

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS

OF

NATIONAL ASSEMBLY

TUESDAY, 18 FEBRUARY 2014

1. The House met at 14:05.
2. The Speaker took the Chair and requested members to observe a moment of silence for prayer or meditation.
3. The Speaker announced that the vacancies which had occurred in the National Assembly owing to the resignations of Ms S P Rwexana, Mr W M Thring and Mr I O Davidson had respectively been filled by the nominations of Ms N G Matiwane with effect from 1 November 2013, Rev K R J Meshoe with effect from 21 November 2013 and Mr J de Goede with effect from 1 December 2013.

The Speaker further announced that the vacancy which occurred owing to Mr M E George's loss of membership of the National Assembly in terms of section 47(3)(c) of the Constitution of the Republic of South Africa, 1996 had been filled by the nomination of Mr C C Huang with effect from 12 December 2013 and that the vacancy which occurred owing to the passing away of Mr C M Moni had been filled by the nomination of Ms P S Sekgobela with effect from 20 January 2014.

The members had made and subscribed the oath or solemn affirmation in the Speaker's office.

4. [14:08] The Chief Whip of the Majority Party moved: That the House, notwithstanding Rule 29, which provides for the sequence of proceedings, resolves that there will be no notices of motion and motions as referred to in Rule 97(g) from Tuesday, 18 February 2014 to Thursday, 20 February 2014; and on Wednesday, 26 February 2014.

Agreed to.

5. [14:08] The Chief Whip of the Majority Party moved: That, notwithstanding the hours of sitting of the House as provided for in Rule 23(2), the House may sit at times agreed to by the National Assembly Programme Committee for the period 18 February 2014 to 13 March 2014.

Agreed to.

6. FIRST ORDER [14:09]

Debate on President's state-of-the-nation address.

The Speaker announced that he had received a copy of the President of the Republic's address delivered at the Joint Sitting on Thursday, 13 February 2014, and that the speech had been printed in the Minutes of the Joint Sitting.

BUSINESS SUSPENDED AT 16:26 AND RESUMED AT 16:45 .

Debate interrupted.

7. SECOND ORDER [18:36]

Consideration of Request for **Permission in terms of Rule 249(3)(b) to inquire into amending other provisions of Restitution of Land Rights Act (No 22 of 1994)** (Interim Report of Portfolio Committee on Rural Development and Land Reform, see Announcements, Tablings and Committee Reports, 11 February 2014, p 41).

There was no debate.

Declarations of vote made on behalf of the Freedom Front Plus and African National Congress.

Question put: That permission be given to the Portfolio Committee on Rural Development and Land Reform to inquire into amending other provisions of **Restitution of Land Rights Act (No 22 of 1994)**.

Division demanded.

House divided:

AYES - 242: Bam-Mugwanya V; Bapela KO;Beukman F; Bhengu NR; Bhengu P; Bhengu F;Bhoola RB; Boinamo GG; Boozi MS;Borman GM; Boshigo DF;Bothman SG; Burgess CV; Carrim YI; Cebekhulu RN; Cele MA; Chabane OC; Chikunga LS; Chiloane TD; Chohan FI; Coleman EM; Cronin JP; Cwele SC; Dambuzza BN; Daniels PN; Davies RH; De Freitas MSF; de Goede J; De Lange JH; Diale LN;Diemu BC; Dikgacwi MM; Dlakude DE; Dlamini BO; Dlodlo A; Dreyer AM; Dubazana ZS; Duma NM; Duncan PC; Dunjwa ML; Eloff EH;Esau S; Farrow SB; Fransman ML; Frolick CT; Fubbs JL; Gaum AH; Gcume NP; Gcwabaza NE; Gelderblom JP; Gigaba KMN; Gina N; Godi NT; Gololo CL; Goqwana MB; Gumede DM; Hajaig F; Hanekom DA; Hlengwa M; Holomisa SP;James WG; Jeffery JH; Joemat-Pettersson TM; Johnson M; Kalyan SV; Kekana CD; Khoarai LP; Kholwane SE; Khumalo FE; Khunou NP; Kilian JD; Kloppers-Lourens JC; Kohler-Barnard D; Koornhof GW; Kopane SP; Kota-Fredericks ZA; Kotsi CMP; Kubayi MT; Lamoela H; Landers LT; Lishivha TE; Lotriet A; Mabasa X; Mabedla NR; Mabuza MC;Madisha WM; Madlala NM; Mafolo MV; Magama HT; Magubane E; Magwanishe G;Mahomed F; Makhubela-Mashele LS; Makwetla SP; Malale MI; Maluleka HP; Maluleke JM; Manamela KB; Manana MC; Mandela ZMD; Manganye J; Marais SJF; Martins BAD; Mashatile SP; Mashigo RM; Masutha TM; Mathebe DH; Matlanyane HF; Matshoba JM; Mavunda DW; Mayatula SM; Mazibuko LD; Maziya AM; Mbalula FA; McGluwa JJ; Mdakane MR; Mfeketo NC; Mfulo A; Mgabadelo HC; Michael NWA; Mileham KJ; Mjobo LN; Mkhize HB;

Mlangeni A; Mmusi SG; Mohale MC; Mokoena AD; Molebatsi MA; Molewa BEE; Moloi-Moropa JC; Moloto KA; More E; Morutoa MR; Moss LN; Motau SC; Motlanthe KP; Motsepe RM; Motshekga MA; Motshekga MS; Motsoaledi PA; Mpontshane AM; Mthethwa EN; Mthethwa EM; Mufamadi TA; Mushwana FF; Muthambi AF; Nchabeleng ME; Ndabandaba LBG; Ndabeni ST; Ndebele JS; Ndlazi AZ; Ndlovu VB; Ndude HN; Nel AC; Nelson WJ; Nene NM; Newhoudt-Druchen WS; Ngcengwane ND; Ngcobo BT; Ngcobo ENN; Ngonyama LS; Ngubeni-Maluleka JP; Ngwenya W; Ngwenya-Mabila PC; Nhlengethwa DG; Njikelana SJ; Njobe MAA; Nkoana-Mashabane ME; Nkwinti GE; November NT; Ntuli BM; Nxesi TW; Nxumalo MD; Nyalungu RE; Nyanda S; Nyekemba E; Nzimande BE; Oliphant MN; Oliphant GG; Ollis IM; Pandor GNM; Peters ED; Petersen Maduna P; Phaahla MJ; Phaliso MN; Pilane-Majake MCC; Pilusa-Mosoane ME; Plaatjie SK; Pule DD; Radebe BA; Radebe GS; Ramatlakane L; Ramatlhodi NA; Ramodibe DM; Schneemann GD; Segale-Diswai MJ; Selau GJ; September CC; Shabangu S; Shinn MR; Sibanyoni JB; Sibiya D; Sindane GS; Sithole KP; Sithole SCN; Sizani PS; Skosana JJ; Smiles DC; Smith VG; Snell GT; Sogoni EM; Sonto MR; Sosibo JE; Sotyu MM; Steyn A; Stubbe DJ; Suka L; Surty ME; Swathe MM; Thabethe E; Thibedi JD; Thobejane SG; Tinto B; Tlake MF; Tobias TV; Tseke GK; Tsenoli SL; Tshabalala J; Tsotetsi DR; Van Schalkwyk MCJ; Van Der Westhuizen AP; van Rooyen DD; Van Schalkwyk HC; Watson A; Wayile ZG; Williams-De ST; Wyk Avan; Xaba PP; Xasa T; Ximbi DL; Xingwana LM; Yengeni LE.

NOES – 4: Alberts AD; Groenewald PJ; Mulder CP; Mulder PWA.

ABSTAIN – 2: Ntshiqela P; Terblanche J F.

Question agreed to.

Permission accordingly granted to the Portfolio Committee on Rural Development and Land Reform to inquire into amending other provisions of **Restitution of Land Rights Act (No 22 of 1994)** in terms of Rule 249(3)(b).

8. THIRD ORDER [18:51]

Consideration of Request for **Permission in terms of Rule 249(3)(b) to inquire into amending other provisions of National Credit Act (No 34 of 2005)** (Report of Portfolio Committee on Trade and Industry, see Announcements, Tablings and Committee Reports, 17 February 2014, p 235).

There was no debate.

Question put: That permission be given to the Portfolio Committee on Trade and Industry to inquire into amending other provisions of **National Credit Act (No 34 of 2005)**.

Question agreed to.

Permission accordingly granted to the Portfolio Committee on Trade and Industry to inquire into amending other provisions of **National Credit Act (No 34 of 2005)** in terms of Rule 249(3)(b).

9. FOURTH ORDER [18:53]

Consideration of legislative proposal, namely **National Water Act Amendment Bill**, submitted by Portfolio Committee on Water and Environmental Affairs (Announcements, Tablings and Committee Reports, 17 February 2014, p 319).

There was no debate.

The Chief Whip of the Majority Party moved: That the House, in terms of Rule 238(3), give permission that the legislative proposal be proceeded with.

Motion agreed to.

Permission accordingly given to proceed with the legislative proposal.

10. FIFTH AND SIXTH ORDERS [18:54]

Consideration of request for approval by Parliament of **Draft Notice and Schedule determining the rate at which salaries are payable to Magistrates annually** (Report of Portfolio Committee on Justice and Constitutional Development, see Announcements, Tablings and Committee Reports, 5 February 2014, p 33).

Consideration of request for approval by Parliament of **Draft Notice and Schedule determining the rate at which salaries are payable to Constitutional Court Judges and Judges annually** (Report of Portfolio Committee on Justice and Constitutional Development, see Announcements, Tablings and Committee Reports, 5 February 2014, p 33).

There was no debate.

Draft Notice and Schedule determining the rate at which salaries are payable to Magistrates annually, with effect from 1 April 2013 approved.

Draft Notice and Schedule determining the rate at which salaries are payable to Constitutional Court Judges and Judges annually, with effect from 1 April 2013 approved.

11. The House adjourned at 18:54.

M B COETZEE
Secretary to Parliament