No 38 – 2017] FOURTH SESSION, FIFTH PARLIAMENT

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS

OF

NATIONAL ASSEMBLY

THURSDAY, 26 OCTOBER 2017

1. The House met at 14:02.

2. House Chairperson Mr C T Frolick took the Chair and requested members to observe a moment of silence for prayer or meditation.

3. [14:03] The Chief Whip of the Opposition moved : That the House –

   (1) notes with sadness the sudden passing of our colleague, Tarnia Elena Baker, after being involved in an accident on 7 October 2017;

   (2) further notes that on the day of her passing, Tarnia was in the Ugu District Municipality, KwaZulu-Natal Province, attending to her oversight responsibilities as a Member of the Portfolio Committee on Water and Sanitation;

   (3) acknowledges that she worked tirelessly as the Democratic Alliance's Constituency Head of the Govan Mbeki and Lekwa constituencies in Mpumalanga;

   (4) further acknowledges the invaluable contributions Tarnia made to the work of the Portfolio Committee on Water and Sanitation in pursuit of improvement of people's lives;

   (5) recalls the generosity, diligence and passion with which she tackled every task that came before her;

(6) remembers her wonderful and warm personality that will make her presence sorely missed; and

(7) conveys its heartfelt condolences to her husband Landon Paul Baker, her three children Tersia, Tarlan and Mia Baker as well as her Democratic Alliance family and colleagues.

Debate concluded.

Agreed to, members standing.

4. FIRST TO THIRD ORDERS [14:40]

Consideration of Report of Standing Committee on Appropriations on **Study tour to Sweden and Germany** (Announcements, Tablings and Committee Reports, 17 February 2017, p 3).

Consideration of Report of Standing Committee on Appropriations on **16th Association of Public Accounts Committees Conference 2016** (Announcements, Tablings and Committee Reports, 30 November 2016, p 75).

Consideration of Report of Standing Committee on Appropriations on **Oversight visit to KwaZulu-Natal** (Announcements, Tablings and Committee Reports, 5 October 2017, p 34).

Ms Y N Phosa, as Chairperson of the Committee, introduced the Reports.

There was no debate.

The Chief Whip of the Majority Party moved: That the Reports be adopted.

Declarations of vote made on behalf of the Democratic Alliance, Economic Freedom Fighters, National Freedom Party and African National Congress.

Motion agreed to.

Report on **Study tour to Sweden and Germany** accordingly adopted.

Report on **16th Association of Public Accounts Committees Conference 2016** accordingly adopted.

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

5. FOURTH ORDER [15:05]

Consideration of Report of Portfolio Committee on Environmental Affairs on **22nd Session of Conference of Parties to United Nations**

Framework Convention on Climate Change and other engagements (Announcements, Tablings and Committee Reports, 23 May 2017, p 93).

Mr M P Mapulane, as Chairperson of the Committee, introduced the Report.

There was no debate.

The Chief Whip of the Majority Party moved: That the Report be adopted.

Declarations of vote made on behalf of the Democratic Alliance, Economic Freedom Fighters, Inkatha Freedom Party, National Freedom Party and African National Congress.

Motion agreed to.

Report accordingly adopted.

6. FIFTH ORDER [15:26]

Consideration of Report of Portfolio Committee on Labour on **Oversight visit to Mpumalanga farms** (Announcements, Tablings and Committee Reports, 17 August 2016, p 5).

Ms F S Loliwe, as Chairperson of the Committee, introduced the Report.

There was no debate.

The Chief Whip of the Majority Party moved: That the Report be adopted.

Declarations of vote made on behalf of the Democratic Alliance, Economic Freedom Fighters, Inkatha Freedom Party, National Freedom Party and African National Congress.

Motion agreed to.

Report accordingly adopted.

7. SIXTH ORDER [15:51]

Consideration of Report of Portfolio Committee on Public Enterprises on **Oversight visit to community of Soweto** (Announcements, Tablings and Committee Reports, 15 June 2017, p 4).

Ms D Z Rantho, as a member of the Committee, introduced the Report.

There was no debate.

Mr P J Mnguni moved: That the Report be adopted.

Declarations of vote made on behalf of the Democratic Alliance, Economic Freedom Fighters, Inkatha Freedom Party, National Freedom Party, United Democratic Movement and African National Congress.

Division demanded.

House divided.

AYES - 111: Abrahams, B L; Adams, F; Adams, P E; Adams, R C; Bam-Mugwanya, V; Basson, J V; Beukman, F; Bilankulu, N K; Booi, M S; Buthelezi, M G; Carrim, Y I; Cebekhulu, R N; Cele, M A; Chauke, H P; Chiloane, T D; Chueu, M P; Coleman, E M; Dambuza, N B; Davies, R H; Dlakude, D E; Dlomo, B J; Dube, J J; Dunjwa, M L; Esterhuizen, J A; Filtane, M L W; Frolick, C T; Gcwabaza, N E; Godi, N T; Gumede, D M; Hanekom, D A; Jeffery, J H; Kekana, E; Kekana, C D; Kekana, P S; Khoarai, L P; Khosa, D H; Khubisa, N M; Khunou, N P; Kilian, J D; Koornhof, N J J v R; Kwankwa, N L S; Loliwe, F S; Maake, J J; Mabasa, X; Mabija, L; Madella, A F; Madlopha, C Q; Maesela, P; Mahlangu, D G; Majeke, C N; Makhubele, Z S; Maluleke, B J; Manana, D P; Maphanga, W B ; Mapulane, M P; Martins, B A D; Masango, M S A; Masehela, E K M; Mashego-Dlamini, K C; Mashile, B L; Masondo, N A; Matlala, M H; Matshoba, M O; Matsimbi, C; Mavunda, R T; Maxegwana, C H M; Mbuyane, S H; Mjobo, L N; Mmola, M P; Mmusi, S G; Mnganga - Gcabashe, L A; Mnguni, P J; Mnguni, D; Mnisi, N A; Molebatsi, M A; Morutoa, M R; Mothapo, M R M; Motimele, M S; Mthembu, J M; Mthembu, N; Nchabeleng, M E; Ndaba, C N; Ndongeni, N; Newhoudt-Druchen, W S; Ngcobo, B T; Ngwenya-Mabila, P C; Nkonzo, T M; Nyambi, H V; Oosthuizen, G C; Phosa, Y N; Pikinini, I A; Ralegoma, S M; Ramatlakane, L; Rantho, D Z; Senokoanyane, D Z; September, C C; Shope-Sithole, S C N; Sibande, M P; Singh, N; Sithole, K P; Theko, L C; Tleane, S A; Tobias, T V; Tolashe, G N; Tongwane, T M A; Tseke, G K; Tseli, R M; Tuck, A; Van Schalkwyk, S R; Wolmarans, M J; Xego, S T.

NOES - 65: America, D; Atkinson, P G; Bagraim, M; Bara, M R; Basson, L J; Bergman, D; Boshoff, H S; Bozzoli, B; Brauteseth, T J; Cachalia, G K Y; Chance, R W T; Davis, G R; De Freitas, M S F; Dreyer, A M; Edwards, J; Esau, S; Figg, M J; Figlan, A M; Grootboom, G A; Hoosen, RT Hugo, M H; Hunsinger, C H H; James, L V; Jongbloed, Z; Ketabahle, V; Khawula, M S; King, C; Kruger, H C C; Lees, R A; Lorimer, J R B; Mackenzie, C; Majola, T R; Malatsi, M S; Marais, S J F; Marais, E J; Matiase, N S; Matsepe, C D; Mazzone, N W A; Mbabama, T M; Mbhele, Z N; Mcloughlin, A R; Mente, N V; Mhlongo, T W; Mileham, K J; Motau, S C; Mulaudzi, T E; Ollis, I M; Purdon, R K; Rabotapi, M W; Rawula, T; Robertson, K P; Ryder, D R; Schmidt, H C; Shinn, M R; Steenhuisen, J H; Steyn, A; Stubbe, D J; Thembekwayo, S S; Topham, B R; Van Der Walt, D; Van Der Westhuizen, A P; Walters, T C R; Waters, M; Wilson, E R; Xalisa, Z R.

Motion agreed to.

Report accordingly adopted.

8. [16:22] The Deputy Chief Whip of the Majority Party moved without notice: That the House -

(1) notes with sadness the death of more than 40 people and the injury of more than 60 following tragic fires ravaging parts of Portugal and Spain from Sunday, 14 October 2017;

(2) understands that the fires blazed across northern Portugal throughout the weekend before spreading across the border into Spain;

(3) further understands that many roads and schools in Galicia were closed, with several schools used as shelters for those affected by fires;

(4) recalls that Portugal has been plagued with the largest wave of fires since 2006;

(5) further recalls that the latest fires follow on the heels of the summer blaze four months ago that claimed 64 lives in one night;

(6) acknowledges that rain and lower temperatures on Tuesday helped emergency teams bring under control most of the wildfires; and

(7) extends its deepest condolences to the Republic of Portugal and the citizens who lost their loved ones in this catastrophic event.

Agreed to.

9. Dr S S Thembekwayo moved without notice: That the House -

(1) notes that Sibongile Ndashe and 12 others were arrested by the Tanzanian police, and that many of those she was arrested with are activists and South African citizens;

(2) further notes that Sibongile Ndashe and others held a meeting in order to find ways to import particular health services for HIV patients in Tanzania;

(3) acknowledges that the Tanzanian authorities raided their meeting arresting all present under the pretext that they were promoting homosexuality;

(4) further acknowledges that this is a gross violation of human rights and the rights of South African citizens; and that no South African citizen should ever be arrested unjustly;

(5) realises that their arrest is a betrayal of the vision of decolonised Africa, African Unity and the quest for equal rights for lesbian, gay, bisexual and transgender people all over the world; and

(6) urges the South African Government to immediately ensure that Sibongile Ndashe and 12 others are released.

Agreed to.

10. Mr P J Mnguni moved without notice: That the House -

(1) notes that 5 October is annually recognised as the International Teachers Day;

(2) further notes that this year's celebration was held under the theme "*Teaching in Freedom, Empowering Teachers";*

(3) recalls that this theme echoes the 2015 theme that followed the adoption of the new Sustainable Development Goals, where teacher empowerment was reaffirmed as a top priority in all education and development strategies of the United Nations;

(4) believes that the empowerment of teachers is paramount, as it promotes the importance of education and good values to the learners;

(5) calls upon South Africans to honour and value the teachers' immense contribution and dedication to deliver quality education; and

(6) wishes all teachers a happy Teachers' Day.

Agreed to.

11. Mr N Singh moved without notice: That the House -

(1) notes the plastic pellet spill, referred to as nurdles, along the KwaZulu-Natal (KZN) coastline which threatens marine life;

(2) further notes that the nurdle spill currently stretching over more than 300km of KwaZulu-Natal shoreline, is likely to spread as far south as Port Elizabeth and north as Mozambique;

(3) acknowledges that the nurdles currently spread from Richards Bay North Coast to Trafalgar on the South Coast, and that residents of KwaZulu-Natal's coastal towns were urged to rally in efforts to rid the beaches of billions of nurdles spilled in the Durban storm;

(4) further acknowledges that the nurdles are a monumental problem because the worn down micro fragments block filter feeders and clog respiratory gills, and that if they contain additives then the toxicological aspects will take a toll along the food chains, and because they look like fish eggs, they can be eaten by birds and other marine animals;

(5) recognises that there is a clean-up initiative involving civil society organizations, Plastic SA, and the CoastKZN portal which is managed by the Oceanographic Research Institute; and

(6) calls on Government departments and other civil society organizations to offer their assistance in this regard and to those already involved to remain steadfast in their efforts to put into action the clean-up initiative and help restore marine life.

Agreed to.

12. Prof N M Khubisa moved without notice: That the House -

(1) notes that two distinguished South African scientists and leading HIV/AIDS researchers, Professor Salim Abdool Karim and Professor Quarraisha Abdool Karim, were named as the recipients of the esteemed international *Lifetime Achievement Award* by the Institute for Human Virology;

(2) further notes that the award acknowledges the exceptional public service the two scientists delivered through their contributions to the global AIDS response, and in particular, for the landmark CAPRISA 004 study which sought to develop a safe and technologically advanced way for women to protect themselves from HIV infection;

(3) recognises that Professor Salim Abdool Karim is currently the Director of the Centre for the AIDS Program of Research in South Africa, known as CAPRISA, and that Professor Quarraisha Abdool Karim is its Associate Scientific Director;

(4) congratulates Professors Salim and Quarraisha Abdool Karim on this prestigious award;

(5) thanks them for the important contribution made in the fight against HIV/AIDS; and

(6) encourages them to continue with resilience and vigour in their quest to find new ways to combat HIV/AIDS.

Agreed to.

13. Mr X Mabasa moved without notice: That the House -

(1) notes with sadness the death of an activist and former teacher at Trafalgar High School Polly Slingers on Monday, 16 October 2017, at the age of 91;

(2) understands that Polly Slingers is recognised as one of the highly regarded educators to have graced Cape Town's teaching profession,

(3) remembers Slingers as a teacher during the turbulent 1950s and '60s who went far beyond simply trying to impart knowledge;

(4) recalls that Slingers was an unrelenting revolutionary for truth and justice, a true giant and an untainted humanitarian;

(5) further recalls Slingers as the most committed and fearless member of the then Teachers' League of South Africa, an organisation aligned to the Non-European Unity Movement, later renamed the New Unity Movement;

(6) recognises that even though it was difficult to teach freely during the apartheid years, Slingers was able to navigate these difficult waters, and instill in his children a love of history and an appreciation of the role played by all South Africans in the troubles and triumphs of the past;

(7) further understands that he had a great influence on many activists in the Cape such as Basil February, James Marsh, James April, Tilley Abrahams and many others; and

(8) conveys its condolences to his family and friends.

Agreed to.

14. Mr N L S Kwankwa moved without notice: That the House -

(1) congratulates Nkosinathi Nkomo for the innovative solution of a grey water system in order to address the water crisis faced by the Western Cape province;

(2) notes that this third-year South African black engineering student from the University of Cape Town (UCT), created an affordable grey water system that can help to mitigate the devastating effects and impact of the current water shortages in South Africa, in particular the Western Cape;

(3) believes that the much affordable system for harvesting, storing and purifying grey water from the bathrooms will reduce household's water bill, since the costs of irrigation and toilet flushing will be transferred to the newly invented system;

(4) expresses its concern by the fact that Nkosinathi Nkomo had to suffer financial exclusion from UCT, which resulted in him missing the 2017 academic year;

(5) celebrates his resilience, notwithstanding the devastating reality of being financially excluded, as he was not discouraged by this instead he turned the situation around through this system;

(6) further believes that there is much more that still need to be done in higher education sector to ensure that it is accessible to all, in particular the historically disadvantaged groups;

(7) calls on Government, the local authority and citizens to support AquaRenu and to invest in meaningful projects, such as the grey water system in order to unlock the potential of the youth in South Africa;

(8) further calls on the Western Cape Government to support this innovation by considering it as option on its attempt to deal with the water shortages in the province; and

(9) further congratulates team AquaRenu consisting of:

a) Nkosinathi Nkomo, the inventor;
b) Sesethu Mazangazanga, the Project Manager;
c) Njabule Gule, Operations Manager;
d) Monica Masetloa, the Marketing and Branding Practitioner; and
e) Mayibongwe Mncube, the spokesperson.

Agreed to.

15. Ms E R Wilson moved without notice: That the House -

(1) notes that renowned South African artist, Ester Mahlangu, was recently honoured with a mural in her honour in New York City;

(2) further notes that the mural spans a two lane road in downtown New York and showcases the instantly recognisable Ndebele patterns, art and designs that have become synonymous with Ester Mahlangu's works;

(3) understands that for 28 years, Ester has been showcasing her artwork around the world;

(4) acknowledges that Ester's colourful and geometric designs inspired artists across the globe and showcased South Africa's colourful cultures;

(5) further acknowledges that Ester, who has been painting since she was a child, remains passionate about South Africa, her roots and her humble beginnings; and

(6) congratulates Ester Mahlangu on the recognition bestowed on her internationally and the great pride she brings to all of South Africa.

Agreed to.

16. Ms V Ketabahle moved without notice: That the House -

(1) notes that on 27 October, 209 years ago, slaves in what was then known as the Cape embarked on the first mass slave rebellion in South African history;

(2) draws inspiration from their sacrifice and commitment to human emancipation, and continue their struggle to fulfil economic freedom in our lifetime for Africa, workers and the poor;

(3) understands that it was the Khoi and San people who started the long resistance of South Africans to racist and imperial, political, economic and social domination;

(4) acknowledges that their sacrifice was not in vain; and

(5) calls on all South Africans to celebrate the 350 years of African resistance against colonial and economic domination and exploitation.

Agreed to.

17. Mr P J Mnguni moved without notice: That the House -

(1) congratulates Professor Bongani Mayosi, the Dean of the Faculty of Health Sciences at UCT, on his election to the US National Academy of Medicine (NAM);

(2) notes that the National Academy of Medicine, formerly the Institute of Medicine, was established in 1970 under the charter of the National Academy of Sciences to advise on medical and health issues;

(3) realises that the election to the academy is considered one of the highest honours in the fields of health and medicine, and recognises individuals who have demonstrated outstanding professional achievement and commitment to service;

(4) understands that being elected as a member requires one to commit himself to volunteer his services to the NAMs aspiration to encourage education and research, to recognise outstanding contributions to knowledge, and to increase public understanding;

(5) believes Professor Bongani Mayosi is up to the task and will contribute immensely to required research and knowledge needed to take forward the works of the US National Academy of Medicine; and

(6) congratulates Professor Mayosi and wishes him more success in his new position of responsibility.

Agreed to.

18. Mr P J Mnguni moved without notice: That the House -

(1) notes that Dr Nothemba Simelela, a South African top obstetrician was appointed to the World Health Organisation's new leadership team;

(2) believes that with her experience and vast knowledge, she would add value and be an asset to the World Health Organisation;

(3) further believes that she will discharge her responsibilities in a team environment with distinction;

(4) commends her efforts in making the country proud by flying the South African flag in the international arena; and

(5) wishes her good luck in her new position of responsibility.

Agreed to.

19. Mr X Mabasa moved without notice: That the House -

(1) notes that South African swimmer Chad le Clos and Cameron van der Burgh made the country proud by winning the nine medals at the fifth leg of the Final World Cup series in Doha on Wednesday and Thursday, 4-5 October 2017;

(2) further notes that Chad le Clos won six medals, four gold and two silvers, while Cameron van der Burgh brought home two gold medals;

(3) believes that with the fitness and sterling performance, these two athletes will do wonders at the last three legs of the lucrative World Cup series, which will be held in Beijing, Tokyo and Singapore next month; and

(4) wishes them well in their last lucrative World Cup series next month.

Agreed to.

20. Ms H S Boshoff moved without notice: That the House -

(1) notes with concern that 76 municipal owned Waste Water Treatment Plants in Mpumalanga are currently polluting fresh water sources all over the province as indicated by the MEC of Co-operative Governance and Traditional Affairs, Refilwe Mtsweni;

(2) further notes that of the 88 Waste Water Treatment Plants in the province, only 12 that are owned by the Department of Public Works, Roads and Transport received Green Drop Standards Compliancy;

(3) acknowledges that communities across the province are at risk of contracting waterborne diseases caused by the sewerage that is being dumped into fresh water sources by municipalities;

(4) recognises that the Constitution under section 24 guarantees everyone the right to an environment that is not harmful to their health or well-being;

(5) calls on the MEC to ensure that a waste water compliance programme is implemented in all the municipalities to ensure that valuable fresh water in no longer polluted;

(6) condemns all actions whereby residents of Mpumalanga and of South Africa at large are denied their rights to a clean environment; and

(7) further calls on Government to commits itself to continually monitor this dire situation as there is no life without water.

Agreed to.

21. Mr P J Mnguni moved without notice: That the House -

(1) notes that Kensington Chorale Girls' Choir won a gold award for The Best Prescribed Song and The Best Overall Title for Community Choir in South Africa in their section, at the ATKV Animato Choral Competition in Johannesburg on Sunday, 1 October 2017;

(2) further notes that the ATKV Animato Choral Competition categories include the youth, community and chamber choirs, and that the Kensington Chorale Girls' Choir took part in the community section;

(3) recalls that the 27 members choir from the Malay community of Cape Town, was formed 10 years ago, took part in the regional round before qualifying for the ATKV Animato Choral Competition national event;

(4) understands that the choir desire to compete in the World Choir Games in Tshwane next year and to travel to Spain in 2019; and

(5) wishes the Kensington Chorale Girls' Choir more success in their future competitions.

Agreed to.

22. [16:46] Members' statements.

23. [17:25] Notices of motion.

24. The House adjourned at 17:28.

P N TYAWA
Acting Secretary to Parliament