a major challenge. She indicated that another major challenge is that during load-shedding, there is no connectivity, sometimes for up to 4 hours, and that connectivity only extends to the library. The school has password control in a place where only the teachers have access to the Internet. She indicated that the speed of the network is acceptable.

The Provincial Department of Economic Development and Tourism also indicated their appreciation for the connectivity and that this will further ensure economic development in the immediate area, the Province and the country at large.

5.5. Committee observations on a visit to Ikageng Intermediate School

The Delegation noted:

- that there is a need for additional APs for broader coverage, including the library;
- with appreciation that the solution services the poorest of our communities in a farming community;
- with concern that load-shedding remains a major problem to service availability;
- that service providers will have to ensure that the learners are safeguarded from the dangerous content;

- that the computer lab has the equipment yet is not functional;
- that the new model of the SA Connect also depended on collaboration with other departments for sustainability and to minimise maintenance costs;
- that engagements with other Entities to be on board are ongoing in order to ensure many benefits, including uptake of the government services and economic development;
- with appreciation that the Provincial Department of Finance, Economic Development and Tourism has committed to assist the school to have the University of Sol Plaatjie conduct the outreach programmes to the school on courses offered and the programs such as in Programming and Coding;
- that the DCDT, together with NEMISA, are planning coding camps for schools where Internet access has been provided; and
that there are free online courses offered through NEMISA, which the school can access, granted there is reliable Internet connectivity.

5.6. Committee recommendations on a visit to Ikageng Intermediate School

The Committee recommends:

- that BBI and USAASA should ensure that an additional AP is installed to cover the school's library and the surrounds of the school, among others;
- that the DCDT should ensure that the Internet connection is safe, secure and reliable and does not expose learners to dangers associated with the Internet;
- that the Minister, together with the Department and all stakeholders, corporate in order to ensure that children, in particular, are safeguarded from illicit content such as pornographic material and misinformation practices;
- that the DCDT ensures continued training around cyber safety and security for all recipients of the SA-Connect programme;
- that the DCDT addresses the issue of a dysfunctional computer lab at the school by ensuring that there is secured Internet and services to complement the successful education of pupils; and
- that the DCDT ensures that Entities reporting to the Department, such as NEMISA and .ZADNA are brought on board to encourage and complement the uptake of the network infrastructure.

The Department and relevant Entities must report back to the Committee before the end of the 6th Parliament.

5.7. Committee visit to Siyancuma Local Municipality

The Speaker of Council, Mrs Lemfvia van Niekerk, welcomed the Members of the Committee and indicated that the Executive Mayor was unable to attend due to the late notification of the visit from the Department. She requested further engagement with the Committee after lunch as there were a number of issues with the protocol which needed to be done correctly. She was of the view that a complete contingent of the Municipality was supposed to be in attendance but due to miscommunication, this could not be done.

The Acting Chairperson of the Committee, Honourable Molala, made opening remarks and apologised to Council that Members were delayed due to prior engagements which took longer than was expected. The Acting Chairperson tendered an apology on behalf of the Chairperson of the Committee, Honourable Boyce Maneli, because there was an emergency requiring his attention.

The ADG briefed the Municipality on the purpose of the visit and indicated that the oversight visit purpose was to validate work done by the Department physically. She highlighted that eight District Municipalities had been identified for the broadband connectivity project and to facilitate, among others, the NHI programme. The SA-Connect mainly covers Internet connectivity to schools and clinics, including the SAPS and magistrate offices. She indicated that there is now Phase 2 of the SA-Connect programme, which will cover 48 municipalities as well as the 8 metros across the country.

The Municipality wanted to understand how the locals were empowered to assist with the installation work on the BDM project. One of the Councillors, Mr Patrick Jacobus McKlein, indicated that there was a list of installers which were put together and wanted to know how many of those had been used for the installations. The Municipality submitted that the communication on the running of the project could have been better and coordinated properly. The Municipality was also in the process of further amplifying communication channels to its constituency regarding those who qualify and education on how to apply for the Set-Top boxes and migration DTT. The issue around the misalignment between the local and national policy on how indigent households were defined would need to be clarified for the purposes of the rollout of the BDM Policy.

The ADG clarified that the DTT registration process for indigent households was yet to be closed, and the Department was busy finalising households that had previously registered but were yet to receive the service. The indigent households who were not yet registered were still eligible for registration for allocation of Set-Top-Boxes and ultimate migration to DTH.

She committed that the Department will provide a list to the municipality of all the households who have registered to reconcile with its database and against those who qualify but are yet to register. The ADG also highlighted that there was a full engagement with Provincial DGs and that Municipalities are critical for the reconciliation of databases for the identification and registrations of indigent households.

While discrepancies exist, local beneficiation was a key part of the implementation of the BDM Policy and the Department endeavoured to be consistent in ensuring local communities benefited from the BDM value chain.

Another possible reason for the discrepancy in the indigent statistics was that there were instances where installers were unable to have access to the registered households either because the person had either passed away or there was no access to the household due to people being away at work. In that instance, installers would then leave the contact details for the installers to be contacted whenever the people were available. ADG indicated that pensioners qualified by default as being indigent, given their income bracket.

There were 33 000 sites across the country which would be connected as part of Phase 2. The government would also focus on public Wi-Fi hot spots and zero-rated content to be used for services relating to education and health websites. Many rural areas would be covered through satellite because of the sparsity of households. Restriction on high-bandwidth content such as video download and streaming would be prohibited so as to protect the learners from harmful online content.

Lastly, the Council indicated that there was an attempt to also apply for a Community Radio Station and would like to get some guidance on the process.

5.8. Committee observations on a visit to Siyancuma Local Municipality

The Delegation noted:

- that Karrikama High School was out of the designed route of the oversight, and the Chairperson recommended that this will need to be visited during the next oversight;

- with concern the poor communication between national and local governments, which negatively impacts on coordination and rollout of the BDM Policy;
- with concern to the use of different statistical definitions and metrics for 'indigent households' between national and local government;
- with concern on how the installers are appointed and that the criteria are not clearly defined nor is the information equally shared; and
- that the municipality has reservations about the uptake of the BDM programme in the area as the numbers shared do not match when compared to their database.

5.9. Committee recommendations on a visit to Siyancuma Local Municipality

The Committee recommends:

- that DCDT should ensure that in future, communication of its programmes is adequately addressed with all the relevant stakeholders, such as the Provincial and Local Government and that relevant leadership is informed timeously, especially on Committee oversight visits;
- that DCDT reviews the definition and classification of 'indigent' households; and
- that DCDT coordinates with local municipalities and provides them with audited lists of connected households in order to benchmark service delivery and resolve challenges encountered by different municipalities around household statistics and definitions of indigent households;

The Department and relevant Entities must report back to the Committee before the end of the 6th Parliament.

5.10. Committee visit to Douglas Post Office

The Delegation was received by the staff from the Post Office. SAPO addressed the issue around the projections versus the registration of 1 400 indigent households. The projections are based on the registration in 2015, and this was information received from Statistics South Africa, including the definition. In 2016, the registration process was intensified, and this was during the switch-on of the SKA. In 2021 there was an extensive registration process where the district coordinators were appointed by USAASA. These coordinators were conducting door-to-door registration and working closely with the local councillors.

One of the reasons for the low numbers against the projections was that some of the households already had satellite dishes and showed no interest in other television services as they already subscribed to Multichoice. Some of the households were identified and connected through the help of the local Councillors and traditional leadership.

The campaign about the registration drive was also sent to the SABC to encourage households to register for Set-Top Boxes. SITA also developed an online registration platform for those who had smartphones. It was further highlighted that the warehouse storage was fully funded by USAASA, and all the payments were up to date.

The use of local installers as per the policy directive was being implemented. There was also knowledge impartation to assist with the operations, logistics and maintenance of the service. The Committee indicated that the matter around liquidation was being addressed, and the National Treasury appropriated an R2.4 billion bailout to turn around SAPO.

5.11. Committee observations on a visit to the Douglas Post Office

The Delegation noted:

- that there are discrepancies between the registrations and successfully connected households, there is a lesser number of connected compared to registered households;
- that while some households did not qualify as indigent in 2015 when the BDM Policy registration process was commenced, might now be indigent in 2023;
- that good communication relations between National, Provincial and Local governments will be important to the success of the implementation of the BDM programme; and
- that improved coordination between the Department and the local government structures will reconcile the registration and qualification of indigent households for Set-Top Boxes.

5.12. Committee recommendations on a visit to the Douglas Post Office

The Committee recommends:

- that the Minister ensure that there was improved communication and coordination between the Department, Provincial and local government to the benefit of some of its programmes;

- that the DCDT should consider economic conditions impacting household income to resolve the discrepancies in the definition and statistics of households;
- that DCDT strengthens its coordination with the Local government in order to encourage new registrations and conclusion of the implementation of the BDM Policy; and
- that the DCDT reconciles all identified discrepancies between the registrations and successfully connected households in all Provinces.

The Department and relevant Entities must report back to the Committee before the end of the 6th Parliament.

5.13. Committee visit to the Breipal Clinic

A nurse at the clinic, Sister Bester, received the Delegation and indicated that the Wi-Fi installation was working properly and greatly complemented the work of the clinic. The nurse further highlighted that, previously, the clinic used to rely on regular data purchases, but the installation of the broadband network had greatly improved the efficiency of the clinic in delivering services to the community.

For example, the clinic was now able to remotely conduct tracing and tracking of blood samples of patients from laboratories. There were instances where the results used to take days before they reached the clinic, but with the introduction of the Internet, the clinic obtained results within a short space of time. However, a major challenge was attributed to the downtime due to load-shedding.

The nurse further indicated that since the installation of infrastructure and activation of service in March 2023, all the staff members had access to the network, and the feedback had been encouraging and positive. The connectivity was provided by BBI with funding provided by USAASA. The internet service was also accessible by the public and had been of great assistance to the learners in the surrounding area with their school assignments. The solution also made it easy for the capturing of data and updating of the patient's records.

Members welcomed the positive feedback and were then given a tour of the server room, including all related network equipment. The clinic indicated that the Department of Health had procured a standby generator, but there was a problem with the supply of diesel. The Committee was of the view that improved communication and relations between local

Councillors, the clinic, the Provincial Government and other stakeholders were critical for successful service delivery.

5.14. Committee observations on a visit to Breipal Clinic

The Delegation noted:

- with appreciation that SA-Connect is fully realised at the clinic and servicing both the clinic as well as the surrounding community;
- with concern that load-shedding remains a major challenge to service delivery objectives; and
- with concern that while there is a standby generator, it is not used due to a lack of diesel supply.

5.15. Committee recommendations on a visit to Breipal Clinic

The Committee recommends:

- that DCDT liaise with the relevant stakeholders on possible and viable solutions to ensure that the generator is supplied with diesel in order to maintain Internet connectivity; and
- that the Department endeavours to improve communication relations between National, Provincial and Local government and other stakeholders with interest.

The Department and relevant Entities must report back to the Committee before the end of the 6th Parliament.

Report to be considered.

3. Report of the Portfolio Committee on Public Works and Infrastructure on a petition tabled by Ms T Bodlani, Democratic Alliance, considered and adopted 14 June 2023

The Portfolio Committee on Public Works and Infrastructure, received the petition published in the Announcements, Tabling's, and Committee Reports (ATC) dated 18 May 2022 lodged by Hon Ms T Bodlani, Member of Parliament (MP) for the Democratic Alliance (DA), calling on the Assembly to:

“Request the City of Ekurhuleni to investigate the transfer of the ownership of the property where the Brackendowns Police Station is located to the Department of Public Works and Infrastructure; to enable the South African Police Service to build a suitable and permanent police station.”

Having considered the petition and emerging information from the City of Ekurhuleni (CoE), Department of Public Works and Infrastructure (DPWI) and the South African Police Service (SAPS) on 14 June 2023, the committee noted that a number of actions are required prior to the requested transfer can be completed.

The committee therefore set out investigative, corrective, and dispute resolution actions that the executive authority of the DPWI as custodian of government property needs to lead.

The committee must follow up on these actions as a precursor before the matter is put before the National Assembly for processing. In its conclusion this report therefore informs the National Assembly of recommendations that it puts to the executive authority for action.

The committee reports as follows:

The petition requests an investigation into the transfer of ownership of state property to enable the construction of a police station. On 18 May 2022 the Speaker tabled and referred the petition to the Portfolio Committee on Public Works (the Committee) as per the stated Rules of the National Assembly.

Processing the Petition

This report is based on information collected over three meetings. The aim was to collect information, identify constraints, make observations, and assist the relevant parties with recommended actions to ensure the requested investigation, to transfer the identified property at Erf 3231 Brackendowns Extension 5 in the jurisdiction of the City of Ekurhuleni (CoE).

1. Outcomes of three Meetings

1.1. The First Meeting - 22 February 2023:

The Committee met to collect the relevant information from the petitioner (MP Bodlani), and the Department of Public Works and Infrastructure (DPWI). The Committee noted that the information lacked the necessary detail that was required for the National Assembly to process the petition. This related to debt that the DPWI allegedly owed to the CoE.

Members made the following recommendations to process the matter:

- 1.1.1. Full disclosure was required from the DPWI to the Committee regarding whether it owed service fees to the CoE related to Erf 3231 Brackendowns Extension 5 where the current police station is located.
- 1.1.2. The Minister of DPWI and the Minister of Police needed to urgently meet to find a solution to this problem of where a suitable police station could be located that would meet the needs of the community.
- 1.1.3. The DPWI must ensure that it properly complied with the Government Immovable Asset Management Act (GIAMA) (No 19 of 2007) and the completion of User Immovable Asset Management Plans (UIAMPs) per building rather than bulk

UIAMPs per service delivery client department; this should be part of the standard operating procedure for the DPWI/PMTE lease unit when it draws up lease contracts between DPWI and clients/users departments.

1.2. The Second Meeting - 17 May 2023

The Committee met with the DPWI, the South African Police Service (SAPS), and the City of Ekurhuleni (CoE) to collect information about alleged debt as an initial step to processing the matter raised in the petition. The Committee wanted to ensure that the three relevant parties collaborated to find a solution to the matter that constrained safety and security service delivery to the community.

In this meeting the Committee was disappointed that the DPWI did not send its presentation covering the work it was instructed to complete to process the matter. This led to the information from the CoE and the SAPS being the only information presented to the Committee. In spite of the absence of the DPWI presentation, the Committee deliberated with the DPWI on related matters. This assisted to consolidate the situation and to identify matters as follows:

Matters that Emerged

DPWI Debt to the City of Ekurhuleni (CoE)

The CoE repeated the claim made in the meeting dated 22 February 2023 that the DPWI as tenant remained in arrears; this time the amount stated increased from R 1 434 656.61 (as at 30 June 2022) to the sum of R 1 804 340,00 (as at May 2023).

DPWI No Debt - Paid CoE in Lump Sum

The DPWI paid for all properties per municipal area in a lump sum. It stated that this was a 'how the payment system worked.' This practice meant that the CoE could not identify the specific amounts owing for this specific lease for Erf 3231 Brackendowns Extension 5 where the current police station is located. In addition, it came to light that the DPWI processed payments to more than one account of the CoE.

Possible Steps towards Resolution - CoE Appeals to DPWI

Provide Proof of Payments on Erf 3231 Extension 5:

The City appealed to the DPWI to send proof of payments per property so that it could identify the rentals related to this account. As the DPWI claimed that it paid all debt of all properties that it used in Ekurhuleni in a lump sum to the City Council, it was crucial as a first step that the DPWI send the City a breakdown of all payments that they made into its account. This would enable the City to allocate the amount owed to this specific lease account for Erf 3231 Brackendowns Extension 5. In the case of NDPW still owing any outstanding rental arrears (the amount stated of R1.8m) must then be paid.

Land Transfer Process:

With regards to processing the transfer of land to assist the construction of a fit-for-purpose police station, the CoE explained that the property could be disposed of by means of what it referred to as a “Land Exchange Process”. This required a precursor that all debt owed on such a property and land parcel be fully paid up. A Permission to Occupy (PTO) could be agreed to once this was done.

Outcomes - Matters to Resolve:

1.2.1. Establish Certainty on Debt:

Once certainty had been established on the issue of debt or not, the DPWI, CoE, and where relevant, the provincial government could sign the Memorandum of Understanding (MoU).

1.2.2. CoE Council Resolution - Sign the MoU with DPWI:

The next step would be for the CoE to officially, through a Council resolution, agree to the signed MoU between the DPWI, the provincial government and the CoE to transfer land parcel Erf 3231 Brackendowns Ext 5 - as identified in the petition for safety and security service delivery purposes.

1.2.3. Proactive Steps to Facilitate Services to KwaThema

In order to facilitate similar issues in future, the City recommended that it entered into an MoU with DPWI as soon as possible so that any future land transfers, disposals and leases can be processed in mutually understandable manners. It also recommended that DPWI should allocate a specific official to liaise with the City on a regular basis regarding their accounts.

CoE Further Appeal - Urgent Needs of KwaThema

The City stated that although the current matter pertains to Erf 3231 Brackendowns Extension 5 located geographically in Alberton, there were similar service delivery matters that affected the area of KwaThema that could also be resolved through land transfers. If DPWI could commit to this site, it could benefit the community of KwaThema in the near future.

1.2.4. DPWI - Custodian of State Property - Act on Your Responsibility

It remains the responsibility of the DPWI as custodian of state property to ensure that they provide land that is almost equal to the subject property in size and value. The CoE stated that it was cooperating very well with the SAPS on the current matter. It found working with DPWI difficult as it was non-responsive.

1.2.5. CoE Offer - Permission To Occupy (PTO)

As a token of its commitment to collaborate and assist the DPWI as a sister-department the CoE was prepared to issue a Permission To Occupy (PTO) valid for three months to allow them to do all the necessary investigations related to the property. The process of Investment Analysis (which DPWI stated it was busy with over the past five years) should be fast-tracked in order to ensure a speedy resolution of the issue at hand.

1.3. The Third Meeting - 30 May 2023

The Committee followed up on all issues with the focused objective of finding actionable recommendations for its Report to the National Assembly on the phased transfer of the property on Erf 3231 Extension 5 for the construction of a fit-for-purpose police station.

This meeting would also get the presentation that the DPWI did not make in the meeting scheduled for 17 May 2023.

In this final meeting the focus was on actionable recommendations that would assist the purpose of the petition which was to ensure a report to the National Assembly on the transfer of suitable property for a police station that could properly provide safety and security services.

The outcomes of this meeting were as follows:

1.3.1. The Lease of the Property at Erf 3231 Brackendowns (The Current Police Station)

The CoE provided evidence that this lease agreement was entered into on 11 June 1991 between the erstwhile Alberton Town Council (now City of Ekurhuleni) and the National Government of the Republic of South Africa (presently National Department of Public Works).

The initial lease period was for 5 years. The contract stated that if the lease was to expire and was not renewed for a specified period while the DPWI continued to occupy the premises, then the lease would continue until the expiration of twelve calendar months after the date of written notice by one party to the other. The lease expired on 31 May 1996. No new agreement was entered into since the expiry of the initial lease.

CoE records further showed that due to the non-payment of arrears the lease was terminated on 30 June 2016. As in the meeting of 22 February 2023, the CoE repeated that the DPWI remained in arrears.

On 29 August 2022, an in loco inspection was undertaken by the City of Ekurhuleni's Real Estate Department to inspect the property in response to a query received from the local Ward Councilor. The aim was to ensure that it was in a position to comment on the possibility and viability of disposing the property (Erf 3231 Brackendowns Extension 5) to the Department of Public Works and Infrastructure (DPWI) to enable the SAPS to build a permanent police station on the property. It is important to note that this is the same purpose as stated in the petition in the name of Hon Bodlani (MP).

1.3.2. The Department of Public Works and Infrastructure (DPWI)

In response, the DPWI presented as follows on Erf 3231 Brackendowns Police Station:

- A valid lease remained in place between DPWI and the CoE from 1 April 2019 to 31 March 2028, at the monthly rental of R24 537.29 with an annual escalation of 7% (copy of the lease agreement was shared with CoE). The total extent of the police station is 3 023m,² DPWI has been processing payment to CoE on a monthly basis in line with the above lease contract.
- Regarding the alleged debt owed, DPWI and CoE have agreed to convene an *urgent meeting set for 23 May 2023* in order to assist the CoE in allocating the rental payments.
- The Immovable Asset Register (IAR) of the DPWI confirmed that Portion 1 and 2 of Erf 3231 Brackendowns Police Station, Alberton was *erroneously transferred to CoE as part of Regulation 293 properties when townships were devolved to local municipalities*.
- DPWI was certain that it owed no debt to Ekurhuleni Municipality. It noted that the challenge might be that the CoE might be receiving money but that it is unable to allocate the payments to the relevant account. DPWI makes bulk payments to all properties in a municipal area as its payment system does not capture the payee's reference number.
- DPWI wrote to SAPS enquiring if they (SAPS) would issue an instruction for DPWI to acquire the current Police Station to enable the construction of suitable and permanent Police Station. It was awaiting an official response from SAPS.

1.3.3. The South African Police Services (SAPS)

In response, the SAPS stated as precursor that the delivery of a new police station was a long-term process that could not be fast-tracked due to dependencies on external stakeholders. Its presentation laid this out as follows:

- The Government Immovable Asset Management Act (GIAMA) (Act No 19 of 2007) mandates the DPWI to facilitate the acquisition of accommodation for all departments. The devolution of custodial functions to client departments in terms of the signed MoU excluded the leasing of facilities for any form of accommodation needs.
- The condition of the SAPS facility at Erf 3231 Brackendowns Extension 5 had deteriorated over the years of occupation due to neglected maintenance. This was raised with the DPWI.

- In 2017 the SAPS submitted a request to the DPWI for the purchasing of the leased facility from the CoE. The request was underpinned by the fact that upon the finalisation of the purchasing of the facility, the SAPS would utilise its capital/planned maintenance budget and bring the station to the desired condition.
- Due to non-response of DPWI the attempted purchasing of the facility stalled. The SAPS was left with no option but to activate a process for the procurement of an alternative accommodation in 2021 but no tangible progress had been achieved.
- The police station at Erf 3231 Brackendowns Extension 5 consisted of a small two room brick and mortar building accommodating the Community Service Centre with inadequate ablution and detention facilities, the lack of proper detention facilities (cells) necessitated detainees to be transported to neighbouring stations which impacted negatively on service delivery.
- The rest of the Police Station consisted of six park homes and prefabricated structures to accommodate the different functions performed by the SAPS; two of the park homes were rented from Kwikspace and were in a relative good working state; the remaining four state owned park homes are in a poor state.
- There were no shelters or awnings in front of the park home office doors which often resulted in flooding of the offices during rainy periods. The Police Station was unable to cater for disabled members of the community as there was no ramp or railing provided; accessing park home offices; due to the lack of a back-up generator the facility struggles during load shedding.
- The DPWI was curtailed from doing renovations as the premises was owned by the CoE.

2. Observations

Having collected information over these three meetings from the petitioner, the City of Ekurhuleni, the DPWI, and the SAPS, the committee observed the following:

2.1. Disputed Ownership of Erf 3231 Brackendowns Police Station

The revelation made in the third meeting dated 30 May 2023 by the DPWI that the Immovable Asset Register showed that *the property was erroneously transferred to the CoE* required urgent attention from the Minister of Public Works and Infrastructure.

The matter of ownership of Erf 3231 Extension 5 raised serious questions regarding the alleged debt as it seemed as if the DPWI followed an invalid lease contract and paid debt to the CoE on its own property.

If this could be established as a fact in legal terms, then the DPWI did not require the Council of CoE to make a decision on a Permission to Occupy to construct a SAPS station on Erf 3231 Extension 5.

As it was a matter to be addressed by the Minister of Public Works and Infrastructure, it was advisable for the administration of the Council of Ekhuruleni and DPWI to initiate the necessary legal processes to transfer the property to DPWI so that the needs of the community could be addressed. A report be provided to the PC on PWI on a quarterly basis until completion of the project so that it remained updated on the progress to satisfy the community's safety and security needs.

2.2. Council of CoE to Process Permission to Occupy and Build (PTOB)

Fully compliant legal transfer processes towards PTOB to be followed in the Council of the CoE, documented, and recorded to facilitate transfer of the property to DPWI and to prevent unnecessary constraints.

2.3. Scope of Works, Statement of Needs - Client and Custodian

The DPWI as custodian and SAPS as client department to initiate the process of size and specific needs of the police station per service section to ensure that the community's safety and security needs are fulfilled.

2.4. Initiate proactive work in similar action steps for KwaThema Community

DPWI, CoE, and SAPS to initiate similar processes to ensure a fit-for-purpose SAPS police station for the KwaThema community.

3. Recommendations

The committee recommends that the Minister of Public Works and Infrastructure:

3.1. Investigate Erroneous Transfer of Property - Resolve the Debt Issue

In case of the erroneous transfer of Erf 3231 Extension 5 having caused the PMTE/DPWI to have paid rental to the CoE for its own property over a number of years, funds previously paid may in fact need to be paid back to the DPWI. This places an unnecessary burden on the Council of the CoE and may require further work at the level of the executive authorities of national, provincial and municipal levels of this government.

In case this matter becomes the cause of dispute, the matter be dealt with in strict accordance with the principles as set out in chapter 3 of the Constitution, National Treasury guidelines, and following the dispute resolution processes set out in the Intergovernmental Relations Framework Act (IGRFA) (Act No. 13 of 2005).

3.2. Address Weaknesses in DPWI Financial Record System:

The matter of this petition raised possible weaknesses in the financial record system of the DPWI. This requires urgent corrective attention. Instead of the DPWI making bulk payments to municipalities, its financial recording system needed to generate records that showed precisely which properties in the municipal jurisdiction it paid fees for, with adequate information of what it paid for.

This would assist a proper breakdown of all payments that DPWI might have made erroneously into the account for Erf 3231 Brackendowns Extension 5. This is a precursor that would remove possible constraints to the action steps to enable the future development of Erf 3231 Brackendowns Extension 5 for the safety and security needs of the community.

In the probable case of PMTE/DPWI still owing any outstanding rental arrears (the amount stated of R1.8m), such had to be placed on official record for further steps towards resolution as in 1 above.

3.3. Transfer of Land Erf 3231 to DPWI:

A finding by the Minister of the DPWI that there was no erroneous transfer, would provide a platform of certainty to follow the steps towards ascertaining debt, the outstanding amount, and agreements such as the provincial government signing a Memorandum of Understanding (MoU) with the two relevant parties (DPWI and CoE).

The next step would then be for the Council of the CoE to officially agree to the signed MoU between the DPWI, the provincial government and the CoE for the transfer land parcel Erf 3231 Brackendowns Extension 5 - as identified in the petition for safety and security service delivery purposes.

3.4. DPWI Lack of Cooperation as Custodian

The lack of cooperation of the DPWI as Custodian of government property as reported in the three meetings by the CoE and the SAPS is a familiar echo from most client departments. The executive authority of Public Works and Infrastructure needs to urgently address the administration and ensure that the DPWI complies fully with all laws in the legislative framework.

Regarding the matter at hand, in case land parcel Erf 3231 Brackendowns Extension 5 is found unsuitable for the intended purpose as stated in the petition, the DPWI needs to use the Immovable Asset Register and identify and find land that is almost equal to the subject property in size and value.

3.5. Need for Investment Analysis - Proactive Action to Include KwaThema

Drive and fast-track the process of Investment Analysis (which DPWI stated it was busy with over the past five years) in order to ensure a speedy resolution of Erf 3231 and to include the safety and security needs analysis of KwaThema with the SAPS.

Report to be noted.

National Council of Provinces

1. Report of the Select Committee on Security and Justice on the Appointment of the National Council for Correctional Services (NCCS) in terms of Section 83(2)(h) of the Correctional Services Act 111 of 1998, referred to the Committee on 14 June 2023, dated 15 June 2023.

The Select Committee on Security and Justice, having considered the consultation process by the Minister for Justice and Correctional Services on the appointment of members of the National Council for Correctional Services (NCCS) after the term of office of the previous Council came to an end, reports as follows:

1. Section 83(2) (h) of the Correctional Services Act, 111 of 1998 stipulates that the Minister must appoint four or more persons, not in the full time service of the State, as representatives of the public in consultation with the relevant Parliamentary Committees.
2. On 14 June 2023, the Committee received a briefing from the Minister for Justice and Correctional Services on the list of proposed names to serve on the National Council for Correctional Services.
3. The Committee was presented with a total of 16 names including motivation for each name.
4. The Committee was briefed on the security screening of the proposed names as requested by the Portfolio Committee on Justice and Correctional Services. The screening report of all candidates was submitted to the Committee containing both criminal records and qualifications checks. All candidates' qualifications were confirmed and all candidates' criminal records, except for two, were negative.

5. The following names were presented to the Committee:

- 5.1 Ms Amanda Lindokuhle Vilakazi
- 5.2 Adv Yvette Le Roux
- 5.3 Adv Khavhareni Aarone Mahumane
- 5.4 Mr Marothi Aaron Mashifane
- 5.5 Mr Tshepo Nawane
- 5.6 Rev Pogiso France Mookisi
- 5.7 Dr Lineo Rose Johnson
- 5.8 Mr Mziwoxolo Mfeketo
- 5.9 Dr Herma Hargovan
- 5.10 Dr Vanitha Chetty
- 5.11 Ms Vuyelwa K Maweni
- 5.12 Ms Daleen Van Biljon
- 5.13 Dr Yolinda Steyn
- 5.14 Mr Willem A.A Hanekom
- 5.15 Ms Lusanda U.Z Rataemane
- 5.16 Ms Ngenzeni Victoria Mboweni.

6. Recommendation

The Select Committee, having deliberated on the appointments and the consultation process, recommends that the Council concurs with the appointment of the above listed names to serve on the National Council for Correctional Services as representatives of the public not in the full time service of the State.

Report to be considered.