

No 4 – 2018] FIFTH SESSION, FIFTH PARLIAMENT

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS

OF

NATIONAL ASSEMBLY

WEDNESDAY, 28 FEBRUARY 2018

1. The House met at 15:02.
2. The Speaker took the Chair and requested members to observe a moment of silence for prayer or meditation.
3. [15:04] The Deputy Chief Whip of the Majority Party, on behalf of the Chief Whip of the Majority Party, moved: That the House –
 - (1) notes –
 - (a) the resolution adopted on 6 June 2017, which established the Ad Hoc Committee on the Funding of Political Parties (“the Ad Hoc Committee”) to enquire into and make recommendations on funding of political parties represented in national and provincial legislatures in South Africa with a view to introducing amending legislation if necessary and report by 30 November 2017;
 - (b) the Ad Hoc Committee, in terms of Rule 253(6)(a), ceased to exist after it reported and submitted the **Political Party Funding Bill** [B 33 – 2017] to the Assembly (*Announcements, Tablings and Committee Reports, 28 November 2017, p 27 and 29 November 2017, p 2*); and
 - (c) the need for further consideration, *inter alia*, of the financial implications of the bill;

- (2) re-establishes the Ad Hoc Committee with the same composition, membership, chairperson and powers as its predecessor (*Minutes of Proceedings of National Assembly, 6 June 2017, p 91 and Announcements, Tablings and Committee Reports, 13 July 2017, p 2*);
- (3) resolves that the Ad Hoc Committee further consider the **Political Party Funding Bill** [B 33 – 2017] upon its referral to the committee;
- (4) instructs the Ad Hoc Committee to take into account the work done by the previous committee; and
- (5) sets the deadline by which the Ad Hoc Committee must report as 30 March 2018.

Motion agreed to.

4. [15:06] The Deputy Chief Whip of the Majority Party, on behalf of the Chief Whip of the Majority Party, moved: That the House refers the **Political Party Funding Bill** [B 33 – 2017], currently on the Order Paper for Second Reading, to the Ad Hoc Committee on the Funding of Political Parties.

Motion agreed to.

5. [15:07] The Minister of Police made a statement on increased killing of police officers in the country, with particular focus on the recent incident in Engcobo.

Debate concluded.

6. FIRST ORDER [16:22]

Consideration of Report of Portfolio Committee on Health on **South African Human Rights Commission's report investigation into oncology services in KwaZulu-Natal province** (Announcements, Tablings and Committee Reports, 9 February 2018, p 2).

Mr A F Mahlalela, as a member of the Committee, introduced the Report.

There was no debate.

The Deputy 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, Congress of the People and African National Congress.

Motion agreed to.

Report accordingly adopted.

7. SECOND ORDER [16:53]

Consideration of Report of Portfolio Committee on Small Business Development on **Oversight visit to Free State province from 14 - 18 August 2017** (Announcements, Tablings and Committee Reports, 12 December 2017, p 4).

Mr S D Bekwa, as a member of the Committee, introduced the Report.

There was no debate.

Ms Z S Dlamini-Dubazana 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 (Economic Freedom Fighters dissenting).

Report accordingly adopted.

8. THIRD AND FOURTH ORDERS [17:19]

Consideration of Report of Joint Standing Committee on Financial Management of Parliament on **Parliament of Republic of South Africa's 2016/17 Annual Report** (Announcements, Tablings and Committee Reports, 1 December 2017, p 17).

Consideration of Report of Joint Standing Committee on Financial Management of Parliament on **Parliament of Republic of South Africa's 2017/18 Mid-Year Performance** (Announcements, Tablings and Committee Reports, 1 December 2017, p 3).

Mr V G Smith, as Co - Chairperson of the Committee, introduced the Reports.

There was no debate.

Ms Z S Dlamini-Dubazana moved: That the Reports 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 on **Parliament of Republic of South Africa's 2016/17 Annual Report** accordingly adopted.

Report on **Parliament of Republic of South Africa's 2017/18 Mid-Year Performance** accordingly adopted.

9. FIFTH AND SIXTH ORDERS [17:46]

Consideration of Report of Standing Committee on Auditor-General on **Auditor-General South Africa 2018-2021 Draft Strategic Plan and Budget** (Announcements, Tablings and Committee Reports, 30 November 2017, p 64).

Consideration of Report of Standing Committee on Auditor-General on **Integrated Annual Report of Auditor-General for 2016/17 financial year** (Announcements, Tablings and Committee Reports, 30 November 2017, p 50).

Mr V G Smith, as Chairperson of the Committee, introduced the Reports.

There was no debate.

Mr B A Radebe moved: That the Reports be adopted.

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

Motion agreed to.

Report on **Auditor-General South Africa 2018-2021 Draft Strategic Plan and Budget** accordingly adopted.

Report on **Integrated Annual Report of Auditor-General for 2016/17 financial year** accordingly adopted.

10. SEVENTH AND EIGHTH ORDERS [18:10]

Consideration of Report of Portfolio Committee on Water and Sanitation on **First Quarterly Progress Report for Department of Water and Sanitation for 2017/18 financial year** (Announcements, Tablings and Committee Reports, 30 November 2017, p 19).

Consideration of Report of Portfolio Committee on Water and Sanitation on **Fourth Quarterly Progress Report for Department of Water and Sanitation for 2016/17 financial year** (Announcements, Tablings and Committee Reports, 30 November 2017, p 9).

Mr M Johnson, as Chairperson of the Committee, introduced the Reports.

There was no debate.

Ms Z S Dlamini-Dubazana moved: That the Reports be adopted.

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

Motion agreed to (Economic Freedom Fighters dissenting).

Report on **First Quarterly Progress Report for Department of Water and Sanitation for 2017/18 financial year** accordingly adopted.

Report on **Fourth Quarterly Progress Report for Department of Water and Sanitation for 2016/17 financial year** accordingly adopted.

11. [18:44] Mr Z S Makhubele moved without notice: That the House -

- (1) notes with sadness the passing of the luminary actor Sandy Mokwena on Wednesday, 24 January 2018, at the age of 68;
- (2) understands that the veteran actor who was the longest standing cast member on e.tv's popular soapie *Scandal*, died from natural causes;
- (3) recalls that Mokwena cut his acting teeth in the hit musical *Iphi Intombi* during the 1970s and 1980s, starring as Cappie alongside the late great South African actress and musician, Margaret Singana;
- (4) further recalls that his first movie role was a small role in the 1992-movie *Taxi to Soweto* and later appeared in *Yizo Yizo*, *Generations* and *Soul City*;
- (5) further understands that Mokwena is leaving a trail of memories for those who bore witness to his stellar stage, movie and TV career;
- (6) believes that he has left an indelible legacy that will continue to inspire the new generation; and
- (7) conveys its condolences to his family, friends and the cast and crew of *Scandal*.

Agreed to.

12. Mr Z S Makhubele moved without notice: That the House -

- (1) congratulates the Governor of the South African Reserve Bank, Mr Lesetja Kganyago, on his appointment as the chairman of the International Monetary and Financial Committee (IMFC) on Thursday, 18 January 2018;
- (2) notes that the IMFC is the primary advisory body of the IMF Board of Governors and deliberates on the principal policy issues facing the IMF and has 24 members;

- (3) further notes that Mr Kganyago is the first IMFC Chair from the Sub-Saharan Africa region;
- (4) understands that he already serves as South Africa's Alternative Governor on the IMF Board of Governors and brings a wealth of experience to the position;
- (5) recalls that he served as Deputy Governor of the South African Reserve Bank from May 2011, and was responsible for a wide range of areas, including research, financial stability and regulatory reform, bank supervision, and risk management and compliance;
- (6) further recalls that during his tenure as Director-General of the National Treasury of South Africa, he successfully steered a number of public finance and financial markets reforms;
- (7) acknowledges that the IMFC provides strategic direction to and makes decisions on crucial matters involving the international monetary and financial system;
- (8) believes that Mr Kganyago will leverage this appointment to ensure that the voices of developing countries are always taken into account in decision-making;
- (9) further believes that his appointment is a resounding affirmation of global confidence in South Africa's financial institutions; and
- (10) congratulates Mr Kganyago and wishes him well in his new position of responsibility.

Agreed to.

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

- (1) notes the sad passing of South African veteran television and film actor, Mr David Phetoe;
- (2) notes that Mr Phetoe, 85, was most popular for his portrayal of Paul Moroka the lead character on the renowned soapie *Generations* when it was launched in 1994;
- (3) further notes that he died in hospital on Thursday, 1 February 2018, after battling prostate cancer which also recently and sadly took the music legend Hugh Masekela;
- (4) acknowledges that he has contributed enormously to the country's entertainment industry and featured in many popular sitcoms like *'Sgudi 'Snaysi* and *Going Up* with the late Joe Mafela, *Velaphi* and *Imvelaphi*;

- (5) further acknowledges that he was instrumental in paving the way and setting the bar high for upcoming actors, and for this reason he will forever be remembered and dearly missed; and
- (6) conveys its deepest condolences to the Phetoe family, friends and the industry at large.

Agreed to.

14. Mr S C Mncwabe moved without notice: That the House -

- (1) notes with dismay the emergence of criminal elements who kill whilst practising their extreme religions;
- (2) calls on the police to arrest these criminals; and
- (3) further calls on the community to expose these religious cults.

Agreed to.

15. Mr Z S Makhubele moved without notice: That the House -

- (1) notes the passing of Polokwane City soccer defender Mogau Tshehla who died in a car accident on Monday, 12 February 2018;
- (2) remembers that the 26-year-old right back joined City from Witbank Spurs in January 2017, and that he was slowly beginning to cement his place in Bernard Molekwa's team;
- (3) further remembers that Tshehla played eight games in all competitions for City since joining them last season;
- (4) understands that he was a brother to Mamelodi Sundowns star player Percy Tau but using a different surname;
- (5) further notes that Polokwane City's match against Bloemfontein Celtic this past weekend was postponed to give players enough time to mourn the loss of their key player; and
- (6) conveys its heartfelt condolences to the family and friends of Tshehla, as well as his club, Polokwane City.

Agreed to.

16. Mr M L W Filtane moved without notice: That the House -

- (1) notes that Anaso Jobodwana received his call-up papers for the Commonwealth Games taking place in Gold Coast, Australia, from 4 to 15 April 2018;

- (2) further notes that the South African Sport Confederation and Olympic Committee (SASCOC) announced the last members of Team South Africa on Monday, 26 February 2018;
- (3) acknowledges that Team South Africa is currently in full steam preparing to compete and fly the South African flag at the international sporting platform;
- (4) believes that, with consistent support from all citizens of the country, Team South Africa can do better and put the name of the country amongst those who excel in the sporting field;
- (5) congratulates Anaso Jobodwana and the entire Team South Africa selected to represent the country in the 2018 Commonwealth Games;
- (6) calls on all South Africans to support and watch our athletes as they represent the country in Australia; and
- (7) wishes Team South Africa the very best in their final preparations for the 2018 Commonwealth Games in Australia.

Agreed to.

17. Ms H Bucwa moved without notice: That the House -

- (1) notes that on Monday, 26 February 2018, students in the Alice Campus of Fort Hare University were boycotting classes for more than three weeks as a result of poor living conditions at their residences;
- (2) further notes that ablution facilities at the campus residences were dirty and unsanitary, and the toilets are separate from the residences meaning students have to leave the safety of their residences at night to use them;
- (3) acknowledges that it is unacceptable and unfair to expect students to compromise their safety for something that should be readily available to them;
- (4) further acknowledges that the DA and the DA Student Organisation, submitted a memo to the office of the Dean at Fort Hare demanding that they address the students' living conditions as students are robbed of their dignity and denied their right to a safe environment;
- (5) recognises that students cannot be expected to perform well in their studies when their living conditions are not up to standard and that the DA will fight to deliver adequate and dignified accommodation for students at all South African universities; and

- (6) condemns these unacceptable living conditions and urges the respective committees to institute an investigation.

Agreed to.

18. Ms N K F Hlonyane moved without notice: That the House -

- (1) notes the decision to close the AIDS Care Training and Support Community Clinic (ACTS clinic) in Mganduzweni, Ward 9 at Mbombela Municipality, Mpumalanga, as of 1 April 2018;
- (2) further notes that these clinics provides critical services to communities and surrounding areas, particularly services to people living with HIV/AIDS;
- (3) acknowledges that through its home-based care, children's programme, cervical cancer unit, mother to child unit, counselling and testing facility, support groups and pharmacy, ACTS provide valuable service to the people of Mganduzweni and its surrounding areas;
- (4) further acknowledges that the community opposes the closing down of the ACTS clinic and is calling for it to remain open, as this is one of the few institutions which has a positive impact in the fight against HIV and Aids in the area; and
- (5) resolves that the Portfolio Committee on Health engages with all relevant authorities to prevent such a decision with potential catastrophic implications; and
- (6) further resolves that the people of Mganduzweni deserves a 24-hour clinic with all functioning services including nurses and doctors.

Agreed to.

19. Ms Z S Dlamini-Dubazana moved without notice: That the House -

- (1) notes with sadness the death of 17 people following the collapse of a garbage dump in Mozambique on Monday, 19 February 2018;
- (2) understands that heavy rains triggered the partial collapse of a huge mound of garbage in Mozambique's capital on Monday, killing as many as 17 people who were buried by debris;
- (3) further understands that the search by authorities is underway for more bodies that could be buried at the Hulene garbage dump on the outskirts of Maputo;
- (4) believes that the garbage in the poor, densely populated area where the disaster happened rose to the height of a three-story building;

- (5) acknowledges that half a dozen homes were destroyed and some residents in the area fled for fear of another collapse;
- (6) remembers that people often comb through the garbage, searching for food and items to sell; and
- (7) conveys its condolences to the Mozambique Government and families of the deceased.

Agreed to.

20. Ms D Carter moved without notice: That the House -

- (1) notes the loss of lives in the recent tragic and horrific accident involving a PRASA Shosholoza Meyl train and a truck at Kroonstad;
- (2) commiserates with the victims of the accident and the families of the deceased and those affected;
- (3) commends the selfless and brave actions of two young South Africans, Evert du Preez and Mokoni Chaka, both aged 12, who risked their own lives to rescue and save the lives of numerous victims of the accident; and
- (4) acknowledges their selfless bravery and inseparable friendship is evidence of the spirit of Ubuntu - our sense of values and principles that represents our national morality of humanness and sense of community.

Agreed to.

21. Mr S N Swart moved without notice: That the House -

- (1) notes with shock that members of the Gupta family have been implicated in state capture allegations and features prominently in the Public Protector's report, the Eskom inquiry and the Estina dairy debacle;
- (2) further notes that the law enforcement agencies had more than enough evidence against them which was not acted upon; and
- (3) calls on the Hawks, Interpol and other law enforcement agencies to ensure that the Gupta brothers are brought back to South Africa to face the full might of the law and to recover ill-gotten gains from the capture of state-owned enterprises.

Agreed to.

22. Mr Z S Makhubele moved without notice: That the House -

- (1) notes with sadness the death of Council Speaker Mfundo Wisdom Mthenjana who died in Richards Bay hospital on Monday, 19 February 2018, after a short illness;
- (2) remembers that Mthenjana was inaugurated as Speaker in May 2015, initially in a caretaker capacity and then elected as the Speaker in August 2016 after the local government elections;
- (3) further remembers that he had previously served as Ward 22 Councillor from 2011 to 2016 at eSikhawini, where he was born;
- (4) recalls that at the time of his passing he was the chairperson of the African National Congress in uMhlathuze sub-region, consisting of 34 branches;
- (5) acknowledges that he also served as an South African Communist Party (SACP) branch deputy secretary from 2009 until 2012;
- (6) believes that Mthenjana's leadership style, humour and firmness on his decisions will be sorely missed;
- (7) further believes that his passing will leave a void in the Council as his role as the Speaker was crucial in uniting different political parties in the chambers; and
- (8) conveys its heartfelt condolences to his family and the ANC Musa Dladla region.

Agreed to.

23. Ms Z S Dlamini-Dubazana moved without notice: That the House -

- (1) notes that 21 February was declared in 2012 as Armed Forces Day;
- (2) further notes that the day is annually commemorated primarily in remembrance of the 1917 sinking of the SS Mendi during World War I;
- (3) recalls that the SS Mendi was transporting 823 members of the 5th Battalion, the South African Native Labour Corps to France, when it was struck by the SS Darro;
- (4) further recalls that over 600 black soldiers chose to die with dignity and honour;
- (5) is reminded that this is a day on which we remember the bravery of soldiers who were prepared to fight in a war that was not theirs;

- (6) recognises that this day allows us to remember all men and women who have paid the ultimate price in defence of freedom, peace and justice;
- (7) further recognises the honourable and courageous role men and women continue to play by putting their lives on the line to secure our peace and in defence of our Constitution;
- (8) applauds the major role that the Defence Force is playing in actively protecting our territorial integrity as well as peace and development initiatives on the African continent; and
- (9) thanks them heartily for their patriotism as well as being a force that upholds the Constitution of the Republic in defending all of its people.

Agreed to.

24. Mr Z N Mbhele moved without notice: That the House -

- (1) notes that the country's public transport system, particularly rail infrastructure, is facing an ongoing onslaught of arson attacks, vandalism and cable theft which needs to be addressed as a matter of urgency by the South African Police Service (SAPS);
- (2) further notes that those criminal elements responsible for this undermining and sabotage of commuter and freight services mostly get away with it and very few, if any, arrests are made by the SAPS;
- (3) acknowledges that the police have a key role to play in deterring and responding to the criminality that adversely affects the rail environment and that ultimately the buck stops with them;
- (4) calls on the SAPS to establish an adequately resourced, specialised Railway Police Unit based at train stations and key infrastructure points, improve the performance of its FLASH components to tackle the illicit trade in scrap metal obtained from cable theft and ensures that its Crime Intelligence division cracks down on these syndicates; and
- (5) welcomes the recent agreement between the City of Cape Town, PRASA and the Western Cape Government to establish a dedicated enforcement unit to focus on the safety and security of Metrorail commuters and infrastructure.

Agreed to.

25. Mr Z S Makhubele moved without notice: That the House -

- (1) congratulates South African scientist Professor Robert Millar on winning the prestigious African Union Kwame Nkrumah award on Sunday, 28 January 2018;

- (2) notes that the awards which have been running since 2008 are awarded in memory of Pan-Africanist and Ghana's first President Dr. Kwame Nkrumah;
- (3) recalls that Professor Millar, who is a NRF A-rated researcher, won in the Life and Earth Sciences category and received US\$100 000 in prize money;
- (4) believes that by winning this award, Professor Millar will encourage Government to invest more resources in science and technology, which is essential for Africa's development and its people;
- (5) further believes that this will encourage the youth to develop more interest in science and innovation; and
- (6) wishes Professor Millar more accolades in his future endeavours.

Agreed to.

26. [19:10] Members' statements.
27. [19:49] Notices of motion.
28. The House adjourned at 20:00.

M E PHINDELA
Acting Secretary to Parliament