

## REPUBLIC OF SOUTH AFRICA

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# MINUTES OF PROCEEDINGS

OF

# NATIONAL ASSEMBLY

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WEDNESDAY, 21 FEBRUARY 2024

1. The House met at 14:04.
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 occurred in the National Assembly owing to the passing of Ms A H Mthembu and Ms V S Siwela had been filled by the nominations of Mr K E R Hadebe and Ms N Muller, respectively, with effect from 16 February 2024.

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

4. FIRST TO THIRD ORDERS [14:06]

Introduction – **Appropriation Bill** [B 5 – 2024] (National Assembly – proposed sec 77) and tabling of **Division of Revenue Bill** [B 4 – 2024] (National Assembly – proposed sec 76).

Introduction – **Second Adjustments Appropriation (2023/24 Financial Year) Bill** [B 6 – 2024] (National Assembly – proposed sec 77).

Introduction – **Gold and Foreign Exchange Contingency Reserve Account Defrayal Amendment Bill** [B 7 – 2024] (National Assembly – proposed sec 77).

The Minister of Finance delivered his introductory speech on the budget and submitted:

- (1) **Budget Speech 2024;**

- (2) **Budget Review 2024**, including the:
  - (a) **Fiscal Framework**; and
  - (b) **Revenue proposals, including customs and excise duties** tabled at [14:27];
- (3) **Estimates of National Expenditure 2024**;
- (4) **Division of Revenue Bill** [B 4 – 2024], tabled in terms of section 10(1) of the Intergovernmental Fiscal Relations Act, 1997 (Act No 97 of 1997);
- (5) **Appropriation Bill** [B 5 – 2024];
- (6) **Second Adjustments Appropriation (2023/24 Financial Year) Bill** [B 6 – 2024]; and
- (7) **Gold and Foreign Exchange Contingency Reserve Account Defrayal Amendment Bill** [B 7 – 2024].

BUSINESS SUSPENDED AT 14:52 AND RESUMED AT 15:31.

5. FOURTH ORDER [15:32]

Consideration of **Recommendation for Removal from office of Judge President M J Hlophe in terms of section 177(1) of Constitution, 1996** (Report of Portfolio Committee on Justice and Correctional Services) (Announcements, Tablings and Committee Reports, 6 December 2023, p 5).

Debate concluded.

Question put: That House resolve to call for the removal of Judge President M J Hlophe in terms of section 177(1) of the Constitution from office.

Division demanded.

The House divided.

House Chairperson Mr C T Frolick announced that the Speaker had determined that, in accordance with the Rules, a manual voting procedure would be used and that this would take the form of a roll call vote whereby each member would be requested to voice his or her vote. Members would be called from the membership list, per party, in alphabetical order.

A quorum being present in terms of Rule 98(1), voting commenced.

AYES – 305: **ANC 208** Majodina P C P; Mashatile S P ; Mapisa-Nqakula N N; Tsenoli S L; Boroto M G; Ntombela M L D; Dlakude D E; Tseke G K ; Radebe B A ; Cele B H; Chikunga L S ; Creecy B D; Didiza A T; Godongwana E; Gordhan P J; Gungubele M; Kiviet N; Kodwa N G;

Kubayi M T; Mantashe S G; Mchunu E S; Motsoaledi P A; Ndabeni-Abrahams S T; Ntshavheni K P S; Nxesi T W T; Nzimande B E; Patel E; Phaahla M J; Zikalala S; Zulu L D; Bapela K O; Botes A; Burns-Ncamashe Z; Capa R N; Dhlomo S M; Gina N; Pilane-Majake M C C; Holomisa S P; Jeffery J H; Kekana P S; Mafu N N; Mahlalela A F; Mahlobo M D; Majola F Z; Makwetla S P; Manamela K B; Mangcu L N ; Mapulane M P; Masondo D; Mathale C C; Mhaule M R; Moloji B E; Morolong I K ; Motaung N E; Nkabane N P; Nzuza N B; Skwatsha M; Soty M M; Swarts B; Tau M P F ; Tolashe N G; Tshabalala J ; Tshwete P; Abraham P N; Adams R C; Adoons N G; April H G; Beukes A J; Hadebe K E R ; Bilankulu J H; Havard X; Bilankulu N K; Bongo B T; Buthelezi N S; Capa N; Chabane M S; Direko D R; Dlamini M E; Dlamini N E; Dlamini S M ; Dlulane B N; Dyantyi Q R; Gantsho N; Gela A; Gomba M M; Gumbu T T; Hadebe B M; Hermans J; Hlongo A S; Jacobs F; Jacobs K L; Khumalo F E; Kibi M T; Koornhof G W; Kota-Mpeko Z A; Kubheka N J; Legwase T I; Lesoma R M M ; Letsie W T; Lubengo M L; Luzipo S; Maake J J ; Mabe B P; Mabiletsa M D; Magaxa K E; Magwanishe G; Mahambehlala T; Mahlaule M G; Mahlo N P; Mahumapelo S O R; Makata T Z ; Makhubela-Mashele L S; Makhubele-Marilele P P; Malematja C N; Malinga V T; Malomane V P; Mamabolo J B; Mananiso J S; Maneli B M; Maneli S T; Manganye J; Marekwa G P; Maseko-Jele N H; Mashego M R; Mashele T V; Masiko F A; Masondo T S; Masuku M B; Masutha T M; Maswanganyi M J; Mathafa O M; Mathebula E F; Matuba M M; Mbatha S G N; Mbinqo-Gigaba B P; Mbuyane S H; Mcdonald L E; Mchunu T V B; Mdakane M R ; Mgweba T; Mjobo L N; Mkhathswa N T; Mkhize Z L; Mkhwanazi J C N; Mlenzana Z; Mmemezi H M Z ; Mmutle T N; Moatshe R M ; Modise M; Modise P M P; Newhoudt-Druchen W S; Moela D L; Molala L E; Molekwa M A; Monakedi M D ; Moroane M L ; Moroatshehla P R; Mothapo M R M; Mpanza T S; Mpumza G G; Mpushe P T; Msimango X N; Muller N; Mvana N Q; Myeni E T; Ndaba C N; Nkgweng G N; Nkomo Z; Nkosi B S; Nontsele M; Nqola X; Ntobongwana N; Ntuli M M; Ntwane J C ; Papo A H M; Peacock N P; Phetlhe P A ; Phiri C M; Pietersen M L; Siweya R T; Pillay K B; Qayiso X S; Ramadwa M M; Ramolobeng A; Seabi A M; Semenya M R; Shabalala L F; Sibiyi D P; Skosana G J; Somyo S S; Stock D M; Tlhape M M E; Tlhomelang K B; Tobias T V ; Tseki M A; Tshwete B; Tyobeka-Makeke N P ; Van Schalkwyk S R; Wolmarans M J; Xaba N V; Xaba V C; Xaba-Ntshaba P P; Xasa F D; Xego S T; Yabo B S; Zondi M A; George D T; Zuma A S; Zungu T R M; **DA 70** Steenhuisen J H; De Villiers J N; Gwarube S; Breytenbach G; Lotriet A; Van Der Walt D; Nodada B B ; Masango B S ; Krumbock G R ; Marais S J F ; Horn W; Mcgluwa J J ; Bagraim M; Kohler D; Bergman D; Chetty M; Bodlani T; Bond M S; Bryant D W; Engelbrecht J; Clarke M O; Faber W F; Cuthbert M J; Golding B C ; Gondwe M M; Essack F; Graham S J; Halse T; Hicklin M B; Hunsinger C H H; Ismail H; Khakhau K L; Khanyile T A; Khumalo N V; King C V ; Le Goff T A; Lees R A ; Lorimer J R B; Mabhena T B; Mabika M S; Macpherson D W ; Majola T R ; Malatsi M S; Marais E J; Masipa N P; Mazzone N W A; Mbabama T M; Mileham K J ; Moore S J; Mphithi L; Myburgh N G;

Ngcobo S; Opperman G; Powell E L; Roos A C; Seithloho I S; Sharif N K; Shelembe M L; Smalle J F; Stubbe D J; Terblanche O S; Van Dyk V; Van Minnen B M ; Van Zyl A M; Walters T C R ; Weber A M M; Whitfield A G; Winkler H S; **IFP 9** Hlabisa V F; Singh N; Buthelezi E M; Ngcobo S L; Cebekhulu R N ; Hlengwa M D; Hlengwa M; Msimang C T; Sithole K P; **FF Plus 9** Mulder C P; Wessels W W; Boshoff W J; Breedt T; Denner H; Groenewald I M; Mey P; Mulder F J; Van Staden P A; **ACDP 3** Swart S N; Thring W M; Sukers M E; **UDM 1** Kwankwa N L S; **GOOD 2** De Lille P; Herron B N; **AIC 1** Jafta S M and **Cope 2** Lekota M G P; Loate T.

NOES – 27: **EFF 23** Ntlangwini E N; Arries L H; Khawula M S; Mafanya W T I; Makamba-Botya N; Manyi M; Marais P; Matumba A; Mohlala M Shikwambana M ;Sonti N P; Thembekwayo S S; Yako Y N; Mente N V; Mashabela N R; Mkhalihi H O; Gericke V; Komane R N; Letlape M S ; Mhlongo N; Mkhwebane B J ; Mogale T; Paulsen M N; **ATM 2** Zungula V; Marawu T L; **PAC 1** Nyhontso M and **Al-Jama-Ah 1** Hendricks M G E.

Question agreed to.

Recommendation calling for removal of Judge President M J Hlophe from office in terms of section 177(1) of the Constitution accordingly agreed to.

6. FIFTH ORDER [17:37]

Consideration of **Recommendation for Removal from office of Judge NJ Motata in terms of section 177(1) of Constitution, 1996** (Report of Portfolio Committee on Justice and Correctional Services) (Announcements, Tablings and Committee Reports, 6 December 2023, p 16).

[18:08] Ms E N Ntlangwini having disregarded the authority of the Chair, was ordered by House Chairperson Mr M L D Ntombela to leave Chamber for the remainder of the day's sitting. When the member refused to leave the Chamber, House Chairperson Ntombela called upon the Acting Serjeant-at-Arms to remove the member from the Chamber.

Whereupon the member withdrew from the Chamber.

[18:13] Ms N Mhlongo having disregarded the authority of the Chair was ordered by House Chairperson Mr M L D Ntombela to withdraw from the Chamber for the remainder of the day's sitting.

The member thereupon withdrew from the Chamber.

[18:21] Ms N V Mente having disregarded the authority of the Chair was ordered by House Chairperson Mr M L D Ntombela to withdraw from the Chamber for the remainder of the day's sitting.

Whereupon the member withdrew from the Chamber.

[18:25] Ms H O Mkhalihi having disregarded the authority of the Chair was ordered by House Chairperson Mr M L D Ntombela to withdraw from the Chamber for the remainder of the day's sitting.

Whereupon the member withdrew from the Chamber.

[18:32] Mr V Gericke having disregarded the authority of the Chair was ordered by House Chairperson Mr M L D Ntombela to withdraw from the Chamber for the remainder of the day's sitting.

Whereupon the member withdrew from the Chamber.

Debate concluded.

Question put: That the House resolve to call for the removal of Judge N J Motata in terms of section 177(1) of the Constitution.

House Chairperson Mr M L D Ntombela announced that the Speaker had determined that, in accordance with the Rules, a manual voting procedure would be used and that this would take the form of a roll call vote whereby each member would be requested to voice his or her vote. Members would be called from the membership list, per party, in alphabetical order.

A quorum being present in terms of Rule 98(1), voting commenced.

[19:52] Ms N R Mashabela having disregarded the authority of the Chair, was ordered by House Chairperson Mr M L D Ntombela to withdraw from the Chamber for the remainder of the day's sitting.

The member refused to leave the Chamber, whereupon the House Chairperson instructed the Acting Serjeant-at-Arms to remove the member in terms of Rule 73(1).

The member having continued to refuse to leave the Chamber after the intervention of the Acting Serjeant-at-Arms, the House Chairperson called upon the Parliamentary Protection Services to assist in removing the member from the Chamber in terms of Rule 73(2).

Whereupon the member was removed from the Chamber.

[20:00] Ms L H Arries having disregarded the authority of the Chair, was ordered by House Chairperson Mr M L D Ntombela to withdraw from the Chamber for the remainder of the day's sitting.

The member refused to leave the Chamber, whereupon the House Chairperson instructed the Acting Serjeant-at-Arms to remove the member in terms of Rule 73(1).

The member having continued to refuse to leave the Chamber after the intervention of the Acting Serjeant-at-Arms, the House Chairperson called upon the Parliamentary Protection Services to assist in removing the member from the Chamber in terms of Rule 73(2).

Whereupon the member was removed from the Chamber.

[20:01] Ms M S Khawula having disregarded the authority of the Chair, was ordered by House Chairperson Mr M L D Ntombela to withdraw from the Chamber for the remainder of the day's sitting.

The member refused to leave the Chamber, whereupon the House Chairperson instructed the Acting Serjeant-at-Arms to remove the member in terms of Rule 73(1).

The member having continued to refuse to leave the Chamber after the intervention of the Acting Serjeant-at-Arms, the House Chairperson called upon the Parliamentary Protection Services to assist in removing the member from the Chamber in terms of Rule 73(2).

Whereupon the member withdrew from the Chamber.

[20:12] Ms M S Letlape having disregarded the authority of the Chair was ordered by House Chairperson Mr M L D Ntombela to withdraw from the Chamber for the remainder of the day's sitting.

Whereupon the member withdrew from the Chamber.

[20:15] Mr M Manyi having disregarded the authority of the Chair, was ordered by House Chairperson Mr M L D Ntombela to withdraw from the Chamber for the remainder of the day's sitting.

The member refused to leave the Chamber, whereupon the House Chairperson instructed the Acting Serjeant-at-Arms to remove the member in terms of Rule 73(1).

The member having continued to refuse to leave the Chamber after the intervention of the Acting Serjeant-at-Arms, the House Chairperson called upon the Parliamentary Protection Services to assist in removing the member from the Chamber in terms of Rule 73(2).

Whereupon the member withdrew from the Chamber.

[20:20] Mr T Mogale having disregarded the authority of the Chair was ordered by House Chairperson Mr M L D Ntombela to withdraw from the Chamber for the remainder of the day's sitting.

Whereupon the member withdrew from the Chamber.

[20:21] Ms M R Mohlala having disregarded the authority of the Chair, was ordered by House Chairperson Mr M L D Ntombela to withdraw from the Chamber for the remainder of the day's sitting.

The member refused to leave the Chamber, whereupon the House Chairperson instructed the Acting Serjeant-at-Arms to remove the member in terms of Rule 73(1).

The member having continued to refuse to leave the Chamber after the intervention of the Acting Serjeant-at-Arms, the House Chairperson called upon the Parliamentary Protection Services to assist in removing the member from the Chamber in terms of Rule 73(2).

Whereupon the member withdrew from the Chamber.

[20:23] Mr M Shikwambana having disregarded the authority of the Chair was ordered by House Chairperson Mr M L D Ntombela to withdraw from the Chamber for the remainder of the day's sitting.

Whereupon the member withdrew from the Chamber.

[20:23] Ms N P Sonti having disregarded the authority of the Chair, was ordered by House Chairperson Mr M L D Ntombela to withdraw from the Chamber for the remainder of the day's sitting.

The member refused to leave the Chamber, whereupon the House Chairperson instructed the Acting Serjeant-at-Arms to remove the member in terms of Rule 73(1).

The member having continued to refuse to leave the Chamber after the intervention of the Acting Serjeant-at-Arms, the House Chairperson called upon the Parliamentary Protection Services to assist in removing the member from the Chamber in terms of Rule 73(2).

Whereupon the member was removed from the Chamber.

[20:32] Mr W T I Mafanya having disregarded the authority of the Chair was ordered by House Chairperson Mr M L D Ntombela to withdraw from the Chamber for the remainder of the day's sitting.

Whereupon the member withdrew from the Chamber.

AYES – 295: **ANC 203** Majodina P C P; Mashatile S P ; Mapisa-Nqakula N N; Tsenoli S L; Frolick C T; Boroto M G; Dlakude D E; Tseke G K ; Radebe B A ; Cele B H; Chikunga L S ; Creecy B D; Didiza A T; Gordhan P J; Gungubele M; Kiviet N; Kodwa N G; Kubayi M T; Mantashe S G; Mchunu E S; Motsoaledi P A; Ndabeni-Abrahams S T; Ntshavheni K P S; Nxesi T W T; Patel E; Phaahla M J; Zikalala S; Zulu L D; Bapela K O; Botes A; Burns-Ncamashe Z; Capa R N; Dhlomo S M; Gina N; Holomisa S P; Jeffery J H; Kekana P S; Mafu N N; Mahlalela A F; Mahlobo M D; Majola F Z; Makwetla S P; Manamela K B; Mangu L N ; Mapulane M P; Masondo D; Mathale C C; Mhaule M R; Moloi B E; Morolong I K ; Motaung N E; Nkabane N P; Nzuza N B; Pilane-Majake M C C; Skwatsha M; Soty M M; Swarts B; Tau M P F ; Tolashe N G; Tshabalala J ; Tshwete P; Abraham P N; Adams R C; Adoons N G; April H G; Beukes A J; Bilankulu J H; Bilankulu N K; Bongo B T; Buthelezi N S; Capa N; Chabane M S; Direko D R; Dlamini M E; Dlamini N E; Dlamini S M ; Dlulane B N; Dyantyi Q R; Gantsho N; Gela A; Gomba M M; Gumbu T T;

Gumede S N; Hadebe B M; Hadebe K E R ; Havard X; Hermans J; Jacobs F; Jacobs K L; Khumalo F E; Kibi M T; Koornhof G W; Kota-Mpeko Z A; Kubheka N J; Legwase T I; Lesoma R M M ; Letsie W T; Lubengo M L; Maake J J ; Mabe B P; Mabiletsa M D; Magaxa K E; Magwanishe G; Mahambehlala T; Mahlaule M G; Mahlo N P; Mahumapelo S O R; Makata T Z ; Makhubela-Mashele L S; Makhubele-Marilele P P; Maledatja C N; Malinga V T; Malomane V P; Mamabolo J B; Mananiso J S; Maneli B M; Maneli S T; Manganye J; Marekwa G P; Maseko-Jele N H; Mashego M R; Mashele T V; Masiko F A; Masondo T S; Masuku M B; Masutha T M; Maswanganyi M J; Mathafa O M; Matuba M M; Mbatha S G N; Mbinqo-Gigaba B P; Mbuyane S H; Mcdonald L E; Mchunu T V B; Mdakane M R ; Mgweba T; Mjobo L N; Mkhathshwa N T; Mkhize Z L; Mkhwanazi J C N; Mlenzana Z; Mmemezi H M Z ; Mmutle T N; Moatshe R M ; Modise M; Modise P M P; Newhoudt-Druchen W S; Moela D L; Molala L E; Molekwa M A; Monakedi M D ; Moroane M L ; Moroatshehla P R; Mothapo M R M; Mpanza T S; Mpumza G G; Mpushe P T; Msimango X N; Muller N; Mvana N Q; Myeni E T; Ndaba C N; Nkgweng G N; Nkomo Z; Nkosi B S; Nontsele M; Nqola X; Ntobongwana N; Ntuli M M; Ntwane J C ; Papo A H M; Peacock N P; Phetlhe P A ; Phiri C M; Pietersen M L; Pillay K B; Qayiso X S; Ramadwa M M; Ramolobeng A; Seabi A M; Semanya M R; Shabalala L F; Sibiya D P; Siweya R T; Skosana G J; Somyo S S; Stock D M; Tlhape M M E; Tlhomelang K B; Tobias T V ; Tshwete B; Tyobeka-Makeke N P ; Van Schalkwyk S R; Wolmarans M J; Xaba N V; Xaba V C; Xaba-Ntshaba P P; Xasa F D; Xego S T; Yabo B S; Zondi M A; Zuma A S; Zungu T R M; **DA 70** Steenhuisen J H; Gwarube S; Lotriet A; Van Der Walt D; George D T; Alexander W R; De Villiers J N; Breytenbach G; Horn W; Nodada B B ; Masango B S ; Marais S J F ; Kohler D; Mcgluwa J J ; Bagraim M; Bergman D; Bodlani T; Bond M S; Bryant D W; Chetty M; Clarke M O; Cuthbert M J; Engelbrecht J; Essack F; Faber W F; Golding B C ; Gondwe M M; Graham S J; Halse T; Hicklin M B; Hunsinger C H H; Ismail H; Joseph D; Khakhau K L; Khanyile T A; Khumalo N V; King C V ; Le Goff T A; Lees R A ; Lorimer J R B; Mabhena T B; Mabika M S; Macpherson D W ; Majola T R ; Malatsi M S; Marais E J; Masipa N P; Mazzone N W A; Mbabama T M; Mileham K J ; Moore S J; Mphithi L; Myburgh N G; Ngcobo S; Opperman G; Powell E L; Roos A C; Seitholo I S; Sharif N K; Shelembe M L; Smalle J F; Stubbe D J; Terblanche O S; Van Dyk V; Van Minnen B M ; Van Zyl A M; Walters T C R ; Weber A M M; Whitfield A G; Winkler H S; **IFP 9** Hlabisa V F; Singh N; Buthelezi E M; Ngcobo S L ; Cebekhulu R N ; Hlengwa M D; Hlengwa M; Msimang C T; Sithole K P; **FF Plus 8** Mulder C P; Wessels W W; Boshoff W J; Breedt T; Denner H; Groenewald I M; Mulder F J; Van Staden P A; **ACDP 3** Swart S N; Thring W M; Sukers M E; **UDM 1** Kwankwa N L S and **AIC 1** Jafta S M.

NOES – 1: **EFF 1** Mashabela N R.

ABSTAIN – 13: **EFF 13** Arries L H; Khawula M S; Komane R N; Letlape M S; Makamba-Botya N; Manyi M; Marais P; Matumba A; Mohlala M R; Mkhwebane B J; Mogale T; Shikwambana M; Sonti N P.



Question agreed to.

Recommendation calling for removal of Judge N J Motata from office in terms of section 177(1) of the Constitution accordingly agreed to.

7. The House adjourned at 20:42.

X George  
Secretary to Parliament