

UNREVISED HANSARD

NATIONAL ASSEMBLY

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PROCEEDINGS OF THE NATIONAL ASSEMBLY

The House met at 14:01.

The Speaker took the Chair and requested members to observe a moment of silence for prayer or meditation.

NEW MEMBERS OF PARLIAMENT SWORN IN

(Announcement)

The SPEAKER: Hon members, I wish to announce that the vacancy which occurred in the National Assembly owing to the resignation to Mr G Mackay has been filled by the nomination of Ms G S A Ngwenya ... [Applause.] ... with effect from 20 February 2018. The vacancy which occurred in the National Assembly owing to the resignation of Mr P Mabilo has been filled by the nomination of Mr A Botes with effect from 21 February 2018. [Applause.] The

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vacancy which occurred in the National Assembly owing to the resignation of Ms D Manana has been filled by the nomination of Mr D D Mabuza with effect from 26 February 2018. [Applause.] The vacancy which occurred in the National Assembly due to the passing of Mr T J Bonhomme has been filled by the nomination of Mr Z L Mkhize with effect from 26 February 2018. [Applause.]

Hon members, I wish also to announce that Mr N M Nene has been nominated with effect from 26 February 2018. He is filling the vacancy to which Mr E S Mchunu had been nominated but did not take up his seat in the National Assembly. [Applause.] The vacancy which occurred in the National Assembly owing to the resignation of Dr B Khoza has been filled by the nomination of Mr N T Nhleko with effect from 26 February 2018. [Applause.] The vacancy which occurred in the National Assembly due to the passing of Ms B T Ngcobo has been filled by the nomination of Ms N P Nkonyeni with effect from 26 February 2018. [Applause.] The vacancy which occurred in the National Assembly owing to the resignation of Mr J J Skosana has been filled by the nomination of Ms M R Mhaule with effect from 26 February 2018. [Applause.]

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Lastly, the vacancy which occurred in the National Assembly owing to the resignation of Mr T Manyoni has been filled by the nomination of Mr N Xaba with effect from 26 February 2018. [Applause.]

Hon members, the members have made and subscribe the oath and affirmation in the Speaker's office. Therefore, hon members, I welcome you to the National Assembly and to Parliament. [Applause.]

Mr M Q NDLOZI: Speaker, we want to welcome Mr Nhlanhla Nene from Brazil, Russia, India, China and South Africa, Brics, Bank where he was nominated by Mr Zuma.

[Applause.] [Laughter.] Welcome back chief.

The SPEAKER: I've already done that on your behalf. The first item on the Order Paper is a motion in the name of the Chief Whip of the Majority Party. The hon Deputy Chief Whip of the Majority Party.

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Hon Speaker, I move that the following items that were on the Order Paper and which, in terms of Rules 333 and 351, lapsed at

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the end of the last sitting day of the 2017 annual session, be revived:

- (1) Consideration of the Report of the Portfolio Committee on Environmental Affairs on Marine Spatial Planning Bill;
- (2) Second Reading debate - Marine Spatial Planning Bill;
- (3) Second Reading debate - Political Party Funding Bill;
- (4) Consideration of the Report of the Portfolio Committee on Communications on Films and Publications Amendment Bill;
- (5) Second Reading debate - Films and Publications Amendment Bill;
- (6) Consideration of the Report of the Standing Committee on Finance on Special Report of Public Protector on the implementation of remedial action

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contained in the Public Protector's Report No 18 of 2011-12 on maladministration during privatisation of Venda Pension Fund, which is Report No 15 of 2016-17;

- (7) Consideration of the Report of the Portfolio Committee on Water and Sanitation on Oversight visit to Limpopo province;
- (8) Consideration of the Report of the Portfolio Committee on Tourism on Oversight visit to Limpopo province;
- (9) Consideration of the Report of the Portfolio Committee on Tourism on Oversight visit to the Western Cape province;
- (10) Consideration of the Report of the Portfolio Committee on Economic Development on Oversight visits to Mpumalanga and Gauteng; and

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(11) Consideration of the Report of the Portfolio Committee on Mineral Resources on Oversight visit to Gauteng.

The CHIEF WHIP OF THE OPPOSITION: Madam Speaker, just to relate to the item on the Political Party Funding Bill, I am not convinced that it was on the Order Paper for the second reading in the last term. However, I think we all agreed that we will revive the Bill and then it will go to the committee for one more session with Treasury and then return to us for a second reading.

The SPEAKER: Yes, I think we agreed this in the National Assembly Programme Committee. The ad hoc committee will be set up tomorrow and then we will take it to the ad hoc committee. Therefore, the motion has been agreed to.

Motion agreed to.

**CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON
COMMUNICATIONS - ON OVERSIGHT VISIT TO GOVERNMENT
COMMUNICATION AND INFORMATION SYSTEM, DEPARTMENT OF
COMMUNICATIONS AS WELL AS ITS REPORTING ENTITIES**

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CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON
COMMUNICATIONS - ON OVERSIGHT VISIT TO KWAZULU-NATAL
PROVINCE

Mr H MAXEGWANA: Madam Speaker, good afternoon members. I am tabling two reports from the Portfolio Committee on Communications, the oversight reports. The first report is that of our visit to Government Communication and Information System, GCIS. We met everybody there, including the staff. The major problem that we came across in the main in GCIS is the utilisation of our government communication which is not used by departments. I think that's the problem we have in GCIS. Only few departments are utilising the government communication.

The last thing in GCIS is the problem of funding. I think we know that their budget is too small and therefore, they are not able to deal with all their responsibilities. However, the provincial offices are doing their best as we visited some of them.

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The second report is that of our visit to KwaZulu-Natal. Major problem in our community radios in KwaZulu-Natal is media development and diversity. I think what the committee says is that government is pumping money in the bottomless pit so that there are no monies going down the drain. That is of benefit in most of the community radios that we visited there.

But what is important in the visit in KwaZulu-Natal and in Gauteng is that we are now going to kick-start the investigation in Media Development and Diversity Agency, MDDA, of wrong doing by some members of the board. So, that process is kick-starting very soon. Same as we did in SABC, the visit was an eye opener in this committee. So, we are going to fast-track the process in both MDDA and in some areas in kwaZulu-Natal.

According to our visit in Independent Communications Authority of South Africa, Icasa, the major problem also there was the suspension of licences. As the committee and the entity, we are dealing with that and all those matters are reflected in the report that we have tabled in October 2017 report.

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I just want to table both reports for consideration by the House and the matters that I have raised to be dealt with by the committee. Those are the responsibilities of a Parliament. Parliament will deal with them. Thank you very much. [Applause.]

There was no debate.

The SPEAKER: I am now recognising the Deputy Chief Whip but I see she is not in the room because she must move that the reports be adopted.

Ms Z S DLAMINI-DUBAZANA: We are so sorry, Speaker. I move that the reports be adopted.

The SPEAKER: Are there any objections? [Interjections.]

Mr M WATERS: Speaker!

The SPEAKER: Yes, hon Waters.

Mr M WATERS: The DA will like to make a declaration, please. Thank you.

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Declarations of vote:

Afrikaans:

Me V VAN DYK: Speaker en lede van die Huis, tydens vandag se sitting is ons deeglik bewus daarvan dat ons die afgelope 11 maande vier verskillende Ministers van Kommunikasie gehad het en dat dit politieke onsekerheid en skade veroorsaak het aan die Departement van Kommunikasie en sy verskeie entiteite.

Dit is duidelik dat die konstante herskommelings van die Kabinet negatiewe gevolge gehad het op die funksionering van die departement.

English:

The Government Communication and Information System, GCIS, is still faced with various concerns, and we reiterate our previous calls that communications from the GCIS stay independent and free from favour and political interference.

The Media Development and Diversity Agency, MDDA, has over the past year faced massive problems. These problems include allegations of corruption, intimidation and

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victimisation of employees, as well as various other major concerns pertaining to the MDDA board and its previous chairperson. On numerous occasions, I had raised concerns over these incidents at the embattled entity. During Ms Nkomo's destructive tenure at the MDDA, without any reason, her salary had more than doubled in a single financial year. We know that Ms Nkomo's tenure has now come to an end, but that doesn't prevent us from taking civil and criminal action against her for corrupt behaviour.

The communications committee should continue with its investigation and hold this person accountable for her actions.

Afrikaans:

As 'n parlementêre komitee moet ons dit duidelik maak dat die belastingbetaler se geld nie voorts gemors sal word op korrupte individue nie.

Dit is van kernbelang dat ons gemeenskapsmedia ondersteun en ontwikkel om as spreekbuis op te tree vir 'n reuse

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aantal diverse stemme. Die DA sal voortdurend veg vir die regte van gemeenskapsmedia en die bevordering daarvan.

English:

It is worrying that staff at the Independent Communications Authority of South Africa, Icasa, had to go on strike in order to be listened to by the council and executive management. Further, we disagree with the arrogant stance of the Icasa Council and executive management in relation to the concerns raised by Icasa employees.

We do want to applaud the decision taken by the communications committee today relating to initiating proceedings to remove the current chairperson of the Icasa Council after he was found guilty of fraud.

Afrikaans:

Dit is egter problematies dat 'n persoon van dié formaat in die eerste plek aangestel is. Ten spyte van die DA se besware ten opsigte van die aanstelling is dit steeds deur die ANC deurgedruk.

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Die DA is veral geskok oor die Film- en Publikasieraad, FPR, appélraad se onlangse besluit om *Inxeba* as pornografie te verklaar en voel dat hierdie 'n direkte onderdrukking is van 'n grondwetlike reg. Die DA sal pogings om hierdie onbillike en onredelike besluit op hersiening te neem, heelhartig ondersteun.

Ten spyte van die harde werk van die nuwe Raad van die Suid-Afrikaanse Uitsaaikorporasie, SAUK, is die DA steeds bekommerd oor die huidige stand van sake by die SAUK. Dit is duidelik dat werknemers by die SAUK steeds ongelukkig is, dat daar steeds sprake is van intimidasie, en dat daar nog geen einde is aan die finansiële probleme van die uitsaaier nie. Terwyl ons die raad bedank vir die werk wat tot dusver gedoen is, is daar steeds 'n reeks probleme wat dringend aangespreek moet word. Gegrand op ons besoeke aan die verskeie entiteite en ons besoek aan KwaZulu-Natal is dit duidelik dat daar steeds talle probleme regoor die spektrum van ons departement is.

Die DA sien uit daarna om hierdie jaar die reeks probleme aan te spreek en om te verseker dat die regering en die

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relevante rolspelers aanspreeklik gehou word. Baie dankie.

English:

Dr M Q NDLOZI: Speaker, we formed part of the KwaZulu-Natal visit that combined Ukhozi FM, GCIS, and MDDA support programmes like 1KZN TV.

In relation to Ukhozi FM, they welcomed the parliamentary inquiry into the SABC, which had been destroyed completely by Hlaudi and Muthambi who, during their reign, made sure the SABC broadcast in the interest of Mr Zuma. They also welcomed the efforts for the restructuring of the SABC board because that supported them for their own revival, although their numbers had remained relatively high.

We also visited a lot of community media. The MDDA, in our view, is completely dysfunctional, and this is why we have to reject the report. It is our view that the MDDA board must be disbanded and a new board constituted. That organisation is completely dysfunctional. It does not support community media; it just throws money at

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community media and then disappears. Also, the money that comes to them - at the beginning of the year, budgets are approved, but only about 30% of the money shows up. The money is not in the system. Local media is at the coalface of things like service delivery. It can be key to reporting of corruption at local government level and holding those state entities accountable. It is undersupported and, as a result, there is no accountability at the local level.

With the appointment of Nomvula Mokonyane to this department, we have no hope. The same drought that she caused in the Department of Water of Sanitation ... [Interjections.] ... she is going to make the Department of Communications more dysfunctional. We have no hope. That is why we also reject both the report and her appointment as Minister.

Ms Z S DLAMINI-DUBAZANA: Speaker, I rise on Rule 85(3): When a member of this House is addressed, he or she has to be called a "member", not "Nomvula Mokonyana". [Interjections.]

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Dr M Q NDLOZI: Nomvula Mokonyane is not a Member of Parliament. I would give that information free of charge to the ANC caucus. She is not a Member of Parliament, okay? Thank you. [Interjections.]

Mr B A RADEBE: On a point of order, Speaker: The hon Mokonyane is a Minister of this ... [Interjections.]

The SPEAKER: Let it go, hon Radebe.

Ms H O MKHALIPHI: Speaker, that is why German Cut didn't get promoted. [Laughter.]

Mr M HLENGWA: Speaker, I rise on behalf of my colleague the hon Van der Merwe. I would like to start by raising our concern about the fact that the instability in terms of political leadership in this department and, by extension, its entities has caused a lot of problems.

Since 2014, we have had Minister Muthambi, Minister Dlodlo, Minister Kubayi-Ngubane, and now Minister Mokonyane. The question should then be asked: What type of stability is going to be in those entities if every

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reshuffle is aligned with ensuring that the Department of Communications is affected? This causes problems. As you can see, in the SABC, staff morale is down. You look at Icasa - staff morale is down. You look at the MDDA - staff morale is down. There is a constant jostling for positions on boards, which of course in itself adds fuel to the fire. The problems therein of course mean that accountability is compromised and that every time a new Minister comes in, they come with new ideas and new plans, and you are expecting boards and the staff to then change tack. You are expecting staff to find their feet under a new administration every time.

From this very podium, the IFP did warn the ANC against the appointment of Mr Mohlaloga to serve on the Icasa board, but you did not listen. What happened? He was found guilty, and now we have to deal with that mess. Had you listened then, we would not be in the crisis that we currently find ourselves in.

We are also concerned about the fact that the SABC continues to find itself on the back foot, but there are green shoots of some hope. It is our expectation however

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that the SABC must be restored to being a public broadcaster and not a state broadcaster, as we have seen over the years, where it does the bidding of the ANC and, particularly, those who hold high office in that organisation.

We want to commend the work being done by the portfolio committee that has diligently executed its duties to ensure that it holds accountable those who have been deployed to these positions of work. We also want to ensure that, in future, the collective interests of workers are taken care of. At the SABC, for example, staff members are literally just scared of anybody who smells remotely of politics. This is simply because the reign of terror that had characterised their daily lives has made them despondent. It has wreaked havoc at the SABC. We have seen it run down, and we are hoping that the new board is equal to the task and will build on the gains made by the interim board that lasted for six months.

Of course, all these entities need to get their finances in order so that we do not throw financial solutions at

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nonfinancial problems. The fundamental issue is financial management and good governance. I thank you.

Mr A M SHAIK-EMAM: Speaker, allow me to start off by congratulating all the Ministers and Deputy Ministers ... [Interjections.] ... on the behalf of the NFP. Allow me also to acknowledge the role played by one of our freedom fighters, Robert Sobukwe, in the liberation of the people of South Africa. Speaker, yes, indeed, it is correct that when there is instability in the department, it has an effect. It has an effect to such an extent that many of us cannot even see when the media themselves are captured.

The oversight visit to the community radio station once again uncovered the challenges we face in South Africa with white monopoly capitalists. Big business is either refusing or failing to support these community radio stations. In order to control that media space, they will not advertise in the small media houses. [Interjections.] We further acknowledge the observation that there is very little interaction between government and community broadcasters. We welcome the recommendation that the

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Government Communication and Information System must assist local government to make greater use of the local media in the quest to deliver services to the people at local level.

Let us be honest: The media in South Africa is captured, captured to the extent that whilst there is supposed to be freedom of speech and diversity and the media should be serving the interests of all South Africans, many of them continue to marginalise smaller political parties. They continue to provide selective reporting, and that is evident by the fact that, in most instances, what you will find is only negative reporting despite the fact that South Africa can boast of numerous successes.

I heard some of my colleagues in the media complaining about how the larger media houses, despite all the invitations, will not cover their programmes and, when a media house wants to be objective and provide fair and transparent reporting, these white monopoly capitalists want to close them down. One such media house is ANN7, which uncovered serious challenges in government that not

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even this House, Members of Parliament, and all its oversight mechanisms could establish.

Let us not forget about the collusion between Naspers and MultiChoice, which now want to shut those doors of the ANN7, with the apartheid regime. This must be addressed. We call on ourselves not to be held to ransom any longer by those colluding with the white monopoly capitalists. We call on the department to address this as a matter of urgency. The NFP supports the report tabled here today. [Applause.] [Interjections.]

Mr W M MADISHA: Speaker, the portfolio committee's oversight visits to the GCIS, the Department of Communications, Icasa, the SABC, as well as other entities reporting to it, reveal in broad terms a common and worrisome threat - that is of ordinary and loyal members of staff who are committed and dedicated to achieving the aims, objectives and programmes of their respective entities being frustrated in their efforts to operationalise programmes by their management - or lack thereof - and their boards and councils.

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For example, in its political and administrative leadership since 2009, the Department of Communications has been subjected to six Ministers, as well as eight acting and three permanent directors-general. As the Institute of Race Relations' Gareth van Onselen notes, over a period of 100 months, the department has, to date, played host to 14 relationships between the respective Ministers and directors-general, acting or permanent. Of these 14, two have lasted longer than one year, 12 have lasted less than 12 months, and nine only six months or less. The average amount of time a Minister and director-general stay together in the department is seven months only.

Continuing this observation, Cope notes the concerns expressed by MDDA staff. For the past two years, this entity has not had a permanent chief executive officer. In respect of Icasa, Cope raises its concern at the fear of victimisation raised by the staff and the abuse of disciplinary processes to suppress the views of staff. In terms of the MDDA and Icasa, I must indicate that Cope agrees with the entire portfolio committee, since we sat today and looked into this. We hope that, as a matter of

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urgency, we shall be able to handle this. Cope notes the dire corporate governance environment at the Film and Publication Board where both the chief executive officer and chief operating officer have been suspended. In respect of the SABC, we note the concerns and fear of victimisation raised by the staff and hope this situation is on the mend following the appointment of the new board.

In conclusion, Cope supports the recommendation of the committee that the Minister provide the committee with a detailed report on the concerns raised by members of staff. Thank you very much. [Time expired.]

Mr M U KALAKO: Madam Speaker, the ANC supports both reports. As some of the members have alluded here, we know what we have seen in KwaZulu-Natal especially around TV, radio and community newspapers. We shared the problems which we addressed to the then Minister and the department itself. However, we are presenting these reports after some developments have taken place in some of these entities in trying to deal with these problems.

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Of course through the urge from the committee itself, we know that the Media Development and Diversity Agency, MDDA, is a problematic child. As we speak now we know that there are four vacancies which need to be filled urgently in the board. We also know that after having appointed a permanent board at the SABC which has taken over from the progress made by the interim board, there is some progress. However, we are keeping our eye and we are also hands-on in dealing with the problems of the SABC. We must commend ourselves as the committee, Parliament and the ANC in particular for ensuring that we restore SABC to be a public broadcaster. We are still far from cleaning all the problems which have been there.

We also want to take this opportunity to voice it here that the role and the mandate of the MDDA to try to deal with the problem of monopoly of ownership of media in South Africa without funding, is going to be difficult. We know the problems which are facing this country and the government in as far as resources are concerned.

We want to urge Parliament to assist this committee in ensuring that this department begins to play its role and

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to be firm on dealing with all sorts of problems which engulfed these entities. As I have said, the ANC support both reports. Thank you. [Applause.]

Motion agreed to (Economic Freedom Fighters dissenting).

Report on Oversight visit to Government Communication and Information System, Department of Communications as well as its reporting entities accordingly adopted.

Report on Oversight visit to KwaZulu-Natal province accordingly adopted.

EXPROPRIATION OF LAND WITHOUT COMPENSATION

(Draft Resolution)

Mr J S MALEMA: Hon Speaker, EFF leadership, members of the House, fellow South Africans, almost 400 years ago, a criminal by the name of Jan van Riebeeck landed in our native land and declared an already occupied land by the native population as a no-man's land. Van Riebeeck, a first descendent of the Dutch to arrive in the Cape would

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later lead a full blown colonial genocide, antiblack land dispossession criminal project, arguing that simply because our people could not produce title deeds, this land, that they have been living in for more than a thousand years, was not their own. Essentially, he was disregarding their humanity, treating them as part of the animal world. To him and those that would come after him, Africans were less than human, not deserving of land ownership. On this basis, the project of disempowering Africans of the ability to call this place their land was initiated in blood and pain. Millions ended up in humiliating, conquered township conditions of being cheap and disposable labour. Cecil Rhodes, Paul Kruger, Jan Smuts, General Hertzog, Verwoerd, Botha, even De Klerk, all laboured under the Van Riebeeck assumption that Africans are less than human. They all, one after the other, assaulted the humanity of Africans, keeping them dispossessed of land and as cheap and easily disposable labour.

Since those painful days when the Khoi of the Cape were defeated and conquered at the establishment of the Cape Colony, to the area of the 1 800, with the expansion of

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the colonial control into the hinterlands, the days of the Battle of Ncome River in 1838 against the Zulus, the Battle of Marico River in 1837 against Mzilikazi in the north of Transvaal, the attacks of Thaba Bosiu of King Moshoeshoe in 1865, the village raids of Vhavenda that led to the heroic resistance by King Makhado in 1867, the capture and imprisonment of Khoi chiefs in Robben Island fighting for land in 1870 up to the Land Act of 1913. Colonial crimes against the humanity of the native population did not end there with the Land Act of 1913, they continued with the forced removals through the Group Areas Act that displaced millions of black people to live in prison camps we now call townships. The so-called township is not a settlement for human beings. It is a prison camp. Those who came in power in 1994 carrying the popular mandate of our people to restore the dignity of the African child by reinstating land to the dispossessed forgot their mandate. They became drunk in luxury and glory, building false reconciliation without justice. It took the formation of the EFF 20 years later to revive the question of the dignity of our people in the need for our land. It took the arrival of the EFF in these chambers to return in the central agenda of human

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freedom, the need for the land that was dispossessed through brutal crimes against humanity.

The time for reconciliation is over; now is the time for justice. If the grandchildren of Jan van Riebeeck have not understood that we need our land. But over and above, it is about our dignity, then they have failed to receive the gift of humanity. We do not seek revenge though they caused so much evil in our land, we do not wish for their suffering, though they caused so much humiliation of countless generations. All we want, all our people ever wanted, is their land to which their dignity is rooted and founded. Today let us close this question once and for all, let us unite and pay no one for benefitting from the crimes against humanity. Let us come together and agree on this noble, historic and human call to expropriate land without compensation for equal redistribution. Many want us to debate food security and economic development but how can we do so if we do not have the land. They want us to come to the table with bosses as beggars because that is unacceptable. The ability to develop policies on food security depends on land redistribution, not the other way around. Those who

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hold the land labour on the false idea that to distribute it we must first establish a food security programme. No, we must distribute the land then we can all talk about the food security programme.

We invite you, not to pick up spears and guns, we invite you to come to the table and realise that nothing means anything for our people except their dignity in land ownership. For a lasting peace, security and justice, land must be expropriated without compensation for equal redistribution. We would have failed these who came before us if we were to pay anyone for having committed genocide. We cannot thank them for having killed innocent people who were fighting to protect their own land. Many say people who came here were running away from their own problems in Europe and our people welcomed them here in South Africa. It is not true. Why would you engage in a programme to kill people who have welcomed you? Those who are saying we must pay for the land are actually arguing with us that we must thank those who killed our people because those who did so did so with an intention of wiping out a black generation. We must ensure that we restore the dignity of our people without compensating

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the criminals who stole our land. Those who continue to protect these crimes are themselves accused of the crime because those who protect crime are criminals themselves. All of us must come together and say, 'enough is enough, our people must get the land'. We have offered the ANC our 6% to amend the Constitution and that 6% still stands to the ANC. [Applause.]

We want to say to the ANC that it is now an opportune moment since you have agreed in your conference to amend the Constitution. Anyone who says we can expropriate land without compensation without amending the Constitution, that person is misleading us because if that was the case, the ANC would have long already expropriated this land without compensation. So we need to amend the Constitution and we must do so unashamedly. It is not unconstitutional to amend the Constitution. It is constitutional to amend the Constitution. [Applause.] That is why the Constitution makes such a provision. We must stop being cowards. We must stop walking on eggshells around white minorities who are governed by the fear of the unknown when it comes to the question of land expropriation without compensation. The investors in this

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country just want policy certainty. Once we say we are expropriating land without compensation there is no investor that will leave the country. They will look at our policy and say, 'how do we continue to make money within the expropriated land?' So those who do not agree will continue to ridicule our struggle because they never suffered the pain of losing land. They do not know what it means to lose land. [Time expired.] So we are saying to all political parties, particularly the ones that represent black people, today, let it be the day of black unity in honour of Robert Sobukwe. [Interjections.] [Applause.]

The SPEAKER: I take this opportunity to congratulate the hon Minister of Water and Sanitation on his new portfolio.

The MINISTER OF WATER AND SANITATION: Thank you hon Speaker. The ANC unequivocally supports the principle of land expropriation without compensation as moved by the EFF. [Applause.] We may disagree on the modalities but we agree on the principle. There is no question about that. We are committed to implementing the resolution of the

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ANC which resonates very well with the motion led by the commander in chief, CIC, of the EFF. [Applause.]

Let's just put this into context. In the thirties already, the first president of the ANC, Dr John Langalibalele Dube, said the following:

There are only one million of you and there are about six million of us; and one million of you have three fourths of the land, and six million of us have one fourth of the land. That is not fair ... In asking for more land I do not think we are asking for charity; we have contributed to the development of South Africa with our labour ... we have done our share in that respect, and in the matter of taxation, both direct and indirect.

That was Dr Langalibalele Dube in the thirties already. This is the context of the resolution before us.

The resolution of the ANC's 54th national conference, that land should be expropriated without compensation,

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speaks to this historical injustice, and as the ANC we are committed to correcting it.

Listen to this because I'm addressing the context of this motion. Dr Dube vigorously fought off the commissioner's views because he was making this presentation to a commission. He vigorously fought off the commissioner's views that Africans did not know how to use their land properly; that any more would just be wasted; that Africans multiplied too fast; and that they had too many cattle. Dr Dube then said, "The black ox has nowhere to feed and the white ox has all the pastures. I am sorry if I cannot make that clear to you." He was addressing a commission. Now, this is the context and what I've just read is an address by Dr Langalibalele Dube.

The ANC is government now. It is important for us to actually draw this distinction when we talk about modalities, not the principle. The principle is fine. The ANC is government and as government the ANC cannot fail the people of South Africa because it is the people of South Africa who put the ANC where it is today, as government. That is why, during his state of the nation

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address, the President of the Republic, President Cyril Ramaphosa, had the following to say in elaborating on this resolution of the ANC. He said:

... accelerate our land redistribution programme not only to redress a grave historical injustice, but also to bring more producers into the agricultural sector and to make more land available for cultivation.

We will pursue a comprehensive approach that makes effective use of all the mechanisms at our disposal.

Lastly he said, "Guided by the resolutions of the 54th national conference of the governing party, this approach will include expropriation of land without compensation." So, there's no doubt about it. There's no doubt about it. Land shall be expropriated without compensation. This will be implemented in a way that increases agricultural production, improves food security and ensures that land is returned to those from whom it was taken under colonialism and apartheid.

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There is a false narrative that land was stolen from the indigenous people of this country. That is a false narrative. Nobody was asleep when land was taken. It was taken through brutal wars of colonialism. [Applause.] So let us do away with this narrative that says land was stolen, as if our people were asleep.

The first war of dispossession – you may call it a skirmish – already took place here in 1659. When the Khoi people went to Jan van Riebeeck and his people they said, we have observed that you are putting up permanent structures here, telling us that you do not intend to leave our country. Jan van Riebeeck doesn't write in his diary that they actually shot them. You know why they shot them? It's because ... They went away and came back with their own construction tools to put up their own – what you referred to as the first shacks – which therefore demonstrated that in the first war of dispossession they fought with them; they shot them.

In 1660 at a conference in the Netherlands, Jan van Riebeeck submitted a report, stating that these people came and claimed their land. So, it is not correct that

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it was after 1913. It was long before that. [Applause.]
The people went to Jan van Riebeeck's men and said it was their land. That was the Khoi and the San. So when all of us as South Africans debate the question of land it is an emotive thing. However, we are government now. We are government now.

In coming to the land audit, which was referred to in the discussions, the Department of Rural Development and Land Reform conducted a land audit in 2017. [Interjections.]
Yes, we will make it available today. We are busy printing copies. You will get copies, sir. Just look at this because we are giving context to the resolution by the CIC of the EFF. That audit report reflects the following ownership patterns across races. Whites own 26,6 million hectares, which is 72% of the total 37 million hectares of farms and agricultural holdings by individual landowners; followed by coloureds at 15%, Indians at 5% and Africans at a lousy 4%. This is the context of the draft resolution before us.

This land audit which we conducted shows one interesting thing which we must not lose sight of. There are

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institutions here, trusts and companies. They own land in this country. These institutions are the next target. In the land audit there is a recommendation that we should establish a land administration commission.

There is already a Bill before Cabinet – the Regulation of Agricultural Land Holdings Bill. One of the conditions there is that a land commission should be established and everybody who owns land in this country must declare it. If they don't do so, action will be taken against them in terms of South African law, because what they are doing is to hide ownership. Trusts will not tell us. We are trying and we have tried our best to find out who constitutes these trusts. They don't tell us because trusts belong to Justice and ... [Inaudible.] ... belong to the Department of Trade and Industry. You have community-based organisations and you have all these kinds of institutions out there, including churches by the ay. They own land. So ... [Interjections.] ... Of course government should own land. Government should own land because government is the government of the people. {Applause.} It's a government which is not the government

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of the people that should never own land.

[Interjections.]

Now, listen to this. Listen to this because I know that those hon members on the left of this House have this question about communal land out there, etc that belongs to chiefs and, whatever you try to do they say it's because you are appeasing the chiefs. Listen to this, listen to this, listen to this. This is what Dr Dube said:

Uppermost in my mind and in the minds of African people was the land issue. They needed far more of it, particularly those who could not afford to buy. The land ought to be purchased for them and handed over; all the African areas ought to be properly surveyed and divided into building plots, grazing grounds and gardens. People could pay a nominal rent for their plots.

Then already he understood that there were people who could not afford. So a progressive, revolutionary

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government ought to then have land and allocate it to people.

When we started the department in 2009 – some of us sitting here don't want to remember – we checked how much land we had lost because those programmes gave title deeds to people. Let us be careful here and not fashionable, with capitalists sitting on the left thinking that anything is hunky-dory. No!

When we did so we asked them how much land we had lost since we bought land through the Land Redistribution for Agricultural Development, LRAD, and Proactive Land Acquisition Strategy, Plas, programmes. They said 5% had already been lost to the market because people who got land and were given title deeds then couldn't work the land. They went for loans and they couldn't service the loans, and what happened? The same people who owned the land took the land back. We lost 5%.

That is why we then said we are not doing LRAD anymore. We are only going to focus on Plas. Through that we kept the land and made it available for our people to work.

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Even now I say, if we think we will just make land available because they say so and give title deeds, be careful. You will lose that land.

When we started the department, 14 farms were already about to be auctioned because our people could not service them. In 2009 we allocated R87 million to defend and protect those farms. That's why we stopped the title deeds until our people and government was in a position to defend them. [Interjections.] Now is the time. We are in agreement. [Applause.]

Ms T MBABAMA: Madam Speaker, in *Cry The Beloved Country*, Alan Paton reveals many dimensions of what land means to us as South African people. He warns us that:

The ground is holy and that we must keep it; guard it; care for it, for it keeps men; guards men; and cares for men. Destroy it and man is destroyed

That last line of the quote, illustrates the extricable link between men and the land. A man's land, no matter the size is his refuge, a place where he finds shelter,

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sustenance and a sense of wellbeing. Former Deputy Chief Justice Dikgang Moseneke said:

Land is very spiritual. It is in land that we bury our people and connect and speak to our ancestors. It is land on which churches, temples and mosques are built, and it is from land that we eat and survive. Seize that land and you take away not only man's livelihood, you take away his identity too. Black people were brutally dispossessed and forcibly removed from their land. Decades later, the wounds still run deep. There is an indisputable need to right that wrong, to make amends.

My fellow countrymen, sizwe sakuthi, expropriation without compensation cannot be part of the solution.

[Interjections.]

IsiXhosa:

Ndicela ukuyiphinda.

English:

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Expropriation without compensation cannot be part of the solution. [Interjections.] Only a few months ago, members on the right side of the House fully agreed with this position when they opposed the previous EFF motion to expropriate without compensation. Today, they have backtracked. What has changed? [Applause.]

Expropriation without compensation fundamentally undermines property ownership in South Africa. The property clause in Section 25 of the Constitution states that property is not limited to land. This poses serious risks to investment in agriculture and South Africa if expropriation without compensation is implemented.

Cassim Coovadia MD of the Banking Association of South Africa writes that:

Expropriation without compensation erodes property rights and once this happens land can no longer serve as collateral. Most productive agricultural land is bonded to financial institutions under a total debt of approximately R160 billion. What will happen to that

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debt should the encumbered farms be expropriated without compensation?

IsiXhosa:

Benikhe nayicinga kusini na loo nto?

English:

Kristen and Sihlalo, two agricultural economists, raise a valid query. They argue that in a typical productive farming operation, considering both movable and immovable assets, the land is roughly 10 percent of the value of the operation. Under expropriation without compensation would the infrastructure and assets also be seized?

The problem is not Section 25 of the Constitution. Expropriation without compensation is a way to divert attention away from the failures of the ANC-led government. [Applause.] As former President Kgalema Motlanthe's High Level Panel report points out that:

The need to pay compensation has not been the most serious constraint on land reform in South Africa -

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Mr Nkwinti knows this -

other constraints, including corruption by officials, the diversion of the land reform budget to elites, lack of political will, and lack of training and capacity have proved more serious stumbling blocks to land reform.

It is shocking that at the current rate it will take 35 years to finalise restitution claims lodged before 1998. How is this justice for poor black people in this country? The process to lawfully implement expropriation without compensation will only prolong the wait for the landless in this country.

The government needs to address the weakness in implementing the provisions in the Constitution instead of bowing to populist rhetoric. [Applause.] The fact is this: expropriation without compensation is a blatant lie. It is a lie being peddled by a desperate ANC that fears being outflanked by the EFF. We in the DA believe that redressing the wrongs of the past is not a game and

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we can never use the scars of the past to score cheap political points.

Land reform is a social justice issue and the government's newly changed position will not benefit the poor but will instead benefit the elite and those with connections to the ANC government. Fellow South Africans, the DA believes it is possible to achieve the aims of land reform and to do so in a way that truly empowers black people and strengthens the economy.

One of the ways in which this can be achieved is through partnerships with community organisations, an initiative that has enabled the DA to accelerate the pace of land reform here in the Western Cape. This approach has led to the success of 62% of all land reform farms in the Western Cape. [Applause.] This is in stark contrast to the 90% failure rate of land reform programmes in the rest of the country.

IsiXhosa:

Mamelani ukuze nifunde. [Uwelewele.]

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English:

Our approach means we have more black farmers participating in the formal economy with the state playing a role in providing the support they need. Another method of ensuring that land reform serves as a tool of economic freedom is to give title deeds to farmers. Most people do not know that is it national government policy to withhold title deeds from black farmers, this is a barrier to land reform.

Here in the Western Cape, the DA has delivered 82 830 title deeds since 2009. [Applause.] This not only provides black farmers with the dignity of owning their own property but it also provides access to funds through financial institutions. Surely this is true economic freedom.

IsiXhosa:

Bantu bakuthi umbutho weDA uyavumelana nokubuyiselwa komhlaba ebantwini bawo. Kunyanzelekile ukuba abantu abantsundu, abahluphekileyo babandakanyeke kwezomhlaba ukuze bakwazi ukuxhamla kwezoqoqosho. Asivumelani kodwa

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nokuxuthwa komhlaba ngaphandle kwembuyekezo. IDA iza kunifundisa. [Kwaqhwytywa.]

Inkosi R N CEBEKHULU: Hon Deputy Speaker, land which has often been referred to as Africa's most valued asset, is no doubt a critical resource for all aspects of our lives and further development. Inherent and foundational to the successful future sustainable development of our land is the notion of appropriately developed, just and equitable, land tenure laws and administrative reforms.

Inherent in our Constitution is the right to property and our supreme law is explicit when it states that no-one may be deprived of land except in terms of the law of the general application, and conditional upon such deprivation being for a public purpose or in the public interest and further subject to the agreed (by those affected), or the court decided and approved compensation.

The Constitutional Review Committee is a suitable structure to look into this matter rather than ad hoc committee as proposed in this motion.

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The notion of expropriation without compensation, which would first require a constitutional amendment, would be supported by the IFP only in very limited circumstances - it being the exception rather the norm.

There are vast tracts of state-owned land in our country. This land is by enlarge vacant and unproductive. Why has the state not already allocated such land to previously disenfranchised landless citizenry? Additionally, there are large portions of privately owned, unused and vacant land whose owners cannot be traced or located. Portions of such unused could be redistributed to our landless citizenry. This could be one of exceptional circumstances as spoken of before.

In respect of land held in communal trust by traditional leaders for the benefit of their communities, we would strongly advise against government identifying such land as being potentially redistributable, as such land has already been redistributed to the people. This land is productive and our communities are occupying and using the fruits of such land into perpetuity under the able leadership and trust of traditional leaders. Any attempt

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by government to change such status quo would be met with fierce opposition from the citizenry and would be a recipe for disaster.

In respect of such land communally held in trust by traditional leaders, government should rather be focussing on assisting communities with more effective land use and management strategies ... [Time Expired.]

Mr A M SHAIK-EMAM: Hon Deputy Speaker, let me start off by ... maybe agreeing with the hon Mbabama. Hon Malema, when she says that there should be no expropriation without compensation maybe she is correct. Because, these people that stole the land from the Khoi and the San in District Six and everywhere, they all became millionaires at the expense of the blood sweat and tears of these people. In any event, there should be no compensation whatsoever. So, we must expropriate.

The ANC, the NFP, the EFF and the IFP are all in agreement that we must expropriate. What is the delay? There is no need for a debate, let's go forward. Let's go out there and expropriate [Applause.] Time is running

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out. Let's go out there and give to our people what is rightfully theirs.

I am not surprised about my colleagues on the left here, because in a very short space of time from being oppressed they became oppressors. Because the grass is greener on this side with all the evergreen contracts in any event. Now, what do they do? Not only oppressed and took away the land of our people here, they even support Israel who have now stolen the land of the people of Palestine. So, they don't only interfere here they interfere everywhere else as well.

Hon Deputy Speaker, let me also add, many times we put in mechanisms to deal with this issue. And this has been going on for 24 years. What does the Criminal Procedure Act say, hon Malema? What does it say? That if you buy stolen goods, you are as good as a thief. If you are occupying land that you knew that even if you bought it, that land that was stolen by your people, then you are occupying stolen land and you are a criminal. You should be charged equally as well. Why is it ok for you to occupy stolen land and be in possession and not be

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charged, but if you buy stolen goods on this side then you must be charged. Why are there two different laws and two different rules for these people?

Let me also add - there is a serious problem - not only with the Khoi and San and the District Six and the Ndebele people. All the land along the N1, right up to Sea Point, and all over - what is happening? These colonialists, these are apartheid oppressors - are working with the rich and the elite and all that land is given to just a handful of people to develop. Those properties are out of reach of not only the average persons, even the middle class cannot afford it anymore, because that is exactly what they are doing.

Hon Minister and Deputy Speaker, the time has come to deal with this matter and deal with the expropriation and deal with it today. Time is running out.

What we as the NFP want to know, when will you start redistributing the first land to the rightful owners? Give us the date, give us the time and we will be there! Thank you very much. [Applause.]

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Mr M L W FILTANE: Deputy Speaker, now from a different angle. In November 1990, 80 church denominations met at the National Conference of Church Leaders in South Africa and produced the well-known Rustenburg Declaration.

The central theme of the conference was the expression of the Constitution for the wrongs and sins of the past and a call for action to repair those wrongs. In paragraph 2,4 of the declaration, the church leaders conference said and I quote:

We know that without genuine repentance and practical restitution we cannot appropriate God's forgiveness and that without justice true reconciliation is impossible.

The Conference went further to say as a first step towards restitution

we call on government to return all land expropriated to its original owners.

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The call by the church leaders would respond to what today seems to be the glaringly missing issue in the debate about land. Notwithstanding the provisions of the Constitution, the question of moral demand or rightness of not only changing land access and relationship but of repairing the hurts, the misery, the brokenness and trauma of a person violently reaped off from their land for generations. The 2013 marked the centenary of the 1913 Native Land Act which heralded an extraordinary scale of land dispossession.

Many South Africans including members of this House made moving observations and experiences about the viciousness of that act and its subsequent impact on land ownership in South Africa.

However, any talk on land has still not translated into a legislative and policy landscape that recognises the question of land reform as a matter of inclusive economic development, moral concern and legal justice.

The UDM supports the wide and inclusive consultative process in this matter of national interest. We want to

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remind citizens that the most lucrative and substantial amount of land was taken before the 19th of June 1913. The failure of the restitution programme as found in the report by the high panel represents justice denied. The principle of justice as it would be understood by the conference of church leaders demands that where something was unjustly acquired or taken away it must be returned or given back. In simple language if you steal my vehicle I lay a claim to it, I deserve it back I am not required to pay it back.

In fact, what may invite unending conflict is not the return of land to its rightful owners but the refusal to do so. Return the land to the rightful owners.

Given the historical reality of our country, the current economic challenges confronting the nation, and the increasing levels of equality and poverty. The UDM supports the motion... [Time Expired.]

Dr P J GROENEWALD: Hon Deputy Speaker, it is quite clear that hon Shaik Emam did not put on his red overall. What I want to say is that I thoroughly agree with hon Nkwinti

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when he said, and I quote: "The narrative that the land was stolen must stop because it is false." I agree. If we want to debate in a responsible manner about land, we will have to stop that.

There are many interpretations when it comes to history. I want to quote hon Prince Mangosuthu Buthelezi when he spoke at the inauguration of the Ncome Blood River Monument on 16 December 1998:

In 1991, even before apologies became the fashion of the day, on behalf of the Zulu nation, I tendered my apologies to the Afrikaner nation for what became the fate of Piet Retief and his Voortrekkers, and the action taken by my ancestor's side, which caused pain and suffering to their people. I have reiterated this apology on several occasions including two weeks ago when I received the Freedom of the City of Utrecht.

Hon Buthelezi, the Afrikaner accepted the apology and it is time that the young people in South Africa learn history from an elder statesman with high integrity.

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Afrikaans:

Die vraag is: As die regering dan die grond wil onteien sonder vergoeding, wat wil u daarmee doen? Dis die vraag. Wat gaan u daarmee maak? [Tussenwerpsels.] Ons weet van wie se grond ons praat. Almal sê dat dit die wit mense is wat die grond moet teruggee. Ons moet ook baie duidelik na hierdie voorstel kyk en ook na wat die ANC regering sê.

Ek wil vandag weer vir alle grondeienaars sê dat u u nie moet laat mislei om te dink dat hier net van landbougrond gepraat word nie. Hier word van alle grond gepraat. So as jy die eienaar van 'n woonhuis in 'n dorp of stad is sluit dit ook dit in.

Ek vra weer die vraag: Vir wat wil u die grond gebruik? [Tussenwerpsels.] As u dit wil gebruik om mee te boer, om die landbou te stimuleer, dan sê ek vir u dat u, as Minister, die mislukking van grondhervorming in Suid-Afrika is. Dit is hoekom ons is waar ons is. Die Vryheidsfront Plus sal dit nie ondersteun nie.

English:

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I want to say again, if you continue in this course, I can assure you that there are going to be unforeseen consequences, not in the interest of South Africa. [Time expired.] [Interjections.] I thank you.

Mr M G P LEKOTA: Hon Deputy Speaker, last week in the debate in the House, hon Ndlozi asked me a question: "Why did you go to Robben Island?" He asked: "What were you doing on Robben Island?" I went to Robben Island because I was fighting against white domination over us, the black sections of the population.

En route to Robben Island, I chanced upon a prisoner who came from the Free State like me. His name was Bram Fischer. He was doing life imprisonment because he was opposed to white domination over blacks, just like me. Indeed, he was a colleague and a close comrade of President Mandela and others who were already doing life imprisonment on Robben Island. Later on when I was on Robben Island, I learned from the senior leaders there, including Walter Sisulu and other, that Bram Fischer was a comrade who, like them, was fighting against white domination over blacks.

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They also imparted something to me, which I kept remembering, especially in the recent period, that those of us who were harassed by our white counterparts yesterday, now confront a challenge that some of us are ashamed to accept - the danger that there are those who think that equality in our time means that we must dominate whites. [Interjections.]

I am serious because I have asked the question last week... [Interjections.] Please listen. I have asked the question last week: Who are "our people" and who are not "our people"? In 1955, Chief Albert Luthuli, Z K Matthews and many leaders of our people like Dr Dadoo, Dr Naicker and many others went to Kliptown and said that the South Africa of the future is one that will belong to all of us - black and white. [Applause.] We were not there, but that is the legacy that they handed over to us - the South Africa we now struggle for. That congress had the Indian Congress, the Coloured People Congress, the African Congress and so on. [Time expired]

[Interjections.]

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No, the thing is now, to seek to divide the people on the basis of some pronouncements of before 1955.

The DEPUTY SPEAKER: Hon Lekota, look on your watch.

Mr M G P LEKOTA: When you adopted this thing that the land will be given to some and taken from others, you set us on the path of the PAC of 1959.

The DEPUTY SPEAKER: Hon Lekota, I will now switch off your microphone.

Mr M G P LEKOTA: This is the PAC of 1959; it is no longer the African National Congress. [Applause.]

The DEPUTY MINISTER OF RURAL DEVELOPMENT AND LAND REFORM: Hon Deputy Speaker, hon Deputy President-congratulations by the way I don't see him - we reaffirm the position of the 54th National Conference of the ANC of the expropriation of land without compensation. During his state of the nation address, the President of the Republic had the following to say in elaborating on this resolution:

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We will accelerate our land redistribution programme, not only to redress a grave historical injustice, but also to bring more producers into the agricultural sector and to make more land available for cultivation. We will pursue a comprehensive approach that makes effective use of all the mechanisms at our disposal. Guided by the resolutions of the 54th National Conference of the governing party, this approach will include the expropriation of land without compensation. This will be implemented in a way that increases agricultural production, improves food security and ensures that the land is returned to those from whom it was taken under colonialism and apartheid.

The pinnacle of our work is guided by the Freedom Charter and the preamble says:

South Africa belongs to all who live in it, black and white; and that no government can justly claim authority over South unless that government is based on the will of the people.

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It also has two important clauses the land shall be shared amongst those who work it; and the people shall share in the country's wealth.

The ANC is committed to building a more equal society, in which all can find decent work and enjoy sustainable livelihood. There are three areas of land reform, namely land restitution, land redistribution and land tenure.

The land audit that the Minister has referred to indicates that we are far from achieving equality in this country.

We reiterate that let us not be misunderstood, the principle is something that we 100% agree to and no turning back. One should not make a mistake when one wants equality and one says we want to oppress whites. Hon Lekota is making a big mistake. We are saying, we want to redress a historical injustice and barbaric brutality. We want at this time, in fact, every speaker here who came to fore, starting from hon Malema, said we are not caring guns or spears but we want what belongs to us. On that, we should be unshaken. In answering the hon Lekota's question about who these people are; the

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indigenous people are those that were colonised here, hon Lekota, and no other people. Lastly, I really want to say, hon Mbabama I like the fact that what you said, you said it in vernacular too.

IsiXhosa:

Abantu bakuthi bakumamele usithi mabangawufumani umhlaba wabo.

English:

If you say we did not say that, now we are saying it. That is why we are democratic organisation. When the ANC was formed in 1912, we never said we wanted to take up arms, but at a particular juncture in our history we felt that it is now critical for us to take up arms against an injustice regime. It is a democratic organisation that has now decided that we must do everything in our power to make sure that land is expropriated in our country. In doing so, we want black people, whites, Indians and coloureds to understand us. We are a responsible government; and we want to take everybody along in

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achieving an equitable society. The only thing that one can do is to walk the road with us.

There was a cry when we started to introduce 50/50; today there are white farmers who are supporting that project because you are also an immediate beneficiaries in an equal society. Let us walk this road all together and I can assure you, hon Mbabama, we are going to be patient with you and we will take you with us.

IsiXhosa:

Ungonmye wethu ntonje ke usalahlekile. [Kwaqhwytywa.]

English:

Rev K R J MESHOE: Deputy Speaker, the ACDP has always acknowledged that there has been a historical socioeconomic injustice in South Africa around the question of land ownership, and our black population has been at the receiving end of forced dispossession. That is why the ACDP supports fair, legal and just reform and land redistribution.

This past weekend, the ACDP had a guest speaker Dr N M

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Tunde Bakare, the future President of Nigeria, who gave us his insight into the subject of expropriation of land without compensation. Among other things he said:

For socioeconomic justice to be done, land redistribution is inevitable. However, the Zimbabwean model is equally unjust, socially hazardous and economically unviable, even if politically appealing in the short term.

He continues to say:

Expropriation of land without compensation is an aberration under international law. The property, even of an alien, cannot be taken for public use without adequate compensation. This is in line with natural justice, and takes into consideration the fact that the current owners have added value to the land in the form of investments.

Resolving this matter requires inclusive policies such as those that helped to create a postapartheid South African nation under the leadership of

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President Nelson Mandela, hence nationhood must be the overriding objective. The state must champion a pragmatic land redistribution drive guided by the principles of equity and justice.

Therefore, the ACDP will not support this motion before us because we believe expropriation of land without compensation is another forced takeover of land, which involves paying evil with evil. Hon members, two wrongs do not make a right. The fact that the apartheid government forcefully dispossessed black people of their land does not justify the democratic government repeating the same evil.

Expropriation of land without compensation has historically destabilised economies as it destroys investor confidence and scares foreign investors. The ACDP will not place ownership of land in the hands of the state, which would then lease it to its citizens. True economic freedom is guaranteed more by innovation, industry and productivity, rather than by radicalism and rebellion.

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Therefore, the ACDP calls on all parties in this House to help build one nation under the Almighty God who desires that the benefits and profit of the land be for all its people, regardless of their colour, gender or creed. I thank you.

Mr M P GALO: Deputy Speaker, this debate is stubbornly recalcitrant. It is the complete cleansing of the land enigma that will rid South Africa of the many challenges associated with the land question.

It must be said that until we answer the following questions, no meaningful constitutional amendments will save the day: Has the current government been able to dismantle the spatial patterns of apartheid? Has land development achieved rural and urban justice and equity? Have we aggressively empowered women and their immediate families against illegal evictions, in other words, have we secured land tenure of our people against illegal deprivations and evictions?

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The process of reconfiguring the scheme of land rights in South Africa has succeeded in legislation. It has stalled, however, in implementation.

The government has introduced the following legislations, amongst others, to supposedly address the land question: The Labour Tenants Act 3 of 1996 and the Extension of Security of Tenure Act 62 of 1997.

Under the currency of these laws, rural hunger has amplified; illegal evictions in commercial farms have sky-rocketed; shack settlements and shanty towns have increased; the spatial planning introduced by apartheid has not been dismantled; the land restitution measures have not brought about subsistence food security.

Hon Deputy Speaker, this motion envisages that Parliament has to pass a Bill to give effect to the expropriation of land without compensation.

Hon members, it is completely ironic, that it is this Parliament that the EFF wishes to debate and pass the expropriation Bill when it rejected its legitimacy when

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the President was sworn in.

We, however, support this motion in principle. Our long-standing view on this matter is that the inefficiencies in state machinery and administration to drive the land reform project have largely given rise to this quagmire.

We, therefore, propose the following measures to address the land reform question: a national land reform Panel to establish practical measures to achieve land reform ...

[Time expired.]

Mr M A PLOUAMMA: Hon Deputy Speaker and hon members. Hon Reverend Meshoe, please agree with me when I say "those who have taken our land by force, Jesus Christ must reject their prayers". [Laughter.] [Applause.]

Hon members, Mr Groenewald's speech is like the longest suicide note in history. These democratic projects cannot survive if those who benefitted unlawfully do not unconditionally volunteer to equally distribute the land to the previously marginalised.

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Hon members, Agang SA supports this motion without reservation. [Applause.] We should not fear those who are still nostalgic to the era Verwoerd; those remnants of the *broederbond* will never give land for free.

We must amend section 25 and speed this process to avoid land grabs or anarchy.

I urge the ruling party to develop a backbone of steel and stop speaking with fork tongues. The issue of land has been with the ruling party since the dawn of democracy. However, they have done nothing so far.

Hon members, hon minister Nkwinti is well-known, he has mastered the art of pacification, or should I say seducing us to believe that the ANC is serious? The ANC will agree to anything just to win elections. We need to put time frame, otherwise we'll debate this matter after few years again.

We need to look those fellow South Africans in their eyes and ask them how did they sleep at night when they have title deeds, which include mountains and rivers? While

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our people do not have a piece of land to call theirs; we need to do this as a matter of urgency to restore their cultural, spiritual and physical dignity. If we fail to do that, then this democratic dispensation is of no benefit to our people; then it is a celebrated fake. I thank you. [Applause.]

Mr N T GODI: Hon Deputy Speaker, comrades and hon members. Today marks exactly 40 years since the passing of our great leader, Robert Mangaliso Sobukwe. It is a fitting tribute to Sobukwe and all Africanists that we are reaching sufficient national consensus on the need to return the land to its indigenous African owners. Sobukwe stood for African national self-determination and there can be no resolution of the national question without Africans gaining effective and total ownership of their inalienable inheritance, their forebearers' land.

Let us not forget history; history of conquest; of land dispossession through wars of colonial conquest by white people through forced removals; through the slave labour in the farms, prisoners sold to the farms.

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Let us not forget the infamous potato farms in Bethal, Mpumalanga. The continued attacks, dispossession of livestock and murder in the farms in Piet Retief, Wakkerstroom, Phongola and elsewhere.

Today the descendants of those brutal land dispossessors sit here in suits and ties and want to pontificate to us. What nerve and what arrogance. To them, we say as the APC: Go away, angels of darkness, flee to the corners of nothingness and you'll never fool us. If you deny the historical injustice of brutal and heartless land dispossession, nothing else you say matters to me anymore.

The APC wants to salute the Pan Africanist Congress of Azania for having endured ridicule, insults and isolation because of its stand on the land question. In the 1994 elections, the PAC's slogan was land first and all shall follow; we were ignored. The PAC manifesto also said there shall be land expropriation without compensation except compensation for improvements made on the farm, not for the land itself. Well, two decades later, we seem to be making progress.

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Let us chant with the revolutionary Nigerian musician,
Sonny Okosun, when he sings and say:

Give us the land

My papa's land

Give us the land

Who owns papa's land

We want to know

We want to know who owns the land

Freedom fighters want to know who owns the land

Soweto wants to know who owns the land

Angola, Zimbabwe, Mozambique, Namibia want to know

who owns the land

Give us the land

My papa's land

Give us the land.

Izwe lethu [Our land] [Applause.]

AN HON MEMBER: iAfrika [Africa]

Mr K P ROBERTSON: Hon Deputy Speaker, what is this
obsession with private land? What is the succession with

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private land? [Interjections.] The ANC inherited land that the apartheid government stole and they still haven't given it open to the very people that deserve the land. Why don't you show us the route? Show us the route by expropriating your own land and giving it to the people; expropriating the state land and giving it to the people

IsiZulu:

ILUNGU ELIHLONIPHEKILE: Hhayi suka!

Mnu K P ROBERTSON: Ngeke ngisuke. Abantu bayahlupheka, abantu bayahlupheka ... [Ihlombe.] ... Nkosi yami!

English:

The ANC government does not have a land problem. We have a problem with the way the ANC is handling land. People were dispossessed of their land and their dignity by the discriminatory laws of the past. A painful past that can never be forgotten. But the ANC's call for expropriation without compensation is a lazy attempt to divert attention away from the real reason that lie at the heart

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of the slow pace of meaningful land reform and restitution.

In March 2017, the EFF brought a similar motion to the House and the ANC shot it down in flames. The ANC's speakers unanimously condemned the suggestion to expropriate without compensation. They used language such as: "We totally reject amending section 25 of the Constitution."

They said that the ANC does not need the EFF's 6%, but will do exactly what they want to. The ANC rejected the EFF's call for land invasion. They themselves said that they have all the right mechanisms in place to ensure the land reform happens. So, what has changed?

South Africa's Constitution recognises the painful historic injustices. The Bill of Rights seeks to ensure that the rights of all citizens are protected. Section 25 protects the right of property ownership, but recognises the use of different mechanisms, including expropriation, to ensure that the transfer of land occurs, but this is done in a just and equitable way.

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As the High Level Panel report indicates, government has to focus on releasing state and state-owned enterprise, SOE, land and to leverage as much of its tangible assets to accommodate the ever increasing demand for land, financial and economic inclusion. According to the latest land audit, the state still owns approximately 17 million hectares of property, hon Minister; 17 million hectares of property. That's why I asked about the obsession of private land.

Releasing most of those assets through a fair and efficient process could propel the transfer of land to black ownership from 8,1 million hectares to more than double that figure in a fraction of the time that it would take to expropriate, and this is to be done without harming the economy.

So, why expropriate without compensation and not just release state-owned property? And while doing so, continue to uphold section 25 of the Constitution. It is surely the logical place to start. We do not have to change the Constitution; we need to implement it and we need to find efficient solutions.

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In his Budget speech, ex-Minister Gigaba mentioned that, 2 851 land claims will be settled in the Medium-Term Expenditure Framework, MTEF, which will cost taxpayers approximately R10,8 billion and only equates to only 291 000 hectares of property. But currently, written questions to the Department of Public Works revealed that the departments sits with 1,9 million hectares of surplus land lying idle, which consists of 12 000 properties throughout the country.

The problem is that the inefficient state does do enough about transferring state-owned land back to the people. The Andriaanse family were awarded the land claim for 96 hectares owned by the state that is owned by the Department of Public Works next to the Cape Town International Airport.

In 2016, the state, through the national Department of Public Works, indicated that they lack the resources to finalise this claim. I remind you, 1,9 million hectares of land is lying idly and owned by Public Works, yet they can't assist our people. Over 4 000 ownerships are yet to

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receive this type of transfer to beneficiaries. There is clear reluctance by the state to hand over land.

The devastating failure rate of 90% of land reform projects throughout South Africa is another reason why the constitutional changes cannot serve South Africa's best interests. In comparison, the DA-run Western Cape far exceeds the rest of the country in terms of land reform successes and we show a remarkable success rate of 62%. Isn't that wonderful?

The DEPUTY SPEAKER: Hon member, your time has expired.

Mr K P ROBERTSON: Thank you very much. We reject this motion of land expropriation without compensation. Thank you.

Mr P J MNGUNI: Deputy Speaker, members of the executive, hon members of the House, our guests, thank you to the EFF for reintroducing this motion once more. It was introduced at some stage. We debated immensely, but a major event of a big governing party took place and discussed in line with the history of the ANC and the

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policy and actually resolved that the notion of land expropriation without compensation is part of the tool kit of the ANC in seeking to redress the troubled land question. We have said before and it has been said so many times since the advent of democracy that indeed the land was not stolen. I see hon Agbaar said the land was not stolen. I don't think you meant the same thing as Minister Nkwinti said. The land was not stolen but the land was taken away, dispossessed through brutal wars, blood was spilled and people were imprisoned. I may seek to check the notes with the EFF, Speaker, in terms of who actually were the seven Robben Island prisoners. On our record, I am no historian, but through general knowledge I do know that Chief Maqoma, Chief Sandile, Chief Tyhali, Chief Siyolo, Chief Awutha, Chief Langalibalele and Chief Fadane were the chiefs of all the African people who were imprisoned on Robben Island. Yes indeed, we confirm that was following also on the leaders of the Khoisan people who were there in prison, including one heroic Krotoa who was able to escape from the Robben Island right there in the sea and escaped that incarceration.

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We would have loved to speak more politics had time allowed, but in passing, we just need to affirm one thing. Colonialism, hon Mbabama and hon Robertson, sought to further the imperialist agenda, and nothing else - full stop. What imperialism is, it is for you to go and find out - we can assist and I can assist. [Laughter.] Colonialism had no other objective. Please also share with hon Hellen Zille. We don't seem to welcome that colonialism had come here to bring us development. All societies developed; there is no stagnant society anywhere. Colonialism was brought about by imperialists in order to suck and super exploit the people of the continent of Africa - in fact, including Latin America and other places - the world over, that were colonised.

There were wars of dispossession. So, Agbaar please bear with us. You seem to think that the land was not stolen, so it was amicably given - there were wars of dispossession. We would invite you to the Eastern Cape where I come from to come and tell us where these forts do come from that you find so many of in the Western Cape and as a general you would know where the word fort emerges from. Fort Hare, Fort Beaufort, Fort Malan, Fort

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Jackson and all the forts that you find throughout this country. I am just giving you one scenario in one province. So, there were wars fought. It is these wars of dispossession that ultimately led to the ANC being formed in 1912 and people coming together. I don't have time again to take you through what led Xhosa, Sotho, Zulu, Ndebele whoever manyanani [to come together.] because it was clear that the offensive was just too hard for our people to can bear as different people and different tribes.

We said before and we repeat also just to make sure that we are at one with our colleagues who moved this motion. It led to apartheid, the union of South Africa in 1910 and 1913 Land Act, in fact the judgement of 28 July 2016 by Judge Madlanga and the full Bench of the Constitutional Court is very instructive. Judge Madlanga with the concurrence of the rest of the Judges says:

To those who personally experienced the forced removal, and those who instead of inheriting the illegitimately wrestled land, inherited the pain of loss of homes or property. The dispossession are not merely colonial or

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apartheid era memories, they continue to be postapartheid realities ...

I am skipping a little bit; he says somewhere, "the continuing postapartheid realities of land dispossession are more so in the case of those who are yet to enjoy the fruit of restitution or equitable redress in terms of the Restitution Act."

In short, the land portfolio is composed of three legs. It was nicely captured by the Minister and Deputy Minister Skwatsha that when you talk land reform you really refer to land tenure, land restitution and land redistribution. It is my pleasure, honour and privilege to have introduced to this august House the reopening of restitution by which we seek to further advance the agenda of making sure that the land is redistributed to our people. It is also our pleasure to say that the Extension of Security Amendment Bill is now at the National Council of Provinces, NCOP, where it is being finalised before assented to and signed by the President C R ... fresh from the box - President Ramaphosa. Before he assents to the Extension of Security Tenure Amendment

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Bill, ESTA, those of us who were involved in the process, we are convinced that ESTA as amended will make it almost impossible to evict people on the farms. We have become acutely aware of 2,8 million people dwelling on the farms who are super exploited with mud huts and so forth.

[Interjections.]

I do not know if you differ with the facts you are raising hon colleagues on the other side.

[Interjections.] We want to suggest, however, that as we cautiously, like our hon Minister and Deputy, have indicated that. Now the crux of expropriation without compensation is our policy, as the ANC. We want, however, to even advise our people in communities and everywhere that by adopting this policy, we are not saying people must smash and grab, each one for himself and the devil takes the hindmost. That's not what we are saying. We are saying a scientific systemic tool must be developed to ensure that the redress in so far as the land question, the redistribution, is fast-tracked through a scientific means, constitutional means and legislated means. To this effect, we are raising two pieces of legislation. One that had been to the Presidency before and came back for

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minor ratification is the Expropriation Act led by Public Works, which we informed our people and this august House that again it is at NCOP from where it will then be adopted to be law.

Time permitting, I just want to go to the Constitution's clause 25 because it looks like a swear clause, but indicate that in our understanding, it opens up avenues in so far as ... I will read verbatim the provision there. Clause 25(1) "no one may be deprived property except in terms of law of general application, and no law may permit arbitrary deprivation of property." Now no one may be deprived except in terms of law of general application. This is what we are saying and it is now at NCOP. Once that law is passed and assented to, then we will have an expropriation tool in so far as we read section 25. Retired Judge Moseneke alluded to the section 25 that it has never been tested. We think that the Expropriation Act is going to help a great deal to make sure that we test section 25. Yes, of course, if needs be, we will definitely gladly see if section 25 is a fetter and be able to say what amendments to effect there.

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Section 25 goes further to say that property may be expropriated only in terms of law of general application, for a public purpose or public interest. So there we read an affirmation that it is enabling. For purposes of this section, the public interest includes the nation's commitment to land reform, and to reforms to bring about equitable access to all South Africa's natural resources. We think this is still in line with the Freedom Charter and the whole of section 25, in fact, as may be read.

However to our colleagues in the EFF who moved the motion, let us sit down and see what do we see as a fetter, and how do we move forward. Our people cannot continue to stay in slums and squatter areas and everywhere called bergie - the destitute. So, indeed, we see the need to fast-track and it is safe to say that.

For us in summary, the law of general application, again, we think that having moved from willing-buyer, willing-seller, having moved to just an equitable compensation, we think that let us test the waters in terms of expropriation without compensation. Yes, we are in agreement. Let us just test if we mean the same thing in

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content. In short, hon Deputy Speaker, as the ANC, we have no fundamental objections. Say for consultations, we are working with all the parties here to see if we cannot concur on the motion that we are debating that it be amended and therefore we pass it all of us. Thank you.

Mr J S MALEMA: Deputy Speaker, I think that South Africans will begin to appreciate that a party with 6% of the vote is doing what a party with 60% of the vote hasn't been able to do for many years. [Interjections.] Imagine what could have been delivered if this party had had the same percentage.

HON MEMBERS: Yes!

Mr J S MALEMA: In our discussion after the 2016 elections, we gave the ANC certain conditions. One of them was that Zuma must go, *Die Stem* must fall, and there must be one capital city, a Gupta commission and free education. The ANC seems to be meeting all of the conditions we gave them during those negotiations. [Interjections.]

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We gave the same conditions to the DA. However, the DA seems not to be meeting any of the conditions we gave them on why they should run the metros. [Interjections.] They are forever drifting away from the EFF.

Hon MEMBERS: Yes! Yes!

Mr J S MALEMA: So, we will really have to find a way of dealing with the situation in the metros.

[Interjections.]

Comrade Terror, when you went to prison on Robben Island, you were a black consciousness supporter. When you came back, you became an historical mistake, which came out of Robben Island. [Laughter.] [Interjections.] Every time you open your mouth to speak here, it is extremely disappointing. That which you thought you represented, you have abandoned.

You can't ask the question, Who are your people? The national democratic revolution answers that question. It says the motive forces that stand to benefit from the victories of this revolution are our people. Those are

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the motive forces of the national democratic revolution which you went to prison for. [Applause.] The motive forces of the national democratic revolution are the oppressed. Who are the oppressed? The blacks, in general, and Africans, in particular.

Consciousness, when it escapes you, however, doesn't say goodbye. You are such a typical example of a person who has just lost his political consciousness. Those teachers should have taught you on Robben Island but clearly, that university of life failed dismally when it came to you. So, it is actually extremely wrong of you to stand here and want to distort history.

All the EFF is saying is this. Let us subject this whole matter to consultation. We don't have a problem with that. We cannot come and meet here as a group of elitists and take a decision on behalf of our people. Let it be referred to committees. Let our people be consulted. Let ordinary South Africans make their input. We are not opposed to that, as long as this Parliament agrees that, indeed, we are at one. Let us go and take a further mandate from our people.

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So, the EFF is happy with the types of amendment the ANC wants to make. This is not about party politics. It is about an issue of national interest.

So, as I conclude, on 6 April, the day of Jan van Riebeek's arrival, the day of the formation of the PAC by Sobukwe, and the day of the hanging of Solomon Mahlangu, in honour of these people and also as a demonstration of our seriousness about this land issue, we will be passing a motion of no confidence in the Mayor of Port Elizabeth, as a warning shot to the DA. Thank you very much.

[Applause.] [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you, hon members. [Interjections.] Hon members, order! Order, hon members! [Interjections.]

Debate concluded.

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Hon House Chairperson, the ANC would like to make the following amendments to the EFF's motion:

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That paragraph 6 be amended, as follows ...

Dr C P MULDER: Hon Chairperson, I rise on a point of order: In terms of the process, you have just ruled that the debate has been concluded. That was the ruling.

The debate has been completed. I am not convinced that a motion to amend can now be moved, at this stage, before we vote. The amendment should have been moved during the debate. [Interjections.]

The HOUSE CHAIRPERSON (Mr C R Frolick): No ... hon Shivambu?

Mr N F SHIVAMBU: They did. House Chair, we, the Whips of the different political parties, have just come from a consultation now. The correct procedure is that, immediately after debate, you can put the aye or nay option, which you did. Any party then has the right to propose an amendment.

If different parties propose amendments, the last proposal to be put to the House is the one we vote on,

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and we roll backwards, like that. The first one will be the one we vote on last. We then integrate it and decide on a motion, in terms of what happens, moving forward. I don't know what constituted the opportunism of the FF Plus.

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you, hon Shivambu. No, hon members, what we are doing now is to implement the Rule. The Rule simply states that any member may propose an amendment. In fact, the Table has received a detailed amendment from the ANC.

We were alerted to the fact that such an amendment would be moved. There has been consultation with the original movers of the motion, as it stands. There is agreement and that is why I am inclined to allow the hon Deputy Chief Whip of the Majority Party to continue. Hon Mulder?

Dr C P MULDER: Chairperson, may I address you? I hear what you are saying. I want clarity for future reference. If the Chairperson has ruled that a debate has been concluded, I would like to know, in terms of the Rules, what then gives us the right to come with amendments

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after the debate has been concluded? If there is such a Rule, please enlighten me and I will accept that.

The HOUSE CHAIRPERSON (Mr C T Frolick): No, hon members. The question was put. That is correct, and that is why we are proceeding. Hon members, the question was put and there was an indication that there were objections. There was then an indication, in terms of the Rules - Rule 121(2) - that there was an amendment. As I said, we were furnished with a copy of the amendment that was also made available to the original movers of the motion. Would the Deputy Chief Whip of the Majority Party please proceed?

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Thank you, hon House Chairperson. The ANC would like to move to amend the EFF's motion, as follows:

That paragraph 6 of the motion be amended as follows:

- (1) "recognises that the current policy instruments, including the willing-buyer, willing-seller policy and other provisions of

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section 25 of the Constitution, may be hindering effective land reform”;

- (2) delete paragraph 7 of the motion as printed on the Order Paper;
- (3) substitute paragraph 8 of the motion with the following:

“notes that in his state of the nation address, President Cyril Ramaphosa, in recognising the original sin of land dispossession, made a commitment that government would continue the land reform programme that entails expropriation of land without compensation, making use of all mechanisms at the disposal of the state, implemented in a manner that increases agricultural production, improves food security and ensures that the land is returned to those from whom it was taken under colonialism and apartheid and undertake a process of consultation to determine the modalities of the governing party resolution”;

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... our conference resolution taken in December ...

(4) amend paragraph 10 as follows:

"with the concurrence of the National Council of Provinces, instructs the Constitutional Review Committee to -

(a) in sub-paragraph (a) before the words "to make" to insert "review section 25 of the Constitution and other clauses where necessary";

(b) in sub-paragraph (b) after the word "amendments" to insert "where applicable" and delete all the words after "needed";

(c) delete sub-paragraphs (c) and (d); and

(d) in sub-paragraph (e) to amend the date for reporting to the Assembly to "30 August 2018"."

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The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you, hon Deputy Chief Whip. Are there any other amendments? There being no further amendments, I thus want to put this amendment to the House. Are there any objections ...

Mr N SINGH: Hon Chairperson, I rise in response to the amendments that were proposed and I am sure you would realise that they were substantive amendments - not necessarily on the principle but in the number of words. I think it's only fair that we should be given copies - I know a copy is going to be tabled with you - to study for five or 10 minutes, so that you can then put the question to the House. [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Yes, hon members. Hon Deputy Chief Whip, were those amendments distributed?

The DEPUTY CHIEF WHIP OF THE MAJORITY PARTY: Chair, unfortunately the hon member was not in the House when I distributed the copies of the amendment. I did.

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The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you, hon member. So, the amendments have been distributed. We are going to continue.

Mr N SINGH: Chair, I rise on a point of order: Just to put the record straight, I never moved out of the House. So, I think it's devoid of the truth if the hon acting Chief Whip of the Majority Party says that I was not in the House. That is for the record, then.

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you, hon member. Hon member, the amendment complies with the Rule, right? We received it, we looked at it and we followed the due process, according to the Rule. So, those are the amendments currently in front of the House. Hon Dudley, why do you want to rise?

Mrs C DUDLEY: Chairperson, the ACDP would also like to say that these amendments need to be carefully considered before we actually vote on them. Thank you.

The HOUSE CHAIRPERSON (Mr C T Frolick): We are actually going to vote on it now! [Interjections.] Hon members, I

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now put the amendments, as put by the ANC. Are there any objections to those amendments?

HON MEMBERS: Yes!

The CHIEF WHIP OF THE OPPOSITION: Hon Chairperson, we would like to speak on the amendments, please.

The HOUSE CHAIRPERSON (Mr C T Frolick): I will now allow political parties to speak to the amendments. I will allow up to three minutes per political party to make their input in this regard. The DA?

The CHIEF WHIP OF THE OPPOSITION: House Chairperson, both the motion and the amendments themselves fundamentally misdiagnose where the real problem lies with land reform in South Africa. What these essentially are, are lazy shortcuts to resolve the problem.

The High Level Panel report which this Parliament commissioned – and extensive amounts of money was spent on and public input received by the High Level Panel, which was headed up by Mr Kgalema Motlanthe – did a very

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good diagnosis of where the obstacles to land reform actually are. They found, quite clearly, that section 25 of the Constitution, specifically at section 25(5) and section 25(8) already fundamentally provide for the equitable redistribution of land. You don't need to amend the Constitution for what we are trying to do today, as this amendment seeks to do.

Where the problems lie, as the High Level Panel found, were in the elite capture of land reform, in the fundamentally broken legislative framework, and in the lack of an overarching framework for meaningful land reform in South Africa. What it also found is that this government, for the last 25 years, has not put its money where its mouth is. Last year, it spent 0,14% of national revenue on actually providing land reform. It's been on a rapid decline since the 2008-09 financial year.

That is not a failure of the Constitution. It is a failure of government. It is a failure of implementation. [Applause.] This government, over the course of the last 25 years, has failed to introduce meaningful land reform. Absolutely failed to do that!

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And what is happening today with this motion? This motion is actually giving this side of the House – this government that has failed for 25 years – the opportunity to get a get-out-of-jail-free card. They can now simply wash away the sins of failure of their own policies and of their own legislation by blaming and scapegoating the Constitution.

There's nothing in the Constitution as it currently stands to prevent anybody in the House doing what they've spoken about today.

We must be very, very careful when we start to pull away at the underpinnings and threads that bind our Constitution together, because once we start to unpick them, there is going to be further problems down the line. When we erode the rights of some, we erode the rights of all going forward.

So, we say we must have meaningful land reform. We cannot deny the dispossession of both colonialism and apartheid. Various legislative proposals – the Glen Gray Act, the Pegging Act, the Group Areas Act, the Native Land Act of

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1913 – were all legislative processes which caused dispossession. And we must address these, but we can do so by passing legislation as the Constitution envisages. We don't need to amend the Constitution. Thank you.

[Applause.]

Mr N F SHIVAMBU: House Chair, it is not unconstitutional to amend the Constitution. It's actually a constitutional practice to amend the Constitution. This is what this Parliament is supposed to do from time to time.

Parliament must sit and look into the base document that has constituted this House and which organises society and check whether it is the appropriate means by which we must go forward.

It is clear now that the majority of black political parties are saying that the Constitution is not helping us adequately when it comes to dealing with the land question. So, the DA can express its own views in terms of its own racial and class prejudices, but the fact of the matter is that we should ultimately expropriate land without compensation.

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We agree with the amendment as proposed in the context that, instead of the ad hoc committee looking into this – as we proposed should – we should instead use the Constitutional Review Committee. It is a joint committee inclusive of Members of the NA as well as the NCOP. That committee must engage in public consultation, get submissions and then return in August to table a report which identifies the parts of the Constitution we must amend, as well as the specific pieces of legislation that we must align, so that we enable the state to expropriate land without compensation.

So that is the context within which we are dealing with all of these issues. We do not have fundamental problems with the characterisation that we are dealing with original sin. The amendment clearly puts that into context: We are dealing with the original sin of land dispossession, of our people being taken out of their own land.

Apartheid and land dispossession were legislated realities. So we have to use our legislative powers and our constitution-making powers to undo the injustices of

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the past. If we do not do so, we will be failing the many generations of people who died fighting in the wars of resistance. We will be failing so many people who died fighting for freedom, who were incarcerated, who were imprisoned, who were exiled because they wanted their land back.

So we must continue to work clearly and decisively as black political parties to reclaim our land. Izwe Lethu! [This is our land!]

Mr N SINGH: Chairperson and colleagues, firstly, congratulations to all the new Ministers that have been appointed.

When our colleague, hon Cebekhulu, spoke here, he did say that we would support a process of land reform and land restitution. It's absolutely necessary in a country like ours, postapartheid, that that happens.

He did also say that we would support the fact that this matter be referred to the Constitutional Review

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Committee. I note that this amendment takes care off of that.

So, to that extent, I think the IFP is satisfied that the mechanism that are going to be used to achieve the objective, are the correct mechanisms, and that it is thus not necessary to form an ad hoc committee to deal with this matter.

However, having said that, I also want to concur with hon Steenhuisen that the process of land reform as driven by government has been far too slow and ineffective. One really needs to look at outstanding claims that have been lodged since 1998 – and there are many outstanding claims that have not been dealt with. We should also look at the contingent liability to this government. I hope the new Minister of Finance takes note of the contingent liability that this government could face when it settles land claims that have already been processed by the department.

We also believe that, as far as the IFP is concerned, what the hon President said the other day, is that

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expropriation without compensation is part of the menu of options that will be used to deal with the issue of land restitution. That's how we understood it and we still understand it on that basis.

We are pleased with the fact that there will be continued engagement with the public and there will be extensive public processes for us to achieve the eventual aim of ensuring that of our people who have been dispossessed ... and I can also add that my family was dispossessed of land from a so-called white area and we were put on a truck and moved to another area.

So people who have been dispossessed of land need land returned to them and we trust that that land would be put to the best use in the interests of the economy of our country.

So we would support the motion as amended and presented to us. [Interjections.]

But, lastly, let me say, in 30 seconds, hon Deputy Chief Whip, don't walk past us the next time. I noticed you

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giving the amendments. We agreed that the amendments would be given to all political parties, but you walked past. Maybe it was a lapse of memory. But just to put on record, why I asked for the copy, it was exactly so that we could run through it. But we will support the amendments as proposed. Thank you.

Prof N M KHUBISA: House Chairperson, hon members, we must also reiterate the fact that we support the amendment. We are also cognisant of the fact that the amendment tallies with the original resolution.

The issue of land reform is an historical fact. Some of the kings were incarcerated because of this issue. For instance, iSilo Dinuzulu had to go to jail because of this issue of land. So it's really an emotive issue and it cannot be delayed.

We therefore want to concur with the resolution and that it must be done within the ambit of the Constitutional Review Committee. Our people do need land for farming, agricultural purposes, subsistence and commercial

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farming. But it should not delay. We really support it and we say it must be done within the ambit of law.

The timeframe has been set. As such, the NFP agrees with it. I therefore believe that, if we follow all these processes in line with the resolution and the amendment, we will eventually reach the destination. We support. Thank you.

Mr M L W FILTANE: Hon House Chair, we are running late. We cannot accurately predict what is going to happen next year. We have to move with haste and do the necessary. The people are starving out there. The socioeconomic situation out there commands that we move with this right now.

As per the report that we got in the Portfolio Committee for Agriculture three years ago, we see that 95% of food produced in South Africa comes from only 3% of commercial farmers. We need more land so that more people can produce food for themselves and for sale to those who want the food. We want the land. There's no question or doubt about that.

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Remember the frontier wars that were fought in the 18th century? Bloody wars in the Eastern Cape! Ten of them over a period of 100 years. That land that we want back is dripping with the blood of Africans butchered in their own land. Where else would that have happened? We need to move with haste.

Lastly, I want to say, as the UDM, we stand right behind the involvement of the constitutional review committee in the process. That's the amendment that we support. Thank you.

Dr P J GROENEWALD: Hon Chairperson, the FF Plus will not support this amendment. Once you have opened the gate, you will not be able to close it again. I want to say to all landowners in South Africa today, you must take note of what is happening in this House today. Take note!

Afrikaans:

Daar is liggelowige mense wat dink dat die proses nooit sal deurgaans nie, want die agb President, Cyril Ramaphosa het mos gesê dat die ekonomie nie geskaad moet word nie en voedselsekerheid nie benadeel moet word nie. Ek sê

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vandag vir u dat die ANC-regering saam met sy opposisievennote die Grondwet gaan verander. Hulle het 'n tweederde-meerderheid en as die Grondwet eers verander het, gaan u u eiendom kan verloor. Dit kan onteien word sonder vergoeding en dit gaan alle grond wees - of jy in 'n dorp bly en of jy op 'n plaas bly.

Grondeienaars moet weet dat hierdie proses die spreekwoordelike geval en voorbeeld is van die padder in die pot water, maar die vlammetjie word al hoër aangejaag en jy gaan doodkook binne-in daardie pot.

Ek wil vir u sê, word wakker in Suid-Afrika. Besef u dat die ANC besig is om u soos 'n luislang in te sluk en stadig maar seker dood te druk?

Eiendom is die hoeksteen van 'n ekonomie.

[Tussenwerpsels.] Privaateiendom bou 'n ekonomie, maar die ANC wil dit nie toelaat nie. U, as 'n grondeienaar, as dit u erns is om u eiendom te behou, dan sê ek vandag vir u dat u u stem moet begin dikmaak, u moet u besware begin opper en u moet u afvalligheid en apatie, wat die politiek in hierdie land betref, begin eenkant sit. U

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dink u is klaar met die politiek, maar die politiek is nooit klaar met jou nie.

Ek doen dus 'n beroep op u. Daar is volgende jaar 'n verkiesing. Hierdie kwessie sal bespreek word. Twee jaar gelede is die grondkwessie al op die voorgrond geplaas vir propaganda in die verkiesing. Ons sal nooit so 'n mosie kan ondersteun nie en ons sal u beveg waar ons kan.

Mr M G P LEKOTA: Chairperson, once more, I thank you. I would like to start by saying, hon Malema I was in this House when you said what you said. I cannot say anything about it, because it might be that I endorse that. I think we should leave the matter of whether I am an accident of history or not. I think we should leave it for generations to come. They will pass judgement.

[Applause.]

On this issue, the problem so far has been one of abject failure by the ANC-led government to utilise these instruments and to give effect to the progressive realisation of land reform - rather than of impediments created by the Constitution.

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This is born out in Parliament's High-level Panel Report which reveals that: firstly, the report on the progressive realisation of land reform rights has been concerning and slow. Secondly, that the development of policy and law has drifted away from its initial propoor stance and lacks a vision for inclusive agrarian reform. Thirdly, that there are also significant gaps, such as on tenure security, where legislation has not been passed, putting the lives and livelihoods of many rural dwellers in pirel. Fourthly, that government's interpretation of customary law, centred on traditional leadership and away from living custom, has added to insecurity.

The report makes comprehensive recommendations and calls for crucial interventions, but no where does the panel report calls for the amendment of the Constitution. Yes, it true that Constitutions may be amended, but there must be sufficient firm grounds why you need to do so. This is a living document. It speaks about progressive realisation of the objectives in a number of different ways.

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Section 25 and section 26 speaks about progressive realisation, recognising that you cannot solve inside of five or 10 or 20 years, many other issues that are involved in this question. Those will take time, but time ahead is not as much as what is behind us is finished. We must look into the future and that is what this document is based on. I thank you, Sir. [Applause.]

Ms C DUDLEY: Chair, the ACDP agrees that we must move without delay and that land reform is crucial. It must be our top priority. However, successful land reform is just as crucial or we will further disadvantage the very people we want to make reparation to. The ACDP is convinced that if we do away with all legal protection against state abuse. Every person in South Africa will be vulnerable and is at risk of being disposed once again.

Maybe not this government, but there will be governments to come. And when you find yourself on the wrong side of the politics of the day, your future land ownership and your security will be threatened. We will not support expropriation without compensation, for the sake of every person in South Africa. [Applause.]

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IsiZulu:

Mnu N T GODI: Izwe Lethu!

AMALUNGU ESISHAYAMTHETHO: I-Afrika!

English:

Mr N T GODI: What a wonderful day it is today.

[Interjections.] For all the time since 1994, since I became an africanist to listen to this kind of debate and what the best way to remember Robert Sobukwe, today than to demonstrate to him that his life's work is about to come to fruition.

Comrades our understanding is that a Constitution is always a reflection of the political balance of forces. And the Constitution that we have coming out of 1996 reflected that balance of force. This same Constitution envisages that it must be reviewed on an annual basis. So, it is indeed not unconstitutional to review the Constitution.

However, comrades I do want to say the way we handled this debate and the way we are handling the amendments, I

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think lays the ground and sows the seeds for black solidarity. For as blacks we have nothing to lose, but our landlessness when we unite. [Applause.]

We know that landlessness is actually the basis for the racism that our people suffer. It is the basis for our poverty, the basis for our humiliation, the basis of the dehumanisation of the natives as Frans Fernon said. So, as the APC, we support the amendments and the motion. Let us pass it. Izwe Lethu. [Our Land.]

AMALUNGU ESISHAYAMTHETHO: I-Afrika!

Mr M A PLOUAMMA: Hon Chairperson, today we are speaking with pride and we support these amendments. Unlike in other countries where they choose arms. Here we choose constitutional processes. Hon Steenhuisen, if you are defeated accept, it with a smile.

Sometimes, I do not know why black South Africans vote other parties, because really if these parties are not supporting a motion like this, I do not know what it is,

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that black people are looking for, in those parties.

[Applause.]

Hon members, hon Steenhuisen, you know, when I was listening to you there, I truly diagnosed the sickness of your party. [Interjections.] I really observed that your constituency is in America and Britain and your heart and conscience is not here. [Interjections.] I just want you to understand very clear that those who benefitted by taking over the land of our people are very lucky because they are still alive in this country and rich. In other countries, people like you are running away. [Applause.] However, here because we believe in negotiations and ubuntu, you are still wealthy and you were wealthy before the democratic dispensation and you are even wealthy today.

Our people are still travelling from Diepsloot and Alexander to your houses, but yet this is their democracy. You must actually kneel down and pray to us today and say black people, you are very kind.

[Applause.]

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You know, I do not say this quite often. You are very lucky to be in this country and still be accepted as citizens of this country.

The CHIEF WHIP OF THE OPPOSITION: Point of order!

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Plouamma, will you take your seat. Why are you rising hon member?

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Chair, I rise on Rule 85. It is completely inappropriate for an individual to both racially and stereotype, we have heard. [Interjections.] No, he has. He is saying that you people to be in this country. That is racially stereotyping and to reflect on the honour of individual members of this House. I am a South African and I do not hold no other passport!

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you. Hon Plouamma, did you refer... [Interjections.]

Dr M Q NDLOZI: Hon Chairperson... [Interjections.]

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The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, will you just take your seat, please. I just want to deal with this point of order. [Interjections.]

Dr M Q NDLOZI: Just eh, just eh...

The HOUSE CHAIRPERSON (Mr C T Frolick): No, I will come back to you. I will come back to you.

Dr M Q NDLOZI: Alright. Alright.

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Plouamma, did you refer to any member of this House... [Interjections.]

Mr M A PLOUAMMA: I do not know what he is talking about.

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon member, did you refer to any member of this House, yes or no?

Mr M A PLOUAMMA: No.

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you. Hon Ndlozi.

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Dr M Q NDLOZI: Hon Chairperson, there is nothing about race and racial stereotype to say, "You are lucky to be a citizen of South Africa." Even as a black person, I feel lucky to be part of this... [Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Ndlozi...
[Interjections.]

Dr M Q NDLOZI: If you do not feel lucky...
[Interjections.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Dlozi, I have dealt with this point of order! [Interjections.]

Dr M Q NDLOZI: We will question your patriotism!

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you.

Dr M Q NDLOZI: If you do not feel lucky to be part of us!

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you, hon member!

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Dr M Q NDLOZI: Please!

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon Plouamma.

Mr M A PLOUAMMA: Hon Chairperson, for 400 years black people tolerated abuse, rape, theft and everything that is bad that you can think about! However, we have forgiven. We just want you to peacefully and legally give this land back to its own owners. What is wrong with you? [Applause.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Thank you, hon member. Order, hon members! Order hon members, may I just remind, order, may I just remind the guests in the gallery that you are here to observe and not to participate in the proceedings of the House, please. I now recognise the hon Minister Nkwinti.

The MINISTER OF WATER AND SANITATION: Hon Chair, South Africa belongs to all who lives in it - black and white. That is the essence of this motion by the hon Malema. He has not said everyone else must go or jump everywhere else. He says South Africa belongs to all who lives in it

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and therefore, all South Africans must share equitably to the profits of their country. [Applause.] That's what the essence of this thing is. At last the ANC which has been reluctant to do this is doing it. I must really commend the hon members on behalf the ANC. [Applause.]

The ANC has been reluctant for twenty three years to come to this point of what it is saying today in terms of this resolution. The ANC is recognised across the world as a very patient movement for the liberation of the people of South Africa. Now, we have reached this point that says let us persuade fellow South Africans, let them also recognise that as South Africans they have a duty to other fellow South Africans. It cannot be correct that all the time the black majority of South Africans who have been suppressed for all these hundreds of years must always be the ones who kowtow to the minority of South Africans. [Applause.] It is not correct.

Lastly, point four says amend clause 10 as follows: with the concurrence of the NCOP instructs Constitutional Review Committee. This is an institution - this is Parliament - this is a committee of Parliament. It is not

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saying go out there, we all have been voted in here. It says this Parliament as a representative of the people of South Africa must use this clause, review section 25 of the Constitution and other clauses where necessary. After the words amendments it said where applicable; it is still persuasive. Let us agree that this motion must be carried out. It is supported by the mover in the first instance. Thank you very much EFF. [Applause.]

Question put: That the amendment as moved by the Deputy Chief Whip of the Majority Party be agreed to.

Division demanded.

The House divided.

Voting

AN HON MEMBER: We will reshuffle you comrade bae.

[Laughter.]

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The HOUSE CHAIRPERSON (Mr C T FROLICK): Order hon members! Don't start reshuffling now again. [Laughter.] We want to complete the vote.

Question agreed to.

Amendment accordingly agreed to.

Question put: That the motion, as amended, be agreed to.

Division demanded.

The House divided.

Voting

Question agreed to.

Motion, as amended, accordingly agreed to.

LADYSMITH BLACK MAMBAZO WINS FIFTH GRAMMY AWARD

(Draft Resolution)

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Mr Z S DLAMINI-DUBAZANA: I hereby move on behalf of the ANC without notice:

That the House -

- (1) congratulates the legendary South African group Ladysmith Black Mambazo on winning its fifth Grammy...

The HOUSE CHAIRPERSON (Mr C FROLICK): Order! Hon members, those of you who are leaving the House do it in such a manner that you don't disrupt the proceedings of the House.

Mr Z S DLAMINI-DUBAZANA: ... award at Madison Square Garden in New York on Sunday 28 January 2018;

- (2) notes that the group which has a global audience to the traditional Zulu style of harmony driven singing known as Isicithamiya scoop the prestigious award for the best world music album for its album Shaka Zulu Revisited;

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- (3) remembers that over the years Ladysmith Black Mambazo have scooped 19 nominations at the awards and have walked away with five so far;
- (4) recalls that Black Mambazo came to the world wide attention when Paul Simon enlisted group for his 1986 album called Graceland which was a landmark work of world music fashion which revived the four icons career and won the most prestigious Grammy award for the album of the year;
- (5) understands that the group decided to re-recorded the Shaka Zulu album in tribute to the group's founder Mr Joseph Shabalala who has retired and handed control to his four sons; and
- (6) congratulates Black Mambazo the South African flag high all over the world.

Agreed to.

LEGENDARY MUSICIAN HUGH MASEKELA HAS DIED

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(Draft Resolution)

Mr S C MOTAU: I hereby move on of the DA without notice:

That the House -

- (1) notes the tragic passing of a national treasure Bra Hugh Masekela on 23 January 2018;
- (2) acknowledges that Bra Hugh was more than just a jazz musician, he was a musical genius and a fearless activist;
- (3) also acknowledges that his music told the stories of our people and reflected the struggles of black South Africans opposing apartheid;
- (4) further acknowledges that bra Hugh was a proud African and a true son of the soil and we are grateful for his immense contribution to South Africa and African continent as a whole, and;

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- (5) extends our deepest condolences to his family, his loved ones and his South African music fraternity.

Agreed to.

THE 40TH ANNIVERSARY OF THE DEATH OF ROBERT MANGALISO

SOBUKWE

(Draft Resolution)

Ms N V MENTE: I move on behalf of the EFF without notice:

That the House -

- (1) notes that today marks forty years since the untimely death of the iconic figure of the African liberation struggle, Robert Sobukwe, the founding president of the PAC;
- (2) further notes that Sobukwe died a few years after he was released from a period of nine years of solitary confinement in Robben Island

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where he was kept through an evil amendment made by the Criminal Law Amendment Act, Act 62 of 2000 for the Minister to keep a prisoner in jail indefinitely with the so called Sobukwe Clause;

(3) acknowledges that today as he was silenced by apartheid regime, Sobukwe is still marginalised and unrecognised that his liberating ideals have been ignored and all attempts made to erase his rich legacy from the history of our country;

(4) further acknowledges that Sobukwe once argued we guarantee no minority rights because we think in terms of individuals not groups. Economically, we aim at the rapid extension of industrial development in order to alleviate pressure on the land which is what progress means with regard to modern society and we stand committed to a policy guaranteeing the most equitable distribution of wealth and socially we aim at the full development of the human personality and ruthless uprooting and outlawing of all forms of manifestations of racial need but today

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we say salute Sobukwe the land is back. [Time Expired.]

Agreed to.

**THE DEATH OF ZIMBABWE'S LONG TIME OPPOSITION LEADER AND
FORMER PRIME MINISTER MORGAN TSVANGIRAI**

(Draft Resolution)

Mr Z S MAKHUBELE: I move on behalf of the ANC without notice:

That the House -

- (1) notes with great sadness the death of Zimbabwe's long time opposition leader and former Prime Minister Morgan Tsvangirai on Wednesday 14 February 2018 in a South African hospital at the age of sixty five;

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- (2) understands that Tsvangirai had been in and out of hospital since disclosing in June 2016 that he had colon cancer;
- (3) remembers Tsvangirai as the veteran leader of the Movement for Democratic Change and one of the most prominent critics of the Zimbabwean ruling party The Zimbabwe African National Union-Patriotic Front, Zanu-PF;
- (4) recalls that he was he was a miner for many years and he joined Zanu-PF in 1980 after Zimbabwe's independence and rose quickly through the ranks;
- (5) further recalls that in 1989 he became secretary general of the Zimbabwe Congress of Trade Unions emerging as opposition leader in 1997 and forming the Movement for Democratic Change, MDC, two years later;
- (6) acknowledges Tsvangirai for his humility and relentless determination; and

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(7) conveys its heartfelt condolences to the family of Morgan Tsvangirai and all supporters of the MDC.

Agreed to.

RESURGENCE IN ATTACKS ON PEOPLE WITH ALBINISM

(Draft Resolution)

Mr N SINGH: I move on behalf of the IFP without notice:

That the House -

(1) notes that the United Nations has urged African nations to fully implement the original action plan aimed at ending attacks on persons with albinism;

(2) further notes that this plans sets out clearly what state can do to end attacks on persons with albinism in African countries;

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- (3) acknowledges that this plan includes fifteen practical steps which are expected to go along way in addressing the persisting and deadly challenge;
- (4) recognises that South Africa continues to see an increase in number of attacks on those living with albinism especially in KwaZulu-Natal;
- (5) condemns the recent kidnapping and murder of the late Gabisile Shabane and a fifteen months old nephew Nkosikhona Ngwenya from eMalahleni who was living with albinism and her nephew who was mistakenly assumed to have been born with albinism as well;
- (6) conveys heartfelt condolences to the Shabane and Ngwenya families; and
- (7) finally urges the South African government to fully comply with the signed protocols aimed at protecting people living with albinism and to do more to ensure that the human rights of those

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living with albinism in South Africa are promoted and protected.

Agreed to.

DRUGS, WEAPONS SEIZED IN DURBAN POLICE RAIDS

(Draft Resolution)

Mr S C MNCWABE: I move on behalf of the NFP without notice:

That the House -

- (1) notes that the KwaZulu-Natal provincial Drug Unit seized bags full of drugs, fire arms and illicit cigarettes during drug enforcement operations in the greater Durban area last week;
- (2) focuses on Chatsworth, Verulam and Phoenix after extensive observation and investigations;

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- (3) further notes that illegal cigarettes to the value of R62 500 was confiscated in Phoenix as well as 2 000 capsules of heroin valued at R60 000 and unlicensed pistol was confiscated leading to several arrest;
- (4) also notes that several arrest were made in heroin and rock cocaine with a street value of R90 000 was confiscated and a suspect arrested in Welbedach during the operations whiles eleven bags of dagga with estimated street value R30 000 was confiscated in Chatsworth as well as 800 capsules heroin valued at R10 000 was confiscated; and
- (5) calls upon this House to commend the proactive conduct of KwaZulu-Natal provincial drug unit and also urges local communities to work closely together with law enforcement agencies to ensure that social scourge of drug is addressed swiftly and decisively in our communities.

Agreed to.

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RENOWNED SOUTH AFRICAN ACTORS IN HOLLYWOOD FILM

(Draft Resolution)

Ms Z S DLAMINI-DUBAZANA: I move without notice on behalf of the ANC:

That the House -

- (1) congratulates the renowned South African actors John Kani and Connie Chiume who joined the Hollywood A-listers in a star-studded iconic film *Black Panther*, along other African stars, Kenyan-raised Lupita Nyong'o and Zimbabwean-born Danai Gurira;
- (2) notes that in the film, Kani plays the role of King T'Chaka with his son Atandwa playing his younger version, and Chiume plays the role of a mining tribe elder;
- (3) recalls that in creating Wakanda, a secretive sub-Saharan African country, the film directors

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flipped the script on how Africa is portrayed in Hollywood;

- (4) understands that South African culture contributed so much to the Black Panther and inspired the first black superhero film;
- (5) further understands that one of our African indigenous languages, IsiXhosa, is spoken by the inhabitants of the fictional country Wakanda in the movie;
- (6) believes that the roles played by these African stars will inspire many Africans to praise their own achievements; and
- (7) congratulates John Kani and his son Atandwa, as well as Connie Chiume and all other African stars partaking in the Black Panther film for the excellent performance and for raising the flag of Africa high internationally.

Agreed to.

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The HOUSE CHAIRPERSON (Ms A T Didiza): I said to other colleagues earlier on that I need a sponsor for a ticket to go and see the movie.

**BRUTAL MURDER OF FIVE POLICE OFFICIALS & SOLDIER AT
ENGCOBO**

(Draft Resolution)

Mr M L W FILTANE: I move without notice on behalf of the UDM:

That the House -

- (1) notes utmost grief that on Wednesday morning, 21 February 2018, five police officials namely Zuko Mbini, Zuko Ntshoku, Nkosiphendule Pongco, Sibongiseni Sandlana, and Kuhle Mathetha and an off duty soldier Mbuzeni Freddy Mpandeni were brutally murdered by criminal elements in Ngcobo;

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- (2) further notes that three SA Police Service members were shot in the Ngcobo Police Station, while two additional members were kidnapped before being killed and left on the side of the road 6km away from the police station;
- (3) acknowledges that 10 firearms and a police van were stolen from the police station and were later used to rob an ATM, a short distance away from where the callous and cold blooded murder of the law enforcement officials occurred;
- (4) believes that this inhumane, gang related and barbaric attack on the law enforcement officials is a gross and direct attack on the peoples' first line of defence against crime;
- (5) commends the task team on their swift action and determination for the arrest of suspects;
- (6) conveys its deepest condolences to each of the families and colleagues of public servants that were killed in this vicious attack;

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- (7) further acknowledges the contribution by local communities in assisting and supporting the police during their pursuit of these heartless killers, so that they can face the full might of the law with immediate effect;
- (8) calls on communities to continuously assist and support the police in this investigation so that the further escapees may be apprehended with the utmost urgency; and
- (9) further calls on government to ensure that the families and colleagues, that are left behind receive adequate support to deal with the loss of their loved ones as well as members of the task team who are injured on duty whilst bringing these killers to the steps of justice.

Agreed to.

THABA CHWEU MUNICIPALITY OVERSPENDS ON STAFF SALARIES

(Draft Resolution)

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Ms H S BOSHOFF: I hereby move without notice on behalf of the DA:

That the House -

- (1) notes with concern that the Thaba Chweu Local Municipality is spending more money on their employees than on any one of the services provided to their customers;
- (2) further notes that Thaba Chweu Local Municipality is paying as much as 73% over its budget for salaries;
- (3) also notes that this municipality is in all probability using the profit from its electricity sales to fund salaries and other operational expenditures;
- (4) acknowledges that the budget for salaries is normally set at 26% of its operating budget, but the actual salary expenditure of Thaba Chweu

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Local Municipality is running at 45% of the budget;

- (5) recognises that the municipality salary expenditure should never exceed the recommendations as contained in the Municipal Finance Management Act; and
- (6) calls upon the Department of Co-operative Governance and Traditional Affairs to curb irregular spending in municipalities to ensure that expenditure aligns with best practice as contained in the Municipal Finance Management Act.

Objected to.

**HOME AFFAIRS REGISTERS NEW-BORN BABY INCORRECTLY, LEAVING
HER WITHOUT BIRTH CERTIFICATE**

(Draft Resolution)

Ms N V MENTE: I move without notice on behalf of the EFF:

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That the House -

- (1) notes that in 2016, Vryburg Department of Home Affairs registered Ms Kamogelo Maine's new born baby under someone else's name, leaving her without a birth certificate;
- (2) further notes that baby Reatlegile Maine has not had a correct birth certificate for the last two years, and it was only after the EFF's intervention that the Minister of Home Affairs was able to resolve the matter;
- (3) recognises that in the last two years, baby Reatlegile did not have a birth certificate, could not access her rightful social grant, and was disadvantaged severely;
- (4) further recognises that it is not only social grant that baby Reatlegile was denied but she was also denied access to other social services;

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- (5) resolves that the Portfolio Committee on Social Development look at the case of Ms Maine; and
- (6) further resolves that the Portfolio Committee on Social Development engage relevant authorities to assess Ms Maine's case to ensure the suffering of the last two years without baby Reatlegile's birth certificate is well compensated.

Agreed to.

MOTION OF CONDOLENCE

(The late Professor Keorapetse Kgositsile)

Mr Z S MAKHUBELE: I move without notice on behalf of the ANC:

That the House -

- (1) notes with sadness the passing of the internationally renowned writer and struggle

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stalwart, Professor Keorapetse Kgositsile, on Wednesday, 3 January 2018, at the age of 79;

- (2) understands that the national Poet Laureate, affectionately known as Bra Willie, left an indelible mark on the cultural and artistic life of not only the land of his birth, but also of Tanzania, Kenya, Botswana, Zambia and Harlem, New York;
- (3) further understands that he was a passionate pan-Africanist whose work was infused with his commitment to the ideal of a free, prosperous and united African continent;
- (4) recalls that Professor Kgositsile was an ANC stalwart who dedicated his life to the liberation of South Africa and was a founding member of the ANC Department of Education in 1977 and ANC Department of Arts and Culture in 1983;

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- (5) further recalls that during his time in the United States, he wrote extensively on the influence of jazz music on African-American culture and on the unity of the African diasporas;
- (6) recognises that this prolific and celebrated writer and poet had the prestigious order of Ikhamanga bestowed upon him by then acting President Kgalema Motlanthe in 2008 for his achievements within, but not limited to, literature, music, arts, and culture;
- (7) believes that the tapestry of South African cultural life is all poorer at his loss; and
- (8) conveys its condolences to the Kgositsile family, comrades and friends.

Agreed to.

**COPE COMMISERATES WITH TWO POLICE OFFICERS' FAMILIES
INVOLVED IN A TRAGIC ACCIDENT IN PRETORIA**

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(Draft Resolution)

Ms D CARTER: I move without notice:

That the House -

- (1) notes that on Thursday, 8 February 2018, two SA Police Service K9 members from the Pretoria Bryntirion Estate's Protection and Security Services, Serg Mokonyane and Const Moraka and their service dogs, were involved in a serious and tragic accident not of their own making;
- (2) further notes that the two police members and their service dogs were on state of the nation duties at the time of the accident; and
- (3) commiserates with the family of Serg Mokonyane who tragically lost his life in the accident.

Agreed to.

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ANC CONVEYS CONDOLENCES TO FAMILIES OF USA FLORIDA SCHOOL
SHOOTING

(Draft Resolution)

Ms Z S DLAMINI-DUBAZANA: I move without notice:

That the House -

- (1) notes with sadness the death of 17 people and 15 more injured including students and adults in Florida in the United States of America following the shooting at a high school on Wednesday, 14 February 2018;
- (2) understands that a 19-year-old Nikolas Cruz confessed that he was the gunman who entered the school campus armed with an AR-15 and began shooting students that he saw in the hallways and on the school grounds;

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- (3) further understands that the young man was arrested without incident about an hour after the attack in a neighbouring town;
- (4) believes that Cruz was expelled from Marjory Stoneman Douglas High School for disciplinary reasons;
- (5) further believes that when he was a student at Westglades Middle School, he was constantly in trouble for insulting teachers and staff, using profanity, disruptive behaviour, unexcused absences and at least one fight;
- (6) acknowledges that investigators are looking into a possible connection of Nikolas Cruz to a white supremacist group in Florida that confirmed Cruz as its member;
- (7) conveys its condolences to all affected families of the deceased; and
- (8) wishes those injured a speedy recovery.

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Agreed to.

CONGRATULATIONS TO DESIREE ELLIS AS BANYANA BANYANA COACH

(Draft Resolution)

Mr L M NTSHAYISA: I move without notice

That the House -

- (1) notes that the SA Football Association appointed Desiree Ellis as Banyana Banyana coach;
- (2) further notes that her contribution in calibrating Banyana Banyana, which saw her earning 32 caps during her tenure, cannot go unnoticed;
- (3) wishes her well in her endeavour to qualify Banyana Banyana for the Women's Africa Cup of Nations, including the World Cup;

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(4) recognises her unique steadfastness and patience, at the awake of speculations, that she was likely to be overlooked; and

(5) commends Danny Jordan for assisting her rewrite the script on the course of women empowerment so that women can have a lot of potential to lead and manage; and

(6) congratulates her on this important appointment.

Agreed to.

**NINE-YEAR-OLD REABETSWE KUNGWANE CONGRATULATED FOR LIVING
HER DREAM OF BEING AN AUTHOR**

(Draft Resolution)

Mr Z S MAKHUBELE: I move without notice:

That the House -

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- (1) congratulates a nine-year-old Reabetswe Kungwane who is living her dream of being an author, as she has already had her first book published;
- (2) further notes that the Grade 4 pupil at Crawford Preparatory School in Pretoria launched her book on Saturday, 17 February 2018;
- (3) understands that the book titled, *Stories You've Never Heard Before*, is a collection of 10 short stories based on her everyday experiences, each highlighting different morals which Reabetswe hopes will inspire children of her age;
- (4) understands that her natural ability to express her thoughts on paper and love for words was the reason she wrote;
- (5) recalls that her first story written was when she was seven years old titled, *Vanessa, The Sad Seahorse*, forms part of the 10 stories;

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(6) acknowledges that Reabetswe's dream has always been to be an author and a dancer and today she is an author and a great dancer;

(7) believes her commitment and dedication to her dreams will serve as inspiration to all young South Africans; and

(8) congratulates Reabetswe on her achievements and for living her dream successfully.

Agreed to.

**INTERPARLIAMENTARY UNION COMMENDED ON REINSTATING THE
DEBATE ON LGBT RIGHTS**

(Draft Resolution)

Mr M WATERS: I move without notice:

That the House -

(1) notes that the Interparliamentary Union, IPU, Article states that the IPU shall contribute to

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the defence and promotion of human rights, which are universal in scope and respect for which is an essential factor of parliamentary democracy and development;

(2) further notes that at its 137th General Assembly in St Petersburg, the Standing Committee on Democracy and Human Rights - of which I am a member - unanimously took a decision to debate lesbian, gay, bisexual and transgender, LGBT, rights;

(3) acknowledges that on the floor of the IPU General Assembly, several countries objected to the proposed subject for a panel discussion which led to the president of the General Assembly to refer the proposal back to the committee for further consideration;

(4) further acknowledges that LGBT rights are human rights and it is only through the sharing of ideas that we will ever break down the walls of ignorance and bigotry; and

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- (5) calls upon the IPU to reinstate the debate on LGBT at its forthcoming meeting, taking place in Genève next month.

Agreed to.

**CONDOLENCES EXPRESSED TO JOHANNESBURG'S REGIONAL DEPUTY
CHAIRWOMAN, CONNIE BAPELA'S FAMILY**

(Draft Resolution)

Ms Z S DLAMINI-DUBAZANA: I move without notice

That the House -

- (1) notes with sadness the death of ANC's Johannesburg's Regional Deputy Chairwoman, Connie Bapela, who was the wife of the Deputy Minister of Co-operative Governance and Traditional Affairs, Obed Bapela, on Friday, 16 February 2018, following a short illness;

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- (2) further notes that Connie Bapela was a former freedom fighter who was also a former speaker of the City of Johannesburg;
- (3) remembers that during the state of emergency in 1985, Ms Bapela was detained and spent three months in the Norwood police station cells;
- (4) further remembers that while in jail, Bapela and other inmates helped form Operation Phambana - Operation Turn Mad, where they burnt their prison beds to get the attention of the authorities and to be given the chance to appear in court;
- (5) recalls that Comrade Bapela joined the City of Johannesburg in 1995 and served on several committees including position of the speaker in the council, a position she occupied until after the 2016;
- (6) acknowledges that Comrade Bapela was a dedicated, committed and disciplined ANC cadre;

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(7) believes that her death came at a critical time as an ANC member in Gauteng where they were trying hard to enhance effective service delivery to all the citizens of South Africa; and

(8) conveys its heartfelt condolences to the Bapela family and the people of the City Johannesburg.

Agreed to.

MATRICULATION CLASS OF 2017

(Member's statement)

Mrs J V BASSON (ANC): Thank you, Chairperson. The ANC congratulates the Matric Class of 2017 for achieving an outstanding overall pass rate of 75,1% in the year 2017 National Senior Certificate examination. These matric outcomes demonstrate a commendable upward improvement from a previous figure of 72,5% in 2016 and 70% pass rate achieved in the year 2015.

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This achievement, the ANC believes is the outcome of years of dedication and determination by the learners, educators, parents and other education stakeholders over a concerted period of time; all of whom should be justifiably proud of the fruits of their effort.

The ANC specifically commends the Free State province for once again being named as top province with an almost 90% pass rate. Such consistent excellence must remain an inspiration for all, and is also pleased by the reported increase in the results in the Eastern Cape, Limpopo and KwaZulu-Natal, whose performance is indicative. I thank you.

**DA CALL ON MINISTER NENE TO REVERSE HIS PREDECESSOR'S TAX
HIKES, ESPECIALLY THE ANTI-POOR VAT HIKE**

(Member's statement)

Mr R A LEES (DA): Ngiyabonga Sihlalo. Vat and petrol prices didn't have to go up. These proposed tax hikes are an attack on all South Africans, but the poor and unemployed South Africans in particular.

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The increases in the VAT, the rise in the fuel levy as well as other tax increases are not only going to impoverish the poor and the 9,2 million unemployed South Africans, they will result in more children being malnourished and dying of malnutrition associated causes.

These tax increases are a direct result of the ANC's maladministration, cadre deployment and the corruption which the ANC now wants poor and unemployed South Africans to pay for. The new Minister of Finance Nhlanhla Nene should urgently withdraw the draft Rates and Monetary Amounts Bill and amend it to remove all tax increases.

Parliament should implement expenditure cuts amounting to R112 billion in 2018-19; to reduce the borrowings required to fund the shortfall between revenue and expenditure, and to make additional funding available for child grants.

If we are serious about addressing poverty that holds our country in its grip, then we should not be looking to load additional taxes unto the poor. [Applause.]

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OUTSOURCING GOVERNMENT TENDERS

(Member's statement)

Mr T RAWULA (EFF): As the EFF, we want to welcome the insourcing of 4000 security workers by the City of Johannesburg; after the council adopted the motion sponsored by the EFF to insource municipal workers.

The decision by the city is consistent with the EFF's 2016 Municipal Election Manifesto, that we ensure the dignity of all those employed by the municipality as security guards. This victory is a result of the hard work put in by councilors of the EFF, who fought the neoliberal policy of outsourcing which has been the cornerstone of the ANC and DA rule throughout the country.

The political skill and determination of our representatives in the council knows that today 4 000 families will go to bed with a breadwinner who earns a decent salary and is covered by a medical aid. This was not only the right thing to do, but the most economical

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for the city, but for the general welfare of the country and massive as a model for the rest of the government.

The Minister of Finance together with the Minister of Public Administration must undertake a review of all tenders that government must do away with, and insources trainers, gardeners, security guards, kitchen workers and all other workers. There is a lesson that must be learned that the EFF indeed give a superior logic. Thank you very much.

BRA HUGH MASEKELA

(Member's statement)

Ms S P TSOLELI (ANC): The ANC is saddened by the passing of the legendary anti-apartheid activist and musical genius, Hugh Masekela, following a courageous battle against prostate cancer.

Named the "Father of South African Jazz, Bra Hugh was a towering figure, both at home and around the world, an

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ardent advocate for freedom and a rebelliously defiant voice against oppression and injustice.

Bra Hugh proved his musical ability at a young age, collaborating with various legendary artists to craft music that reflected his experiences and portray the struggles of living under the yoke of apartheid rule in South Africa.

Like many of our struggle icons, he was forced to go into exile in the 1960s because of his music which was unsilenced in the face of discrimination. As international pressure mounted on the apartheid government to release political prisoners in the 1980s, Bra Hugh, through his music, became one of the voices and conscience of countless generations of South Africans.

His anthemic "Bring Him Back Home", amongst his many works, spoke of the yearning the South African people had for freedom and liberation. The ANC sends its condolences to the Masekela family and the entire creative industry.

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The ANC also extends its sympathies to the people of South Africa on the loss of a legendary icon. Indeed, a baobab tree has fallen; may his soul rest in peace, "*Thuma mina.*"

MEDICAL STUDENTS STUDYING ABROAD AND INTERNSHIPS

(Member's statement)

Mr N SINGH (IFP): Hon Chairperson, as we all know medical tuition at the South African Churches institution is over subscribed and undersupplied. This leaves prospective medical student with no other option but to seek tuition in foreign countries.

If this was not already difficult enough, these students were then dealt another blow at the beginning of this year when the Health Professions Council of South Africa, HPCSA, in its wisdom has decided to implement the 2009 regulation requiring foreign trained medical doctors to complete internship in their country of study.

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Legitimate expectations have now being created and one could quite possibly see court actions arising against the HPCSA and the Department of Health from affected students.

This is a requirement failing which foreign trained medical doctors will not be able to sit the HPCSA board exam and practice medicine in South Africa.

Through you hon Chairperson, I trust that the hon Minister will view the situation as reprehensible and reckless in the extreme; not only because of the grave injustice meted out to our foreign qualified medical doctors but also in respect of the dire need we have in South Africa for trained medical professionals.

I will request to the Chair that the hon Minister address us on this very important and urgent matter. Thank you, Chair.

TOILET TENDER - MUNICIPAL CORRUPTION

(Member's statement)

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Mr M L SHELEMBE (NFP): Hon Chairperson, a recent report reveals that the ANC-led eThekweni Municipality has spent an astronomical amount of R36 million to pay for 2200 toilets, which were never built. [Interjections.]

The money was earmarked for the provision of urinary diversion, UD, toilets which were to be installed in poor neighborhood across the city to service previously disadvantaged and marginalized communities.

To make matters worse, the water and sanitation unit of the municipality paid an average of R18 300, for each of this UD, toilet; but the same toilet cost R9 600, in 2016.

The municipality also manipulated the procurement process to ensure that the contracts were awarded to three service providers of which two had no previous experience in the installation of UD toilets.

Chairperson, this example of municipal corruption lies at the heart of our service delivery problems in many municipalities nationwide. Corruption and governance mismanagement has become the hallmark of ANC-led

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municipality; and our people who desperately need basic services are suffering the consequences.

The sad state of the municipal governance does not come as a surprise. We now see the result of years of cadre deployment and the tenders; and the conduct of Zuma as President gave the green light for ANC cronies as local government, to go on a looting spree which has now become endemic. I thank you.

FORMER PRESIDENT NELSON MANDELA

(Member's statement)

Ms B L ABRAHAMS (ANC): Thank you, House Chairperson. The ANC celebrates Madiba's long walk to freedom. February 11th, 2018 marked the 28th anniversary of the release of former President Nelson Mandela from prison, a day in 1990 that set in motion the journey of hope of our people's determination and yearning for freedom.

President Nelson Mandela's release from prison has indeed opened the doors of liberation and his long walk to

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freedom, brought about the long-awaited freedom from colonialism and apartheid, and ushered South Africa into the 1994 political breakthrough where South Africa became a democratic nation in diversity for the first time.

Thus, the ANC has found it befitting that this year, South Africans celebrate the 100th anniversary of the birth of one of the greatest leaders this country has ever produced, to pay tribute to the contribution that he has made over the course of his 95 years to the struggle for the building of humane social relations across the globe.

The ANC is calling for all South Africans, including political parties, civil society, labour movements, private sector, the continent and the global community to celebrate his centenary, by drawing lessons and inspiration from his life as we confront our current challenges.

We urge all to take part in a series of initiatives geared at commemorating and celebrating his legacy to this nation. I thank you. [Applause.]

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**ANC STILL TO EXPLAIN WHY FORMER PRESIDENT ZUMA WAS
RECALLED**

(Member's Statement)

Mr W M MADISHA (COPE): Chair, having called for former President Zuma to resign and having prepared to remove him through a motion of no confidence had he not resigned, ANC has to date proffered no explanation as to why in their opinion he had to go. We have heard from the ANC's General-Secretary that the former President had done no wrong. President Ramaphosa in his state of the nation address thanked him for his contribution to South Africa and threw a cocktail party for good measure.

The extent of corruption and looting, bad governance and gross mismanagement of the political and economy, was however laid bare in the delivery of the budget and the poor projected prospects for growth, yet ANC and the President have called upon South Africans to place their faith once again in the ANC governance of the affairs of the country, proclaiming the dawn of a new beginning. Before faith can be re-established, we need trust; before

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trust can be established, we need the truth. When the former President asked the ANC to explain what he had done to warrant their directive that he resign, they had nothing altogether to give. Therefore ANC owes the entire country. [Time Expired]

UNITED STATES' STANCE ANGERS PALESTINIANS

(Member's Statement)

Ms D D RAPHUTI (ANC): The African National Congress is concerned and worried about the decision by the United States to move its embassy from Tel Aviv to Jerusalem by May this year. This decision has angered not only Palestinian people but has caused an international outrage. As the ANC we believe this move is going to jeopardize the American role as mediator in the Middle East peace process and is in violation of international law. Under the new arrangement, signed by Secretary of State Rex Tillerson on 22 February and announced Friday 23 February 2018, Ambassador David Friedman and a small group of staff will take up work in an existing U.S. consulate in Jerusalem's Arnona neighbourhood in May, to

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coincide with the 70th anniversary of Israel's founding. Expansion of the facility will take place by the end of 2019 according the State Department.

The ANC believes that Donald Trump's illegal act of declaring Jerusalem the capital of Israel is an act of aggression against the Palestinians and all freedom loving people in the world. We believe it is unhelpful in terms of prospects for peace in the region. We still believe that Jerusalem's final status must be negotiated and agreed by all parties. The ANC is unequivocal in its support for the Palestinian people. The ANC calls for the release of the 16 year old girl Ahd Tamimi. [Time Expired] [Applause.]

E-TOLL SYSTEM NOT WORKING AND SHOULD BE SCRAPPED

(Member's Statement)

Mr M S F DE FREITAS (DA): House Chair, for over four years the e-tolls user pay system has shown not to work. Slowly but surely more people in the ANC understand this. Only yesterday, in the Gauteng State of the Province

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Address, Premier David Makhura admitted that it was loud and clear that the e-toll system has failed and that a new more equitable funding model is required.

The already overtaxed Gauteng citizens simply cannot afford this extra tax and currently the South African National Roads Agency Limited, Sanral, e-tolls collection content with dismal and off target. Collections are at an average of R65 million per month and Sanral should be collecting at least R200 million per month to meet its obligations. It is clear that motorists in Gauteng continue to resist this unfair and unjust scheme. People have decided that the deal was corrupt, crony enrichment and they will not pay. The government will not get the money so, it better start finding another way to fund the scheme.

Minister Nzimande has a huge opportunity and he needs to do the right thing and the DA says scrap the e-tolls once and for all. I thank you. [Applause.]

PENSIONERS TO BE EXEMPTED FROM TAXES

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(Member's Statement)

Mr M N PAULSEN (EFF): Chair, in 1994 following South Africa's first democratic elections equality was achieved in pensions provided by the state so the distribution of pension of the same value to both white and black pensioners. However, because of the historical socioeconomic legacy of 350 years of colonialism and apartheid, the real value and the use of these pensions skewed to favour white pensioners. White pensioners largely do not rely on the pension to survive; they merely use it to supplement the private pension. For the majority of black pensioners, the pension is the difference between life and death, not only for them but for those who depend on them. Black pensioners use the pension for basic food items, electricity, travelling and clothing.

The pension often does not make it to the end of the week, let alone the end of the month. If pensions are to fulfil the true purpose, which is to provide income security to those who have retired or of age of retirement, the size of pensions, particularly those

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allocated to people of colour need to be reconsidered. We need to exempt pensioners from paying for all municipal services such as water, electricity, municipal rates and taxes.

Thank you.

ATTACKS ON POLICE IN NGCOBO POLICE STATION

(Member's Statement)

Mr L RAMATLAKANE (ANC): The ANC is commitment in combating the attacks on the members of the SA Police Service, including through introducing legislative measures to protect law enforcement officials in the execution of their duties. This is already showing results. This is evident in the apprehension, killing and arresting of the gang believed to be responsible for murdering of five police officers and a retired soldier at Ngcobo police station in the Eastern Cape on Wednesday 21 February 2018. Since the heinous act, a task team comprising various specialised police units have been

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tracking the perpetrators of this crime using military style precision.

The gang were traced to a church where a crack law enforcement team confronted them on Friday, 23 February 2018. The Seven Angel's Ministries church was the scene of a bloody shootout on Friday night, when the alleged murderers refused to surrender to police who surrounded the sprawling complex of zinc shacks and brick buildings. Their refusal was met through a hail of gunfire, which saw heavily armed police officers retaliate, killing seven suspects and arresting 10 others. An unknown number of gunmen, armed with automatic rifles, managed to escape. The ANC is confident that the law enforcement agencies will eventually arrest and apprehend those members of the gang who escaped. The ANC commends the swiftness of police action.

MATATIELE STILL AWAITS ITS INCORPORATION TO KWAZULU-NATAL

(Member's Statement)

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Mr L M NTSHAYISA (AIC): House Chairperson, section 59 and 118 of the Constitution enjoins Parliament, the Provincial Legislatures and their respective committees to conduct meaningful public participation in the lawmaking process and that in the course of conducting these public hearings, they should be done openly in public. A casual reading of these two sections requires the legislative arm of government to conduct these hearings in the exact areas that are affected by the proposed legislative amendments.

The current hearings on the proposed incorporation of Matatiele into KwaZulu-Natal were conducted in Kokstad, despite the area not being affected by the proposed constitutional amendment. It is the KwaZulu-Natal government that has sought to provide reasonable accommodation, resources and public transport to allow the process to go unabated. What undertakings can the Minister of Cooperative Governance and Traditional Affairs and the Minister of Justice and Constitutional Development to provide to this House that they will address this issue in time so as to vindicate the Constitution and allow the people of Matatiele a

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meaningful participation in the constitutional amendment inquiry. We hope that this Bill that is coming to Parliament will be voted by all here so that Matatiele will now be incorporated into KwaZulu-Natal in full.

[Time Expired.]

SIGN LANGUAGE FOR DEAF LEARNERS AT SCHOOL

(Member's Statement)

Ms W S NEWHOUDT-DRUCHEN (ANC): Chairperson, Deaf South Africa, DeafSA, welcomes President Ramaphosa's announcement that deaf matric pupils will be able to have SA Sign Language as a matric subject for the first time this year.

This announcement is a huge triumph for deaf schoolchildren and shows that the ANC-led government takes matters affecting the hard of hearing to heart and wants to ensure their full participation in our society. Sign Language is but one area we can ensure this happens. Every hearing person has Afrikaans, English or any other

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language as their first language, and now deaf children will have SA Sign Language as their first language.

This means that, for the first time, by understanding the linguistic features in their language, those deaf and hard of hearing learners will understand the rules of the language and use it fluently. For all these years the deaf learners have found it difficult to obtain matric passes that would enable them to study towards a bachelor's degree. The ability to write SA Sign Language as a first language and the option of choosing another as a second language would give them greater opportunities to pass with flying colours.

I thank you. [Applause.]

SEXUAL ADVANCES BY TEACHERS ON LEARNERS

(Member's Statement)

Prof B BOZZOLI (DA): In January a video showing the Principal of Reiger Park Secondary School in Boksburg having sex in his office with a pupil went viral.

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The Principal resigned, and several teachers and a staff member found to have been part of the sex scandal are now on suspension. But no charges have yet been laid.

We totally condemn this and all other examples of sexual harassment, statutory rape and teacher-pupil sex in schools. It is a scourge which needs to be totally eliminated.

On visiting the School we were also concerned to find that no Gauteng school had a proper, confidential and entirely safe channel through which vulnerable schoolchildren could report sexual advances by their teachers immediately they occur. But prevention is surely better than after-the-fact thoughts and prayers.

We call upon all Provincial school authorities to urgently institute such reporting channels, in the form perhaps of an anonymous Hotline, as exists in the Western Cape, in order to bring an end to this appallingly high incidence of sexual criminality.

Thank you.

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RAMAPHOSA DIVIDES SOUTH AFRICA

(Member's Statement)

Mr I A PIKININI (ANC): The ANC is not surprised. It is reported by the City Press, of 25 February 2018 that sparks flew at a DA caucus meeting last Thursday, as they clashed over a strategy on how to deal with Ramaphosa movement or Ramaphoria, that has engulfed the country since the election of Hon Cyril Ramaphosa.

The ANC is capable of connecting with the masses of our people, the labour movement, the civil society as well as the business community vulnerable through apartheid. The DA should worry about the dilemmas facing them such as losing metros or the adoption of expropriation of land without compensation. History and their current policies are not on their side, making them vulnerable to coalitions with other parties who hold different views.

I thank you.

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The HOUSE CHAIRPERSON (Ms A T Didiza): Hon members, before we get to the Ministers' response, I just want to apologise for some of the Ministers who have just been appointed to new portfolios who are being sworn at the moment, and they may not be here. I will ask for those who are in here if anyone of them would like to make any responses.

INSPIRATION OF BROE HUGH SONG - THUMA MINA

(Minister's Response)

The MINISTER OF ARTS AND CULTURE: Thank you, hon Chair. I also thank the hon Tsotetsi on here tribute to that great African baobab tree which Broe Hugh was. Broe Hugh continues even after his death to foster social cohesion in our country, as you have heard hon Chair that his song "Thuma mina" has spiked people going for it - there is a stampede to buy it. It shows that he left behind what he lived for, which is the unity of our people in this country.

Secondly, to hon Newhoudt-Druchen ... [Interjections.]

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The HOUSE CHAIRPERSON (Ms A T Didiza): Order! Proceed, hon Minister.

The MINISTER OF ARTS AND CULTURE: Is there a problem?

The HOUSE CHAIRPERSON (Ms A T Didiza): I think it's the pronunciation of the surname.

The MINISTER OF ARTS AND CULTURE: Oh! Okay, No, sorry. Well thanks Chair, and thanks for that correction. Well, she actually applauded that deaf matric pupils will be able to write Sign language as a matric subject for the first time this year. We applaud that because it is in line with the Pansalb Act which is about promoting and developing official languages; and other languages like the Sign language, Telugu, Hindi, Gujarati dal.

DEPLOYEES OF ANC ARE RECALLED ACCORDING TO ANC'S

CONSTITUTION

(Minister's Response)

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The MINISTER OF TELECOMMUNICATIONS AND POSTAL SERVICES:

Thank you, hon Chair. Let me respond to hon Madisha of Cope on the question about our former President Zuma.

Firstly, just to say that Comrade Zuma was a deployee of the ANC and was recalled in terms of the constitution of the ANC. As a disciplined member of that party, he accepted the recall and that is why he left.

[Interjections.]

Also to note that President Zuma is not guilty of any crime, any allegation must go to the commission which has been set. Thirdly, no one can deny that former President Zuma contributed significantly, that is why President Ramaphosa had a cocktail. One of the recognition is that today we have got a plan for the country which all of us are proud of, the NDP. It was under Comrade Jacob Zuma's leadership.

Today we have a massive antiretroviral programme which is saving lives to an extent that our life expectancy has increased to a whopping 64 years in such a short time. Today, we have an improved education system - an access to education that we are implementing progressively fee-

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free education for the poor. Every parent or family which is earning less than R350 000 per annum can send their children to higher education access.

Today we are making sure that we are changing what is called NSFAS to a grant for most of those students which is now a bursary instead of a loan and this improves the income of the poor. [Time expired.]

ABUSE OF LEARNERS BY EDUCATORS NOT ACCEPTABLE

(Minister's Response)

The DEPUTY MINISTER OF BASIC EDUCATION: Chairperson I will respond to about four of them. Firstly with regard to ... [Interjections.]

The HOUSE CHAIRPERSON (Ms A T Didiza): You have got 2 minutes for all four.

The DEPUTY MINISTER OF BASIC EDUCATION: Yaa, I thank the hon member for noting the progress made in the Eastern Cape, KwaZulu-Natal and Limpopo in relation to the

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results. I particularly want to thank the Free State for being so consistent, they are number one again and of the ten districts the first and second place were taken by the Free State; number three to number nine by Gauteng and number ten to the Western Cape.

So, there has been a significant improvement in the rural province of the Western Cape with regard to Sign Language I will just do this and say: Well done. I am sure the Minister of Arts and Culture will be very pleased to know that a month ago we launched Nama language in two schools in the Northern Cape. That adds to the constitutional commitment to promote the Khoisan and the Nama Languages.

With regard to the issue of the sexual abuse of learners, I don't think we should politicise this fact. I am not standing here to say that the Western Cape should do more about bullying, assaults or about killing but we should basically we are saying these are our children and they have to be protected; and we must commend the MEC promptly dealing with the matter and immediately suspending the affected teachers.

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Certainly, parents also have a responsibility in laying criminal charges where the children have been abused. So, we certainly will do everything possibly to protect our children wherever they might be and not play political game to say: we provide better security. Indeed, the biggest problems of drugs, abuse and the bullying is in the Western Cape and nowhere else.

STUDY OF MEDICINE DIFFERS FROM COUNTRY TO COUNTRY

(Minister's Response)

The MINISTER OF HEALTH: Chair, I heard everything that is why I know what I am standing up for. Hon Singh has made a request that perhaps I need to come and address the House about the issue he mentioned about the internship of students who study overseas even though he did not mention it, I know he specifically is talking about the China problem which is very serious in the province of KwaZulu-Natal. It's not a very simple matter.

The Free State Province which officially sends students to China are busy rerouting them to Cuba and Russia

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because of the problem that is there. If you give me a chance in the House because it is a very long story but I want to dissuade you from believing that it is because there is shortage of doctors in this country, everything that comes is welcomed in this country. That is very wrong. The training of medicines around the world is not the universal sort of concept, it's not the same. Medicine is not universal around the world. It is not mathematical science or natural science. It differs from country to country depending on their culture and conditions of living. It is not the same. So, for that reason a doctor trained in ... [Interjections.]

The MINISTER OF HEALTH: Can you shut up and listen please! [Interjections]

The MINISTER OF HEALTH: Order! Order, Minister!

Ms A STEYN: On a point of order, Chair. I hope I heard wrong, but I heard the Minister saying: Shut up! That is unparliamentary.

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The HOUSE CHAIRPERSON (Ms A T Didiza): Order, Minister.

Did you by any chance say shut up?

The MINISTER OF HEALTH: Yes, I said so.

The HOUSE CHAIRPERSON (Ms A T Didiza): Can you please withdraw that? It is unparliamentary.

The MINISTER OF HEALTH: I withdraw, but they must listen - you heard it.

Ms A STEYN: Hon House Chair, unconditionally please not they must listen. I have been listening the whole afternoon.

The HOUSE CHAIRPERSON (Ms A T Didiza): Okay, hon Minister can you please withdraw unconditionally.

The MINISTER OF HEALTH: Okay, I am withdrawing. I am just saying that the belief that anybody who is trained in any part of the world can come and become a doctor here - I am dissuading the House from believing that because it is not going to happen because no country does that.

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However, when I am given a chance I will come and explain all these things.

The HOUSE CHAIRPERSON (Ms A T Didiza): Hon members, both the Minister and the hon Singh know how to bring the issues on the agenda. It could either be a Ministerial statement or be a request from the party through the Speaker's office that we need to debate a particular matter. I can see the enthusiasm and the need for such a debate. Therefore due processes must be followed. This brings us to the end of the Ministerial Responses.

However, before we proceed with the Notices of Motion - I am happy the Chairperson of the Committee on Human Settlement is here because the principal of this legislature would like to see your committee who is studying with Nelson Mandela Metro tomorrow at 1300hrs on the second floor restaurant. Thank you.

NOTICES OF MOTION

Mr L RAMATLAKANE: House Chair, I move on behalf of the ANC that in its next sitting:

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That the House debates the acceleration of the implementation of radical socioeconomic transformation to reverse the apartheid's economic injustices and correcting continued patterns of deprivation and inequality.

Ms D KOHLER: House Chair, I hereby give notice and move:

That this House debates the targeted torture, rape and murders of farmers, farmworkers and visitors to farms primarily by illegal aliens from bordering countries and how the SAPS could best deal with this critical situation that threatens not only our citizens but also our national food security.

Mr N M PAULSEN: House Chair, I hereby move on behalf of the EFF that in its next sitting:

That the House debates the paltry state of state-run hospitals in this country.

Ms J V BASSON: House Chair, I move on behalf of the ANC that in its next sitting ... [Interjections.]

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The MINISTER OF ARTS AND CULTURE: House Chair, on a point of order!

The HOUSE CHAIRPERSON (Ms A T Didiza): Can we allow the member to finish, then I will call you?

The MINISTER OF ARTS AND CULTURE: Sorry, hon House Chair.

The HOUSE CHAIRPERSON (Ms A T Didiza): Hon Minister, if you can take your seat and allow the member to finish and then I will listen to the point of order.

Ms J V BASSON: House Chair, I move on behalf of the ANC that in its next sitting:

That the House debates the implementation of a phased in free higher education approach to ensure sustainability of the government finances and radical expansion access to education.

The HOUSE CHAIRPERSON (Ms A T Didiza): Hon Minister, you wanted to make a point of order.

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The MINISTER OF ARTS AND CULTURE: House Chair, I think it is unacceptable for a Member of Parliament to refer to foreign nationals as aliens - human beings as aliens. I think we will have to check that. It can't be acceptable.

The CHIEF WHIP OF THE OPPOSITION: House Chairperson, may I suggest that the Minister goes and look at the Immigration Act; he might find his word in his own legislation. [Laughter.]

The HOUSE CHAIRPERSON (Ms A T Didiza) Order! Hon members, a point of order having been made, I would want to look at the Rules and then make a considered ruling later.

Mr X M NGWEZI: House Chairperson, on behalf of the IFP, I shall move that at the next sitting:

That the House debates deepening health crisis in KwaZulu-Natal, where hospitals go without critical equipments and specialists, which has led to countless lives being lost and amounting to human rights abuse by the state.

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Mr S C MNCWABE: House Chair, I shall move on behalf of the NFP that on its next sitting:

That the House debates the continuous merciless killings of police officers by criminals in this country.

Ms S P TSOLELI: House Chair, I hereby move on behalf of the ANC that in its next sitting:

That the House debates the modernisation of our economy to improve and accelerate beneficiation of our natural resources.

Ms C N MAJEKE: House Chair, I hereby move on behalf of the UDM that at its next sitting:

That the House debates the high number of road accidents in South Africa, in particular between the areas of Qumbu and Umtata and especially in an area called Isbangweni, where there are deaths almost every week.

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Mr L J BASSON: House Chair, I hereby move on behalf of the DA that at its next sitting:

That the House debates the role of the Minister of Water and Sanitation's constitutional mandate in the allocation, protection and access of bulk water to local government.

Ms W S NEWHOUDT-DRUCHEN: House Chair, I move on behalf of the ANC that in its next sitting:

That the House debates the effect of the 4th Industrial Revolution on the economic growth and development in South Africa.

Mr T RAWULA: House Chair, I hereby move on behalf of the EFF in light of the free education that is granted to prospective poor students:

That the House must debate the possibility of scrapping all the debts that is owed by National Student Financial Aid Scheme, NSFAS, beneficiaries because all of them share a common feature with those

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poor students; majority of them are unemployed, they carry the debts of NSFAS and therefore we must debate how can we scrap the debts for all those beneficiaries as the majority of them are unemployed.

Mr I A PIKININI: House Chair, I move on behalf of the ANC that in its next sitting:

That the House debates the implementation of the national minimum wage as a significant mechanism to improve the lives of millions lowly paid workers, as well as a platform for further measures to reduce income inequality.

Mr L M NTSHAYISA: House Chair, I hereby move on behalf of the AIC that in its next sitting:

That the House debates the Public Protector's fitness to hold office following the court judgement in ABSA Bank Limited and others versus the Public Protector and others, where the full bench of the North Gauteng High Court dismissed the Public Protector's remedial actions on lifeboat transactions.

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Ms B L ABRAHAMS: House Chair, I move on behalf of the ANC that in its next sitting:

That the House debates measures to mitigate on the devastating impact of youth unemployment on the South African society.

Afrikaans:

Ms D VAN DER WALT: Voorsitter, hiermee gee ek namens die DA kennis:

Dat hierdie Huis tydens 'n volgende sitting die Ministeriële handboek en dringende bestaande maatreëls daarvan bespreek, sodat vermorsing van geld op uitermatige luukses vir Ministers gestop word en die geld dan eerder aangewend word om die arm mense van ons land te help.

Mr G S RADEBE: House Chair, I move on behalf of the ANC that in its next sitting:

That the House debates addressing challenges related to the migration, including intergroup conflict,

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economic migration and the inability to access suitable services.

The House adjourned at 18:08.

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