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PROCEEDINGS OF THE NATIONAL ASSEMBLY

The House met at 15:03.

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

ANNOUNCEMENTS

The DEPUTY SPEAKER: Hon members, good afternoon and please be settled. Stay where you are allocated a seat and keep a safe distance from each other so that we keep this pandemic at bay. The first item on today's Order Paper is questions addressed to the Ministers in Cluster 2: Social Services. Hon members, please give us an audience. There are four supplementary questions to each question. Parties have given an indication of which questions their members wish to pose a supplementary question on. Adequate notice was given to parties for this purpose. This was done to facilitate the participation of members who are connecting to the sitting through the virtual

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platform. Members who will pose supplementary questions will be recognised. In allocating opportunities for supplementary questions, the principle of fairness, amongst others has been applied. If a member who is supposed to ask a supplementary question through the virtual platform is unable to do so due to technological difficulties, the party Whip on duty will be allowed to ask the question on behalf of their member. When all the supplementary questions have been answered by the executive, we will proceed to the next question on the Question Paper. The first question has been asked by hon S Tambo to the Minister of Higher Education, Science and Technology.

QUESTIONS - CLUSTER 2: SOCIAL SERVICES

Question 346:

The MINISTER OF HIGHER EDUCATION, SCIENCE AND INNOVATION:

Thank you, Deputy Speaker and thanks to the hon member for the question. It should be noted that part of the university's multi model plans, involves supporting those students who do not have devices to acquire these and allocating data to students. Information collected from universities indicated that by the 30 September 2021, 90% of undergraduate students, including 91% of National Student Financial Aid Scheme, NSFAS,

funded students were being allocated data. An analysis of students' performance in 2020 and the challenges that faced students in engaging with multi model forms of learning will still be necessary.

The proposed policy that the member is asking about is aimed at encouraging students to pass their courses or modules each year and ultimately attain their qualifications within the allowable timeframes. The proposed policy on the 75% progression rule, if implemented, would only apply as of the 2023 academic year and would not be applied to students who enter higher education for the first time. This is in recognition of the transition that many students make from high school to university. NSFAS is considering all inputs at the moment that have been received through the current consultation process and once they are done, they will submit the recommendations to me. Thank you very much, Deputy Speaker.

Mr S TAMBO: Thank you, Deputy Speaker. The culture of lack of consultation which informs the proposition of 75% module pass rate retained funding seems endemic in this sector. The position is basically a meritocracy that's not considerate of prevailing social conditions and the universities seems to

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have inherited this attitude. We are now seeing universities implementing vaccine mandates outside of broader democratic consultation in the country. What is the view of the department on mandatory vaccination as a prerequisite to registration and access to campuses? Thanks, Deputy Speaker.

The MINISTER OF HIGHER EDUCATION, SCIENCE AND INNOVATION:

Thank you very much, Deputy Speaker. The follow up question the member is asking I answered it this morning that the reason why there is consultation around increasing the number of modules to be passed each year is so as to ensure that students' progress and are able, as much as possible, to finish their degrees or diplomas within the set time. At the moment, progression is half, which means that if we keep that criteria, a three-year degree will take six years to finish. Now, we cannot want to appear as revolutionary, as sometimes the EFF does by promoting and institutionalising failure.

IsiZulu:

Bafuna ukuthi sithi ukungaphumeleli yinto enhle. Siyeke nje singayilungisi le nto izingane zingaphumeleli. Kuthiwe hhayi, uma kuvunyelwa izingane ukuthi zingaphumeleli kusho ukuthi yonke into ihamba kahle.

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English:

We cannot do that as government. In any case, to cater for students who come from disadvantaged background, already hon Deputy Speaker and hon members, we allow one more year to finish a degree or a diploma for all NSFAS students. We call it N+1, precisely to cater for students that comes from disadvantaged background. Also at the same time, it would be wrong to argue that all students who come from disadvantaged background perform badly. Some of them are stars. They finish their degrees from ...

IsiZulu:

... emkhukhwini ...

English:

... in record time. [Applause.] So all what we have now does cater for all the things that the hon member is concerned about. But of course this is still subject to consultation and it will come back to me once the consultations are done as I have said. Thank you, hon Deputy Speaker. Oh! Sorry

The DEPUTY SPEAKER: Hon Minister, unfortunately he is supposed to ask one supplementary question and the time has

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unfortunately expired. The second supplementary question will be asked by hon J S Mananiso.

Ms J S MANANISO: Thank you, Deputy Speaker, and indeed I can reaffirm that the Minister has responded to comrade ...
[Inaudible.] My question is ...

Mr S TAMBO: On a point of order, Deputy Speaker.

Ms J S MANANISO: ... what consultative process in the department undertaken ...

Mr S TAMBO: Deputy Speaker!

The DEPUTY SPEAKER: Yes, what are you rising on?

Mr S TAMBO: Deputy Speaker, I asked one question. You can't confuse a preamble with a question. The question was on vaccine mandates that is revealing on a country of lack of consultation. It was one question. It was on vaccine mandates in universities.

The DEPUTY SPEAKER: Don't repeat that. I heard you and I told you that in addition the time of the Minister has expired. So

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there is no question about the appropriateness of the question. You were given an answer within the allocated timeframe and no additional response could be made because the Minister's time has expired. Hon members, we will now proceed. Finish your question ma'am.

Setswana:

Moh J S MANANISO: Ere ke simolole Ntate ka gonne nako yaka e tsamaile.

Sesotho:

MOTLATSI WA SEPIKARA: Mamela he, ha ke tsebe na e ntse e le teng nako ya hao. O tlo e nka kae ya ho etsa ntho eo?

Setswana:

Moh J S MANANISO: Ke a leboga. Ke ne ke botsa Tona gore ...

English:

... what consultative processes is the department undertaking in revising the guidelines of NSFAS to improve outcomes and what impact do standard have on performance and why does illegibility standard matter noting that NSFAS students perform relatively higher than other students in the university system? I thank you.

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The MINISTER OF HIGHER EDUCATION, SCIENCE AND INNOVATION:

Thank you, Deputy Speaker and thank you to hon Mananiso for the follow up question. The process of consultation is being undertaken directly by NSFAS itself, as the entity that is responsible for giving out ...

The DEPUTY SPEAKER: Sorry Minister. Hon members on my left, can you please lower your voices. You are quite loud. Your caucuses are taking too long and are too loud. Please! Go ahead, Minister.

The MINISTER OF HIGHER EDUCATION, SCIENCE AND INNOVATION: I was saying that the consultation processes are being undertaken directly by NSFAS itself, which is the entity that is responsible for giving out distributing ... [Inaudible.] ... bursaries to students. Secondly, I just need to emphasise that the importance of ensuring that we change the eligibility criteria to consider increasing the number of modules it must be passed each year is aimed mainly at ensuring that there is movement in the studies of students and we encourage as many of them as possible, to finish on record time. That has got multiple positive impact. Firstly, it is good for a student to finish on time. Secondly, it makes sure that we do not keep students in the system who are supposed to have finished,

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because that is actually a cost, not only to students, but also a cost to government as we actually support the students. But the main thing is to ensure that students are able to get out of the system with their qualifications as soon as possible. That is the main intention of revising and looking at the guidelines. Thank you very much, Deputy Speaker.

Ms C V KING: Thank you, Deputy Speaker. Minister, from a parliamentary question it was stated that 8 252 NSFAS funded university students and more than 88 000 NSFAS funded Technical Vocational Education and Training, TVET, students did not pass the 2020 academic year. Meaning that they could not achieve a 50% overall pass. For NSFAS to have academic excellence and a fund academic excellence, is consideration given to amend the guidelines for an incremental pass of five years starting next year in 2022 with 55% pass, and then in 2026 have a non-negotiable 75% pass rate?

The MINISTER OF HIGHER EDUCATION, SCIENCE AND INNOVATION:

Thank Deputy Speaker and thanks to hon King for her follow up question. I just want to make it very clear that the guidelines on this matter at the moment stand at 50%. They have not as yet been amended. We are consulting about amending them. The final guideline will only be adopted once NSFAS has

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come back to report to me about their process and after which what the recommendations of that would be. But I do want to emphasise this, we allow four years for a NSFAS student to finish a three-year degree. Now you can then make your own mathematical calculations what percentage of modules do you have to pass each year in order to be able to finish a three-year degree by four years. Its 75% plus per annum if you are going to be proceeding. So what also these guidelines are doing is that they are seeking to align themselves with what is the policy in any case, because irrespective of what you get each year, if you have done a three-year degree for four years, NSFAS will not be able to fund you after that if you have not been able to finish your degree, for instance. That is the purpose of this. It is not as sometimes, unfortunately, it gets presented in the media as if we are an uncaring government who doesn't care about students that they are progressing. The fact that we are funding them plus one year to fail, is the most generous thing we could do and nowhere else in the world is this happening by the way, except in the Republic of South Africa. Thank you very much.

Mr N L S KWANKWA: Thank you very much, Deputy Speaker. Perhaps the question Minister, in fact, I think what I should say is that I expected you to explain as well the rationale behind

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the 25% points jump which constitutes 50% in terms of the current regulations, 50% jump if you were to look at it. Secondly, I think, more importantly, your focus firstly not to try and address and attend to some of the structural deficiencies and operational inefficiencies of NSFAS before you engage in this discussion because that has the ability to impact negatively on the ability of students to perform optimally academically. Thank you.

The MINISTER OF HIGHER EDUCATION, SCIENCE AND INNOVATION:

Thank Deputy Speaker and thanks to hon Kwankwa. Hon Kwankwa, if you want to ask me a new question on what is it that we are doing to make sure that the system is student friendly, I will be more than happy to do that. I am saying this because I don't have the time now to be ... [Inaudible.]

[Interjections.]

The DEPUTY SPEAKER: Sorry, hon Minister. Vuyisile! [Laughter.] Yoh! Yoh! You can't be behaving like that. Just switch off and mute man, please. I know that it's a mistake sometimes but be alert and present to your system. We can't be having such interruptions every day and we must remind members every day. No! No! What's wrong with us man? Really? Go ahead, hon Minister.

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The MINISTER OF HIGHER EDUCATION, SCIENCE AND INNOVATION: Let me just say that for instance, just to make an example with universities, we are doing similar things for TVET colleges. We have what is called a University Capacity Development Programme which ... [Interjections.] [Inaudible.]

IsiXhosa:

USEKELA SOMLOMO: Hayi, yingxaki le. Ndicela nicime izandisi-sandi zenu. Musani ukuba yinxalenye yabo nani kuba kaloku ngoku awukho umahluko phakathi kwenu nabo.

English:

Please go ahead, Minister. I hope members are listening on the virtual platform to switch off their systems there.

[Interjections.] Proceed Minister.

The MINISTER OF HIGHER EDUCATION, SCIENCE AND TECHNOLOGY: We have the University Capacity Development Programme which focuses on improving, amongst other things, learning and teaching, strengthening support to students, as well as ensuring that we are appropriately qualified academics in institutions. For instance, our goal is that in the end we should not have someone who is a lecturer at a university who does not have a doctoral degree. We are working towards that.

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Those are all the things because it is not in our interest as government just to be satisfied by funding students but being funded into a system that is not being responsive to that. So there are a lot of things that we are doing to improve the pass rate and to create student friendly institutions, both at universities and TVET colleges and in our community education and training. So we have to do both things.

As we change the guidelines, we continue to improve the situation. One should not necessarily wait for the other. We have a comprehensive approach to ensuring improved outcomes from learning and teaching activities in our institutions. Thank you very much, Deputy Speaker.

Question 313:

The MINISTER OF HUMAN SETTLEMENTS: Deputy Speaker, greetings and thank you, hon Masutha, for the question. I must indicate that government committed in terms of providing shelters, especially to the most vulnerable and the indigent communities. Yes, since I've been in the portfolio, we have received reports in terms of the unfinished projects across the country. Visiting the seven out of nine provinces as well, we have interacted with stakeholders where we found the unfinished projects.

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Deputy Speaker and hon members, we are currently quantifying. So far, we've been able to quantify 1,9 million units of houses that have not been completed. This is for different reasons. Firstly, where you find that somebody would have done a house and left it at a foundation phase, because of either resources had run out in terms of our allocation of resources. Secondly, where somebody would have received the money and never actually gone to finish. Those are some of the cases that are with the law enforcement agencies. Others would be a lack of understanding of what needs to be done. So, it's at different, various levels and also for different purposes, Chair. However, what we are doing now is to quantify them, put them together according to the value. How much we need and also to check the credibility of the structure so that when we say we are rectifying, we know that we are rectifying structures that we would be able to stand. We would be able to provide through the portfolio committee in three months' time quantified a clear analysis of the unfinished projects across the country, and where they are and how we are going to deal with them. Thank you very much.

Adv T M MASUTHA: Deputy Speaker, I hope you can hear me. Am I audible?

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The DEPUTY SPEAKER: Yes, Sir.

Adv T M MASUTHA: Thanks to the Minister for her answer.

Firstly, I would like to complement her on her recent appointment to this portfolio. I am sure she'll agree with me that she has her work cut out for her, especially given the three spheres across which the mandate of this portfolio ...[Inaudible.] ... However, based on that, Minister, what are the mitigating measures that you hope to implement in consultation with your partners at these three spheres, to mitigate against all the myriad of challenges that have been there, not only for years, but, in fact in some instances, for decade? Thank you, Deputy Speaker.

The MINISTER OF HUMAN SETTLEMENTS: Deputy Speaker, thank you very much hon Masutha, part of what we are doing, we are tightening around the contract management together with the provinces. Our conversation is to say we should not go out when we are not yet ready - that is the first thing. The second area as well is also around the project management. We do know that part of the problem is, because overtime when you link the project management with the contract management there were no enough clauses that actually could hold contractors liable should they have failed to deliver on time and within

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the areas. So, proper planning that we are doing, we've decided that we will do even in terms of our business plans because provinces submit business plans which Minister signs off and together especially with the metros. So, what we are doing is to be able to go in detail and have a conversation between ourselves as national and the province together with local municipalities. To tightened the areas that we are working for, we are going to implement within the particular financial year so that we are able to also ensure that we can make sure that we are able to implement.

The last area of tightening is around our grants where you find that if particular amounts are not spent during Feb time, at the fourth quarter, the National Treasury turns to take the resources away. That is where you find that some of these projects whether will be at the foundation phase and therefore they are not completed. We are having a conversation with National Treasury. I have already written to the Minister of Finance to request flexibility around the conditional grants of Human Settlements. Thank you very much.

Rev K R J MESHOE: Deputy Speaker, and thank you, hon Minister, unfinished housing projects constitute fruitless and wasteful expenditure, encourages crime and vandalism while wasting land

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that could be used to provide homes for families. Yet, in Bethulie in the Free State many of the RDP houses are without doors, roofs and windows. In Mbali as an example residents having been living in incomplete houses for over 10 years. My question to you, hon Minister: Is how many housing projects were left incomplete as a results of late payment by government, which cost contractors to become insolvent, compared to how many projects failed because of corruption with respect to housing list? Thank you.

The MINISTER OF HUMAN SETTLEMENTS: Deputy Speaker, thank you very much and thank you, hon Meshoe, firstly, I acknowledge that. Indeed, when we have unfinished projects, we have a beneficiary that is waiting to be able to receive that house. That's why part of the issues to resolve around beneficiary list, who are sitting on our list and reflecting having benefited whereas it's because of the unfinished projects. We do note. I was in Free State, I've been to various projects where I saw some of these unfinished projects - whether they are at foundation phase or whether they are at the wall phase and all those things. But the issue here in terms of different categories, hon members, I will be able to come back as I said in three months' time to be able to classify - these ones as a

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result of late payment and these onse are as a result of ...
for example because of corruption and all those things.

However, one example I would like to reflect I came across a project in Wolmaranstad in the North West where we were currently. I will be visiting North West within this month of December before we go on recess and deal with the projects whereby service providers were onsite and they have not been paid and therefore the project have stopped. Deputy Speaker, currently we cannot say how much it is in this province. We are doing that quantification and that's why we are requesting three months to be able to finish that work, with due diligence and then we can give accurate figures so that we would not found to have been misled Parliament nor the hon member.

Ms E L POWELL: Hon Minister, on the issue of measures taken to recoup funds lost in incomplete projects, we recently been informed that the Auditor-General reported to us that last year, the SIU launched an investigation into allegation of corruption in respect of the emergency housing tenders that were awarded during the COVID hard lockdown period. We know that a number of HDA officials were arrested and are out on bail but our committee has been informed that no

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recommendation or appropriate action was taken by the accounting authority against those implicated. Can the Minister explain to this House what action she has taken to implement consequence management in her new department? Thank you.

The MINISTER OF HUMAN SETTLEMENTS: Thank you very much hon Deputy Speaker and hon Powell, let's correct the recommendation of the SIU. This is in relation to Talana in Limpopo. Firstly, the recommendation from SIU referred six officials to us. One has since resigned, two have been taken to disciplinary processes through HAD, which is our entity. These three were the first one to be recommended. When I met with the SIU just the end of October they had now in the process of referring three additional officials at HDA. Therefore, the accounting authority at that time who was an administrator had committed to do work in terms of ensuring that even those three are facing consequence management. We have since appointed HAD board and part of what I've said to them yesterday was this matter of consequence management. In relation to the ... [Inaudible.] who have submitted documents that were fraudulent HAD has written to National Treasury to get the contractor to be blacklisted as we are aware it's a process that takes long. Again from the SIU, the responsible

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body have taken, actually they have opened the case and assisted us on behalf of government, the contractor was appearing on the 4th November in the Polokwane Magistrate Court.

But secondly, not all the money was paid. Currently, we are in the process through the SIU to recover some of the money that has been paid. So, there has been consequence management in relation to the TRU specifically in Talana case. Others, we are waiting for recommendations, once we receive we will deal with that. Thank you.

Mr A M SHAIK EMAM: Deputy Speaker, allow me to extend my condolences of the NFP on the passing of hon Mhlongo and may his soul rest in peace. Minister thank you very much for the report that you have given and where you are indicating that in three months' time you will give a comprehensive report. Would you consider adding to that report, Minister, for the purposes of transparency, value for money, identifying repeat offenders or delinquent contractors? All contracts that have housing contracts that have been allocated countrywide, including the names of such contractors and the value of those contracts and whether there has been any escalation in these

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contracts to ensure that we are not now costing us a lot more than before? Thank you.

The DEPUTY SPEAKER: Hon Shaik Emam, in future when you have such an indication as you just made, it's always better just to let us know so that we do it on your behalf for the entire House to acknowledge passing away of a member if that's what you were saying please. Protocol can be stiff but we have to use it.

Ms M S KHAWULA: Sorry, Chair ...

IsiZulu:

... siyabonga ukukhalela ilungu elihloniphekile uMhlongo kodwa uMhlongo ubengeyena owe-DA, Ubengowe-EFF.

English:

The DEPUTY SPEAKER: Hon member it's ok, it's passing condolences to you, what's your problem?

IsiZulu:

Hhayi! Kahleni, uma ubuntu sebubalekile ngaleyo ndlela kubi.

English:

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Let's continue, hon Minister.

The MINISTER OF HUMAN SETTLEMENTS: Thank you very much, Deputy Speaker and thank you, hon Shaik Emam. I do think that what hon Shaik Emam is requesting it will be quite an extensive work that you can't do in three months. I think, we need to be quite realistic and my fear with the scope he's talking about now is that we might end up spending millions in investigations whereas we need millions to deliver house. We will see to which extent, hon Deputy Speaker, how we are able to go to the details. However, what I can assure hon Shaik Emam is transparency and more accountability. As a department, must also be caution that we shouldn't spend the limited resources that we have in investigations, instead of delivering the houses. If we are to go into detail verification, we might not be at a position to do that, as a department. We might have to find a service provider that is able to give us those statistics - that this contract was supposed to be R20 and it has been escalated and you can only do that with, for example forensic investigators, and we know they are quite expensive, Deputy Speaker. So, I'm just bringing caution while we will do our best to ensure that there is transparency and accountability in terms of the work.

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Question 343:

The MINISTER OF SOCIAL DEVELOPMENT: Deputy Speaker, I started by saying condolences to the Mhlongo family, may his soul rest in peace. We had our moments in the House. May he rest in peace. The need to ensure that grants are paid only to those who qualify for grants they receive is fundamental and it has to be appreciated and understood at all times.

To this end, the SA Social Security Agency, Sassa, regularly checks the social grant database against the PERSAL information to ensure the integrity of the social assistance database. The exceptions are managed in terms of the provisions of the Social Assistance Act even where public servants are involved. The suspension of these social grants, which I know caused a whole lot of uproar, was reversed in November 2021, following the outcry that the vast majority of the beneficiaries were Extended Public Works programme, EPWP workers, who, for all intents, whose stipend is paid through PERSAL. This information is being validated with the Department of Public Service and Administration and will inform the review process that is being done. The review process will indicate the amount overpaid, what was that amount overpaid, which has to be taken on as debt followed by the recovery processes.

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There is no indication at this stage of the actual amount overpaid and the answer to (b) is that no disciplinary action has been taken against any Sassa official for the above as there is no evidence that any Sassa staff member failed to implement the legislative prescripts for the approval of these grants. However, should any evidence be uncovered during the review process, that the prescripts were not followed, disciplinary action will be implemented. Thank you, Deputy Speaker.

Ms L L VAN DER MERWE: Hon Deputy Speaker, hon Minister, I've heard what you said, but what you're telling me ...

[Inaudible.] ... because currently we've got 5 812 government employees who collected the R350 grant unlawfully, and you told me in a written question this week that only 242 cases are being investigated and none of these cases has made it to the police or the National Prosecuting Authority, NPA.

Furthermore, no government officials are suspended for these R350 grants, which they collected unlawfully. It is clear, therefore, Minister, it seems that your department has got no intention to deal decisively with corruption, to hold to account those who steal from the taxpayers and the poor.

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So my question is, how is it that you were not aware, for example, that government officials were collecting grants that were not due to them, the R350 and these 177 000 employees. And what are your plans to fix Sassa's vetting procedures and its databases, which are now outdated, deficient and are routinely being compromised, bypassed and abused by fraudsters?

There was also a story on Sunday on *Carte Blanche*, hon Minister, where Ms Fatima was able to approve grants for South African citizens who didn't qualify for them. So clearly your system is rotten. It's broken. There's corruption in the system and your department, and you as a leader of this portfolio, are dealing with it decisively. I thank you.

The MINISTER OF SOCIAL DEVELOPMENT: Thank you very much, Deputy Speaker, and I thank, hon Van der Merwe, I do want to make it clear and I do want to make it a fact that we do everything we can to make sure that any monies that have been unlawfully taken by anybody in our system, that money has to be returned. We do have a debt book and that debt book is what we use to try and recover the money as much as we possibly can. Secondly, also as fact, there is no way that we, as a department, or myself as the Minister of Social Development,

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would stand in the way or tolerate any form of corruption that is being uncovered or discovered in the system.

And thirdly, I also would like to make a distinction between the R350 and those officials who applied and got the R350, and this particular question that relates to the public servants who, as I have indicated here, are public servants who fall under the EPWP. I think there's got to be a big separation between civil servants as well as the EPWP workers who, in all intents, get far less, either as a stipend or whatever money is being paid. The challenge here is that some of them do need to get the money because they are either taking care of children, children who deserve to get the grant that they receive. And, therefore, there's got to be a separation between the two.

And also to say, respectfully, hon Van der Merwe, the issue of the R350 is not what we are having a conversation about here. That is a separate question altogether, which I have, many a time, genuinely and frankly answered because that's what I believe in, but also to say that the members of the department or the officials of the department, if by any chance any of the officials are found to have colluded or done anything wrong, believe me, we'll take action against them. Thank you.

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The DEPUTY SPEAKER: Hon Stock will take the second supplementary question on behalf of hon Bilankulu.

Mr D M STOCK: Hon Deputy Speaker ... [Interjections.] ...

Ms N K BILANKULU: Deputy Speaker! [Interjections.] Hon Deputy Speaker!

The DEPUTY SPEAKER: Are you there?

Ms N K BILANKULU: Yes, I am here.

The DEPUTY SPEAKER: Okay! I was told you are not but proceed.

Ms N K BILANKULU: Fortunately, I am here. Thank you very much, Deputy Speaker, hon Minister, what system has the department introduced and envisaged to develop and improve its ability to have information sharing with different organs of the state in ensuring the avoidance of the double-dipping of the government's financial support interventions to ensure optimum social assistance for the poor? We thank you very much, Deputy Speaker.

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The MINISTER OF SOCIAL DEVELOPMENT: I thank you very much, hon Bilankulu, for that question, at present, the Social Pension Socpen, system interfaces with the National Population Register of the Department of Home Affairs to validate the applicant's identity number, marital status and names, as well as the government's employee database called PERSAL to validate whether the applicant is employed in the public service or not. In addition, Sassa has a memorandum of understanding, MOU, to facilitate data sharing with the following departments; Government Employees Pension Fund, GEPIF, the National Student Financial Aid Scheme, NSFAS, the Department of Correctional Services, the Unemployment Insurance Fund, UIF, and the SA Revenue Service, Sars.

The SA Social Security Agency and the department is in the process of developing yet another MOU with the Department of Public Works so that we can also avoid some of these issues as correctly raised by hon Van der Merwe. I do also want to indicate that during the R350 itself, it is where we realised that the data between and amongst the government departments has a challenge, hence, it was taking long, for instance, to approve some of the applications, but we have to do everything we can to improve our systems. And now that we have even better technology and locally-based technology, we'll try and

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improve in the best way that we can so that data within the government is shared and shared easily. Thank you.

Mr N L S KWANKWA: Deputy Speaker, Minister, even though the question is not about the R350 but your responses to the question have tended to point me to that R350. According to the First Special Report on the financial management of the government's COVID-19 initiatives, one of the issues that the Auditor-General raised was the need to develop preventative control measures to ensure that payments of this special grant in particular only be made to those qualifying beneficiaries as per criteria. At the time of this discussion, a database management system had not been created, which could pick up people who fall through the cracks and not be able to be picked up via the UIF, Sars and NSFAS validation checks. What other measures have you put in place to ensure the integrity of the social grant system as a whole, including the R350, so that we don't end up with the allegations we once saw in the media and that we hear from colleagues from across the continent, that there are people who come and collect social grants from neighbouring countries and go back to those countries again, in South Africa? Thank you.

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The MINISTER OF SOCIAL DEVELOPMENT: Thank you very much, hon Kwankwa, for that question, and yes, it's important for us to appreciate the fact that we have to keep on improving our system. For instance, I may say I'm having endless discussions with the CEO about the Socpen and the old system called Socpen and the need for us to be able to acquire new systems that can be able to be effective, if I may use that word so that we do not have the kind of issues that are being raised about the wrong people getting social grants.

But I do want to say, that as far as the Sassa systems are concerned, to a very large extent, when it comes to the ordinary grants that have been given, never mind the R350, the system has been working very well from a point of view of registration and ensuring that people are paid. What has been a problem is how do we make sure that the information that is being given by the beneficiaries is the real information and there can be checks and balances of ensuring, for instance, that it is not citizens who are coming from other countries who have got no South African citizenship, but we must also realize that even for some of the people who are foreign nationals in South Africa, some of those who have already acquired citizenship and have been here for a long time will not be excluded. But I do agree that the database management

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system needs to be improved. And there is already a process within Sassa of ensuring that we can acquire better database management and processing system. Thank you, Deputy Minister.

Ms L H ARRIES: Deputy Speaker, Minister, yes, I did hear your hammer on about PERSAL and PERSOL but the reality of the information that you have is that you only have a PERSAL and PERSOL number, that's it? The biggest scandal here is that this flagrant theft of public funds meant for the poor people was allowed to take place. This speaks directly to the lack of internal controls within Sassa and an outdated system and perhaps collusion between corrupt officials and others outside of Sassa. What measures have you taken to tighten internal controls within Sassa to ensure that there is no corruption of any kind? And when do you take accountability for all this embarrassing corruption?

The MINISTER OF SOCIAL DEVELOPMENT: Deputy Speaker, one thing I can assure you, hon Arries and hon members, is that I would never run away from responsibility. I have always said, at all times, that when there are faults that are being found in my system, I take responsibility upfront by ensuring that I do what needs to be done in terms of ensuring that there is an adequate checking of our systems. In fact, by the way, before

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we even get to the system of what needs to be done, the government does have systems of checks and balances.

Yes, the problem is about outside people, who plot and plan and twist the system. And a few, again, I want to say a few, because if you look at the work that is done by the Department of Social Development overall, and in particular, by the Sassa officials, who wake up in the morning to go and do their job. They are in the majority. So it's a small minority of people. And I can tell you now that if we do come across those and they are found guilty, the law will always take its course in that case. There's no way that I, as a Minister, can cover up when it comes corrupt officials. I have no intention of doing that. And I have told the members over and over again, even in the portfolio committee that I don't run away from responsibility where I need to take responsibility, I will take responsibility. I thank you.

Question 314:

The DEPUTY MINISTER OF WATER AND SANITATION: Your Excellency, Deputy Speaker, thank you very much. I also join ...

IsiNdebele:

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... uNqgongqotjhe uMageba ngokudlulisa amazwi wokuzwelana nomndeni wakwaNjomane.

English:

Thank you very much for the question asked by her excellency, Comrade Grace Tseke. The Constitution implores us that water is a right, and it is a right to life. Therefore, for every drop of water that other people are blocking or wasting, someone downstream, or someone somewhere is looking for that particular drop. We have institutions like Water Users Association & Irrigation Board and Water Services Authorities, especially municipalities, who are supposed to report illegal water use. That will include unauthorised dams.

The impoundment of these illegal dams reduces the river or the stream flow, especially if these dams are constructed without outlet works, causing a detrimental impact downstream to ecosystem and to other water users. The areas of concern are in the Western Cape, where this is happening in Breede-Gouritz; also in Limpopo; and in some areas in Mpumalanga in Dlodlwa and Olifants Water Management Areas. There is a higher rate in which we are detecting these illegal dams, posing our own compliance, monitoring and enforcement units.

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One of the issues we are also worried about is the engineering of these such dams. Some of the structural integrity of these dams is that they can cause a lot of problems. We also have to ensure that we regulate. In South Africa, we have about 5 576 of these dams that are registered. We are conducting regular engineering actions on the issues of dam safety.

In instances where we become aware of illegal dams: We are actually doing proactive surveillance; we report; we do investigations; and we direct those who are constructing those dams illegally to demolish it or to stop it. In instances where they don't do it, we actually demolish the dams ourselves. In other instances, we open criminal cases as required by the law.

At this stage, since 2017, we have about 174 cases that were reported, and 21 of them have been finalised. The other ones are little bit difficult because of engineering challenges. The biggest culprits on this matter are mostly in the agricultural sector, where predominantly this sector is stopping water. Remember, the problem of Cape Town? They said there was Day Zero but there were certain farmers who said that water was available, because they stopped that water at the top.

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On the question of illegal dams, we will continue to monitor them in a spirit that we all live downstream and we need to prevent those upstream from abusing their privileged location to the detriment of downstream water users. We urge the public, the leaders and all entities to report all instances where water is being abused and is not available for other users. I thank you, Chair.

Setswana:

Moh G K TSEKE: Ke a leboga, Motlatsammusakgotla.

English:

Thank you very much to his excellency, the Deputy Minister of Water and Sanitation. My question is that: What is the department doing to ensure that it builds a substantive surveillance and processing capability to address the illegal dams' problems, noting the low number of cases identified and processed?

Setswana:

Ke a leboga!

The DEPUTY MINISTER OF WATER AND SANITATION: Deputy Speaker, to her excellency, Comrade Whip of our committee, we are

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actually increasing the capacity of the department when it comes to regulatory function in the department. We need to indicate that it has been neglected over some time along.

We are trying to increase the staff numbers that would be responsible for compliance. We used to have the blue scorpions that need to be able to do some of these surveillance activities. At the very same time, we need to indicate that in the advent of technology, like we are using today, will be able to place the eyes in the skies using the drones to deal with some of these particular issues.

However, for successful prosecution, we will engage with our counterparts in the Ministry of Justice, and even the prosecutors and the law enforcement agencies. When we take these cases to the courts, we are very successful. We would also ensure that we call upon South African who are actually using water, to register for their water use in our own system, so that we can be in a position to ensure that we do compliance licensing in terms of the processes of verification and validation.

We say to anybody who steal water - irrespective of your standing in the positioning in society - thus, illegally: You

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are denying other people their human rights and dignity to water, and the law shall act. We shall act without any fear or favour. Thank you, Chair. [Applause.]

Mr L J BASSON: Thank you, Deputy Speaker. Good afternoon, Deputy Minister. The previous Minister indicated that the verification and validation existing lawful water use and water registration will be speeded up. Deputy Minister, as you know that this is not happening at this stage, I would like to know from you: How are you going to fast track the verification and validation of existing lawful water use in all water management areas in order to secure a speedy water allocation reform to address water needs in this country?

The DEPUTY MINISTER OF WATER AND SANITATION: Deputy Chair, thanks to hon Basson. We have to admit that this is an area of work that our department has performed very poorly upon over time, and our failure to perform in this area has compromised the transformation and redress of ensuring that water is accessible to those that were denied water, including those that were denied economic opportunities with access to water.

As the new Ministry of Water and Sanitation, led by Minister Macingwane and ourselves, we have taken a decision, hon

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Basson, that very shortly, we would be working with our Water Research Commission, including the CSIR, because of the repository and the capability that exist, targeting all the water management areas, especially the water management areas on risk profile on the basis of the stretch catchments.

We have started some work in the Western Cape. We are actually starting some work also in the province of Mpumalanga and other areas to ensure all the users are registered, so that we can be in a position to ensure that all existing lawful users are actually converted where necessary, into compulsory licenses. However, this is so important in our case, especially that government has prioritised the question of land reform, so that nobody is going to be given land without access to water.

Equally so, there are those that still need water for other economic use, especially the issues of economic use by the agricultural sector. It is a matter of priority and we will continue to account to the House as Water committee about our plan to address the deficit we have. Thank you, Chair.

Mrs M R MOHLALA: Thanks, Deputy Speaker. The question is going to be taken by me, hon Mohlala. Deputy Minister, water is a

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public resource and the state is the custodian of this resource on behalf of the people. As recent as 2018, your department reported that 1 000 illegal dams are syphoning water from the Koega River and its networks of tributaries in the Eastern Cape. What action have you taken against those who were identified by your department as having been culprits in constructing illegal dams?

THE DEPUTY SPEAKER: Thank you, hon Mohlala. Chief Whips, please tell us when you have changed names on the list that you submitted to us. Now it appears a bit clumsy. Yes, thank you very much.

The DEPUTY MINISTER OF WATER AND SANITATION: Your excellency hon Deputy Speaker and hon Mohlala, we do agree with you that water is public goods, but we are also indicating that we must let water be a societal issue. We all have to take responsibility as individuals, citizens, including institutions. As a department, we are frowning off illegal dams because it has an impact on our human rights and access to water.

As of 2017, as I indicated earlier on, we have about 174 cases that were reported. On those that were reported, we have also

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done our own investigation and finalized 21 of them. A number of them - about 153 - are remaining because we also have to do some engineering assessment, and due to our limited capacity, we have to deal with some of those backlogs.

However, I need to mention that another difficulty we have are the administrative actions around giving people notices and following the Administrative Justice Act. Sometimes it takes a long time before you can be able to start the prosecution.

We will even review the National Water Act, with the possibility of coming with regulations and making it a stiffer sentence to those who continue to deny people their right to life, which is a right to water, by blocking water. It should be taken as a serious offence, including those who are destroying critical infrastructure which is related to water and access to water by communities. I thank you, Deputy Speaker.

Ms S A BUTHELEZI: Deputy Speaker, hon Deputy Minister, while on the subject of water security, we have seen a total lack of accountability as South Africa's rivers are filled with waste, with no one wanting to take responsibility for the *Escherichia coli* counts, *E. coli* counts, or the mountains of litter.

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Therefore, in light of the fact that South Africa is a dry country, classified as semi-arid, receiving just under half the average annual rainfall of the rest of the world, and predicted to become even drier with climate change: How will this department take action and intervene with specific timeframes, roles and responsibilities to the astronomical *E. coli* numbers and other pathogens found in the rivers which are likeliest beyond acceptable means?

The DEPUTY MINISTER OF WATER AND SANITATION: Well, the issue of pollution poses the biggest challenge during our times in South Africa. Wherein we do have access to water, but this water is not fit for human consumption or for other uses because of the deterioration in the water quality.

In the main, the deterioration in the water quality is caused by human activities, especially with respect to agriculture, the landfill sites, the issues of industries and the municipalities that are failing to manage their waste water treatments works. As a department, we have revived, as we have announced in the Budget Vote speech, our Blue Drop and Green Drop programmes. We have also improved our capacity around water quality monitoring. Our message is very simple: It is that polluters will pay!

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We will conclude our submission to the Cabinet early next year, with respect to the waste discharge system as a premium to all those that continue to pollute our ecosystem. However, more importantly, society has an important role to play.

We will roll out a massive campaign in schools and in broader society, that we can't litter in our rivers and our ecosystem, because our rivers and dams remain the most important component as a treasure for economic development, for recreation and other uses.

Therefore, we are appealing that we need to be able to work together with all agencies and be able to bring polluters to book. We also have to start. As Members of Parliament and Legislatures, let us adopt a river or let's adopt a particular dam and ensure that we keep all those natural resources in a pristine environment. I thank you, Deputy Speaker.

Question 341:

The MINISTER OF HIGHER EDUCATION, SCIENCE AND INNOVATION:

Thank you very much, hon Deputy Speaker. I would like to draw the attention of the hon member to paragraph 25 of the policy framework, which explicitly states:

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This policy framework commits to the development and study of all official South African languages especially those which were historically marginalised, including the Khoi, Nama and San languages. Institutions are required to develop language plans and strategies indicating mechanisms they will put in place to enhance the development and promotion of indigenous African languages as centres of research and scholarship.

That is what the language policy framework for higher education says. So, we are not alleging that the Afrikaans, Khoi, San and Nama languages are not being included. They are. Afrikaans as an official language and the other languages ... to be specifically developed.

The notion therefore that the Afrikaans, Khoi, Nama and San languages are excluded in terms of the policy framework is clearly not the case and detracts from the general orientation of the policy framework, and government initiatives and programmes aimed at fulfilling the constitutional mandate of my department.

Dr L A SCHREIBER: Thank you very much, Deputy Speaker. Just note that I will be asking my question in an indigenous

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language, if you would like to make use of the interpretation service.

Afrikaans:

Adjunkspeaker, soos wat u weet veg die DA en verskeie burgerregte-organisasies reeds van die begin van die jaar af daarvoor dat Afrikaans ...

Die ADJUNKSPEAKER: Stadig, stadig.

Dr L A SCHREIBER: Is hy nog nie gereed nie? Ekskuus tog.

Die ADJUNKSPEAKER: Ja, ja, ja, ja. Okay.

Dr L A SCHREIBER: Is hy gereed? Dankie. Adjunkspeaker, soos u weet veg die DA en verskeie burgerregte-organisasies reeds van die begin van die jaar af daarvoor dat Afrikaans, sowel as die Khoi, San en Nama tale, as inheems erken word. Dit word tans as uitheems deur die Minister se beleid beskou.

Ek het onlangs inligting ontvang dat die Dak Netwerk, 'n organisasie wat homself beywer vir agtergestelde Afrikaanssprekendes wat na Doman, Autshumao en Krotoa vernoem is, reeds op 24 Augustus 'n vergadering met die Minister

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versoek het om te verduidelik hoe hierdie diskriminasie 'n impak op diverse Afrikaanssprekende gemeenskappe het.

Minister, waarom ignoreer u die Dak Netwerk se versoek vir 'n vergadering en sal u vandag, gegewe wat u vroeër gesê het, in hierdie Huis onderneem om Afrikaans, sowel as die Khoi, San en Nama tale, as inheems in die beleidsraamwerk in te sluit voor dit op 1 Januarie in werking tree?

English:

The MINISTER OF HIGHER EDUCATION, SCIENCE AND INNOVATION: Hon Deputy Speaker, firstly, I just want to say that I have not refused to meet with anyone. Anyone who would like to meet with me on the language policy is more than welcome, including yourself, Mr Schreiber. I'm much closer than the UN Educational, Scientific and Cultural Organisation, Unesco, which you are trying to protest to over a nonissue.

Secondly, the issue of the status of any language in South Africa, which you are raising with Afrikaans ... because it's a different question. You are saying that Afrikaans is an indigenous South African language. That's an issue for the Constitution and for the Department of Arts and Culture. I don't deal with the status of languages. I deal with the use

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of languages in the higher education and postschool education and training sector.

Anyway, I'm willing to debate you. I'm willing to debate you. The issue that you are trying to run away from is that our policy says we must develop languages that were ... we must ... we protect all African languages but we must pay particular attention to those languages that were suppressed in the past, which are the nine Bantu languages as well as the Khoi, Nama and San languages. Afrikaans under apartheid was privileged and all resources poured into it. We are not against Afrikaans but we must promote the African indigenous languages. That is the policy of government ... [Applause.] ... and I am not going to be apologetic about that. To promote those languages is not being anti-Afrikaans or anti any other language. Thank you very much, hon Deputy Speaker. [Applause.]

The DEPUTY SPEAKER: Thank you, hon Minister. Hon D P Sibiya? You have interesting initials for high office – D P. Yes.

Ms D P SIBIYA: Thank you, Deputy Speaker and thank you to the Minister. What is the department doing in higher education to promote indigenous languages?

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The MINISTER OF HIGHER EDUCATION, SCIENCE AND INNOVATION:

Thank you, hon Deputy Speaker and thanks to hon Sibiya.

Precisely, hon Sibiya. Your question is so spot on. The reason why we have developed this language policy framework for the postschool education and training system is so that we actually bring justice to the language question in South Africa. It's aimed precisely at identifying resources and additional measures that we should put in place to promote the African indigenous languages.

The fact that the overwhelming majority of matric students right now are writing their exams in a language that is not their mother tongue is criminal in terms of education. That is what we want to address. So, hon Sibiya, once all the discussions are underway right now at all the universities, in discussing the language issues, out of the consultations we are then going to get a comprehensive report, especially on what additional measures to take.

However, I must conclude by saying that some universities are already doing very well. At the University of Cape Town, UCT, you can't finish your medical training without at least having conversational IsiXhosa, irrespective of your first language. The University of KwaZulu-Natal, UKZN, is doing the same thing

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in promoting IsiZulu. In fact, I can go to a number of other universities. We are working together to reinforce that, so that there is justice in language in this country, which is what is needed to promote an inclusive and democratic South Africa. [Applause.]

Afrikaans:

Dr W J BOSHOFF: Dankie, agb Adjunkspeaker en agb Minister. Wat ek wil weet sluit baie sterk aan by wat die agb Sibiya nou net gesê het.

My inligting is dat inheemse Afrika-tale soos wat dit tradisioneel benoem is, by Suid-Afrikaanse universiteite agteruitgeboer het sedert 1994 en nie vooruit nie. Met ander woorde, vaktale wat besig was om te ontwikkel, in IsiZulu, IsiXhosa, en in Setswana, is projekte wat gestaak is en wat beteken dat hierdie inheemse tale in 'n swakker posisie is as voor 1994.

Dit bring ons by die beleidsraamwerk wat sê dat Afrikaans as 'n inheemse taal maar wat voorheen bevoordeel is, eintlik eers deur die ander inheemse tale ingehaal moet word voordat daar weer in Afrikaans gewerk word. Maar hierdie beleidsraamwerk sê basies presies dieselfde sedert 2003. Sedert 2003 het die

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Afrika-tale nie vooruitgegaan nie. Ek wil graag weet wat gaan nou verander.

English:

The DEPUTY SPEAKER: Hon Boshoff, your time has expired. Be brief. It still makes sense if it is brief. Hon Minister?

Afrikaans:

Die MINISTER VAN HOËR ONDERWYS, WETENSKAP EN INNOVASIE: Agb Boshoff ...

IsiZulu:

... ngifuna ukuvuma kuwena ukuthi akwenele esisakwenzile ukuthuthukisa izilimi zabomdabu kuleli zwe lakithi. Kusekuningi okufanele sikwenze.

English:

However, it's not true that we have not done much. I also want to come back to this. We have our role to play as higher education. We are playing that role, but the development of languages is broader than just in the higher education sphere. It's the entire education system. It's in schooling. It's comprehensively in cultural activities. That is why I am saying it is also important that we answer this question together with my colleague Minister Mthethwa, because he is

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the one who can point out exactly what has been done comprehensively to actually deal with the issue of promoting.

From my side, I had a task team in 2013 that I appointed, which came with recommendations which form part of this policy framework that I have actually put out so that we are able to see what additional resources we need.

Hon Deputy Speaker, one day I would like to debate with hon Schreiber and Boshoff. Why should you describe Afrikaans as an indigenous language in order to protect it? It doesn't require that. It's an official language just like English, which is nonindigenous, but it's one of our official languages. As a matter of fact, historically – I would like to debate you – the origins of Afrikaans is actually in the Dutch language and was spoken as broken Dutch by the coloured working class here, not even by the elite right-wing Afrikaner agenda that has been trying to exploit Afrikaans. It doesn't matter what its origins are. It doesn't matter. Don't try to turn history and say the origins of Afrikaans is in Africa. The origins of Afrikaans are in Dutch and there is nothing wrong with that. It's an historical thing. Let's focus on the ...

[Interjections.] [Inaudible.] ... development of the languages

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that were viciously suppressed by the apartheid regime.

[Applause.]

The DEPUTY SPEAKER: The EFF has the next supplementary question. You haven't given us a name ... for your next supplementary question.

Ms P MADOKWE: Thank you, Deputy Speaker, I will be taking the question.

The DEPUTY SPEAKER: Who are you, ma'am?

Ms P MADOKWE: Madokwe.

The DEPUTY SPEAKER: Say that again?

Ms P MADOKWE: Madokwe.

The DEPUTY SPEAKER: Okay, let's proceed. Go ahead.

Ms P MADOKWE: Thank you, Deputy Speaker. Minister, it is true that Afrikaans generally still enjoys privileges not afforded to indigenous languages in this country and in particular in institutions of higher learning. In addition to what you have said you have already done as the department, what practical

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steps have you taken to ensure that this colonial and apartheid legacy of the marginalisation of African languages is addressed at institutions of higher learning?

The MINISTER OF HIGHER EDUCATION, SCIENCE AND INNOVATION:

Thank you, hon Deputy Speaker and thanks to the member. I hoped that I had already answered that question by saying what actions we are taking and the current discussions on the language policy framework and the initiatives which universities are taking to promote the use of African languages that we are supporting.

By the way, I also want to say to the EFF, let's be careful. In many ways this debate is a false debate. It's a fight between the DA and the FF Plus as to who is the best representative of the Afrikaans language and Afrikaans speakers. I'm just collateral damage in what is actually ... [Laughter.] ... an electoral ... This issue arose now in the lead up to the local government election because the DA is scared that the FF Plus is taking its voters away from them. That is why they don't deal with the real issues. I said to hon Schreiber, go and debate this language policy framework right now. Don't come and tell me all other things. Come let's debate – yes, I'm more than willing to do so – rather than

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trying to do what you are doing in trying to appeal to Afrikaans speakers in order to increase the votes of the DA. Thank you very much. [Applause.]

Question 312:

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon members, order. The hon Minister Zulu is supposed to reply to this question. The hon Minister's mic is muted at the moment. Hon Minister, can you just unmute.

The MINISTER OF SOCIAL DEVELOPMENT: Hon Chairperson and hon Rev Meshoe, firstly, thank you for your question. The Department of Social Development spends more than a R180 billion on social grants per annum to support vulnerable and poor individuals in South Africa.

It is important to note that our current social grants excluding the Social Relief of Distress, SRD, mainly supports those who are outside the labour market such as the elderly, children and people with disabilities.

The department is currently in the process of finalising a framework for linking social protection beneficiaries including able bodies dependent on social grants beneficiaries

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to sustainable livelihoods. Again, the issue of abled body is up for some discussion for some other time.

The target group will be broader than just the social grant beneficiaries will include other members in their households who can benefit from such assistance. This will also include social relief of distress beneficiaries, those who receive a food parcel of frequent Community Nutrition Development centres, CNDs, targeted communities such as the Khoisan and those who have dropped out of other government programmes such as the Expanded Public Works Programmes, EPWP.

The framework as mentioned will be implemented during the 2022-23 financial year. The objectives of the framework are to amongst others contribute towards creation of employment opportunities and thereby reducing levels of poverty, hunger, unemployment and inequality. Provide for an integrated approach to poverty alleviation and reducing intergenerational poverty, empower and strengthen the income assets and capabilities of social protection beneficiaries. Enable them to achieve sustainable livelihoods. Lastly, create a gateway to opportunities that would promote self-reliance. I thank you, hon House Chairperson.

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Rev K R J MESHOE: Hon House Chair and hon Minister, thank you for that reply.

South Africa currently has more grant recipients than salary earners. Millions are still waiting to hear the outcome of their grant applications.

According to the senior economist, at the Efficient Group, Dr Francois Stofberg, we have about 19 million South Africans living on social grants and 14,9 million who have jobs, and this is totally unsustainable.

The HOUSE CHAIRPERSON (Mr C T Frolick): Order. May I ask the hon Mpushe, to please switch off your microphone. You are disturbing this sitting. Please continue, hon member.

Rev K R J MESHOE: Given the appalling state of filth from the uncollected rubbish and neglected drainage in many central business districts, CBDs, and townships throughout the country which threatens residents' health and safety: Hon Minister, I want to know whether you have considered to the urgent employment for people on grants to clear away rubbish and clean beaches? This will be vitally important for public health and safety and would give the unemployed and

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opportunity to do something worthwhile with their hands and earn an income. This I believe will help those who are on the system of grants look forward to the day they would be removed and when they would be able to have jobs to satisfy and look after their families. Thank you.

The MINISTER OF SOCIAL DEVELOPMENT: Thank you very much hon House Chair and the hon Meshoe for that question. Firstly, I want to make a distinction and a very clear one, hon members between the people who receive the social grants and the reasons why they receive them. As I indicated earlier on it is grants that are given to the elderly. There is just no way we can want to start removing them from the social grants, because they already on pension and they deserve to have that money.

May I also maybe remind the hon members that the majority of our people who are elderly, who are dependent on the social grants, many of them did not call for what is happening to them.

Many of them did not have jobs at the time when they were supposedly the so abled body. Many of them were not even able to save as much money for their future and for their

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retirement. For they were busy taking care of their children and grant children. They were also earning miserable salaries at the time. Some of them did not even work nor did not get any salaries at all.

So, there must be a distinction. Others are receiving the social grants because they are in the indigent register or they are children whose mothers have to take care of them because some of them their fathers are nowhere to be found to take care of the children.

Lastly, some people are also disabled of which that disability they did not call it upon themselves. Therefore, there are those people who our government as according to the Constitution must take responsibility off, because they are unable to take care of themselves.

Then I will go to those that are unfortunately not finding jobs because jobs are not available or scares and the economy is not doing so well. Yes, I will agree that those can be able to find jobs and work. I do want to say that my experience with South Africans who the majority are unemployed not to say they do not want to be employed. They do want to be employed,

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but the conditions at the moment are such that jobs are hard to come by.

Lastly, COVID-19 pandemic devastated our economy and therefore a lot of jobs have also been lost.

So, when all is said and done, yes, we have to take responsibility and help those that are not as privileged as some of us are, who cannot take care of themselves not because they called it upon themselves, but because the conditions are very difficult.

Yes, hon Meshoe, we do everything on our side as government to look for opportunities including the EPWP that we encourage people to participate on. Thank you. [Time expired.]

Mr D M STOCK: Hon House Chairperson and hon Minister, thank you for such a comprehensive response.

Noting that other departments play a developmental role in the skills development and economic development opportunities throughout our country: I would like to find out what is the department doing to integrate all key developmental services

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as it relates to the payment of grant beneficiaries? Thank you very much.

The MINISTER OF SOCIAL DEVELOPMENT: Hon House Chairperson and the hon Stock thank you for that follow-up question. In an attempt to provide integrated service delivery, the department participate in all joint co-ordinating structures, such as the Social Protection Community and Human Development Clusters and the Forum of the SA Directors General as well as the dedicated Interministerial Committees and various joint task team set up by government from time to time aimed at co-ordinating government offering and opportunities for citizens, so that we also as a Department of Social Development can also be able to communicate what comes out of that and expose the opportunities for communities.

The department has already made some progress with linking grant beneficiaries to other government services. For example, social grant beneficiaries automatically qualify for no-fee schooling and has the department also has an arrangement with National Student Financial Aid Scheme, NSFAS, to provide support to former child support grant beneficiaries who qualify for further education.

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I wish to thank especially those children the child support grant beneficiaries who complete their matric. We normally celebrate and assist them in making sure that their life is made easy and their journey is also made easy towards the future. Whether it is education through technikon, university and all.

We have also referred beneficiaries of COVID-19 Social Relief of Distress, SRD, Grant to the youth mobi online portal which is an employment assistant programme supported by the Presidential Youth Employment Intervention programme.

The department and SA Social Security Agency, Sassa, is currently engaging with the Department of Public Works to conclude a data sharing agreement. This will enable Sassa to share EPWP opportunities with social grant beneficiaries. Discussions are also being held with the Department of Employment and Labour to determine the possibility of linking grant beneficiaries who are of employable age to the employment services offered by the Department of Employment and Labour. I thank you.

Ms A L A ABRAHAMS: Hon Minister, the vision of Social Development is the caring and self-reliance society as you

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mentioned, yet dependency on state welfare is increasing and a matter that precedes COVID-19 and the R350 grant.

As a result of a failing economy, grants will remain with us trapping South Africans within a cycle of poverty if it is not reworked. The Department of Social Development must focus from grants being a handout to a hand up by incorporating empowering conditions to a grant as to assist in creating an enabling environment by the private sector to create jobs.

Hon Minister, would you support an actively implement conditions attached to grants within the job seeking age category? For example, attending free parenting skills for family strengthening workshops, CV writing for job interviewing readiness classes, substance abuse and gender-based violence, GBV, workshops? All which can be done within partnership with our NGOs and chief executive officers, CEOs? Thank you, House Chairperson.

The MINISTER OF SOCIAL DEVELOPMENT: Hon House Chairperson and hon Abrahams thank you for that question.

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I seem to be getting a sense that hon members think that when we are supporting our communities and especially those that are left with almost nothing, we are creating dependency.

Let this be very clear. Nobody wants to be dependent on anybody. This I know as a matter of fact, engaging with the communities on the ground that they too want to be assisted so that they can be lifted into being able to do things for themselves.

The fact must also be indicated here that when communities are struggling because of one thing or the other including COVID-19 right now, when we are supporting those communities, we do not regard that as creating dependency. We would rather help our people who go to bed with absolutely nothing that those who cannot afford to even buy even a piece of bread, we would rather be able to support them and assist them until such time that they are able to take care of themselves.

We also need to create a conducive environment for our communities and community members and they are very much willing to be assisted.

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Therefore, hon Abrahams, I fully agree with you that those that can be assisted and we can see that people can be assisted with skills development which the department is doing. Particularly focusing on women who have found themselves in the safe heavens. Yes, we will continue to do that because when all is said and done, let it also be clear that the majority of our people did not call poverty, unemployment and inequality upon themselves. So, government and the private sector have to do everything they can.

Also, I do not think when assisting our community, it is just a handout, it is an amount of money that they deserve so that they can be taken care off. The conditions for grants and all, yes off course, if we have amongst our communities a very small number of people who want to take advantage of the grants, but I do not think there is anyone who can say R300 is enough for them to live. It is a way that government is saying, while you are looking for something and while you are struggling, let us lift you up by ensuring that at least you can buy a loaf of bread, mealie meal, sugar and salt for your family. I thank you.

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Ms T BREEDT: House Chairperson, currently 27,8 million people are dependent on social grants. More than 6 million of this number, are for the R350 SRD grant?

Yesterday unemployment figures showed that more than 660 000 have lost their jobs during this last quarter and they will be running to Sassa next. Hon Minister, this will not be sustainable. The EPWP work, does not create sustainable jobs.

Would it not be better instead of paying out grants and paying out temporary jobs that the department look at the couponing system, rather than a basic income grant to encourage job seeking and insist job seekers to apply for jobs and go to interviews, etc so as to ensure that these scarce funds get towards getting people of social grants and into the labour market? This will also prevent young people to in future become dependent on old age grants. I thank you, hon House Chairperson.

The MINISTER OF SOCIAL DEVELOPMENT: Hon House Chairperson and hon Breedt, thank you for that question. Yes, I agree with you. I think to a very large extent, I have answered that question, but I still insist, South Africa must not look at our people who are finding themselves in difficult situation

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as a burden. We would rather have a society of people who are able to go out and work for themselves because the conditions are available for that and because the jobs are being created. And government is not the one supposed to be creating all the jobs that are necessary in South Africa.

So, the whole discussion about economic transformation, about improving and growing our economy, about strengthening our systems for instance if we look at the Department of Small and Medium Enterprises, supporting the informal businesses and supporting the co-operatives; we are all for that at all. However, I do want to make a statement.

When people are not in a very good condition, it is our responsibility, those of us again who are privileged to be able to put bread on our table, not to look upon the poor as people who are just waiting out there for social grants or waiting to be given money for free. That we must know, the majority of South Africans do want to work, but conditions are not there for them.

Yes, I agree, we must collectively all work together. The private sector, government and nonprofit organisations, NPOs and all to lift up our communities. I thank you.

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Question 315:

The MINISTER OF HIGHER EDUCATION, SCIENCE AND INNOVATION:

Thank you very much, hon House Chair, and thanks to the question from hon Mahlatsi and also to quickly congratulate her on being appointed as the Whip of our portfolio committee. [Applause.] I will make a statement on the state of readiness for the 2022 academic year, which will include details on the National Student Financial Aid Scheme, NSFAS, and allocations for the 2022 academic year, following the release of the 2021 matric results in January 2022.

Nevertheless, in the portfolio committee this morning, I already started to give a clear indication as to our state of readiness for next year. The early January one will then be taking into account our response to the matric results and how ready we are for the numbers that will come out of that process. I will also continue to engage with universities and Technical and Vocational Education and Training, TVET, colleges sector on student funding matters and preparedness for the 2022 academic year.

The expected NSFAS shortfall for the 2022 academic year is still under discussion within the budget processes following the Medium-Term Budget Policy Statement, MTBPS, which outlined

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the funding requirements for bursaries for poor and working class students over the Medium-Term Expenditure Framework, MTEF. Further details will be provided following the conclusion of these engagements within government assisted by a direct engagement between myself and the Minister of Finance in the process. Thank you very much, hon House Chair.

Ms K D MAHLATSI: Thank you very much, House Chair, Minister, you indeed responded profoundly and extensively to issues relating to ... [Interjections.] ... Excuse me!

The HOUSE CHAIRPERSON (Mr C T Frolick): Order, hon members. Ask your question hon member.

Ms K D MAHLATSI: ... responded extensively on the preparations towards the 2022 academic year. However, ... [Interjections.] ... it is important that ... you see these ones ... he dealt with them. What is the progress on the development of a sustainable funding model for the poor and the missing middle to avoid repetitive challenges of shortfalls as well as demand exceeding the supply? You Afrikaaners, haa ... [Laughter.]

The MINISTER OF HIGHER EDUCATION, SCIENCE AND INNOVATION:

Thank you very much, hon Mahlatsi, for that follow up

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question. What I would like to say is that I have appointed a ministerial task team to support the urgent policy review that is needed on student funding, also whose aim is to come up with a comprehensive student funding model for the country so that we deal with matters of funding once and for all.

The task team has been working since June and has presented to Cabinet twice already. It is doing its work in two phases. Phase one has been to identify what options are there that we need to choose from. What is the best option out of those options with regard to supporting student funding model? The Ministerial task team has already recommended to Cabinet that we need a mix system, which will be bursaries as we have now for NSFAS students as well as look for other sources of funding from outside the system.

The second phase will require extensive modelling of the funding option that we have chosen in order to see how sustainable that is, where would funds be required, etc. What is clear is that government at moment has a policy of a bursary to support all those students who come from families whose income is not more than R350 000, which is the children of the working class and the poor. Those who fall outside that is something that the ministerial task team is considering.

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Other nonphysical sources will have to be identified as to how then those can be able to assist those deserving students who do not fall within the framework of what government is covering at this point in time.

Afrikaans:

Baie dankie, Voorsitter.

Ms C V KING: Thank you Minister, Minister, I just want to ask as well. This morning in the meeting, it was clearly stated that there is a great concern when it comes to the sustainability of the funding model and how we are going to cover the R10,1 billion shortfall? Minister, you also said it is a matter of robbing Peter to pay Paul in the meeting. So, Minister, is it then not sufficient to say that the fee free Higher Education model is not sustainable for South Africa given the fact that up to date, we still haven't changed the NSFAS Funding Act to be in line with the fee free Higher Education model? [Applause.]

The MINISTER OF HIGHER EDUCATION, SCIENCE AND INNOVATION:

Thank you, hon House Chair, thanks for the follow up question from hon King, the reality that we face ... it is our point of departure ... is that the state of our economy is bad, the

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resources that are flowing into the coffers of the government are far from what we would need to have, and the whole of the government's budget is under pressure. That is what is important. Therefore, inevitably, funding for Higher Education would also be under pressure just like the other funding considerations are under pressure.

The sustainability of the model will depend largely on what creative mechanisms do we find within the constraints we have to sustain funding. Government has said it loud and clear that it is committed to continue funding deserving student who are capable who comes from the ranks of the working class and the poor. That still remains government's commitment.

The issue of the shortfall is something - as I have said in response to hon Mahlatsi - that we are having discussions at the moment with the Minister of Finance and the matter will have to revert very soon to the Minister's committee on the budget because the sooner we are able to know how much we are able to support NSFAS next year, the better, so that the universities and the TVET colleges are able to plan better. Government and Cabinet is acutely aware of that and we hope that we will be able to settle this matter sooner.

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What the ministerial task team is looking at 2022 but also beyond. We are looking at the next three to five years and even beyond to say what kind of a comprehensive student funding model we need and where can we creatively access resources to be able to support that.

The question of commitment to the children of the working class and the poor is something that government is firmly committed to. Thank you very much.

Mr S TAMBO: Thank you very much, House Chair, in view of the fact that the COVID-19 pandemic has severely impacted the post schooling sector, particularly around matters related to access and in view of the various lessons that can be drawn by this department from the experience during the 2021 academic year, and also noting that NSFAS will expect R10 billion shortfall in student funding for the 2022 academic year. Other than increasing pass rate in order to accommodate budget cuts, which is the evident solution that has been drafted now, what plans does this department have to address the shortfall expected by NSFAS, if any, outside of the commitments? Thank you very much.

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The MINISTER OF HIGHER EDUCATION, SCIENCE AND INNOVATION: Hon House Chair, thank you to hon Tambo for the question, I want to say very clearly that there has been no increase in pass rates that has been decided upon as we speak now. I think that hon Tambo is being disingenuous because I answered this question this morning and also earlier today when I said what we are looking at with regard to possibilities of modifications to the guidelines for funding are not primarily driven by funding considerations but driven by the necessity for as many students as possible to finish their own studies in record time. That is what we are doing and what we are committed to. I also said we are also faced with enormous challenges as a system with a continuation of the COVID-19 pandemic - now facing the 4th wave - that still requires that we engage very closely with all the stakeholders so that we find collective solutions to the problems that we face so that we are able to achieve what we managed last year to be able to finish the 2022 academic year as a result of this continuous engagement with all the stakeholders. Thank you very much, hon House Chair.

Ms M E SUKERS: Thank you, House Chair, hon Minister, COVID-19 disproportionately impacted women negatively and the economic empowerment is often limited by pregnancy and often crisis

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pregnancies which interrupts their personal development goals. This challenge combined with a lack of funding impedes the economic advancement of adult women and their access to opportunities for further learning or access to skills development programmes in critical sectors of the economy. Is there recognition that the more mature adult especially women when invested in would achieve better results in completing studies? Is there a plan to include or target this category women wanting to further their learning and thus improve their economic prospects?

The MINISTER OF HIGHER EDUCATION, SCIENCE AND INNOVATION:

Thank you, hon House Chair, it looks like this is a new question, which is exactly in line with the original question that has been asked readiness for next year. Nevertheless, the hon member is raising an important issue which I must just say something about. The issue of women and to ensure that women do not continue to be negatively affected by COVID-19 in the provision of education. First of all, I want to say that our post school education and training system has an entity which was created originally as a voluntary thing by universities and higher health, which is looking into areas of health and wellness for students in general but in particular also looking at the issue of promoting gender equality and the

fight against gender-based violence. That is very much part of our work.

I am very proud to say that we are one department that has a complete policy framework for gender equality and the fight against women's oppression in our sector, which has been welcomed by all of our institutions and each institution is developing its own policy to advance and protect women guided by this overall framework. I am acutely aware together with the department of the dangers of women being disproportionately affected negatively by pandemics. With the help of higher health and this policy framework as well as something I referred to earlier, which is the ministerial task team that brings together all the stakeholders to ensure that no one is left behind, especially women. Thank you very much, hon House Chair.

Question 359:

The MINISTER OF HUMAN SETTLEMENTS: Hon House Chair, let me first indicate that in various consultations with all majority of our stakeholders, including the public, what has come through is not that entirely South Africans are saying we must stop the provision of the Breaking New Ground, BNG, what we know as Reconstruction and Development Programme, RDP, houses.

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There has been a call for various interventions in the portfolio, including that of service stands. And I must indicate, with these interventions it's because various citizens have different needs. You'd find that indigent communities, especially those who are elderly, people living with disabilities and the most vulnerable, will continue to require that government provide the BNG, what we call the RDP houses.

Now, with intervention and the adjustments of policy, we have started already to provide for what we call service sites and quite a number of areas now already in provinces that have started to look into this because we do acknowledge that there are South Africans who are already in a position to say what we need is a land with services such as water, electricity and sanitation, and therefore, we can build for ourselves. So, that's what we are doing.

Indeed, as part of the work that we are doing to develop and to move ... to transition towards a human settlements development bank, is to ensure that the bank as it comes to life, once the Bills have been passed and ascended to, and it has been fully established in terms of the laws, to provide for loans of those who will be able to say 'we can be able to

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get the land and therefore, build for ourselves'. Thank you very much, House Chairperson.

Mr A M SHAIK EMAM: Minister, my understanding is this, that we have a problem, particularly at local government level in terms of capacity to deliver these fully serviced sites. And this is hampering the success of the role lot of this particular project or programme.

Could you please advise: What additional measures are being put in place to ensure that municipalities, that is local government, are more capacitated to be able to provide more service sites? Thank you.

The MINISTER OF HUMAN SETTLEMENTS: House Chair, the work in terms of service sites is not only the responsibility of municipalities. Hon member will note that not all municipalities are actually having a developer status. So, in the provision of human settlements we will have some municipalities that have the capacity to be able to do that, and where there is no capacity we work together with the provinces to be able to lead. So, the provinces are actually the leader in terms of that, where there is capacity within

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municipalities, we are able to actually translate that into municipalities to being able to provide that capacity.

Again, Housing Development Agency, HDA, is one of our entities that is able to assist us in terms of this area of work.

But I do need to highlight that, yes, in my work and in the interaction with municipalities we have found areas where you find that there are capacity challenges, and also especially in the process of declaration of the areas, in terms of settlements or even townships. We do find that sometimes within municipalities, especially around capacity on the planning, we do have challenges.

But what we have done as the national department is through our informal settlement grant and we've developed a technical team that goes into the provinces and into those municipalities to be able to support, in terms of capacity to deliver on that particular service. Thank you very much.

Setswana:

Rre M A TSEKI: Ke a leboga, Modulasetilo wa Ntlo.

English:

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Minister, our policy is informed by classical rule of from each according to his ability, to each according to his needs.

The question is as follows, Minister: How many service sites are already allocated to the people of South Africa? And what plans the HDA has to fast-track the provision of these stands?

Xitsonga:

Ndza khensa swinene.

HOLOBYE WA SWA MATSHAMELO YA VANHU: Ndza khensa, Mutshamaxitulu. Ku hlamula Xirho xo Hlonipheka, Tseke, ndzi nga vula leswaku ...

English:

... on the service sites we currently have been able to do 10 855. As you would know that this is not an old programme and a new programme that has been but compared to that, major part of that we've seen done, firstly, in Gauteng and Free State, followed by KwaZulu-Natal and other provinces are following. So, that's where we can be able to give in terms of that.

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With regard to the Housing Development Agency, what we do is partnering with provinces, where the provinces do not have capacity or are needing support, then the Housing Development Agency is able to provide that support. And also as I indicated earlier in terms of municipalities then we are able to.

Together with the new board that has been appointed we have agreed that we are going to capacitate HDA, make sure that we do have the technical capacity because some of the capacity that we need, in terms of project management, we do not have. But also looking at those that we put in provinces as regional heads and provincial heads to be in the level where they are able to assist the provinces and fast-track this service. This is one of the areas, together with the title deeds, that we will be paying attention to and assisting the provinces and ensuring that Housing Development Agency is able to deliver on that service. Thank you very much, hon House Chair.

Ms E L POWELL: Minister, over 13 million South Africans still live in informality despite the department announcing last year that they would be moving away from formal BNG houses towards rapid land release and site in-service.

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Your department did not manage to upgrade a single one of the 300 identified informal settlements to phase 3 as planned, and there's also has been no shift from baseline with regard to the upgrading of the 1 500 informal settlements by the 2024 target, delivery on social housing and rental units within priority development areas has also represented a 12% delivery rate in the past year.

Minister, given the failure of this department to achieve some of these most basic targets, can you please provide us with details of your strategy to implement the recently announced rapid release programme, in line with the ambitions of the planned human settlement development bank? Thank you.

The MINISTER OF HUMAN SETTLEMENTS: Hon House Chairperson, I don't think these are basic targets, hon member. If you look at the process of, for example, formalizing an informal settlement; firstly, you have to be able to go in, look at the engineering services that you have to bring, to be able to assess whether the settlement is sitting in an area that is problematic or even a suitable place for settlement; secondly, you must identify who's the owner of the land because we know some of these areas you find that people have actually put themselves; and other issues that once you move from that then

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you have to go into the municipality, which is the area that I spoke to earlier when hon Tseke was talking about the issue of capacities within the municipalities, I think it's hon Shaik Emam, the issue of capacity in the municipalities, the planning units within those municipalities to be able to say 'within this, this is what we must formalize as a settlement'.

First thing, we've been engaging municipalities to be able to relax the conditions of formalisation of settlements because it is one of the tedious processes but secondly, it puts burden on the same municipalities who do not have the resources to be able to meet some of the requirements they have put themselves; so, that's the second thing.

It's not a simple process that you do. That when you move from that then you start saying 'identifying these people who are there', whether they fall in the category of BNG, beneficiaries or you can give them land or these are people who deserve to be in low-cost housing, that is another process.

Just outlining, that's what I wanted to say, firstly, it's not a simple matter as you are saying, it's a very tedious thing; and secondly, in terms of meeting the targets, yes, we

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acknowledge that are our targets are not yet met, but we are putting mechanisms in place to be to work together through our provinces and utilising the District Development Model because without the provinces, without working with the municipalities in an integrated planning manner and also in an integrated implementation manner we'll not be able to resolve the issues of informal settlement.

I must indicate, House Chair, the issues of informal settlements actually are a moving target and that's why priority for us and our preference going forward, especially if it's not indigent communities, we would want to give them service sites because it reduces the burden but it gives people to be able to start having where they can sit/stay, where they can have an address and where they can be able to say 'this is where I belong', and you can give them tittle deeds, which becomes an asset in their hands. Thank you very much, House Chair.

Ms S A BUTHELEZI: House Chair, can the hon Minister comment on the allegations that the database for the RDP houses' waiting list is flawed and unreliable? What are the relevant details? Thank you, House Chair.

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The MINISTER OF HUMAN SETTLEMENTS: House Chair, I don't think these are allegations, it's what I've said as well as a Minister and this is not that it's completely flawed, let me take the member and hon members through. What has happened is that you'd find that a person has registered on the database Housing Subsidy System, HSS, and what happens is that we align a beneficiary to a project. So, if it's a project in Leratong, Gauteng, for example, and a beneficiary has been linked to that, when that project takes longer to finish then the person remains on that database as having benefited and having aligned to a project, and whereas a person would be sitting without a house. So, that's part of what we are trying to clean and that's why we have publicly said our preference and our plan going forward is to digitise our beneficiary system whereby even if Mamoloko goes and then can be able to capture their ID and look and say 'this is where I'm allocated, this project is going to end in this day', as part of promoting transparency but also accountability and it can give confidence on residents.

Currently some people are aligned to what we talked about earlier on as unfinished projects and, therefore, that's what makes people think that it's unreliable. Yes, there's been some allegation in terms of saying people have been removed

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from the list and all those things, and we continue to interact with that and clean up the system, based on the information we receive in communities. Thank you very much, House Chair.

Question 316:

The HOUSE CHAIRPERSON (Mr C T Frolick): Our following Question 316 is asked by hon Sokatsha to the Minister of Health. Are you taking the question, hon Deputy Minister?

The DEPUTY MINISTER OF HEALTH: Yes, hon House Chairperson. It's a World Aids Day and our Minister is very busy in a very far farm area in Limpopo at Xikundu with the Deputy President. So, I will be responding to the questions. The answer to the question asked by hon Sokatsha with regards to mental health facilities is that, progress has been achieved on the reported mental health facilities since the 2019-20 financial year, funded from the Indirect Conditional Grant Health Infrastructure Revisatalisation Grant, is reported in the table that I'm just going to indicate.

Actually, we have a list of facilities in the country who have been completed. Let me start with those that have been completed. In the Eastern Cape, Fort England Psychiatric

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Hospital is completed, in the Eastern Cape there is another one, Komani Psychiatric Hospital, the best configured, it has been completed, and the renovations has been done to accommodate the COVID-19 patients in that facility. In Dora Nginza Hospital, a 72-hour Psychiatric Adult Chronic and Gateway Clinic, Phase 2, has been completed.

In KwaZulu-Natal, Edendale Hospital, Upgrade of the Psychiatric Wards, is also completed. In King Dinizulu, KwaZulu-Natal again, the Upgrade of the Psychiatric Close Unit and the Mock Hall, is completed. In Emmaus Hospital, a New Acute Psychiatric Ward, has been completed. In Limpopo, Letaba Hospital, Upgrading of Existing Administration and Psychiatric Ward, is also completed. In Mpumalanga, Ermelo Hospital, Phase 3, Construction of the Psychiatric Wards and PMS Unit Block, has been completed.

In the North West, Bophelong Psychiatric Hospital Phase 1 and the assets that were needed there have been provided, Phase 2 has been completed, Phase 2 B has been completed, but Phase 3 has not been completed. It is an Occupational Therapy Block Clinical Psychiatric and Social Work Unit Private Wards and Emergency part. In the northern Cape, Kimberley Hospital and Social Development Health Hospital, has been completed. All

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our Psychiatric Units in the Western Cape are currently in a design phase, and have not been completed.

In the other provinces, we still have also other uncompleted processes. In Cecilia Makiwane, Eastern Cape, and in Gauteng, the Wiskoppies Specialised Mental Hospital, is not been completed. In Limpopo, Thabamopo Specialised Mental Hospital, is not yet completed. Again in Limpopo, Evuxakeni Specialised Mental Hospital, is not completed. In Mpumalanga, it is Kwamhlanga Hospital that has been completed. The rest have been completed. Thank you very much, hon House Chair.

Mr M S SOKATSHA: Thank you very much, hon House Chair. Thank you, hon Deputy Minister, for your adequate response to my question. Now, hon Deputy Minister, what plans are in place to expedite the occupancy of mental ill patient's facilities? Thank you very much.

The DEPUTY MINISTER OF HEALTH: Thank you, hon House Chair, and thank you, hon Sokatsha for the question. Normally, the completion of a facility is inclusive of a new equipment that was necessary commissioned of that facility had the training been done. Now, it is always going two as a package. It is rarely completed without this process being there done.

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However, if the completion in some of these facilities has been done outside the commissioning, the training and the equipment, the procurement of the equipment is something that has started alongside closer to the date of the completion of the facility and the commissioning thereof.

It is therefore unlikely that there will be a significant leg of time between the completion and the occupation of the facility in the event the commissioning, the equipment and the training was not done simultaneously. I would not be able to indicate which of those, there might be a difference in terms of completing the process simultaneously the commissioning or the commissioning coming after the completion of the facility for the occupation of that facility. Thank you, hon Chair.

Mrs E R WILSON: Thank you. Deputy Minister, apart from 33% of South Africans having mental health challenges, there is no sustainable funding to assist with care and certainly, not enough facilities to deal with the situation. Compounding the situation, it is one thing to finish the facility, but what happens thereafter? Five more lives were lost in the Kairos Center in July and August this year, with neglect and starvation being cited.

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The expectations have run away, and some have committed suicide as a result. Your department already faces billions of rands in medical claims and millions in legal fees, which have severely already affected health provision. Deputy Minister, what are you going to do to stop human rights violations in this facility, and what are you going to do to avoid another Life in Esidimeni incident? I thank you. [Applause.]

The HOUSE CHAIRPERSON (Mr C T Frolick): Hon members, I want to remind you that, a follow-up question is a follow-up question, and not follow-up questions. Hon Deputy Minister, will you respond?

The DEPUTY MINISTER OF HEALTH: Thank you, hon House Chair, and thank you to hon Wilson. You are correct, when there was a Life in Esidimeni in the country, a concerted effort was done by the department to scan the whole country in regards to, we should not have another Life in Esidimeni incident in Limpopo, KwaZulu-Natal, Eastern Cape or any part of the country. Hon Wilson, you are well aware that the challenges in health, and this is something that we have to coralatelarllly change, we also talk about it in the portfolio committee.

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When there are budget cuts, there are certain programmes that get actually left behind with less and less budget, mental health is one of them. We need to collectively put that and to say, the more you actually get budget cuts and the more you tend to affect a programme like mental health, the more you are going to have actually what you do have. So, I would actually say that, it's a collective process, but it has actually embedded in the same area that we tend to affect budget cuts on issues like mental health infrastructure and human resource when we do have.

So, I will not be able to give you an answer as it is a collective effort for all of us to begin to prioritise and push mental health programmes to the higher level of prioritise of the department. This is a phenomenon in the whole world where we seem to be really pushing a mental health programme to the back banner. It is a collective effort that we must also do as a country and as a nation in the world. Thank you.

Mrs Y N YAKO: Thank you, House Chair. I will be taking the question on behalf of hon Chirwa.

The HOUSE CHAIRPERSON (Mr C T Frolick): Please proceed.

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Mrs Y N YAKO: Thank you. Hon Deputy Minister, during the second wave of the outbreak of COVID-19 in ... [Inaudible.] ... the SA Society of Psychiatrics warned that there is a direct coloration within the rising levels of COVID-19 and more acute struggles with mental health amongst many South Africans, and that the department should plan for this upsurge in mental health related issues. What has your department done, to ensure that mental health will be prioritised, particularly, as the country moves from wave to wave of the COVID-19 infections? Thank you.

The DEPUTY MINISTER OF HEALTH: Thank you, hon House Chair, and thank you to the member asking the question on behalf of hon Chirwa. The picture is bigger than probably what the psychiatrics team looked into. We were actually having a meeting with the health care workers, and actually, it's another angle of some of the South Africans must be looked after mentally, because they have been looking after our patients and they continue to see relatives and their own family members dying.

But there is another new group of South Africans who we learnt through discussions that, children of health care workers, through Covid, have been more depressed, and that we need to

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focus on that. They are asking their mothers; why do they continue going to work when their mothers have related to them the previous night about some of their patients who died of COVID-19? How long are they going to continue doing that, and therefore, bringing the pain home? So, I want to say that, as the department, we are still auditing that.

Even before Covid, as hon Wilson was raising the question, we were behind in terms of prioritising mental health programmes. With Covid, we have had more than what we had in terms of the package of how much to actually support. There are people before Covid, who probably were not having any mental health illnesses, but they do now, due to Covid. So, we are auditing and saying, where do we start, and where is the most affected? Is it the health care workers or is it their children? So, that process is on, and we will not be able to indicate as we are actually auditing about where do we start, and who actually gets the benefits or focus first than the other one. Thank you very much, hon Chair.

Ms M D HLENGWA: Thank you, hon House Chairperson. Deputy Minister, according to the analysis by experts, the country's expenditure on mental health is only 48%, thereof is on specialised health service and it seems that, only about 8% is

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allocated to primary health service. Considering the needs that exist in primary health care to expand on mental health services, and ensure that rural communities have access to such services. What steps can be taken by the department to expand on mental health services at primary health care level in specific? Thank you.

The DEPUTY MINISTER OF HEALTH: Thank you, hon House Chair, and hon Hlengwa. There is a plan to actually make the department to realise that there is psychiatric support. The mental health programmes are not at a tertiary level, but at a very basic district and primary health care focus. It is a programme that not many of us are aware, that the gender-based violence, GBV, that we have had, has also created a big dent. I mean, the unfair labour systems in the country where women are generally having an unpaid work at home, is a part of dependency that creates mental health care that we don't talk about. So, you have to intervene at that level. There is quite a lot of people who otherwise would have not come forward to indicate or declare their mental health status, yet they do.

So, it actually talks to primary health care that hon Mama'Hlengwa is talking about, identifying and actually, creating resources. It is an advocacy that we need to do, not

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just in the department, but in the whole world. This issue of gender-based violence, unemployment and inequality, creates and breeds mental health illnesses amongst the society. Now, until we remove and improve on mental issues of inequality, the abuse and oppression of women, the issues of education and poor access to services, we are going to make very little strides in the improvement of mental health illnesses in the country. I may actually end up there, hon Chair and to the member. Thank you.

Question 325:

The MINISTER OF BASIC EDUCATION: Thank you very much, Chair. Let me just thank the hon member, Nodada, for the question. I also thank you, Chair. As the department we use what we call the SA School Administration and Management System, Sasams, where we collect individual learner enrolments. We also have lurids. Lurids help us to track learners. What lurids does is it give us information on learners who registered in 2020 and we are able to compare it in 2021. Which means in 2020, we would not have comparative studies which is systematic to say we have so many learners that have dropped in the system.

What happens on a daily level is that schools and class teachers use the old thing what we call class registers. Class

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registers help teachers understand and even track learners who have been who have been chronically absent for a long period of time. Schools are able to track learners at a school level. If a learner has been absent it says, this is a learner who has been absent and we follow up through different methods. This could be through peer group, through other students or teachers themselves go to the family to check where the learner is.

At this stage we should be able to differentiate between drop out and absenteeism because we are not definitely sure that a learner who has not come in February this year has dropped out. Drop out is a permanent factor where children are no longer coming back. Absenteeism it could be that a child for different reasons was not well and did not come to school maybe for the entire 2020, but is going to come back in 2021. Those are not drop outs. We will in the first term of 2021 be able to say how many learners have we lost. In terms of comparative studies, we will be able to say how many learners are registered in 2021 who are part of 2020 internal grades excluding Grade 12. We will be able to give information after the first term of 2021. Thank you, Chair.

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Mr B B NODADA: Thank you so much, Chair. Minister, according to the Department of Basic Education reports, in 2019, there were just [Inaudible.] drop outs. In 2020, there was over 557 000 drop outs. This year we are sitting at close to 400 000 reported drop outs which exacerbates youth not in education, employment or training. Worse of all, these drop out learners they end up forming part of the expanded youth unemployment of 76%. You further exclude this analysis when you do your matric pass rate to present and inflate the matric pass rate to the country. Why are these drop outs not factored into the matric pass rate? Will you be willing to take the country into confidence on the real matric pass rate? What your department will do about the worrying dropout rate as they do it in elections. There are those who are eligible to vote, there are those who actually turn out to vote and then there are results. So, why is this nit done for the matric results as well? Thank you so much.

The MINISTER OF BASIC EDUCATION: I can ask hon Nodada to wait because we are going to release reports on results of matriculants on 20 January. Then he can repeat his old story around inflated matric results. It is his old song. The point I am making about dropouts is that you can only compare statistics of registrations of 2020 in 2021. When you compare

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the registration figures to say in 2020, we had 2,2 million learners and in 2021 we have so many.

All the figures he is bringing I don't know where he gets them because lurids functions that way. But the story about confidence, the 20 January is coming Baba Nodada you can repeat your old story around matric results. I thought we are talking about dropouts where I say a drop out is a permanent feature, but absenteeism, which we are able to trace daily, is not a dropout in terms of our definition. So ...

IsiZulu:

...si zo hlangana nge 20, Baba. [We will meet on 20, sir.]

Ms N G ADOONS: Thank you very much, House Chair. Thank you very much, Minister, for your response. I don't want to sound like an old record, but can you just respond on the numerous factors which contribute to learner dropouts? In order to address the drop out challenge different casual factors should be mitigated. What is the department doing to respond to the different causes of learners dropping out? Thank you, Chair and Minister.

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The MINISTER OF BASIC EDUCATION: Thank you very much, member Adoons. That is a very constructive way of analysing dropouts and what the issues are. Fortunately, the information on the reasons for learners to drop out are documented in the Statistics SA and all sorts of researches. Factor number one that comes from the research normally is the socioeconomic factors, poor parental control and guidance or juvenile delinquency in the area.

The second factor that has been sited outside the economic and social factors especially in Grade 10 and Grade 11 is that young people find it difficult to cope with academic performances. Here is where you find that there are lots of repetition rates in Grade 11. They get discouraged. We have tried to put quite a number of measures to deal with that because that one affects us directly. We said what is it that we need to do to make sure that kids don't find it difficult to transit from the Senior Phase to the Further Education and Training, FET, Phase because that's where we have huge dropout rates. These are caused by academic reasons.

But some are related to delinquency, economic factors and substance abuse. What we are focusing on as a sector is that what is it that we can do to improve our performance in the

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Foundation Phase and Intermediate Phase which is also a harm and more importantly in the Senior Phase. That's where our focus is in terms of trying to manage the high levels of dropouts amongst learners which are normally academic at the Senior Phase, and not in other phases. Chair, we have almost 99% attendance in the Basic Education up to Grade 9. Lots of learners drop out after Grade 10 where there is now issues of juvenile delinquency and academic challenges. Thank you, Chair.

Ms N V MENTE: House Chair, she is having network problems. We are going to give it to another member. You can take another, and afterwards we can come in.

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

Mr S N SWART: House Chair, I understand hon Sukers also have connectivity issue. May I put the question on her behalf?

The HOUSE CHAIRPERSON (Mr C T Frolick): Yes, you can!

Mr S N SWART: Thank you, House Chair. Hon Minister, school drop out is a complex sociophenomenon that requires an integrated approach from civil society and government

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departments. In light of the economic distress and societal dislocation caused by Covid-19, does the Minister support a colleague, the hon Deputy Minister, who in an article in *Business Tech* dated 18 November, stated that, I quote:

The new Basic Education Laws Amendment Bill is expected to hold parent more accountable than under current laws. This is being done exclusively by increasing the criminal penalty under the Act.

From the ACDP's view this criminalisation is not consistent with our Constitution or the Child Law. Would the Minister rather a working group including all social structure departments, academics and nongovernment organisations, NGOs, to study the phenomenon and make recommendations rather than criminalizing parents in this regard? Thank you, Chair.

The MINISTER OF BASIC EDUCATION: Chair, I fully agree with Mr Swart to say the question of learner dropout is really bigger than the sector and bigger than parents. It is something that needs societal interventions. Even ourselves we are looking and we are saying in certain communities there are very low levels of dropout rates. It also has to do with cultures, the social cultures in different communities where children and

parents find it normal not to attend school or where parents come in. Again, our research says beside academic challenges it is also parental guidance so that when a child does not go to school parent make it their responsibility to report the matter so that it can be dealt with. Because if a child does not we are not sure whether parents have relocated that's why the child is not here. Now the school has to take trouble of trying to trace the child and see what are the reasons that have forced the child not to come to school.

He is right that it is a very complex, social, economic and academic factor that needs all of us to work together. The President, in particular, has during the teachers' awards said to us that this must be one of the priorities that we should look at and stem it out, the dropout rate.

Mr Swart is right. If we have lots of young people dropping out of school, it creates more social problems down the line. It's something that we have to agree with. I also agree that criminalising parents may be too harsh, but they have to also come to the party and support the learners and the school to support our children to stay longer in schools. Thank you very much, Chair.

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Ms A M SIWISA: Thank you, House Chair. The question that is being forwarded is, Minister, it is reported that as many as 750 000 children dropped out of school during the pandemic and that school attendance is the lowest that has ever been in 20 years. In a country engulfed with unemployment and lack of skills this is a tragedy. You know whether the children who dropped out are and what are your plans to get them back to school? If they don't come back to school, what will be the short-term and medium-term impact of this massive drop out? Thank you, Chair.

The MINISTER OF BASIC EDUCATION: The figures shock me because I have never heard about them. I am hearing from the EFF that we have lost almost 700 000. I really don't know.

As I said, we are able to give a scientific account of dropouts when we compare apples with apples. We will be able in the first term to say, in 2020, how many learners have registered in 2021. Of those who have registered in 2020, how many have remained?

The fact that there is 700 000 is another story. But what also surprise us as a sector, in 2019 when we compared 2019 to 2020, we discovered that we actually had more learners in 2021

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as compared to 2019. We will only be able to say how many learners have dropped out. I have mentioned to members. That's one of the most serious challenges that we confront as a sector especially, as I say, if you read our statistics dropout rates happen in big numbers at the FET Phase after the Senior Phase. The reasons have been cited to be juvenile delinquency, social factors, environmental challenges and also academic challenges. But with the 700 000 figures I will be interested to know where you got it because we don't have that figure. We have not as yet compared the 2020 statistics to know how many learners have not returned.

I can't say for children because I don't know whether they are absent or they have dropped out. We will be ready to give statistics as we do it annually as to say how many learners have returned and how many have dropped out and therefore what measures are going to be put in place. The figure doesn't sound right. I have never heard about it even as the Minister. I don't know where the EFF got it.

Question 348:

The MINISTER OF BASIC EDUCATION: House Chairperson, in terms of our reports from both Gauteng and North West, when Johannesburg Water Board announced that there is going to be

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water cuts, the Gauteng province put measures in place to make sure that the water cuts do not interrupt the exams. Now, according to our reports, there were no interruptions in our exams in Gauteng. Also, in the North West, I have checked with my colleagues and there were no water cuts which would have affected the writing of the exams. In Gauteng, there were water cuts. Measures were put in place and therefore there were no disruptions to the writing of the exams by our matric learners. Thank you very much, House Chair.

Ms Y N YAKO: Hon Minister, while the Department of Higher Education in Gauteng indicated that schools would not be affected in that province as most of them have boreholes, the reality of the matter is that learners who had to prepare for the exams do not stay at schools. They go back into communities without water. To what extent does this affect their ability to prepare for the exams.

The MINISTER OF BASIC EDUCATION: Chair, from our reports of what we are able to know, which should be what would have happened in schools, there were no effects of the water cuts onto the matric learners. Whether at home because of water cuts, water has not been cut or would not have been collected enough, we would not be able to know because I would not know

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how communities had prepared for those water cuts. I stay in Johannesburg. We have collected water in different ways to make sure that we can cope with the 54 hours of water cuts and I would assume that families also did the same. So, I would not know how different families in their homes would have put measures in place to make sure that the water cuts do not affect their children. So, we would not be able to know.
[Inaudible.]

Ms N V MENTE: House Chairperson, on a point of order: The Minister is referring to a question that asks about homes. We are not asking about how homes prepared. We are asking Basic Education schools how did they prepare themselves for the water cuts because children must be at school. This is not about how did parents prepare for the water cuts. Why would we ask about the parents at home to the Minister of Basic Education?

The HOUSE CHAIRPERSON (Ms M G Boroto): Okay, thank you very much. Hon Minister, do you want to respond to that point of order?

The MINISTER OF BASIC EDUCATION: If the hon member had listened properly when I started responding I said Gauteng

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schools did prepare and put measures in place to make sure that water cuts do not affect them. In instances where there would have been effects in terms of sanitation that is where they brought mobile toilets and portable water. So, I said the provinces had put in place alternative measures. As a result, at a school level, the water cuts did not affect matric learners. That is the answer I gave.

Mr E K SIWELA: House Chairperson, thank you for the opportunity and greetings to the Minister and thank you for the response. Chair, the Minister had responded adequately to the question and also covered what would have been my follow up question. Thank you.

Mr B B NODADA: Hon House Chair, in order for us to fix problems in Basic Education hon Minister, I think we must acknowledge the problems. We must not run away when we give you statistics. We do not just dream about these, these are people's lives and faces. During your 2020 presentation on the state of readiness Minister, you indicated that there are no schools with the water crisis. However, over 358 schools still have not had access to water to date. Over 2 111 schools still have pit toilets, yet the department has failed to use

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R1,1 billion of the infrastructure meant to eradicate these infrastructure challenges.

Furthermore, there are still 7 237 schools without adequate fencing in South Africa. Given the fact that these are infrastructural challenges and the rise in terms of kidnapping in schools, gender-based violence, generally in South Africa. When will all South African schools have adequate fencing to ensure the safety and security of learners attending school?

IsiXhosa:

UMPHATHISWA WEZEMFUNDO ESISISEKO: Uyabona wena Nodada uyathanda ukuphuma ecaleni. Apha kuthethwa ngokuba ukunqanyulwa kwamanzi kubachaphazele njani abantwana besikolo. Ngoku wena uza ncingo uthetha yonke into esecaleni. Nezi nkcukacha-manani ndiyaqonda ukuba nazo uzithatha kwalapha kuthi.

English:

So, I promised you in the portfolio committee that I will give you a full report of statistics about where sanitations have been delivered, about where the gaps are, the fencing issues and all the stories that you have come up with. I just think, Chair, that I find it difficult really.

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IsiXhosa:

Utata uNodada uthetha nangokuxhwila kwabantwana. Sithetha ngamanzi namhlanje. Xa ufuna sithethe ngokuxhwilwa kwabantwana, linda siza kuza nalapho.

English:

So, I really want to stop him. I will give him the answers if he wants and I promise him an answer within seven days on all the stories he is repeating. He is repeating the same things he raised in the portfolio committee and I promised him a full report. The kidnapping is the new one so I can also answer that if he wants stories about kidnapping in schools. Thank you, Chair.

Mr S L NGCOBO: House Chairperson, I wanted to say that my question has been covered by the hon Minister Motshekga. Thank you very much.

Question 317:

The MINISTER OF SOCIAL DEVELOPMENT: Thank you very much, House Chairperson. I do want to indicate that I've got a bit of a network problem so if it disappears is because the weather is not looking very good on our side. However, in response, House Chairperson, to the question by sister Manganye, hon Manganye,

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I must acknowledge that crime in South Africa is higher than centre stage on the public agenda, and is unacceptable high in its high levels of crime especially serious and violent crime results in people of South Africa, especially the vulnerable living in fear and feeling unsafe. I further acknowledge, House Chairperson, that gangsterism in particular, is one of the social ills in our society.

Therefore, I do want to raise this issue, particularly to say to the young people of South Africa that there is no glory in gangsterism, there is no glory even in families when some of your family members belong to gangsters. There is no glory in calling yourselves a 26 or 28 and what have the case might be. Therefore, we have to do everything we can both as government in terms again of strengthening our systems of safety and security. However, more importantly is about deglorifying in our communities gangsterism. My department developed the antigangsterism strategy which its outcome is aimed at providing strategic direction in the prevention and management of gangsterism in secure care centres and society at large.

I do want, House Chairperson, to also indicate that when it comes to issues of safety and security and in gangsterism in particular, we work together with the Department of Police, SA

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Police Service, SAPS, and we work together with the Department of Justice and Correctional Services, and I'm not just talking about myself as a Minister and the Ministers, but expects that our departments would step up in supporting our communities in the fight against gangsterism. However, it is also about supporting those nonprofit organisations, NPOs, and nongovernment organisations, NGOs, to ensure that your community police forums, CPFs, and your community-based organisations have to be able to step up and watch out for the behaviour of children, but it's not just about the behaviour of children, it is about the adults who lure these children into gangsterism because of the supposedly glory of being a member of a gangster. However, it is also got something to do with other social ills such as a drug abuse and alcohol abuse.

The antigangsterism strategy that we have developed as a department further intends to empower and capacitate children, youth at risk and in conflict with the law, staff and parents on prevention and early intervention information. Again, I do want to say, House Chairperson, that we might have all this good plans and good strategies, it is about working together with communities that we can be able to succeed. Based on the above objectives the outcomes of the implementation of antigangsterism includes elimination of practices of

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gangsterism in secure care centres at the societal level, empower children, youth and parents on communities with ability to identify early signs of gangsterism and also the ... [Inaudible.] ... children and creating a conducive environment for the children.

I need to emphasise that all our interventions and efforts must be impactful and change the lives of the people we serve likewise with the implementation of the antigangsterism strategy. Having said that, House Chair, the impact is something that can be measured after some time, especially in our cases where we deal with soft issues. In this case an impact evaluation study will have to be commissioned to determine the impact of the implementation of the Department of Social Development Antigangsterism Strategy. This can be done after a strategy has been implemented over a period of three years, that is 2024 to 2025. The focus of the strategy has been extended to include identified high risk districts. I must, however, indicate that the expected impact of the implementation of the antigangsterism strategy is to reduce and eliminate gangsterism in our society and in the controlled environment Department of Social Development residential facilities that cater for children and youth. I thank you.

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Ms J MANGANYE: Thank you very much, hon House Chair. Minister, thank you for the answer that you have given. However, I do want to have a snapshot of something. One of the major problem in our society is this integration of the family unit and the community cohesion to create a conducive environment for the growth of our children as you have already alluded to, House Chairperson. We use to say in our African ...

Setswana:

... ngwana, sejo, wa tlhakanelwa.

English:

Therefore, I know that you miss some of my Setswana. It means that it takes a village to raise a child. Therefore, Minister, what initiative is the department undertaking to strengthen the families? I heard you loud and clear when you're addressing the issue of children. Thank you, Minister and thank you, House Chair.

The MINISTER OF SOCIAL DEVELOPMENT: Thank you very much, House Chairperson and I fully agree with sister Jane, hon Manganye, that it takes a village to raise a child. I was in Cape Town at some point when we were talking to children and we were talking to children who were being assisted with capacity

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building in particular. Therefore, we said it takes a village to raise a child. One of the children there stood up and said where is this village that you people are talking about, there are no villages anymore. So, we had to explain to the children that it is a saying, it is an African saying that must always be taken into consideration because even if you are in towns there might not necessarily be a village, but there are streets, there are communities, and there are people who live in those communities. Therefore, it is a responsibility of those communities to be supportive of each other and in particular parents must also continue to support each other and children must not feel like when they are being corrected by other people they don't know end up saying that no this one is not my parent and therefore he or she has got no right to say anything.

The family is the core of society and is integral to the general wellbeing of individuals in relation to their psychosocial, emotional, physical and spiritual and economic needs. A family is also a cradling from which the value system ethics and norms of our society are transmitted and preserve. While having said that, when the other hand, House Chairperson, we also need to be aware of the fact that family in today and the description of family today might not

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necessarily be the same as it was may be 30, 40 years ago.

Therefore, as South Africa we must also wake up to that reality of the new families that we talk about today.

The Department of Social Development has developed programmes that promote healthy family lives, strengthening families and family prevention a framework on positive values, an integrated parenting framework, fatherhood strategy, and I'm very happy, House Chairperson, to see that there's many fathers who are rising not only to talk about the issue of gender-based violence, but fathers who are also demanding that they be included in the wellbeing of their children even if they don't live with them. Albeit the number is still very small, we need to do everything to support fatherhood and the fatherhood strategy. Teenage parenting programmes we have, and at this point also I do want to indicate that one of the horrifying things that we are experiencing is the teenage pregnancy, but it is below teenage now. I don't know what kind of a man or what kind of man who would make a 10-year old, 12-year old and 14-year old pregnant. Families must stand up and communities must stand up because that is statutory rape and a person who does that must be arrested. We also have youth development programmes, family preservation programmes ...

Thank you very much, House Chairperson. [Time expired.]

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Mrs G OPPERMAN: Thank you, House Chairperson. Minister, while reported cases of rape, violent, riots and also hostage holding of stuff inside child and youth care centres are still prevalent, what results have there been since the implementation of the Department of Social Development Secure Care Antigangsterism Strategy in child and youth care centres, CYCCs, that indicates a decline in gangsterism and violent behaviour in secure care facilities? Thank you.

The MINISTER OF SOCIAL DEVELOPMENT: Thank you very much, hon Opperman, for that question. Yes, to a very large extent the numbers have reduced, but we do not have to lower our guts because of that, because as you are very much aware some of the children are in those centres because they are coming from broken families. Therefore, the empowerment of the staff and the capacitation of the staff, but also ensuring that within those institutions that we take care of issues of security must be taken care of. The workers in those centres must feel safe. I think that to a very large extent if we were to make comparisons to a few years ago and to now we think that we have seen an improvement.

However, I don't think that it is adequate. I don't think that it is enough. Of course, some of the challenges we face is the

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fact that when there are budget cuts it means that some of the plans that we have for these centres are reduced. But, at the same time we believe that if we have programmes, particularly that focus on the children that are in those areas and help them with the necessary education, help them with the necessary empowerment and keep them occupied with things that are positive that can make them see the future, I think that is much more important than anything else. I thank you, House Chairperson.

Ms L H ARRIES: Hon House Chairperson, it's hon Arries and I will take the question. Minister, as you are aware that drugs and gangsterism goes work hand in hand. The reality of the country is that we don't have public rehabilitation centres, we only have private rehabilitation centres. Therefore, that means that people don't have money, and automatically, their children are excluded. That means that their children get lost to society. There is also no post-drug rehabilitation centre. Minister, drugs are a widespread problem in society and drug use penetrated schools even, making learning and teaching a difficult exercise. What practical problems have you undertaken with the Department of Education to deal with the widespread use of drugs in schools? Thank you.

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The MINISTER OF SOCIAL DEVELOPMENT: Thank you very much, hon Arries, and I agree with you that the public rehabilitation centres are far and wide and very few and also a post-drug centres, we do have them, but again in my view considering the challenge and the impact of drug abuse and drug use. That's why I'm saying that there are far, but we do have them. Of course, it is true that those that have the money take their children or any other person who has for a drug problem into drug rehabilitation where they pay, sometimes they pay exorbitant prices for that.

Therefore, firstly, as a Department of Social Development working together with a Department of Health, and working together with the Department of Education, we do need to have a co-ordinated effort. I know that in terms of the Department of Education and Department of Basic Education we have some instances where even the police have to go and search in schools, and then you also have an uproar about why must the children be searched, and so forth. We believe that the issue of dealing with drugs must start first and foremost also with the drug lords and the people who are selling the drugs. Until such time that government focuses on cutting the numbers and reducing the numbers and cutting that entire value chain of drug abuse we will keep on having systems that are dealing

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with the problems post, we need to be able to ensure that collectively as government, private sector as well as communities work towards getting rid of drug lords in our communities.

The also second important thing for us as the department we will continue to support those NPOs and NGOs who are doing something practical on the ground. We depend on them also to a very large extent of ensuring that we rid of drugs. However, the drugs in schools in my view do not necessarily walk to the school, the drugs walk with children from homes, from streets, and from dark corners they walk with the drugs and they get the drugs. Therefore, our approach is also to say from a security point of view the hand must begin to be much stronger in terms of dealing and cleaning the streets of drugs and drugs and those that are selling the drugs. I thank you, House Chair.

Mr S N SWART: Thank you, House Chair. Thank you, hon Minister. The ACDP appreciates your focus on healthy families as the core of society and on social interventions in fighting gangsterism. We need not any social intervention, but also criminal justice interventions. The preamble to the prevention of organised crime recognises the pervasive presence of

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criminal gangs in many communities is harmful to the wellbeing of these communities and that it is necessary to ...

[Inaudible.] ... participation in or promotion of criminal gang activities and Chapter 4 sets out offences relating to criminal gang activities.

Hon Minister, the ACDP believes that despite the provisions of this Prevention of Organised Crime Act, the National Antigangsterism Strategy may not be showing the necessary progress given the high levels of crime that you indicated and the pervasive presence of criminal gangs. Would the hon Minister agree that one, SA Police Service, SAPS, and the National Prosecuting Authority, NPA, should make greater use of Prevention of Organised Crime Act; and two, that there may be a need to review and amend Prevention of Organised Crime Act particularly relating to gangsterism as part of the National Antigangsterism Strategy? Thank you.

The MINISTER OF SOCIAL DEVELOPMENT: Thank you very much, hon Swart. I fully agree with you and I fully agree in particular when we you're speaking about the issue of Prevention of Organised Crime Act and the review and thereof, and also the pulling of our resources. I think one of the things that we have consistently said as government is that we need to

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improve our co-ordination efforts and especially the implementation in this particular case, the implementation of Prevention of Organised Crime Act. But, also more important is about improving from a justice system point of view and making sure that some of the people who are caught on the streets are not taken for granted and say that it was just a minor offence of a small time drug.

The bottom-line is that it starts with very young people, starting with one little thing and growing into something bigger. Therefore, young people look at each other and think that they have got something to gloat about and something to be proud of when they are part and parcel of these gangsters and also part and parcel of the value chain and the system of the selling of drugs. Therefore, I fully agree with you, hon Swart, and thank you for your contribution.

The HOUSE CHAIRPERSON (Ms M G Boroto): Thank you, hon Minister and thank you to all the Ministers in the cluster for making today's session a success. We thank you very much. [Applause.] The time allocated for questions, hon members, has expired and outstanding replies will be printed on Hansard. The Secretary will read the First Order of the day.

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CONSIDERATION OF REQUEST FOR PERMISSION IN TERMS OF RULE
286(4) (C) TO INQUIRE INTO AMENDING OTHER PROVISIONS OF
COPYRIGHT ACT (NO 98 OF 1978) (INTERIM REPORT OF PORTFOLIO
COMMITTEE ON TRADE AND INDUSTRY ON COPYRIGHT AMENDMENT BILL

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon members, it is not only the first but also the last. I call hon Nkosi to introduce the report. I know that the weather is not good where people are, especially in Gauteng. Hon Nkosi, just unmute yourself and speak. [Interjections.] Are you going to introduce the report?

Afrikaans:

Nee, me Steyn, dit kan nie so gebeur nie; ons werk nie so nie.

English:

Chief whip, am I assisted? The report needs to be introduced before there can be declarations. He is on the platform. [Interjections.] We know that the weather in Gauteng is not good. So, I am not going to penalize anyone.

The CHIEF WHIP OF THE MAJORITY PARTY: I just request two minutes so that we can just get the report from him.

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IsiXhosa:

Hayi andithethi nawe wena, hlala phantsi.

The HOUSE CHAIRPERSON (Ms M G Boroto): Chief Whip, please switch off your microphone, if you want to speak to them. You can speak to them outside the ...

Afrikaans:

Me Steyn, jy kan nou maar sit; hy is hier. Dankie.

Mr D M NKOSI: Hon Chair, the House, at large, one would actually agree that we be would be presenting the report. The report is presented. Thank you.

Declarations of Vote:

Mr D W MACPHERSON: Hon Chair, I know, as the former Mayor of Ekurhuleni Metropolitan Municipality, the hon Nkosi is still shocked that they lost it. That is why he was taking so long to find himself. It is going to be a very hard and long five years for him in that municipality. This Bill before us, the Copyright Amendment Bill is one that has a beginning dating back more than four years and one that seemingly has not end.

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A trip down memory lane is important for this House and those to the right of me is the reason that we are in this mess. It is because of them. It is one which has created uncertainty, cost investment and has bogged down the committee's time for far too long because they are unwilling to hear, listen and learn. For an organisation that claims that they live and lead, they have so far been unable to lead themselves out this self-imposed cul-de-sac.

In 2019, in a pre-election gimmick, the ANC rushed to vote on this Bill in Parliament, so that they could claim that they are doing something for artists and performers and this is the first big mistake. This Bill is so much more than just that.

Be that as it may, the ANC ran the Bill through Parliament, despite all of the DA's warnings of procedural irregularities, threats to investment and constitutional problems. The DA then petitioned the President, pointing out all of the concerns that we highlighted to his ANC colleagues. Thankfully, the President agreed and sided with the DA and ditched his party line on the Bill, sending it back to Parliament, somewhat humiliating for them.

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However, this was only half of the battle won. The President, like the DA, knows that this is a bad Bill to begin with. However, you cannot unscramble a proverbial legislative egg, once the process has begun. The Bill came back to the committee to deal with the President's concerns, which at first, the ANC wanted to reject. No doubt, they were not happy that their President was more alive to the problems in the Bill than they were.

Shortly after, ANC MPs spectacularly climbed down from the opposition to their own President, after Luthuli House intervened and gave them a clip around the ear.

Turning our attention to permission that the committee seeks from this House, some of the changes we seek are in fact points that have been raised and date back to 2018, if only you had listened then. But here we are. For three years, they have steadfastly refused to be entertained, but now are being entertained only after the pressure has been brought to bear on this committee by members of the public and interested parties. We really want to say well done and thank you to them.

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However, the big problem that still remains is the retention of fair use. If ever there was party willing to bend to the will of big business and foreign interest, it has to be the ANC. Their insistence on fair use, which is an American concept, how ironic, and has been punted by the likes of Google and other special interest groups, will rip the heart and soul out of the creative industry in South Africa.

The ANC had tap danced to their master's tune and seems unwilling to change direction and only time will tell if this is the case and why this is the case, but I certainly have my suspicions.

The DA invites the public and interested organisations to continue to engage with the committee and MPs from all political parties. All of this pressure that you have applied so far has brought the ANC to its knees and to this point. The DA will continue to look forward to those submissions that will be made on these points, as we seek permission to advertise and we will continue to impose the inclusion of fair use, to ensure that our local content creators are protected and rewarded for their incredible talent. The DA supports the report. [Applause.]

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Mrs Y N YAKO: Hon Chairperson, I don't think anybody can disagree with the notion that we must extend the scope of this report and thereby, capturing each and every submission that is made by the actual creative industry itself. It is our role as lawmakers and it is our role as legislators. It is unfortunate that it lies upon us, as legislators and lawmakers to make the final decision.

To say that this is an important Bill is an understatement, as it seeks to correct the many injustices that we have seen, where creators create incredible work. Some are used continuously abroad, only to die, having not redeemed any of the royalties owed to them, leaving no legacy for their families.

We have seen many artists passed and their families left desolate, purely because there is no law or policy that truly speaks to them, leaving a legacy for themselves and their families.

It is an injustice that we have so many sectors and yet the one that is hardest to succeed in is the most shortchanged. How much of our work is used abroad to this day and yet the

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families of those who created them are polar and hopeless in 2021?

Being part of the process of making sure that we, as a committee, do due diligence to the creators in this country has been daunting and has been more daunting because we have sat with a legacy of what was done in the Fifth Parliament. Now, we have to make the final decision.

This is a very intricate Bill. It is a Bill that is taking its toll emotionally, because you want to assist those who need assistance the most. It should not be that creators in the film, dance and music industry, who work tirelessly on their craft are still without any law that truly protects them, and that their works are used without any royalties.

It is important that we expedite this legislation, as it is long overdue. It will only work, if done correctly. Therefore, as the EFF, we do plea to all members in the creative industry to put their submissions, to make sure that their voices are heard, to speak to us even privately. It does not matter, as long as your voice is heard and as long as we communicate what you have asked us to communicate, because, at the end of the

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day, we don't stand to benefit but it is you and your industry that stand to benefit. Thank you.

Inkosi R N CEBEKHULU: House Chairperson, the Division of the Copyright Amendment Bill, already introduced some years back, has been a low and highly polarised matter. The critical need for the Bill cannot be more emphasized as the outdated ...[Inaudible.] ... Copyright Act is in contestant with the national area...[Inaudible.] ... and there's a been a greater outcry to amend the Bill. On the Consideration of the Interim Report, the IFP wishes to state from the outset that the long delay in finalizing the Bill has been a great injustice, typical in nature.

And, we do support the view that legal certainty in this field of intellectual property is of critical importance. We do not wish the amendment act to be tangled up in court cases.

Further prolonging legal certainty forever, however, which is inconceivable, with President took more than 13 months to send the Bill back to Parliament due to constitutional reservations on the Bill. This delays cannot simply be accepted, were it not for the action to action of civil society organisation, threatening legal action, forcing the President to make a decision, we would in all probability still be wait on the

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President to make a decision. The delay has been a great travesty. We have considered the President's letter, concerning the specific reservations on the Bill and Parliament's way forward regarding the committee's roles and powers in further amending the Bill.

The further ... [Inaudible.] ...justifies the committee's act contention. The next section in the act requires further amendment beyond the current amendments. We understand the nature of this amendment would require further public consultations. As is clear from the many public hearings. Public input is critical to ensure legal certainty and to strike a fine balance protecting creative and ...[Inaudible.] ... researchers and the public. Especially vulnerable in assessing the created urgent need, to ensure that the parliamentary process is no longer delayed and the re-advertising of this ...[Inaudible.] ... attended to ...[Inaudible.] ... and that we unsure that this Bill is finalised as a matter of urgency. The IFP accepts the Interim Report. Thank you.

Mr F J MULDER: Thank you, hon House Chair, the FF Plus is deeply concern about the multiple errors and oversight in responses from the Minister and the parliamentary legal

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advisor to the committee. In addition, the response from the Minister also expressly drew from the advice during my ...[Inaudible.] ... on critical said it to be partial stakeholders, who continue to be engaged as experts. To assess both the committee and the Minister thereby learning an unacceptable bias in these responses and in the further processing of the Bill.

As a result, these responses run contrary to the legal originally set for the Bill of advancing the interest of South African creators of copyright works. These responses misread the detrimental impact of the Bill on creators and owners of copyright works in most arts. But, the insistence to continue with the fair views clause ...[Inaudible.] ... the expanded exceptions and the contract override clause, that they do not deal with admission of the extending existing there on the mechanism to help copyright owners against any influence ...[Inaudible.] ... of new exclusive right of distribution and communication to the public.

The department did not present a proper socioeconomic impact assessment of the totality of the fact of the Bill on the creative sector. Although, the term bad law is not necessarily unconstitutional, it might apply here. Bad law is in fact

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flawed and receive the purpose of such law to the disadvantage of those who seemed to protect it.

If legislation as it stands, is passed by Parliament on the current Copyright Amendment Bill, 2017, then the Performance Protection Amendment Bill of 2016, it will certainly result in more delay for years due to the inherent flaws that both the Minister and parliamentary legal advisors now admit to exist. These flaws need to be rectified. The FF Plus will support urgently needed Reformer's South Africa's Copyright and Performer's Protection Laws. The FF Plus supports the Report. Thank you House Chair.

Mr S N SWART: Thank you, House Chair. House Chair, the ACDP supports this Report. And we appreciate that this is a very complex Bill and has come a very long way since the last Parliament via the Presidency and our back to the portfolio committee. We also appreciate the controversy and the concerns about the fair use clause which seems to be the most contentious issue with this Bill. The ACDP appreciates the fact that the concerns are being addressed and that the amendments will now be added to Bill and that the Bill will then be re-advertised for public comment.

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The ACDP looks forward to considering these submissions as well as the socioeconomic impacts that also should be presented with a Bill. One obviously needs to avoid litigation on this issue relating to constitutionality and so we look forward to the further deliberations on this Bill, to find a legal complaint and constitutionally compliant Bill. I thank you.

Ms J HERMANS: Thank you, House Chair, merry Christmas to you also hon Macpherson. The ANC believes that creative artists are a critical component of driving our developmental growth path and building an inclusive economy. The Copyright Amendment Bill seeks to ensure that we strengthen our legislation to ensure that artists and creatives are treated with fairness and receive all royalties that are due to them. These include the need to ensure that we reform the system of sharing royalties, improving collection and defining minimum standards of contracts between record companies and artists, protecting particularly young artist during the early stages of their careers who are desperate to get recording contracts by signing away their royalties.

The Copyright Amendment Bill aims to address the recommendations in the copyright review commission report by

Judge Farlam, which found that there was a crisis of credibility in the collecting societies which are the bodies mandated to collect royalty payments on behalf of artists and recording companies. For years many artists have not been paid the royalties due to them.

The Copyright Amendment Bill was developed through a consultative parliamentary process, stretching over two years, where a diverse set of stakeholders and constituencies were active participants. A number of public hearings were held over an 18-month period in the National Assembly where both written and oral comment was sought on the objectives and the efficacy of the Bill and written submissions were received in the National Council of Provinces. More than 250 written submissions were received by the relevant parliamentary committees.

On 27 March 2019 both Houses of Parliament passed the Bill and sent it to the President for assent. We all know that the President referred the legislation back to Parliament acknowledging the noble objectives of the legislation but raising reservations on certain procedural and constitutional matters which including the tagging of the Bills, the retrospective provisions on royalty payments, amongst others.

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The President further felt that the fair use provisions had not been subject to proper consultation and the legislation needed to be aligned with international standards.

We have as a result undertaken a process to respond to the concerns raised by the President and amended certain provisions of the Bill. The process has proven to be very technical and at times cumbersome.

The ANC understands the impatience of some sections of society regarding the delay in the finalization of this Bill. However, as the President emphasized, it is our desire to ensure that the Bill accommodates and benefits all those it is intended to benefit, particularly the visually impaired, educators, students and artists. It is absolutely important for us to do our due diligence to ensure that the bill passes constitutional muster.

The ANC supports the proposed amendments to the Copyright Act, 1978 which inter alia includes, clarifying the definition of certain words and expressions, to allow for further limitations and exceptions regarding the reproduction of copyright works, providing for the sharing of royalties in copyright works, the payment of royalties in respect of

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literary, musical, artistic and audio-visual work and resale royalty rights.

Further additions to the Bill include, new definitions related to personal copies, exceptions for persons with disability, and to broadcasting, making the new exclusive rights of communication to the public, the availability and distribution mechanisms applicable to published work and computer programmes.

In conclusion, the ANC understands the need to protect creative workers and supports their socioeconomic development goals. There are many conflicting interests at play as some who would want to see the unabated continuation of the status quo. We have witnessed over the years how popular artists struggle to meet their basic needs because of unfair contracts, we have a mandate as the ANC to protect them. Therefore, the Bill is a response by the ANC government to a pressing need of our country's artist, musicians and other performers. The Bill will provide a basis for generating an income stream that will contribute in developing a flourishing musical industry in our country. I thank you.

Debate concluded.

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Question put: That the Report be adopted.

Agreed to.

The HOUSE CHAIRPERSON (Ms M G Boroto): Hon members, let me just say, today being 01 December, the World AIDS. We wish to urge all our Members of Parliament in their constituencies to work with their municipalities in the locals, to make sure that our communities understand what our government and the Department of Health can offer. And encourage our communities, our children to make sure that they go and test and everybody knows their status, because the Department of Health is ready assist. Let it be upon us that we demystify this stigma, that is there in our communities. Thank you very much, this concludes the business of the day and the House is adjourned [Applause.].

The House adjourned at 18:31.