

No 4 – 2019] SIXTH SESSION, FIFTH PARLIAMENT

## REPUBLIC OF SOUTH AFRICA

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# MINUTES OF PROCEEDINGS

OF

## NATIONAL ASSEMBLY

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TUESDAY, 26 FEBRUARY 2019

1. The House met at 14:02.
2. The Speaker took the Chair and requested members to observe a moment of silence for prayer or meditation.
3. [14:03] The Chief Whip of the Majority Party moved: That the House suspends Rule 290(2)(a), which provides *inter alia* that the Second Reading of a Bill may not commence before at least three working days have elapsed since the committee's report was tabled, for the purposes of conducting the Second Reading today on the **Customs and Excise Amendment Bill** [B 3 - 2019] (National Assembly – sec 75).

Question put: That the motion moved by the Chief Whip of the Majority Party be agreed to.

Division demanded.

The House divided.

AYES - 162: Abraham-Ntantiso, N; Adams, F; Adams, P E; Adams, R C; Basson, J V; Beukman, F; Bhengu, F; Bilankulu, N K; Bongo, B T; Booi, M S; Boroto, M G; Botes, A; Carrim, Y I; Cebekhulu, R N; Cele, M A; Chohan, F I; Coleman, E M; Cronin, J P; Dambuza, N B; Davies, R H; Didiza, A T; Dlakude, D E; Dlamini-Dubazana, Z S; Dlulane, B N; Dube, J J; Dunjwa, M L; Esterhuizen, J A; Faku, Z C; Filtane, M L W; Gamede, D D; Gcwabaza, N E; Gina, N; Gumede, D M; Hlengwa, M; Kabini, D J; Kalako, M U; Kekana, E; Kekana, C D; Kenye, T E; Khoarai, L P; Khosa, D H; Khunou, N P; Kilian, J D; Koornhof, N J J v R; Kwankwa, N L S; Lesoma, R M M; Mabasa, X; Mabija, L; Mabika, M S; Mabuza, D D;

Madella, A F; Madlopha, C Q; Maesela, P; Mafolo, M V; Mafu, N N; Magadzi, D P; Mahlalela, A F; Mahlangu, D G; Mahlangu, J L; Maila, M S A; Majeke, C N; Makhubela-Mashele, L S; Makondo, T; Maluleke, B J; Maphanga, W B ; Maphatsoe, E R K; Mapisa-Nqakula, N N; Mapulane, M P; Martins, B A D; Masango, M S A; Masehela, E K M; Maseko, L M; Mashile, B L; Masondo, N A; Masuku, M B; Maswanganyi, M J; Mathale, C C; Matlala, M H; Matsimbi, C; Mavunda, R T; Maxegwana, C H M; Mchunu, S; Mdakane, M R; Memela, T C; Mente, N V; Meso, L D; Mfeketo, N C; Mfulo, A T; Mjobo, L N; Mkhaliphi, H O; Mmemezi, H M Z; Mmola, M P; Mmusi, S G; Mncwabe, S C; Mnganga - Gcabashe, L A; Mnguni, D; Mokoto, N R; Molebatsi, M A; Morutoa, M R; Mothapo, M R M; Motsoaledi, P A; Mpumlwana, L K B; Msibi, V Z; Mthembu, J M; Mulaudzi, T E; Nchabeleng, M E; Ndlovu, B C ; Ndongeni, N; Ngwenya-Mabila, P C; Ngwezi, X; Nhleko, N; Nkadimeng, M F; Nkonyeni, P; Nkwinti, G E; Nobanda, G N; November, N T; Ntombela, M L D; Nxesi, T W; Nyambi, H V; Oliphant, M N; Oosthuizen, G C; Pandor, G N M; Patel, E; Phaahla, M J; Phosa, Y N; Pikinini, I A; Radebe, B A; Ralegoma, S M; Ramatlakane, L; Raphuti, D D; Seabi, A M; Semanya, M R; Senokoanyane, D Z; September, C C; Shabalala, N F; Shaik Emam, A M; Shelembe, M L; Sibande, M P; Sithole, K P; Skosana, G J; Skwatsha, M; Smith, V G; Sonti, N P; Theko, L C; Tleane, S A; Tobias, T V; Tom, X S; Tongwane, T M A; Tseke, G K; Tseli, R M; Tsenoli, S L; Tshwete, P; Tsotetsi, D R; Tuck, A; Van Schalkwyk, S R; Wolmarans, M J; Xaba, N; Xasa, T; Xego, S T; Yako, Y N; Zulu, L D; Zwane, M J.

NOES - 5: Lees, R A; Rabotapi, M W; Stubbe, D J; Swart, S N; Waters, M.

Question agreed to.

Motion accordingly agreed to.

4. [14:11] The Chief Whip of the Majority Party moved: That the House extends the deadline by which the *Ad Hoc Committee to identify suitable candidates for the filling of vacancies in the Commission for Gender Equality* has to complete its task to 15 March 2019.

Motion agreed to.

5. FIRST ORDER [14:12]

Consideration of Report of Standing Committee on Finance on **Public Investment Corporation Amendment Bill** [B 1 – 2018] (Announcements, Tablings and Committee Reports, 15 February 2019, p 8).

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 and African National Congress.

Question put: That the motion moved by the Chief Whip of the Majority Party be agreed to.

Division demanded.

The House divided.

AYES - 181: Abraham-Ntantiso, N; Abrahams, B L; Adams, R C; Adams, P E; Bam-Mugwanya, V; Basson, J V; Beukman, F; Bhengu, P; Bhengu, F; Bhengu, N R; Bilankulu, N K; Bongo, B T; Booie, M S; Boroto, M G; Botes, A; Buthelezi, E M; Capa, N; Carrim, Y I; Cebekhulu, R N; Cele, B H; Cele, M A; Chiloane, T D; Chohan, F I; Coleman, E M; Cronin, J P; Dambuza, N B; Davies, R H; Didiza, A T; Dlakude, D E; Dlamini-Dubazana, Z S; Dlulane, B N; Dube, J J; Dunjwa, M L; Ebrahim, E I; Esterhuizen, J A; Faku, Z C; Fubbs, J L; Gamede, D D; Gcwabaza, N E; Gina, N; Gumede, D M; Hlengwa, M; Kabini, D J; Kalako, M U; Kekana, C D; Kekana, M D; Kekana, E; Kenye, T E; Khawula, M S; Khoarai, L P; Khosa, D H; Khunou, N P; Kilian, J D; Koornhof, N J J v R; Lesoma, R M M; Letsatsi-Duba, D B; Maake, J J; Mabasa, X; Mabija, L; Mabika, M S; Mabuza, D D; Madella, A F; Madlopha, C Q; Maesela, P; Mafolo, M V; Mafu, N N; Magadla, N W; Magadzi, D P; Mahlalela, A F; Mahlangu, D G; Mahlangu, J L; Maila, M S A; Makhubela-Mashele, L S; Makondo, T; Makwetla, S P; Maluleke, B J; Manana, M N S; Mantashe, P T; Maphanga, W B; Maphatsoe, E R K; Mapisa-Nqakula, N N; Mapulane, M P; Martins, B A D; Masango, M S A; Masehela, E K M; Maseko, L M; Mashego-Dlamini, K C; Mashile, B L; Masondo, N A; Masuku, M B; Maswanganyi, M J; Matlala, M H; Matshoba, M O; Matsimbi, C; Mavunda, R T; Maxegwana, C H M; Mchunu, S; Mdakane, M R; Memela, T C; Mente, N V; Meso, L D; Mfeketo, N C; Mfulo, A T; Mjobo, L N; Mkhaliphi, H O; Mkhize, H B; Mkhize, Z L; Mmemezi, H M Z; Mmola, M P; Mmusi, S G; Mncwabe, S C; Mnganga - Gcabashe, L A; Mnguni, D; Mnguni, P J; Mokoto, N R; Molebatsi, M A; Morutoa, M R; Mothapo, M R M; Motsoledi, P A; Mpumlwana, L K B; Msibi, V Z; Mthembu, J M; Nchabeleng, M E; Ndaba, C N; Ndabeni-Abrahams, S T; Ndlovu, B C; Ndongeni, N; Newhoudt-Druchen, W S; Ngwenya-Mabila, P C; Ngwezi, X; Nhleko, N; Nkadimeng, M F; Nkonyeni, P; Nkwinti, G E; Nobanda, G N; November, N T; Ntlangwini, E N; Ntombela, M L D; Nyambi, H V; Oliphant, M N; Oosthuizen, G C; Pandor, G N M; Patel, E; Phaahla, M J; Phosa, Y N; Pikinini, I A; Radebe, B A; Ralegoma, S M; Ramatlakane, L; Raphuti, D D; Seabi, A M; Semenya, M R; Senokoanyane, D Z; September, C C; Shabalala, N F; Shaik Emam, A M; Shelembe, M L; Sibande, M P; Singh, N; Sithole, K P; Skosana, G J; Smith, V G; Sonti, N P; Thabethe, E; Theko, L C; Tleane, S A; Tobias, T V; Tom, X S; Tongwane, T M A; Tseke, G K; Tseli, R M; Tsenoli, S L; Tshwete, P; Tsotetsi, D R; Tuck, A; Van Schalkwyk, S R; Wolmarans, M J; Xaba, N; Xasa, T; Xego, S T; Zwane, M J.

NOES - 72: America, D; Atkinson, P G; Bagraim, M; Bara, M R; Basson, L J; Bergman, D; Boshoff, H S; Bozzoli, B; Brauteseth, T J; Breytenbach, G; Cachalia, G K Y; Cardo, M J; Chance, R W T; De Freitas, M S F; Dreyer, A M; Esau, S; Figg, M J; Figlan, A M; Geyer, H P; Gqada, T; Groenewald, H B; Grootboom, G A; Hoosen, M H; Horn, W; Hunsinger,

C H H; James, L V; Kalyan, S V; Khanyile, T A; King, C; Kohler, D; Kruger, H C C; Kwankwa, N L S; Lees, R A; Lorimer, J R B; Lotriet, A; Mackenzie, C; Macpherson, D W; Majeke, C N; Majola, T R; Marais, S J F; Masango, B S ; Matsepe, C D; Mazzone, N W A; Mbabama, T M; Mbhele, Z N; Mc Gluwa, J J; Mcloughlin, A R; Mileham, K J; Motau, S C; Motshidi, T K; Mulaudzi, T E; Purdon, R K; Rabotapi, M W; Robinson, D; Ross, D C; Ryder, D R; Schmidt, H C; Selfe, J; Shackleton, S; Shinn, M R; Stander, T; Steenkamp, J; Stubbe, D J; Swart, S N; Van Dalen, P; Van Damme, P T; Van Der Walt, D; Van Der Westhuizen, A P; Walters, T C R; Waters, M; Wilson, E R; Yako, Y N.

ABSTAIN - 2: Carter, D; Ntshayisa, L M.

Question agreed to.

Report accordingly adopted.

6. SECOND ORDER [14:26]

Second Reading – **Public Investment Corporation Amendment Bill [B 1 – 2018]** (National Assembly – sec 75).

There was no debate.

Question put: That the Bill be not read a second time.

Division demanded.

The House divided.

AYES - 180: Abraham-Ntantiso, N; Abrahams, B L; Adams, F; Adams, P E; Adams, R C; Bam-Mugwanya, V; Basson, J V; Beukman, F; Bhengu, P; Bhengu, F; Bhengu, N R; Bilankulu, N K; Bongo, B T; Booi, M S; Boroto, M G; Botes, A; Buthelezi, N S; Capa, N; Carrim, Y I; Cele, B H; Cele, M A; Chiloane, T D; Chohan, F I; Coleman, E M; Cronin, J P; Dambuza, N B; Davies, R H; Didiza, A T; Dlakude, D E; Dlamini-Dubazana, Z S; Dlulane, B N; Dube, J J; Dunjwa, M L; Ebrahim, E I; Faku, Z C; Fubbs, J L; Gamede, D D; Gwabaza, N E; Gina, N; Gumede, D M; Gungubele, M; Johnson, M; Kabini, D J; Kalako, M U; Kekana, M D; Kekana, E; Kekana, C D; Kenye, T E; Khawula, M S; Khoarai, L P; Khosa, D H; Khubisa, N M; Khunou, N P; Kilian, J D; Koornhof, N J J v R; Kota-Fredricks, Z A; Lesoma, R M M; Letsatsi-Duba, D B; Maake, J J; Mabasa, X; Mabija, L; Mabuza, D D; Madella, A F; Madlopha, C Q; Maesela, P; Mafole, M V; Mafu, N N; Magadla, N W; Magadzi, D P; Mahlalela, A F; Mahlangu, D G; Mahlangu, J L; Maila, M S A; Makhubela-Mashele, L S; Makondo, T; Makwetla, S P; Manana, M N S; Mantashe, P T; Maphanga, W B ; Maphatsoe, E R K; Mapisa-Nqakula, N N; Mapulane, M P; Martins, B A D; Masango, M S A; Masehela, E K M; Maseko, L M; Mashego-Dlamini, K C; Mashile, B L; Masondo, N A; Masuku, M B; Maswanganyi, M J; Matlala, M H; Matsimbi, C; Mavunda, R T; Maxegwana, C H M; Mchunu, S; Mdakane, M R; Memela, T C; Mente, N V; Meso, L D; Mfeketo, N C; Mfulo, A T; Mjobo, L N;

Mkhaliphi, H O; Mkhize, H B; Mkhize, Z L; Mmemezi, H M Z; Mmola, M P; Mmusi, S G; Mncwabe, S C; Mnganga - Gcabashe, L A; Mnguni, D; Mnguni, P J; Mokoto, N R; Molebatsi, M A; Morutoa, M R; Mothapo, M R M; Motsoaledi, P A; Mpumlwana, L K B; Msibi, V Z; Mthembu, J M; Mulaudzi, T E; Nchabeleng, M E; Ndaba, C N; Ndabeni-Abrahams, S T; Ndlovu, B C ; Ndongeni, N; Newhoudt-Druchen, W S; Ngwenya-Mabila, P C; Nhleko, N; Nkadimeng, M F; Nkonyeni, P; Nkwinti, G E; Nobanda, G N; November, N T; Ntlangwini, E N; Ntombela, M L D; Nyambi, H V; Oliphant, M N; Oosthuizen, G C; Pandor, G N M; Patel, E; Phaahla, M J; Phosa, Y N; Pikinini, I A; Radebe, B A; Ralegoma, S M; Ramatlakane, L; Raphuti, D D; Seabi, A M; Semanya, M R; Senokoanyane, D Z; September, C C; Shabalala, N F; Shaik Emam, A M; Sibande, M P; Skosana, G J; Skwatsha, M; Smith, V G; Sonti, N P; Surty, M E; Thabethe, E; Theko, L C; Tleane, S A; Tobias, T V; Tom, X S; Tongwane, T M A; Tseke, G K; Tseli, R M; Tsenoli, S L; Tshwete, P; Tsotetsi, D R; Tuck, A; Van Schalkwyk, S R; Wolmarans, M J; Xaba, N; Xasa, T; Xego, S T; Yako, Y N; Zwane, M J.

NOES - 6: Kwankwa, N L S; Lees, R A; Majeke, C N; Motshidi, T K; Stubbe, D J; Waters, M.

ABSTAIN - 7: Cebekhulu, R N; Esterhuizen, J A; Hlengwa, M; Ngwezi, X; Ntshayisa, L M; Singh, N; Sithole, K P.

As the result of the division showed that there was not a majority of the members of the National Assembly present for a vote to be taken on a Bill as required by Rule 96(a), decision of question postponed.

7. THIRD ORDER [14:32]

Consideration of Report of Standing Committee on Finance on **Public Investment Corporation Amendment Bill (Committee Bill)** (Announcements, Tablings and Committee Reports, 15 February 2019, p 3).

There was no debate.

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

Motion agreed to (Democratic Alliance dissenting).

Report accordingly adopted.

8. FOURTH ORDER [14:49]

Second Reading debate – **Public Investment Corporation Amendment Bill [B 4 – 2019]** (National Assembly – sec 75).

Debate concluded.

Question put: That the Bill be read a second time.

Division demanded.

The House divided.

AYES - 194: Abraham-Ntantiso, N; Abrahams, B L; Adams, F; Adams, P E; Adams, R C; Basson, J V; Beukman, F; Bhengu, P; Bhengu, F; Bhengu, N R; Bilankulu, N K; Booi, M S; Boroto, M G; Botes, A; Buthelezi, N S; Capa, N; Capa, R N; Carrim, Y I; Cebekhulu, R N; Cele, B H; Cele, M A; Chiloane, T D; Chohan, F I; Coleman, E M; Cronin, J P; Dambuza, N B; Davies, R H; Didiza, A T; Dlakude, D E; Dlamini, B O; Dlamini-Dubazana, Z S; Dlulane, B N; Dube, J J; Dunjwa, M L; Ebrahim, E I; Esterhuizen, J A; Faku, Z C; Frolick, C T; Fubbs, J L; Gamede, D D; Gcwabaza, N E; Gina, N; Gumede, D M; Gungubele, M; Hlengwa, M; Jeffery, J H; Johnson, M; Kabini, D J; Kalako, M U; Kekana, C D; Kekana, M D; Kekana, E; Kenye, T E; Khawula, M S; Khoarai, L P; Khosa, D H; Khunou, N P; Kilian, J D; Koornhof, G W; Koornhof, N J J v R; Kota-Fredricks, Z A; Luzipo, S; Maake, J J; Mabasa, X; Mabija, L; Mabika, M S; Mabuza, D D; Madella, A F; Madlopha, C Q; Maesela, P; Mafolo, M V; Mafu, N N; Magadla, N W; Magadzi, D P; Mahambehllala, T; Mahlalela, A F; Mahlangu, D G; Mahlangu, J L; Maila, M S A; Makhubela-Mashele, L S; Makondo, T; Makwetla, S P; Maluleke, B J; Manana, M N S; Mantashe, P T; Maphanga, W B ; Maphatsoe , E R K; Mapisa-Nqakula, N N; Mapulane, M P; Martins, B A D; Masango, M S A; Masehela, E K M; Maseko, L M; Mashego-Dlamini, K C; Mashile, B L; Masondo, N A; Masuku, M B; Maswanganyi, M J; Mathale, C C; Matlala, M H; Matshoba, M O; Matsimbi, C; Mavunda, R T; Maxegwana, C H M; Mchunu, S; Mdakane, M R; Memela, T C; Mente, N V; Meso, L D; Mfeketo, N C; Mfulo, A T; Mjobo, L N; Mkhize, H B; Mkhize, Z L; Mmemezi, H M Z; Mmola, M P; Mmusi, S G; Mnganga - Gcabashe, L A; Mnguni, D; Mnguni, P J; Mokoto, N R; Molebatsi, M A; Morutoa, M R; Mothapo, M R M; Motsoaledi, P A; Mpumlwana, L K B; Msibi, V Z; Mthembu, J M; Mulaudzi, T E; Nchabeleng, M E; Ndaba, C N; Ndabeni-Abrahams, S T; Ndlovu, B C ; Ndongeni, N; Newhoudt-Druchen, W S; Ngwenya-Mabila, P C; Ngwezi, X; Nhleko, N; Nkadimeng, M F; Nkonyeni, P; Nkwinti, G E; Nobanda, G N; November, N T; Ntlangwini, E N; Ntombela, M L D; Nxesi, T W; Nyambi, H V; Oosthuizen, G C; Pandor, G N M; Patel, E; Phaahla, M J; Phosa, Y N; Pikinini, I A; Pilane-Majake, M C C; Radebe, B A; Ralegoma, S M; Ramatlakane, L; Raphuti, D D; Seabi, A M; Semanya, M R; Senokoanyane, D Z; September, C C; Shabalala, N F; Shaik Emam, A M; Shelembe, M L; Sibande, M P; Singh, N; Sithole, K P; Skosana, G J; Skwatsha, M; Smith, V G; Sonti, N P; Surty, M E; Thabethe, E; Theko, L C; Thembekwayo, S S; Thomson, B; Tleane, S A; Tobias, T V; Tom, X S; Tongwane, T M A; Tseke, G K; Tseli, R M; Tshwete, P; Tsotetsi, D R; Tuck, A; Van Schalkwyk, S R; Wolmarans, M J; Xaba, N; Xasa, T; Xego, S T; Yako, Y N; Zulu, L D; Zwane, M J.

NOES - 7: Filtane, M L W; Kwankwa, N L S; Lees, R A; Majeke, C N; Shackleton, S; Stubbe, D J; Waters, M.

ABSTAIN - 1: Ntshayisa, L M.

Question agreed to.

Bill accordingly read a second time.

9. FIFTH ORDER [16:02]

Consideration of Report of Standing Committee on Finance on **Customs and Excise Amendment Bill** [B 3 - 2019] (Announcements, Tablings and Committee Reports, 22 February 2019, p 242).

There was no debate.

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

Motion agreed to (Democratic Alliance dissenting).

Report accordingly adopted.

10. SIXTH ORDER [16:03]

Second Reading – **Customs and Excise Amendment Bill** [B 3 - 2019] (National Assembly – sec 75).

There was no debate.

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

Question put: That the Bill be read a second time.

Division demanded.

The House divided.

AYES - 196: Abraham-Ntantiso, N; Abrahams, B L; Adams, F; Adams, P E; Adams, R C; Basson, J V; Beukman, F; Bhengu, P; Bhengu, F; Bhengu, N R; Bilankulu, N K; Bongo, B T; Booi, M S; Boroto, M G; Botes, A; Buthelezi, E M; Buthelezi, N S; Capa, N; Capa, R N; Carrim, Y I; Cebekhulu, R N; Cele, B H; Cele, M A; Chiloane, T D; Chohan, F I; Coleman, E M; Cronin, J P; Dambuza, N B; Davies, R H; Didiza, A T; Dlakude, D E; Dlamini, B O; Dlamini-Dubazana, Z S; Dlulane, B N; Dube, J J; Dunjwa, M L; Ebrahim, E I; Esterhuizen, J A; Faku, Z C; Filtane, M L W; Frolick, C T; Fubbs, J L; Gamede, D D; Gcwabaza, N E; Gina, N; Gumede, D M; Gungubele, M; Hlengwa, M; Jeffery, J H; Johnson, M; Kabini, D J; Kalako, M U; Kekana, C D; Kekana, M D; Kekana, E; Kenye, T E; Khawula, M S; Khoarai, L P; Khosa, D H; Khunou, N P; Kilian, J D; Koornhof, G W; Koornhof, N J J v R; Kota-Fredricks, Z A; Kwankwa, N L S; Lesoma, R M M; Luzipo, S; Maake, J J; Mabasa, X; Mabuza, D D; Madella, A F; Madlopha, C Q; Maesela, P; Mafolo, M V; Mafu, N N; Magadla, N W; Magadzi, D P; Mahambehala, T; Mahlalela, A F; Mahlangu, D G; Mahlangu, J L; Maila, M S A; Makhubela-Mashele, L S; Makondo, T; Makwetla, S P; Maluleke, B J; Manana, M N S; Mantashe, P T; Maphanga, W B ; Maphatsoe

, E R K; Mapisa-Nqakula, N N; Mapulane, M P; Martins, B A D; Masango, M S A; Masehela, E K M; Maseko, L M; Mashego-Dlamini, K C; Mashile, B L; Masondo, N A; Masuku, M B; Maswanganyi, M J; Mathale, C C; Matlala, M H; Matshoba, M O; Matsimbi, C; Mavunda, R T; Maxegwana, C H M; Mchunu, S; Mdakane, M R; Memela, T C; Mente, N V; Meso, L D; Mfeketo, N C; Mfulo, A T; Mjobo, L N; Mkhalihi, H O; Mkhize, H B; Mkhize, Z L; Mmemezi, H M Z; Mmola, M P; Mmusi, S G; Mnganga - Gcabashe, L A; Mnguni, D; Mnguni, P J; Mokoto, N R; Molebatsi, M A; Morutoa, M R; Mothapo, M R M; Motsoaledi, P A; Mpumlwana, L K B; Mthembu, J M; Mulaudzi, T E; Nchabeleng, M E; Ndaba, C N; Ndabeni-Abrahams, S T; Ndlovu, B C ; Ndongeni, N; Newhoudt-Druchen, W S; Ngwenya-Mabila, P C; Ngwezi, X; Nhleko, N; Nkadimeng, M F; Nkonyeni, P; Nkwinti, G E; Nobanda, G N; November, N T; Ntlangwini, E N; Ntombela, M L D; Ntshayisa, L M; Nxesi, T W; Nyambi, H V; Oosthuizen, G C; Pandor, G N M; Patel, E; Phaahla, M J; Phosa, Y N; Pikinini, I A; Pilane-Majake, M C C; Radebe, B A; Ralegoma, S M; Ramatlakane, L; Raphuti, D D; Seabi, A M; Semanya, M R; Senokoanyane, D Z; September, C C; Shabalala, N F; Shaik Emam, A M; Sibande, M P; Singh, N; Sithole, K P; Skosana, G J; Skwatsha, M; Smith, V G; Sonti, N P; Surty, M E; Thabethe, E; Theko, L C; Thembekwayo, S S; Thomson, B; Tleane, S A; Tobias, T V; Tom, X S; Tongwane, T M A; Tseke, G K; Tseli, R M; Tshwete, P; Tsotetsi, D R; Tuck, A; Van Schalkwyk, S R; Wolmarans, M J; Xaba, N; Xasa, T; Xego, S T; Yako, Y N; Zwane, M J.

NOES - 4: Lees, R A; Shackleton, S; Stubbe, D J; Waters, M.

Question agreed to.

Bill accordingly read a second time.

#### 11. SEVENTH ORDER [16:29]

Consideration of **Traditional and Khoi-San Leadership Bill** [B 23D – 2015] (National Assembly – sec 76) and of Report of Portfolio Committee on Cooperative Governance and Traditional Affairs on amendments proposed by National Council of Provinces (Announcements, Tablings and Committee Reports, 13 February 2019, p 24).

Mr M R Mdakane, as Chairperson of the Committee, addressed the House on the Bill.

There was no debate.

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

The Chief Whip of the Majority Party moved: That the bill, as amended, be passed.

Motion agreed to.

Bill, as amended, accordingly passed.

12. [17:00] Decision of Question on Second Reading – **Public Investment Corporation Amendment Bill** [B 1 – 2018] (National Assembly – sec 75).

Question put: That the Bill be not read a second time.

Division demanded.

The House divided.

AYES - 188: Abraham-Ntantiso, N; Abrahams, B L; Adams, F; Adams, P E; Adams, R C; Bam-Mugwanya, V; Basson, J V; Beukman, F; Bhengu, P; Bhengu, F; Bhengu, N R; Bilankulu, N K; Booii, M S; Botes, A; Buthelezi, N S; Capa, R N; Capa, N; Carrim, Y I; Cele, B H; Cele, M A; Chiloane, T D; Chohan, F I; Coleman, E M; Cronin, J P; Dambuza, N B; Davies, R H; Didiza, A T; Dlakude, D E; Dlamini, B O; Dlamini-Dubazana, Z S; Dlulane, B N; Dube, J J; Dunjwa, M L; Ebrahim, E I; Faku, Z C; Filtane, M L W; Fubbs, J L; Gamede, D D; Gcwabaza, N E; Gina, N; Gumede, D M; Gungubele, M; Jeffery, J H; Johnson, M; Kabini, D J; Kalako, M U; Kekana, M D; Kekana, E; Kenye, T E; Khawula, M S; Khoarai, L P; Khosa, D H; Khubisa, N M; Khunou, N P; Kilian, J D; Koornhof, G W; Koornhof, N J J v R; Kota-Fredricks, Z A; Kwankwa, N L S; Luzipo, S; Maake, J J; Mabasa, X; Mabija, L; Mabuza, D D; Madella, A F; Madlopha, C Q; Maesela, P; Mafolo, M V; Mafu, N N; Magadla, N W; Magadzi, D P; Mahambehlala, T; Mahlalela, A F; Mahlangu, D G; Mahlangu, J L; Maila, M S A; Majeke, C N; Makhubela-Mashele, L S; Makhubele, Z S; Makondo, T; Makwetla, S P; Maluleke, B J; Manana, M N S; Mantashe, P T; Maphanga, W B ; Mapulane, M P; Martins, B A D; Masango, M S A; Masehela, E K M; Maseko, L M; Mashego-Dlamini, K C; Mashile, B L; Masondo, N A; Masuku, M B; Maswanganyi, M J; Mathale, C C; Matlala, M H; Matshoba, M O; Matsimbi, C; Mavunda, R T; Maxegwana, C H M; Mchunu, S; Mdakane, M R; Memela, T C; Mente, N V; Meso, L D; Mfeketo, N C; Mfulo, A T; Mjobo, L N; Mkhaliphi, H O; Mkhize, H B; Mkhize, Z L; Mmemezi, H M Z; Mmola, M P; Mmusi, S G; Mncwabe, S C; Mnganga - Gcabashe, L A; Mnguni, D; Mnguni, P J; Mokoto, N R; Molebatsi, M A; Morutoa, M R; Mothapo, M R M; Motsoaledi, P A; Mpumlwana, L K B; Msibi, V Z; Mthembu, J M; Nchabeleng, M E; Ndaba, C N; Ndabeni-Abrahams, S T; Ndlovu, B C ; Ndongeni, N; Newhoudt-Druchen, W S; Ngwenya-Mabila, P C; Nhleko, N; Nkadimeng, M F; Nkonyeni, P; Nkwinti, G E; Nobanda, G N; November, N T; Ntlangwini, E N; Ntombela, M L D; Nxesi, T W; Nyambi, H V; Oosthuizen, G C; Pandor, G N M; Patel, E; Phaahla, M J; Phosa, Y N; Pikinini, I A; Pilane-Majake, M C C; Radebe, B A; Ralegoma, S M; Ramatlakane, L; Raphuti, D D; Seabi, A M; Semanya, M R; Senokoanyane, D Z; September, C C; Shabalala, N F; Shaik Emam, A M; Sibande, M P; Skosana, G J; Skwatsha, M; Smith, V G; Sonti, N P; Surty, M E; Thabethe, E; Theko, L C; Thembekwayo, S S; Thomson, B; Tleane, S A; Tobias, T V; Tom, X S; Tongwane, T M A; Tseke, G K; Tseli, R M; Tsenoli, S L; Tshwete, P; Tsotetsi, D R; Tuck, A; Van

Schalkwyk, S R; Wolmarans, M J; Xaba, N; Xasa, T; Xego, S T; Zulu, L D; Zwane, M J.

NOES - 6: Atkinson, P G; Grootboom, G A; Mulaudzi, T E; Stubbe, D J; Waters, M; Yako, Y N.

ABSTAIN - 8: Buthelezi, E M; Cebekhulu, R N; Esterhuizen, J A; Hlengwa, M; Ngwezi, X; Ntshayisa, L M; Singh, N; Sithole, K P.

Question agreed to.

Bill accordingly not read a second time.

13. EIGHTH ORDER [17:10]

Consideration of Request for Approval by Parliament of **The Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer** in terms of section 231(2) of Constitution, 1996 (Report of Portfolio Committee on Environmental Affairs, see Announcements, Tablings and Committee Reports, 12 February 2019, p 7).

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

There was no debate.

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

**The Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer** accordingly approved.

14. NINTH ORDER [17:34]

Consideration of Report of Standing Committee on Finance on **Determination of remuneration of members of Financial and Fiscal Commission** (Announcements, Tablings and Committee Reports, 12 February 2019, p 2).

Ms T V Tobias, as member 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 and African National Congress.

Motion agreed to (Inkatha Freedom Party, Democratic Alliance and Congress of the People dissenting).

Report accordingly adopted.

15. TENTH ORDER [17:52]

Consideration of Report of Portfolio Committee on Water and Sanitation on **Study tour to Netherlands from 4-8 June 2018** (Announcements, Tablings and Committee Reports, 23 August 2018, p 5).

Mr M Johnson, 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, Congress of the People and African National Congress.

Motion agreed to (Economic Freedom Fighters dissenting).

Report accordingly adopted.

16. ELEVENTH ORDER [18:23]

Consideration of Report of Portfolio Committee on Trade and Industry on **Study visit to United Kingdom** (Announcements, Tablings and Committee Reports, 20 June 2018, p 3).

Ms L J Fubbs, as Chairperson 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 and African National Congress.

Motion agreed to.

Report accordingly adopted.

17. [18:46] On the proposal of The Leader of the Opposition, the House discussed the following subject: **Solutions to address job losses in South Africa and the gross domestic product (GDP) growth forecast decline for 2019.**

Debate concluded.

18. [20:01] Ms T C Memela moved without notice: That the House –

- (1) notes with sadness the death of the legendary jazz musician and activist Dorothy Masuka at the age of 85 on Saturday, 23 February 2019;
- (2) recalls that Masuka who sang hits such as "*Hamba Nontsokolo*" and "*Lendaba*" was born and raised in Bulawayo in Zimbabwe and travelled to Johannesburg by train as a teenager to launch her music career;
- (3) further recalls that she sang about township life and has travelled to many countries such as Malawi, Tanzania, the United Kingdom and Zambia;
- (4) remembers that Masuka was a revolutionary who used her music to spread the message of liberation from the apartheid regime;
- (5) further remembers that she has been hailed with the likes of the late veteran star Miriam Makeba for using music as a tool to highlight the plight of South Africans during the apartheid era;
- (6) recognises that with more than 40 years of performing under her belt, she enjoyed celebrity status across Africa for putting the continent's music on the international stage;
- (7) believes that she will be remembered for her music, which transcended generations and inspired many during the height of apartheid;
- (8) further believes that her music will continue to inspire Africa; and
- (9) conveys its deep condolences to her family and friends in the music industry.

Agreed to.

19. Ms H O Mkhalihi moved without notice: That the House -

- (1) notes that tomorrow will mark 41 years since the death of Professor Robert Mangaliso Sobukwe;
- (2) further notes that Sobukwe was one of the greatest Pan-Africanist thinkers and revolutionaries of the 20<sup>th</sup> century, who dedicated his life to the total liberation of the African people;
- (3) further understands that he, along with others, conceptualised our struggle, our vision of a South Africa and Africa united where the land and everything beneath it belongs to the people, serving their needs and desires;
- (4) acknowledges that it was these ideas and his dedication that made him such a threat to the Apartheid state leading to his isolation on

Robben Island and from society, while he was under house arrest; and

- (5) realises that while they tried to silence him, even in death, his words, vision and deeds continue to inspire the current generation in the pursuit of land and the attainment of economic freedom in this lifetime.

Agreed to.

20. Ms N F Shabalala moved without notice: That the House -

- (1) notes with sadness the death of Umshwathi Municipality Mayor, Councillor Siphindile Sibongile Zondi-Mbhele, on Sunday, 17 February 2019, after a short illness;
- (2) further notes that Clr Zondi-Mbhele was the first woman mayor in the Natal Midlands municipality serving from 2016 until her untimely passing;
- (3) recalls that she had served as deputy mayor for a period of ten years before being appointed as the Mayor;
- (4) further recalls that she was a pioneer who showed dedication in serving the people in the area of Mshwathi;
- (5) remembers that her passion for working in her community started when she took up a teaching post at Nadi Primary School, and also served as a PR Councillor in the iNdlovu Regional Council;
- (6) believes that she leaves a rich legacy, especially in driving infrastructure projects, which includes the completion of the Thusong Centre amongst them; and
- (7) conveys its deep condolences to her family and the people of the municipality whom she served with diligence and care.

Agreed to.

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

- (1) notes that Inkatha Freedom Party Leader, Prince Mangosuthu Buthelezi, was invited by His Royal Highness (HRH) Inkosi Yama Khosi Paramount Chief Mpezeni IV to participate in the Nc’wala Traditional Ceremony of the Ngoni people of Eastern Province in Zambia;
- (2) acknowledges that this symbolic ceremony is central to the Ngoni’s cultural heritage and is attended from far and wide by thousands upon thousands of people under the ten traditional leaders who serve under HRH Mpezeni IV;

- (3) further acknowledges that in previous years, President Peter Mutharika of Malawi and former President Joachim Chissano of Mozambique have addressed the Nc'wala Ceremony since the Ngoni people have historical ties to these neighbours;
- (4) recognises that the theme of this year's ceremony was "*Preserving Our Cultural Heritage Through Gender Equality*"; and
- (5) further recognises that this was a pertinent theme for gender equality and must be placed high on the agenda in every forum, whether it is political or cultural.

Agreed to.

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

- (1) notes that gender-based violence, sexual harassment and rape of women and children is prevalent in our country;
- (2) recognises that domestic crimes are also prevalent in our country; and
- (3) welcomes the 22 years sentence handed down on Sizwe Sithole who raped a woman aged 21 after he pretended to be a former school mate of the woman in question.

Agreed to.

23. Mr M R Tseli moved without notice: That the House -

- (1) notes that O.R. Tambo International Airport was named African Airport of the Year at an Air Cargo Africa conference and exhibition in Ekurhuleni on Thursday, 21 February 2019;
- (2) further notes that this was the fourth time the airport has won the award;
- (3) recalls that the three-day event hosted 80 international exhibitors;
- (4) further recalls that more than 3 000 trade visitors, representing 60 countries, attended the event this year;
- (5) understands that the award recognises leaders in cargo logistics service provision;
- (6) further understands that South African Airlines is recognised globally for excellence and the many awards attest to this;
- (7) acknowledges that O.R. Tambo International oversees more than 82% of the total South African air cargo volume passing through it each year, and 92% of that cargo is international;

- (8) believes that winning this award demonstrates the airport's commitment to deliver the best infrastructure for stakeholders; and
- (9) congratulates O.R. Tambo International Airport personnel for their dedication and for flying the South African flag high.

Agreed to.

24. Ms C N Majeke moved without notice: That the House -

- (1) notes that on the 25 November 2018, Dr Lindiwe Sidali, a 35-year-old doctor from Dutywa in the Eastern Cape became South Africa's first African female cardiothoracic surgeon;
- (2) further notes that Dr Sidali has been a doctor for 10 years then completed her Fellowship of Cardiothoracic Surgery at Inkosi Albert Luthuli Central Hospital in Durban;
- (3) acknowledges that Dr Sidali won a scholarship from the North West Department of Health to study medicine in Cuba, and that her interest in medicine was sparked when she volunteered at Wonderkop clinic, where she realised the opportunity of serving people kept her motivated;
- (4) further acknowledges that Dr Sidali urges the youth, especially young girls, to pursue education; and
- (5) congratulates Dr Lindiwe Sidali on her achievement in a male-dominated medical speciality.

Agreed to.

25. Ms Y N Yako moved without notice: That the House -

- (1) notes that Vodacom will be charging clients to roll over data;
- (2) further notes that this is a devious move in reaction to the Independent Communication Authority of South Africa's (ICASA) regulations preventing data companies from allowing data to expire, instead companies are now required to roll-over the data;
- (3) realises that Vodacom has been consistent with the logic of capital, and has found and manipulated legal loop-holes to continue robbing customers of data they pay for;
- (4) further realises that Vodacom is charging R5 to roll-over anything less than 100MB, and R49 for anything over 1GB;
- (5) understands that while some companies have taken steps in the right direction, Vodacom continues to show a lack of good faith;

- (6) acknowledges that data is the fuel of the Fourth Industrial Revolution but data companies are allowed to maintain their monopolies and inflate prices, the Fourth Industrial Revolution will by-pass South Africa;
- (7) denounces this action by Vodacom; and
- (8) further understands that under EFF-run government, data will not only be rolled-over free of charge but its cost will be halved.

Agreed to.

26. Ms N B Dambuza moved without notice: That the House -

- (1) notes that 21 February is regarded annually as Armed Forces Day in South Africa;
- (2) further notes that this day coincides with the sinking of the SS Mendi in the English Channel where a total of 616 black South African troops died, making the incident one of South Africa's worst tragedies of the First World War (1914-1918);
- (3) acknowledges that this day has evolved into a week-long event to honour men and women in uniform, to bring the South African National Defence Force (SANDF) to the people and allowing the SANDF Commander-in-Chief, the President of the Republic, to take the salute from a mass parade of all four service arms and the reserve force;
- (4) realises that Armed Forces Day is also a platform to test the SANDF's logistics capabilities and state of readiness;
- (5) recognises the role the SANDF plays in defending and protecting our sovereignty and territorial integrity;
- (6) further recognises the contribution it plays towards the well-being, prosperity and upliftment of the people of South Africa;
- (7) believes in and appreciates the commitment of our soldiers to defend and protect the State; and
- (8) calls upon all South Africans to support our men and women in uniforms in celebrating this annual event.

Agreed to.

27. Mr A M Seabi moved without notice: That the House -

- (1) notes with sadness that two people were killed and 96 others injured in a collision between a bus and a vehicle on the R538 Numbi Road, just past White River in Mpumalanga, on Saturday, 16 February 2019;

- (2) further notes that upon arrival paramedics found a bus off the roadway and multiple people on the scene, as well as a vehicle that had burst into flames up the road;
- (3) understands that upon further assessment, paramedics found that two people inside the vehicle sustained fatal injuries and were declared dead at the scene;
- (4) further understands that the exact circumstances surrounding the accident are not yet known, but that local authorities were on the scene for further investigations;
- (5) thanks the medical services on the scene for their swift action in transporting the injured patients to a hospital with injuries ranging from minor to moderate; and
- (6) conveys its condolences to the families of the deceased and wishes the injured patients a speedy recovery.

Agreed to.

28. Mr L M Ntshayisa moved without notice: That the House –

- (1) notes that in 2015, the International Association of Athletics Federations (IAAF) was dealt a heavy blow when the Court of Arbitration for Sport (CAS) ruled in favour of Dutee Chand from India;
- (2) further notes that the court found that there was no evidence supporting the claim that high testosterone enhanced female athletes' performance;
- (3) understands that the IAAF had a 2017 deadline to furnish the court with evidence that testosterone gave female athletes competitive advantage;
- (4) further understands that Caster Semenya, in the light of existing jurisprudence on testosterone will emerge unscathed;
- (5) realises that South African will again reclaim its pulse and creative spirit on the world map;
- (6) further realises that the IAAF case against Caster is frivolous, and that she has already won the first phase of her battle;
- (7) acknowledges that the countries of the East and West failed to look into the doping of Russian athletes; and
- (8) calls upon the IAAF to lay their hands off Caster Semenya and to let her enjoy her time in sport.

Agreed to.

29. Ms R C Adams moved without notice: That the House –

- (1) congratulates Dr Yacoob Abba Omar on his appointment as the Chairperson of the Board of the South African National AIDS Council (SANAC) Trust on Friday, 15 February 2019;
- (2) notes that Dr Omar is currently a Trustee of the SANAC Trust and the Head of Strategy and Communications at the Banking Association of South Africa;
- (3) recalls that prior to this, he worked for the Mapungubwe Institute (MISTRA), a Johannesburg-based research institute;
- (4) further recalls that he also served as South Africa's Ambassador to Oman from 2003 to 2008, and later the United Arab Emirates from 2008 to 2012;
- (5) remembers that he has also worked for various private and public entities including Meropa Communications and GCIS (Government Communication and Information System);
- (6) believes that Dr Yacoob Abba Omar, in his latest post, will share his wealth of experience and we are confident that he will make a valuable contribution to the institution; and
- (7) wishes him much success in his new position of responsibility.

Agreed to.

30. Ms L V James moved without notice: That the House -

- (1) notes that the Western Cape unemployment rate dropped to 19.3%, the lowest in South Africa, with its expanded unemployment rate 14 percentage points lower than the national average;
- (2) further notes that the Western Cape rural unemployment rate is even lower at 15.7%, again the lowest in South Africa;
- (3) understands that between 2009 and 2018 the Western Cape government grew employment by 24.8%, creating 508 000 new jobs since 2009;
- (4) recognises that R1 billion in economic savings have been generated through their Red Tape reduction and Ease of Doing Business strategies;
- (5) acknowledges that since 2009, the Western Cape have completed over 200 000 housing opportunities and are on track to meet 100% of their targets by the end of their current term;
- (6) commends the fact that since 2009 more than 100 000 people have received title deeds across the province, having exceeded their

targets by at least 2000 every year and making great strides in helping people becoming home owners;

- (7) further recognises that 91.5% of Western Cape households now live within 30 minutes of a healthcare facility;
- (8) further acknowledges that the Western Cape achieved 72.7% in advanced reading, compared to 36.1% nationally, and has built 132 new schools and over 2000 new classrooms;
- (9) further commends them for supporting 357 land reform projects with over R500 million in support funding and achieving a 72% success rate on agricultural land reform projects, compared to an estimated 10% success rate nationally; and
- (10) congratulates the Western Cape provincial government in achieving these massive feats and wishes them well in their future endeavours.

Agreed to.

31. Ms S R van Schalkwyk moved without notice: That the House -

- (1) notes with great shock that three men were shot dead and two more injured on Wednesday night, 20 February 2019, on the bridge in Mew Way, Khayelitsha;
- (2) further notes that the the victims of this fatal attack were the occupants of a blue Toyota Corolla;
- (3) understands that the four male suspects fled in a white Honda Ballade and are still at large;
- (4) further understands that the violent incident is linked to the minibus taxi industry;
- (5) supports the police investigation into the circumstances surrounding the killings;
- (6) calls upon law abiding citizens with information regarding the incident to assist the law enforcement agencies to arrest the suspects of this horrendous crime;
- (7) conveys its condolences to the families of the deceased; and
- (8) wishes those injured a speedy recovery.

Agreed to.

32. [20:27] Members' statements.

33. [21:09] Notices of motion.

34. The House adjourned at 21:16.

PN TYAWA  
Acting Secretary to Parliament