

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

THURSDAY, 7 MARCH 2019

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TABLINGS

National Assembly and National Council of Provinces

1. The Minister of Transport

- (a) Report and Financial Statements of the Regulating Committee for Airports Company South Africa & Traffic and Navigation Services for 2016/17.

National Assembly

1. The Speaker

- (a) Letter from the Minister of Transport dated 17 April 2018, to the Speaker of the National Assembly explaining the delay in the tabling of the Annual Report of the Regulating Committee for Airports Company South Africa & Traffic and Navigation Services for the 2016/17.

Dear Madam Speaker

WRITTEN EXPLANATION FOR THE LATE SUBMISSION AND TABLING OF THE ANNUAL REPORT OF THE REGULATING COMMITTEE IN ACCORDANCE WITH THE SECTION 11 OF THE AIRPORTS COMPANY ACT, 1993 (ACT NO. 44 OF 1993)

I write to inform Parliament that in terms of Section 11(7)(8) of the Airports Company Act (Act No. 44 of 1993). I was unfortunately not able to table the Annual Report of the Regulating Committee known as the "the Committee" for the 2016 - 2017 financial year.

The written explanations in terms of section 65(2)(a) of the PFMA for late tabling of the Report is as follows:

The Regulating Committee was established in terms of the Airports Company Act, 1993 (No. 44 of 1993). The Members of the Committee are appointed by the Minister in terms of section 11 (2) of the Airports Company Act, 1993 and all administrative work in connection with the performance of the functions or the exercise of the powers of the Committee is done by officers and employees in the Department.

The Committee is expected after 31 March of each year but not later than 30 June of that year submit to the Minister an Annual Report giving particulars regarding the activities of the Committee during the year which ended on the first mentioned date. The Minister is expected to table the Annual Report in Parliament within 30 days after it was submitted to her. The Annual Report was prepared by the Committee as stipulated in the Airports Company Act, 1993.

I was advised that as a result of the expiry of the term of office of the erstwhile Committee, the Department found it difficult to pressurise the members of the Committee to finalise the report because upon accepting their new role, they were expected to issue and implement the 0% Permissions and again issue the 2015/16 - 2019/20 final Permissions.

It should be noted that the Committee had to familiarise itself with the Permission application process by meeting with key Aviation Stakeholders, meeting with Executive Management of Companies (ACSA and ATNS), conducting site visits at key International airports, evaluating the submitted Permission application in order to better understand the needs of both Companies and the Users (the Airlines) for the next three (03) to five (05) years.

Furthermore, the Department represented by the Branch: Civil Aviation has embarked on the review of the economic regulatory framework which includes the amendment of the Airports Company Act (Act No. 44 of 1993) and Air Traffic and Navigation Services Act (Act No. 45 of 1993). The Committee is also one of the key role-players in this process. The process was necessitated by the challenges and the gaps identified within the framework to ensure that the economic regulatory framework is predictable, sustainable and flexible, given that the two companies are monopolies.

In summary, the lengthy and robust Permission process alluded to above as well the review of the economic regulatory framework process had an impact on the finalisation of the Annual Report on time.

It would therefore be appreciated if the reasons provided above could be accepted and the Annual report be tabled as required by the relevant legislation.

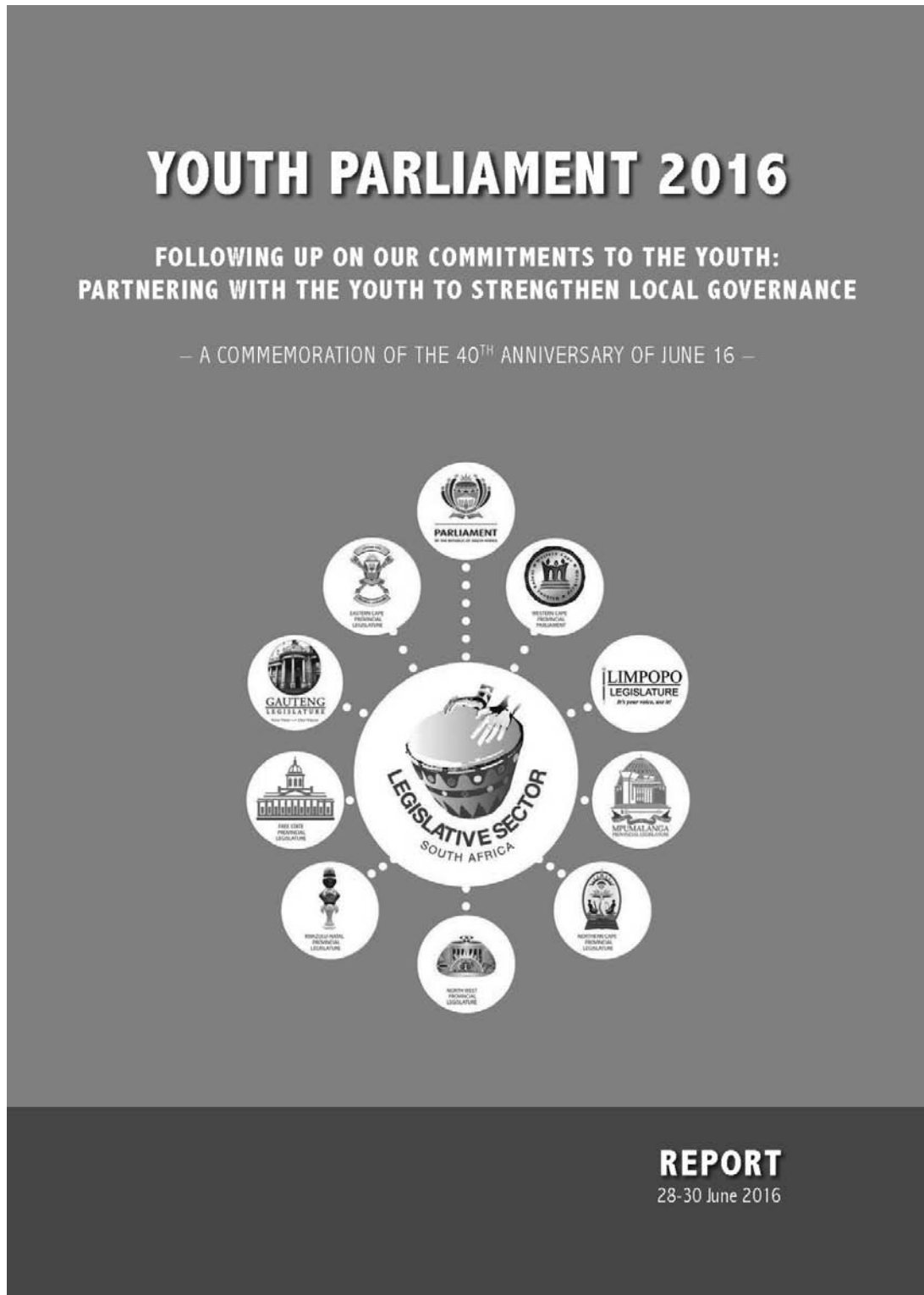
(Signed)

DR B. E. NZIMANDE, MP
MINISTER OF TRANSPORT

National Council of Provinces

1. The Chairperson

- (a) Youth Parliament Report 2016: Following up on our commitments to the Youth - Partnering with the Youth to strengthen local governance.



"FOLLOWING UP ON OUR COMMITMENTS TO THE YOUTH: PARTNERING WITH THE YOUTH TO STRENGTHEN LOCAL GOVERNANCE"



PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

YOUTH PARLIAMENT 2016

**FOLLOWING UP ON OUR COMMITMENTS TO THE YOUTH:
PARTNERING WITH THE YOUTH TO STRENGTHEN LOCAL GOVERNANCE**

— A COMMEMORATION OF THE 40TH ANNIVERSARY OF JUNE 16 —

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"FOLLOWING UP ON OUR COMMITMENTS TO THE YOUTH: PARTNERING WITH THE YOUTH TO STRENGTHEN LOCAL C



Background

1. Background

The June 16, 1976 uprising that began in Soweto and spread countrywide profoundly changed the socio-political landscape in South Africa. It was a day when between 3 000 and 10 000 Black students mobilized by the South African Students Movement's Action Committee supported by the Black Consciousness Movement marched peacefully to demonstrate and protest against the Bantu Education Act, established by the Apartheid Government in order to set a different curriculum for Black learners, unequal to their White counterparts and the compulsory introduction of Afrikaans as a medium of teaching.



The intention was for a peaceful march to the Orlando Stadium but as the students took to the streets of Soweto they were met by heavily armed police who fired teargas and later live ammunition on demonstrating students. This resulted in a widespread revolt that turned into an uprising against the government.

The aftermath of the events of June 16 1976 had dire consequences for the Apartheid government. Images of the police firing on peacefully demonstrating students led an international revulsion against South Africa as its brutality was exposed. Meanwhile, the exiled liberation movements received new recruits fleeing political persecution at home giving impetus to the struggle against Apartheid.

Today, South Africa strives towards a non-racial society based on fundamental rights and freedoms entrenched in a Constitution aimed at promoting and protecting the human rights of all South Africans.

While South Africa still contends with the legacy of the socio-economic divisions caused by the deep scars of apartheid, part of the collective national healing is found in remembering such brave and selfless acts of the past. 16 June 2016 marked not only the 40th Anniversary of this historic day, but also the 20th Anniversary of the adoption of the Constitution and 60th Anniversary of the Women's March to the Union Buildings against pass laws.

The Legislative Sector deemed it necessary to commemorate the sacrifices made by the past generations towards the successful transition to a democratic South Africa, which resulted in the establishment of democratic institutions. In recognition of the significance of the Soweto Uprising in South African history, the National Youth Parliament was hosted by the Gauteng Provincial Legislature on 30 June 2016 under the theme "Following up on our commitments to the Youth: Partnering with the Youth to strengthen local governance".

Approximately 1 000 participants and delegates, including Members of Parliament, Members of Provincial Legislatures, Ministers, Deputy Ministers and veterans of the 1976 Soweto Youth Uprisings took part in the proceedings. Each province was represented by 25 delegates who participated in plenary debates. Others engaged in the discussions in three Commissions focusing on youth and economic opportunities, youth and access to education and the role of youth in creating social cohesion, transformation and participation in decision-making, respectively.



Constitutional basis

2. Constitutional basis

The Legislative Sector as a collective of democratically elected public representatives, through Members of Parliament and Provincial Legislatures, provides a forum for public consideration of issues. The Constitution compels the Legislative Sector to facilitate public involvement in its processes and those of its committees. The Constitution also enjoins the Legislative Sector to exercise oversight over the Executive. The National Youth Parliament was intended to further these constitutional obligations.



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Provincial activities

3. Provincial activities

National Youth Parliament that was held under the auspices of the Speakers' Forum. Whereas the activities in the provincial legislatures were intended to create a platform for dialogue among the youth of today and the Executive in the provincial sphere of government, the National Youth Parliament was aimed at creating dialogue among the youth of today, the erstwhile youth of 1976 and the Executive in the national sphere of government through the Legislative Sector. The intention was that veterans of the 1976 Uprising should share experiences and perspectives with the youth of today.

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The Provincial Youth Parliaments and other initiatives provided opportunities for information-sharing, education and involvement of youth in the processes and programmes of the Legislative Sector. These also prepared the youth for the discussions and debate at the National Youth Parliament. This laid the foundation for the youth in future to meaningfully participate in the law-making, public participation and other processes of the Legislative Sector. In this way the youth would be better equipped to leverage the value of engagement with the Legislative Sector to influence policies and legislation in addressing the specific challenges faced by the youth and in the interests of youth development, socio-economic growth and nation-building.



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The importance of the youth

4. The importance of the youth

The Legislative Sector acknowledges that youth as the future leaders are an important stakeholder in the determination of the policies and laws of South Africa and must therefore participate actively in seeking solutions to the challenges facing the country in general, and the youth in particular. Youth are significantly affected by the harsh realities of unemployment, poverty, inequality and other social challenges such as drug and alcohol abuse. The National Development Plan recognises that development and growth of the country is influenced by the levels of success in developing the capabilities and nurturing life chances of its youth. It stands to reason that a highly skilled youth is better placed to put the country on a sound growth path and improve the capability of the state to deliver services to its people. Placing youth matters prominently in the oversight responsibility of the Legislative Sector can therefore not be overemphasised.

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According to Statistics South Africa (StatsSA), the youth population grew from 18,5 million to 19,6 million between 2009 and 2014. Moreover, in 2015, the working-age population stood at 35,8 million of which 19,7 million (55,0%) were youth. The growing youth population presents the country with a number of opportunities. This demographic dividend might have positive multiplier effects for the country's economy, which should be harnessed. The provincial and national youth parliament's and activities represent important initiatives of the Legislative Sector in this context.



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National and Continental

5. National and Continental context

The National Development Plan (the NDP) recognises that youth plays a crucial role in the development of the country. It acknowledges that South Africa has a large youth and a working-age population, which is a critical stakeholder in creating a developmental and prosperous State.



In order to ensure that the country develops the capabilities of the youth the National Planning Commission adopted a “youth lens” in preparing its proposals. These include:

- Improving the school system, including increasing the number of students achieving above 50 percent in literacy and mathematics, increasing learner retention rates to 90 percent and bolstering teacher training;
- Strengthening youth service programmes and introduction of new, community-based programmes to offer young people life-skills training, entrepreneurship training and opportunities to participate in community development programmes;
- Strengthening and expanding the number of FET colleges to increase the youth participation rate to 25 percent;
- Increasing the graduation rate of FET colleges to 75 percent;
- Providing full funding assistance covering tuition, books, accommodation and living allowance to students from poor families;
- Developing community safety centres to prevent crime and include youth in these initiatives;
- Payment of tax incentives to employers to reduce the initial cost of hiring young labour-market entrants;
- Paying subsidy to the placement sector upon successful placement of grade 12 graduates into work;
- Expanding learnerships and making training vouchers directly available to job seekers;
- Introducing a formalised graduate recruitment scheme for the public service to attract highly skilled people; and
- Expanding the role of state-owned enterprises in training artisans and technical professionals.

South Africa also adopted the National Youth Policy 2015-2020 (NYP 2020) the main aim of which is to consolidate youth initiatives that enhance the capabilities of young people to participate in the transformation of the economy and society. The main outcome of the NYP 2020 is to have empowered young people who are able to realise their full potential and understand their roles and responsibilities in making a meaningful contribution to the development of a non-racial, equal, democratic and prosperous South Africa.

At continental level, Agenda 2063 aspires, amongst others, to people-driven development of Africa in which the potential of the youth is realised. This implies the development of a policy and legal environment in which youth unemployment will be eliminated and the youth guaranteed full access to education, training, skills, technology, health services, jobs and economic opportunities. Agenda 2063 envisages a continent where young men and women will be the path breakers of the African knowledge society and will contribute to innovation and entrepreneurship. It further acknowledges that it is only through the continuous creation of sustainable opportunities that the potential of the youth would be fully realised.

It is the responsibility of the Legislative Sector to oversee and, where necessary, to make laws to ensure the realisation of these national and continental development objectives. The Legislative Sector must hold the Executive accountable for the implementation of policies and laws.

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Objectives

6. Objectives

The National Youth Parliament was a platform created by the Legislative Sector for the youth to share ideas, reflect on their future and propose solutions to the challenges confronting them. It provided young people with an opportunity to contribute towards identifying their roles and responsibilities in social cohesion and nation building as active citizens of South Africa.

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In summary the National Youth Parliament aimed to:

- Commemorate the 40th Anniversary of the 1976 student uprising, which contributed significantly to the democratisation of South Africa;
- Provide a platform for to share historical experiences by the youth of 1976;
- Provide a platform for dialogue on key issues facing the youth of today;
- Create a space for collective reflection on the ideas on how to better capacitate and empower the youth of today;
- Raise awareness about the role of the Legislative Sector;
- Facilitate participation of the youth in the legislative and other processes of the Legislative Sector;
- Promote social cohesion;
- Ensure that the Legislative Sector debates matters affecting the youth and oversees the implementation of policies and laws affecting young people of South Africa; and
- Hold the Executive accountable.



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Methodology

7. Methodology

The National Youth Parliament took the form of Commissions and Plenary. The Commissions were designed to focus discussions on the following three thematic areas:

- Youth and economic opportunities
- Youth and access to education
- The role of youth in creating social cohesion, transformation and participation in decision making

The Plenary constituted a formal sitting of the National Youth Parliament which debated the reports of the three Commissions.

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Deliberations

8. Deliberations

The main purpose of this report is to present key issues that emanated from the discussions of the three Commissions. The report sets out the key achievements in addressing youth issues; key challenges facing the youth of 2016; recommendations on how identified persistent challenges should be addressed and concluding remarks.

The following questions formed the basis for the discussions in the three Commissions:

- Where do the youth of South Africa find themselves today in comparison to the youth of 1976?
- What are the lessons to be learned from the youth of 1976?
- What are proposed solutions to some of the key challenges facing the youth of 2016?

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The Commissions engaged with these questions together with specific questions formulated within the respective themes identified for each commission. The discussions of the commissions are captured thematically in key observations in the sections 8 through 10 of this report.

8.1 Commission on Youth and Economic Opportunities

The Commission deliberated extensively on issues of interest challenges to sustainable economic opportunities for youth. Participants also made recommendations for consideration by both the Executive and the Legislative Sector. The following questions guided the discussions in the Commission on youth and economic opportunities:

- What role does the NDP play in combatting youth poverty and unemployment while enhancing economic growth and promoting economic development, including entrepreneurship?
- How do we enhance the training and skills system so as to ensure that youth who acquire skills are able to add value to the economy through entrepreneurship and job creation?
- What areas of collaboration between the public and private sector would yield maximum benefit for youth economic development?
- Within the global economic context, how do we strengthen the micro-financing system so as to support youth entrepreneurship?

8.1.1 Key observations

- a) *Combatting youth poverty and unemployment, enhancing economic growth and promoting economic development & entrepreneurship*
- Government, state-owned entities (SOEs) and private sector appear to have done little for or invested minimally in youth-owned Small, Micro and Medium Enterprises (SMMEs) and co-operatives specifically towards helping the sector attain essential objectives as espoused in the NDP;
 - Funding opportunities for co-operatives in particular are not adequately communicated or known to the youth. This impacts negatively on access to such opportunities;
 - Since ratification of the Youth Employment Accord, no concrete steps for implementation have been taken at local government level;
 - The utilisation of NDP goals as a measure towards achieving Vision 2030 should incorporate the implementation of all current government strategies for youth development;
 - Challenges relating to applications and issuing of licences in furtherance of government's promotion of youth participation in the Blue Economy should be addressed;
 - Few opportunities are set aside for women youth entrepreneurs. This contributes to the continued marginalisation of women youth in economic development;
 - Youth are not sufficiently included in Government processes of policy formulation on youth matters. Consultants used do not always have a full appreciation of the issues that affect youth;
 - The time lag between the policy formulation and implementation is too long;
 - Although the informal sector contributes generously to the country's gross domestic product (GDP), it nevertheless continues to receive insufficient attention, support and research from the government, hence not much is known or understood about it;
 - The South African Reserve Bank's targeting of inflation tends to suggest that inflation is more important than employment.



b) Training and Skills

- Internship and learnership programmes appear to be more about compliance than being used strategically to create a pool of skilled employees. Moreover, Government and private sector employers do not have structured programmes to ensure that learnership and internship beneficiaries are placed in fulltime employment after twelve (12) months of training;
- The Integrated Development Plans (IDPs) of municipalities and local economic development (LED) strategies lack alignment to the NDP on issues affecting the youth;
- NYDA offices should be positioned across all the municipalities in the country. This could be used to improve access to information for youth.

c) Collaboration between the public and private sectors

- Shops and other businesses owned by foreign nationals tend not to employ South Africans. This also contributes to high rates of youth unemployment;
- Government should conceptualise public-private sector partnership programmes that will see youth being trained or offered employment and procurement opportunities in the nuclear build programme;
- Many of the youth possess skills which are not relevant in the areas where they live.

d) Micro-financing

- There is more focus on government providing financing, with few initiatives being created for private sector or foreign-owned businesses to partner with youth businesses or employ young people;
- Youth businesses are not prioritised or linked with investors doing or intending to do business in their communities;
- In areas in which businesses are established or operating,

there is no mechanism to ensure social reinvestment in the communities in which they do business or in which their clientele reside;

- International agreements that South Africa enters into do not bind potential investors to involve South African citizens in areas in which these investors operate. Furthermore, international agreements are not formulated to enforce the participation of youth.

8.1.2 Key achievements

- The 30 percent set aside (for funding of businesses) for young people is a great initiative and should be applauded;
- Programmes such as the National Youth Accord and NYP 2020 are welcomed, but more focus and resources are required to accelerate implementation;
- Training interventions by SETAs and government through service providers are welcomed. However, it is imperative that such training interventions are directed to beneficiaries or recipients who need them the most, not just individuals who want to take advantage of stipends that usually accompany these training initiatives.

8.1.3 Key challenges

- High rate of youth unemployment (including graduates) and poverty, which is exacerbated by skills shortages;
- Inadequate funding for business for youth;
- Lack of programmes to ensure that youth complete schooling and support youth that drop out of school;
- Lack of access to information on government programmes and opportunities;
- Lack of capacity in some municipalities to implement government youth programmes;
- Internships and learnerships do not lead to the absorption of participants in the workforce;

- Insufficient business premises (State facilities/buildings that remain unutilised that could be used for youth economic or business premises or student accommodation);
- Failure to effect payment within 30 days for services rendered to some departments (this contributes to the failure of youth businesses); and
- Labour brokers who exploit employees.

8.1.4 Recommendations

- Government plans and policies in all spheres (national, provincial and local) must be geared towards the implementation of the NDP;
- Government should assist in ensuring that youth businesses partner with the established private businesses;
- State Owned Enterprises should support youth businesses;
- All spheres of government should consider establishing youth directorates to ensure implementation of government undertakings on youth matters;
- Economic studies on how to advance business skills amongst youth, education in business and entrepreneurship should be included in the school curriculum in the appropriate grades;
- Re-industrialisation should be prioritised in order to create youth employment;
- Manufacturing and beneficiation of home-grown agricultural and mining products must be given primacy;
- Government must consider creating a separate ministry dedicated to youth;
- Government must consider and champion exchange of skills and resources amongst provinces;
- Retirement should be made compulsory at sixty (60) years in order to create opportunities for the millions of youth currently unemployed;
- Youth multi-purpose centres must be created throughout the country, which should include skills development and business development;
- Every school must be fitted with computer laboratories;
- Technical Vocational Education and Training (TVET) curricula and syllabi must be reviewed to prioritise subjects/courses required by the country;
- The public and private sector must jointly fund infrastructure development for educational institutions;
- Private-public partnerships should be formalised and strengthened by memoranda of understanding (MOU) in relation to work-based exposure training for youth. This should include the intensification of youth apprenticeships in the public and private sectors to bridge unemployment and skills gaps;
- Youth businesses should be part of the initiatives when business/shopping centres are built in communities;
- The Department of Rural Development and Land Reform must conduct an audit of all unused land previously given to co-operatives with a view to leasing this back to youth co-operatives;

- Young people should be part of the delegations accompanying the President to summits such as the World Economic Summit;
- A study should be conducted to identify skills scarcities other countries and South African youth should be trained in such skills. Bi-lateral agreements should then be brokered to initiate international youth employment programmes.

8.2 Commission on Youth and Access to Education

The deliberations of the commission on youth and access to education focussed mainly on the challenges experienced by young people with regard to access to education, payment of fees, funding of the post-school education and training sector, curriculum, resources as well as infrastructure.

The Commission's deliberations were informed by the following questions:

- What should be done to ensure that school property is not destroyed and learning and teaching are not disrupted during service delivery protests?
- What should be done to assist young people who are not in education, employment or training (NEET)?
- How do we find better ways of engaging to safeguard education and training infrastructure during protests by students in the higher education sector?
- How can the post-school education and training system (universities and TVET Colleges) be adequately funded in order to meet the NDP targets?
- The #FeesMustFall campaign and the 1976 Soweto Uprisings had the same goal in mind of ensuring quality, better education for all. What lessons could be gleaned from our history in this regard?

The Veterans of 1976 shared their experiences on how they valued education and conducted themselves during protests. The Commission also discussed recommendations to address current deficiencies relating to access to education.

8.2.1 Key observations

- The #FeesMustFall campaign has a common objective as the 1976 uprisings of ensuring better education for all. Central to the 1976 uprising was doing away with the Bantu Education system;
- In their pursuit to attain the goal of quality education for all, the 1976 generation did not destroy education infrastructure, but focused their energies on influencing change of policies, laws and politics;
- There is no justification for vandalising education and training infrastructure because of unresolved issues between university students and management, as well as between communities and Ward Councillors. It is the duty of the existing structures to teach young people that burning property that is meant to advance the development

of society is not progressive. Moreover, the youth should recognise and accept their individual and collective responsibility in socio-economic development, including education;

- The issues relating to use of certain languages as medium of instruction that arose from the student struggles in 2015/16 are similar to the struggle of 1976. The 1976 Youth noted that they fought for African languages to be used as medium of teaching and learning.

8.2.2 Key achievements

The progress made by government in the expansion of access to education and training opportunities for the youth, in particular youth from disadvantaged backgrounds.

8.2.3 Key challenges

- Destruction of school infrastructure because of the alleged failure by government to deliver promised services to the communities;
- Inability of local government representatives to address service delivery issues which leads to frustration within communities and social protest resulting in the destruction of public facilities, including schools;
- Lack of implementation of programmes such as Skills Accord (2011) and the Youth Employment Accord;
- Lack of access to opportunities by rural youth;
- Alleged fraud and corruption in the administration of the National Student Financial Aid Scheme (NSFAS) at universities. Ineligible students are allegedly benefitting from the Scheme, depriving needy students from accessing funds. It is a case of "who knows who" at the university financial aid offices;
- Reluctance to transform the institutional culture at certain institutions such as the North-West University, where similar entry requirements are required from learners coming from disadvantaged rural schools and those who studied at well-resourced urban schools; and
- Unfair discrimination including on the grounds of race that is still prevalent at institutions of higher learning.

8.2.4 Recommendations

As the recommendations of this commission were numerous, they are reflected thematically.

a) Training and skills development

- Young graduates should be trained as script writers to take advantage of opportunities created by the South African Broadcasting Corporation's (SABC) funding opportunity to create 80 - 90 percent of local content. This will create more jobs for young people in the creative industries;
- Government should accelerate the implementation of the National Skills Accord and the Youth Employment Accord;

- Education and training institutions should offer programmes that are responsive to the local economies of provinces, for example, agriculture in the Free State, mining and agriculture in the Northern Cape, Blue Economy in KwaZulu-Natal, Western Cape and Eastern Cape, etc;
- Skills development centres should be established to absorb the young people who are not in education, employment or training;
- Government should provide free education from Grade R to post-school education and training programmes;
- Mining companies in the provinces should fund the building of education and training infrastructure, as well as to assist with placement of students for work-integrated learning;
- Mining companies should fund bursaries for all students and not only focus on funding skills which are required in the mining sector;
- NSFAS should remove the administration of loans and bursaries from the institutions, by fast-tracking the inclusion of all the universities on the new Student-Centred Model;
- The Department of Higher Education and Training (DHET) should review institutional autonomy of higher education institutions, in order to allow the Minister to enforce a transformation agenda at the institutions of higher learning.

b) Destruction of education infrastructure

- There must be designated areas where protests should begin to allow for police monitoring in case the protest turns into acts of violence;
- Students together with unemployed youth in the wards should partner to devise programmes to improve conditions in their communities;
- Government should build 2nd Chance Villages to allow access of rural learners to development programmes;
- The Department of Higher Education and Training should provide leadership training for Student Representative Council members, and develop mechanisms for dialogue between students and university management. This would cultivate the notion of civic responsibility amongst students, for peaceful conflict resolution;
- Political leaders should educate communities that the performance of ward councillors is not linked to schools;
- There should be quick political and police response when threats of burning of schools are made.

c) Improvement of teaching and learning

- Government should employ more teachers to ensure reasonable teacher-learner ratios;
- Educators who improve their qualifications and provide quality education should be remunerated accordingly;
- To inculcate a deeper understanding of the history of South Africa, the school curriculum needs to be reviewed to reflect the African history;
- The infrastructure for E-learning should be developed in all schools, particularly rural schools;

- Government should accelerate delivery of school infrastructure, as well as build and refurbish school infrastructure for learners with disabilities;
- Government should integrate learners with disabilities in the mainstream schools. Such schools should have disability units with qualified and competent staff to provide better services for learners living with disability;
- Government should provide adequate classrooms where schools are merged;
- Career choice should take place during Grade 7;
- Government should strengthen, expand and adequately fund Early Childhood Development (ECD) in order to improve quality of education in the country, particularly in rural areas;
- Sector Education and Training Authorities (SETAs) should assist in the professional development of teachers;
- Sanitary towels should be provided to all female learners at schools and tertiary institutions;
- The Department of Basic Education in collaboration with the Department of Social Development should deploy social workers in all schools to respond to the psycho-social challenges encountered by both teachers and learners;
- Government should expand the provision of scholar transport, particularly, in areas where distances of commute are vast;
- School sports must be strengthened and sport competitions reinstated to develop the sporting potential of youth is developed and realised. The value of sport in social cohesion should be harnessed;
- Government should introduce opportunities for community work for all learners. This will instil the spirit of patriotism in communities;
- Safety and security in schools should be improved.

8.3 Commission on the Role of Youth in Creating Social Cohesion

The provincial youth delegates presented their provincial resolutions taken in their recently held Provincial Youth Parliaments. The Co-chairperson of the commission highlighted the avenues that young people can use to communicate their ideas without waiting for the National Youth Parliament. These include Parliamentary Democracy Offices, which are available in some provinces and are meant to give citizens an opportunity to address issues directly with the Members of Parliament from their constituencies.

8.3.1 Key observations

- Inadequate participation of youth in the programmes of government and inadequate provision of leadership opportunities for the youth;
- The exclusion of young people in the economic activities of the country are a barrier towards bridging the gap between the rich and poor and building social cohesion. The economy of the country is still in the hands of a few;

- Normalising abnormal behaviour in a society is the main contributor to promoting some criminal activities, for example when the society finds it appropriate to refer to a criminal behaviour such as rape as a "rape culture". Rape at universities is a gross violation of rights that has far-reaching consequences for successful learning and development and must be dealt with decisively;
- Increased representation of all the racial groups in the National Youth Parliament will contribute towards nation-building and social cohesion;
- Fostering family and cultural values will contribute to social regeneration and promote respectful and responsible engagement by youth and youth groups in addressing their challenges ;
- Cultural activities and practices should be regulated to protect young people;
- Opportunities should be created for young people across racial and socio-economic groups to share their experiences and challenges in a common and safe space.

8.3.2 Key challenges

- The culture of entitlement by male counterparts promotes a "rape culture" in the country. Furthermore, many rape cases tend to be settled out of court and this gives an impression that rape is acceptable;
- Social and economic inequality are the root causes of social disintegration;
- Substance abuse and alcoholism amongst youth are barriers to social integration and must be addressed.

8.3.3 Recommendations

- Young people should participate actively in all initiatives that foster social cohesion such as "KNOW YOUR NEIGHBOUR";
- National Youth Services in the Eastern Cape Province should focus on education and empowering young people with skills;
- Youth participation in the economy should be encouraged and facilitated;
- Unity among racial and age groups must be forged in order to achieve social cohesion;
- The same level and quality of facilities and infrastructure should be provided in township schools as in schools in former White areas. This may encourage integration among the youth and teachers of different racial groups;
- Provision of youth exchange programmes is essential in exposing young people to the world and many different cultures;
- A national programme should be introduced that builds patriotism, and understanding of the Constitution including constitutional rights and obligations.

"FOLLOWING UP ON OUR COMMITMENTS TO THE YOUTH: PARTNERING WITH THE YOUTH TO STRENGTHEN LOCAL C



Conclusion

9. Conclusion

The National Youth Parliament serves as an important catalyst to national dialogue on youth matters. The programme was structured to not only highlight the challenges faced by the youth but also to acknowledge successes and make recommendations for further improvement. The recommendations can be located within certain portfolios of government and can therefore be referred to relevant parliamentary committees at national and provincial levels. These include, amongst others, committees charged with oversight in the areas of Education (Basic and Higher); Economic Development, Small Business Development, Social Development, Arts and Culture, Sport and Recreation.



Furthermore, the Legislative Sector should ensure that the recommendations from the National Youth Parliament are debated in the Parliament and the Provincial Legislatures and are adopted as resolutions. Once adopted, resolutions would be referred to relevant committees and the Executive. Committees must ensure that the respective resolutions are included in their programmes as part of their oversight activities. Committees will report to the Houses on the outcomes of their monitoring of implementation of specific resolutions and government's youth programmes in general.

The National Youth Parliament advanced certain recommendations on the role of the Legislative Sector in accelerating youth development in South Africa and addressing the challenges faced by the youth. These included that the Legislative Sector should:

- Ensure that the recommendations made by the youth are included in the annual plans of the national and provincial departments and municipalities.
- Intensify the oversight function over the executive to ensure regular substantive reports on the implementation of the recommendations; and
- Give feedback to the youth about the progress on the implementation of the recommendations.

It is critically important that the Legislative Sector establishes adequate mechanisms for regular feedback to the youth. The first of such feedback processes should not be later than six months after the National Youth Parliament. It is suggested that progress on the advancement of matters emanating from the Youth Parliament be a standing item on the agenda of the Speakers' Forum for continuous monitoring and evaluation.





NOTES

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15 September 2017

**International Conference on Women and the Changing World of Work – Giving Effect to the Sixty-First Session of the Commission on the Status of Women
Conference Report**

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Executive Summary

The International Women's Conference on Women and the Changing World of Work was structured around 3 themes:

1. Women and the Changing World of Work;
2. Sexual Violence and its Relationship to Productivity in the Economy;
3. The Role of Parliaments in Changing the World of Work for Women.

The following key issues emerged during the course of the conference:

Women and economic empowerment: The release of the recent 'Poverty Trends in South Africa'¹ report by Statistics South Africa shows that the face of poverty is female. This is true for the rest of the African continent and is also the situation globally. There is a significant need to break down the structural barriers that impede upon women and girls accessing equal rights. All economies depend on the unpaid care work provided by women and girls. Yet, almost none of the women in the care economy have legal protection. It is vital that care work is valued. This can bring about positive results for economies. Economic policies need to focus on women who work at the bottom of the pyramid and on bringing the informal sector into the economy. More than half of all women workers around the world are in located in the informal economy and states cannot afford to ignore them.

¹ Poverty Trends in South Africa, Statistics South Africa, 2017



Violence against women: This is a significant obstacle that negatively impacts on women's lives and exacerbates their economic disempowerment. Violence against women is so pronounced that it can be described as being a physical and psychological warfare waged on women. Violence against women has a negative impact on everyone in society and must be addressed at all levels. In addition, violence-free societies have a positive effect on growing the economy. It is estimated that 15% of all sexual offences take place at the workplace. Violence significantly affects both women and places of work, for example, in the form of absenteeism, loss of productivity, high staff turnover and costs to companies. When women are economically vulnerable, they are more dependent on men and unable to leave violence relationships.

Sexual harassment at Parliaments: It is not possible to have a conversation about violence against women in the workplace without looking at sexual harassment at Parliaments. Parliaments are places of work and it is important that their policies cover sexual harassment between Members of Parliament and staff. Parliaments should set an example by taking a strong stance against tolerating sexual harassment. It is important to understand how the 'sexual economy' operates in places of work whereby sexual harassment is used as a way of ensuring promotion and opportunity.

Women in marginalised sectors of employment: The face of poverty on the African continent is female. The legacy of colonialisation and racism has meant that black women constitute the majority of the poor. Economic empowerment measures must seek to redress the imbalances of the past. Further, it needs to place emphasis on the plight of women in vulnerable sectors of employment such as in the informal economy, farm workers, domestic workers and sex workers.

Income inequality: There is a dire need to change the established patterns of gender inequality in institutions, particularly as regards income inequality. On average, women earn 23% less than men. They work an average of 3 months more for the same pay. As part of the focus on changing the world of work for women and making it more equitable, states must embark on a targeted campaign to address income equality and ensure that there is equal pay for equal work.

Creation of gender sensitive places of work: In dismantling patriarchy, it is necessary to transform structural inequality and to ensure that workplaces become gender-equal spaces where



women's worth is valued equally, where the physical environment is gender sensitive (such as spaces for breastfeeding) and where the organisational ethos is sensitive to women's family responsibilities.

Care work: Social care work is performed predominantly by women and is paid less by what is traditionally perceived to be more masculine work. There is a need to pay and value this kind of work more. For example, on average, house mothers at shelters for abused women earn about R2500 per month. Parliaments have an important role to play in considering minimum wage levels.

Development of action plans: When the United Nations was established 71 years ago, it was founded with a commitment to gender equality. While great strides have been made towards promoting the rights of women and girls, progress has been slow and unequal and the achievement of gender equality is still a goal and not a reality. In addition, there has been an erosion of some of the gains made in promoting gender equality in areas where progress had already been made. Swift and decisive action is needed to address this. For this reason, states need to develop national action plans for the attainment of gender equality. These should have clear targets and benchmarks against which progress should be measured. At the level of the United Nations, a commitment has been made to ensure that more women are put into positions of senior leadership. A clear goal has been made for 50/50 representation in positions of leadership by 2026 in this regard and states need to develop their own plans in this regard.

Focus on SDGs: Monitoring the implementation of the SDGs is critical to the promotion of gender equality. One of critical areas of concern of the Beijing Platform for Action is to ensure that states ensure that there are mutually reinforcing links with all international instruments aimed at the eradication of poverty. The conference must seek to strengthen the global normative framework and must attempt to link together regional and international instruments aimed at eradicating gender inequality. Monitoring the implementation of the SDGs from a gender perspective is critical.

2030 Agenda for Sustainable Development: The 2030 Agenda for Sustainable Development which was adopted by all member states in the United Nations is critical to the promotion of gender equality. Its vision is transformative in nature and it has specific timeframes for the achievement of



certain targets. The achievement of full human potential is not possible without gender equality. It requires the systematic mainstreaming of gender quality into all processes at state level. The 2030 Agenda for Sustainable Development is a critical instrument for transforming society at the level of gender oppression.

Technology as a tool to women's empowerment: Innovation and technology are key to unlocking women's economic potential. Ensuring that women and girls are technologically empowered, computer literate and able to navigate their way on the internet, is critical to growing their knowledge base. In addition, this is key to economic survival in the formal economy. Digital literacy is a basic requirement for economic development and being absorbed into the world of work. States therefore have a responsibility to ensure that they invest in access to multi-purpose centres that make computers and internet access readily available, particularly in impoverished communities. Technology can expand women's access to the economy and to entrepreneurship. It can play a critical role in assisting with addressing violence against women, for example, by facilitating access to safe houses, forensic evidence etc.

Development of gender sensitive policies: The world of work is changing rapidly and in profound ways. There is a need to put in place the right policies and measures to cater for this. States must focus on 3 things at a policy level, namely to focus on investing in the care economy and the links between paid and unpaid work, to ensure equal pay for equal work and reduce the gap in this regard and to address sexual harassment and violence against women.

The role of Parliaments: In most countries in the SADC region, there are good legal frameworks for women's equality and empowerment, which are entrenched in Constitutions. However, enforcement and implementation is poor. Parliaments can initiate legislation that reduces gender inequality. Parliamentarians also have a responsibility to scrutinise gaps and weaknesses in legislation, as well as to ensure the domestication of regional and international legislation and instruments that have been ratified. Through their oversight role, parliaments should also ensure that there are dedicated budgets for women's programmes and that government departments engage in gender-responsive budgeting. Parliaments must therefore strengthen their oversight and accountability mechanisms.



The importance of Women's Caucuses: Women's Causes are an important platform for women to come together across the political divide and create a space to discuss issues that affect all women regardless of party affiliation. Women's Caucuses must engage with civil society and, furthermore, they should engage with a body of robust research on the issues that negatively impact upon women's development. Women's Caucuses should find effective ways of collaborating with civil society organisations in order to broaden their knowledge base on issues that affect women.

Gender responsive budgeting: A critical issue that emerged over the course of the conference is the issue of budgets, of ensuring that there are adequate resources for investing in women's economic empowerment and addressing violence against women. Parliaments have a critical role to play in ensuring that governments use gender responsive budgeting as a tool for ensuring that public expenditure is viewed through a gendered lens.

1. Introduction

The South African Parliament hosted a 2-day international conference with the theme "Women in the Changing World of Work" on 29-30 August 2017.

The objectives of the conference were:

- To create a platform for the discussion of progress made on the continent in absorbing women into the economy and in creating working environments that are gender sensitive.
- To discuss the challenges in relation to absorbing women into the economy and the factors that impede upon their career progress and ability to manage their gender roles in work environments.
- To give effect to resolutions made at the 2016 Women's Parliament in relation to women and economic empowerment.
- To provide a platform for reporting back on the sixty-first session of the Commission on the Status of Women.



- To develop clear national plans to give effect to resolutions adopted at the sixty-first session of the Commission of the Status of Women.

The conference was structured around 3 broad themes:

- 1.1. WOMEN AND THE CHANGING WORLD OF WORK:** The conference was located in the context of taking forward the agenda of the sixty-first session of the Commission on the Status of Women. Its key focus was on why it is necessary to take women's gender interests and needs into account in the world of work and an assessment of the related gains and challenges in this regard. Innovation in changing the world of work for women received focused attention. This included, amongst others, taking into account women's triple gender role in a work context; the role of technology in unlocking women's economic empowerment; and best practice models in creating gender-sensitive work environments. Protecting the rights of women in vulnerable sectors such as in the informal economy, domestic workers, sex workers and women on farms were also a key focus point.
- 1.2. SEXUAL VIOLENCE AND ITS RELATIONSHIP TO PRODUCTIVITY IN THE ECONOMY:** Sexual harassment and violence against women have a significant, wide-ranging impact on women and negatively impact on their ability to be healthy, well and productive in the economy. The conference considered the ways in which violence detracts from women's ability to work and how it negatively contributes to economic productivity on the whole. It considered effective mechanisms of addressing sexual harassment and violence so that women are better able to participate in the economy.
- 1.3. THE ROLE OF PARLIAMENTS IN CHANGING THE WORLD OF WORK FOR WOMEN:** The conference sought to find innovative ways in which Parliaments can engage in legislative and oversight activities that address the barriers to women's effective participation in both in the economy and in their work environments. This included a focus on legislative review, parliamentary oversight as well as the use of international instruments in enhancing women's participation in both the formal and informal economy.



2. Summary of the Opening Address by Hon B Mbete, Speaker of the National Assembly, South Africa

Hon Mbete noted that the conference takes place at a time when South Africa celebrates 20 years of its Constitution and the National Council of Provinces. It takes place within a context where the South African Parliament reflects on the gains made in promoting women's rights and identifies the key challenges that must be addressed. This must happen concurrently with a process of strengthening the normative and legal frameworks that will enable decent work for women. The Speaker advised that the conference was intended to be a platform for taking forward the resolutions of the sixty-first session of the Commission on the Status of Women. Ensuring that states are implementing policies for women's economic empowerment was pivotal to the conference. As part of ensuring that women are economically empowered, the conference should engage with the role of technology-driven advances and its impact on women as well as strengthening the private sector's role in women's economic empowerment. The goal was to emerge with practical outcomes that tackle the structural barriers to women's economic empowerment and gender equality.

The Speaker highlighted the following key issues to guide the conference discussions:

2.1. THE NEED FOR 50/50 REPRESENTATION: The United Nations committed to ensure that more women occupy positions of senior leadership. A clear goal was established for 50/50 representation in positions of leadership by 2026. Sustainable development Goal 5 focusing on gender equality focuses on women's empowerment. Yet, achieving gender equity is still a challenge. South Africa has advocated for 50/50 representation of women in its government and will ensure that more women are absorbed into positions of senior leadership, including at the highest level. This is by no means a stretch target, but a precondition for making further progress in advocating for gender equality. On the African continent, there are sterling examples of women who have led their countries from which South Africa can learn.

2.2. THE INTERSECTION BETWEEN GENDER EQUALITY AND SOCIO-ECONOMIC DETERMINANTS SUCH AS HEALTH, EDUCATION AND ECONOMIC ACTIVITY: In



engaging with the conference themes, exploration of every aspect of gender equality such as health, education, economic activity, power relationships within families and societies, and to engage with the ways in which each of these areas have experienced a mixed pattern of change was imperative. The world of work is rapidly changing within a global context of pushing for a green economy, digital change and technological innovation and these should be addressed in the context of women's economic liberation.

- 2.3. THE REVIEW OF LEGISLATION IN SOUTH AFRICA:** The South African Parliament has passed a number of laws to create an enabling environment for gender equality. It has also set up institutional structures such as the gender machinery to accelerate the pace of change. However, many systemic challenges remain and there is a need to assess the impact of legislation on the quality of life of women.

In South Africa, the High Level Panel on the Assessment of Key Legislation has spearheaded a review process of assessing legislation in South Africa and its impact on the lives of South Africans. Preliminary findings underscore the fact that the inequality gap has not narrowed – the triple challenges of poverty, class and race still remain. A radical rethink of economic ownership and land patterns is therefore required.

- 2.4. ADDRESSING GENDER-BASED VIOLENCE:** Globally, gender-based violence has become an epidemic. In South Africa, we battle with this scourge on a daily basis. Cultural and societal norms enable widespread gender-based violence, which impacts on all aspects of women's lives, including their ability to participate in the economy and on their health and well-being in general.

- 2.5. VALUING WOMEN'S WORK AND ENSURING ACCESS TO TECHNOLOGY:** The contribution of women and girls to unpaid care must be addressed as it is the work traditionally associated with men that is valued, while social care work is undervalued and unpaid or underpaid. There is also a need to promote the participation of men in care work so that women are better able to enter paid work.



It is essential that women are included in the technological and digital revolution as it is pivotal to their future economic well-being and success. The conference therefore engaged with women's rights through a human rights lens. The participation of women in economies is an essential precondition for effective development.

3. Summary of the Conference Address on Locating the Conference by Hon T Didiza

In locating the conference, Hon T. Didiza highlighted the need for parliaments represented to ensure that the gender pay gap is closed by assessing and measuring the impact of government policies. The Fourth Industrial Revolution offers both benefits and challenges as states grapple with how to use it to the benefit of women and ensure that they do not lose jobs.

The House Chairperson highlighted the following key issues:

- 3.1. **PARTICIPATION BY WOMEN IN THE LABOUR FORCE:** Although more women are participating in the labour force, they occupy low levels and low paying positions within the labour force ranks. The pace of change in accelerating women into skilled and senior positions has been slow.
- 3.2. **UNPAID CARE WORK:** Women contribute disproportionately to the care economy. The notion of wellness in a society is inextricably linked to notions of care, where social organisation is structured around caring for those in need, in the interest of society as a whole. Girl-children start contributing to the care economy at an early age and are involved in unpaid care work at the expense of engaging in developmental activities such as focusing on their studies.
- 3.3. **MEASURING OF COUNTRY PERFORMANCE:** The World Economic Forum's Global Gender Gap Report in 2016 showed that only 50 percent of women of a working age are in the labour force, compared to 77 percent of men, with the gap in labour force participation being especially large in Northern Africa, Western Asia and Southern Asia.



Globally, more women than men are likely to be unemployed and women are more likely to be employed on a part-time basis. Women are also less likely to be in decision-making positions and they earn between 70 – 90 percent of what men earn across all sectors and occupations. The Global Gender Gap Report shows that if women are not properly absorbed into economic activity, it impacts negatively on the whole of society. In Europe, for example, where there has been increased economic growth, women have played an increased role in the economy. Countries need to assess the impact of their policies in closing the gender gap index.

3.4. BENEFITS AND CHALLENGES OF TECHNOLOGY: Technology brings with it speed, efficiency and swift communication but it can also lead to the displacement of women in the labour force. In order to circumvent this, women must be empowered to ensure that they embrace and keep abreast of technological change through ongoing learning and skills development.

3.5. INCOME INEQUALITY: On average, women work longer hours and earn less than men. There is a need for a targeted campaign to ensure income equality and equal work for equal pay.

4. Summary of the Message of Support from the Southern African Development Community Parliamentary Forum (SADC PF), Senator M Mutsvangwa, Vice President SADC PF

Senator Mutsvangwa delivered a note of support to conference delegates from the Southern African Development Community Parliamentary Forum (SADC PF). The Vice President acknowledged the role of Speaker Mbete in organising the conference, which was much needed in developing collective strategies to deal with the economic challenges facing women on the African continent. She pointed out that a conceptual shift was needed when dealing with women's economic empowerment. This required critically examining women's economic empowerment through the lens of what is right from a human rights perspective as opposed to operating from the premise that women are "asking for charity." Women have worked hard and made an invaluable



contribution to national and global economies, yet this has not been valued in monetary terms. Senator Mutsvangwa further highlighted that women of the SADC region must, as a matter of urgency, catch up with their global counterparts in addressing obstacles to their economic empowerment. Given the changes in the labour market, the conference must engage with these and embark upon an analysis of threats and opportunities in taking forward women's economic empowerment. Senator Mutsvangwa also called on SADC-PF Member States to put in place regional empowerment targets that would remove the subordinate status of women and indicated that the SADC-PF has developed guidelines for gender responsive budgeting. The Vice President highlighted that the challenge is in ensuring that states act on these. Furthermore, Member States were urged to support the transformation of SADC-PF into a sub-regional Parliament with full legislative and oversight powers.

The Vice President of the SADC-PF highlighted the following key issues:

- 4.1. **CHALLENGES IN THE SADC REGION:** Remedial action that corrects past imbalanced gender relations as a result of patriarchy and deep-rooted prejudices must be implemented. In addition, ways of ensuring that women benefit from economic opportunities must be fast-tracked and concerted plans and strategies must be developed, against which progress should be measured. Women's capacity must be increased through skills development initiatives to ensure access to procurement opportunities and participation in the mainstream economy.
- 4.2. **ROLE OF PARLIAMENTARIANS:** Parliamentarians should be cognisant of the challenges faced by national economies and must ensure gender responsive and enabling legislation and policy frameworks. SADC States have solid and inclusive constitutions – these constitutions must be upheld, implemented and enforced.
- 4.3. **RECOMMENDATIONS FOR PROGRESS:** Access to finance and credit for women to access possibilities for significant economic empowerment is important. One option here is the establishment of a women's microfinance bank to increase access to capital, as well as access to land and markets. Gender-based violence and pay disparities in the workplace must be eradicated. Unpaid care work and poorly paid domestic work



must also be addressed. It is imperative that Members of Parliament are skilled with gender-responsive policy analysis skills and that all stakeholders, in particular the private sector, are involved in formulating solutions to promote women's empowerment. Men must also be included as champions for change in facilitating women's economic empowerment.

5. Summary of the Conference Lecture by Dr J Kabwila, Chairperson of the Regional Women's Parliamentary Caucus

Dr Kabwila emphasised that the conference was a strategic opportunity to establish an agenda that could facilitate women's economic empowerment. Within a global context, the world of work is changing rapidly for women, yet women's conditions globally have not improved in ways that eradicate the feminisation of poverty. In the political arena, men still dominate in key decision-making positions and there is need to change this to ensure that more women become active in politics. Women in politics have a critical role to play in creating an enabling policy environment for women's economic empowerment. It is therefore critical that the barriers to women's participation in politics are addressed.

Dr Kabwila raised the following key issues:

- 5.1. **THE PATRIARCHAL DIVIDEND:** The concepts of 'work' and 'worker' have been determined by men. Similarly, the way in which institutions such as the workplace, marriage, religion and communities operate have been determined by men and in ways that puts their interests first. There are also instances where women are harvesting the patriarchal dividend and using it to promote their own success, but in ways that reinforce patriarchy and sustain the oppression of other women. Ultimately, this benefits institutions with androcentric values and does nothing to address structural inequality.

- 5.2. **WOMEN'S UNPAID CARE WORK:** Women's labour should not be cheap or unpaid, both in the home and outside of it. The majority of women work in the care industry where they are not being compensated adequately. In order to address this holistically,



enabling legislative and policy frameworks must be reviewed. In addition, vigorous oversight that monitors the implementation of plans to economically empower women, as well as gender responsive budgeting and budget tracking, to ensure that women's labour is paid for fairly requires urgent attention. It is also essential that states take responsibility for good governance and eliminating corruption in the public sector as this negatively impacts on service delivery to girls and women and redirects state resources from investing in eliminating economic injustice.

- 5.3. SOCIAL CORPORATE RESPONSIBILITY:** Social corporate responsibility must be gender-aware and seek to promote women's interests and needs. Many companies are doing very little to address structural inequality. There is a need for the private sector to play a pivotal role in enhancing the education of girls and promoting women's economic empowerment.
- 5.4. ACCESS TO EDUCATION:** Access to good quality education is the single biggest investment that can be made on the African continent to equip women to break the cycle of poverty and enter the labour market in jobs that pay well. This means that states must prioritise education and ensure that the quality of the education provided is of a high standard and that the systems for managing education are intact and functioning properly. It also entails ensuring that teachers are suitably qualified, that learners have access to the internet, that there is a good educational infrastructure in place, good working conditions for teachers, rural electrification, access to water and sanitation, and policies on child brides, amongst others. In addition, both the public and private sector must invest in bursary schemes for girls.
- 5.5. GENDER-BASED VIOLENCE:** Women should have control over their bodies and be allowed to make their own decisions regarding sexual reproductive health. Sexual violence in all its forms should be eradicated. The world of work must also enhance and accommodate women's reproductive health issues, put in place strategies to prevent and address sexual harassment and play a role in society in eliminating gender-based violence in all its forms.



6. Panel Discussion on Setting the Scene: Assessment of the Gains Made and Outlining the Challenges to Creating Work Environments that are Sensitive to Women's Needs and Gender Roles

Panellists: Minister L Zulu (Department of Small Business Development, South Africa), Ms F Shabodien (Action Aid), Advocate B Gawanas (Ministry of Health and Social Services, Namibia), Moderated by Hon T Didiza (House Chairperson, Parliament of South Africa)

The main aim of this panel discussion was to provide a reflective and a prospective account of successes and challenges in creating inclusive working environments and advancing the economic empowerment of women. Panellists raised the following key issues:

- 6.1. WOMEN AND ECONOMIC EMPOWERMENT:** There is a significant need to break down the structural barriers that impede women and girls accessing equal rights. On the African continent, the face of poverty is equated with that of a black, rural woman. More than half of all women workers around the world are in located in the informal economy and states cannot afford to ignore them. The ability of women to be economically active, educated and adequately skilled is critical to business performance and economic prosperity on the whole. Global research has shown that greater equality between men and women has a direct link to increased productivity and a higher GDP. In South Africa, it is essential to monitor small and medium business enterprises, particularly in the agriculture, mining and manufacturing industries in terms of progress made in facilitating women's economic empowerment.

- 6.2. WOMEN IN MARGINALISED SECTORS OF EMPLOYMENT:** The legacy of colonisation and racism has meant that black women constitute the majority of the poor. Economic empowerment measures must seek to redress the imbalances of the past. Furthermore, emphasis should be placed on the plight of women in vulnerable sectors of employment such as in the informal economy, farm workers, domestic workers and sex workers.



- 6.3. INCOME INEQUALITY:** There is a dire need to change the established patterns of gender inequality in institutions, particularly as regards income inequality. An example was cited of the Shoprite CEO who earns R50 million a month, compared with the average Shoprite store worker who earns about R2 500 a month. Another example cited was that of women working in commercial farming, often below what should constitute a minimum wage. Most jobs in this sector are on a casual basis, with no maternity or housing benefits and women workers are often exploited. Women in the informal economy are rendered particularly vulnerable.
- 6.4. CREATION OF GENDER SENSITIVE PLACES OF WORK:** In dismantling patriarchy, it is necessary to transform structural inequality and to ensure that workplaces become gender-equal spaces where women's worth is valued equally, where the physical environment is gender sensitive (such as spaces for breastfeeding) and where the organisational ethos is sensitive to women's family responsibilities.
- 6.5. TECHNOLOGY AS A TOOL TO WOMEN'S EMPOWERMENT:** Innovation and technology are key to unlocking women's economic potential. Ensuring that women and girls are technologically empowered, computer literate and able to navigate their way on the internet, is critical to growing their knowledge base. In addition, this is key to economic survival in the formal economy. Digital literacy is a basic requirement for economic development and being absorbed into the world of work. States therefore have a responsibility to invest in access to multi-purpose centres that make computers and internet access readily available, particularly in impoverished communities. Technology can expand women's access to the economy and to entrepreneurship. It can play a critical role in assisting with addressing violence against women, for example, by facilitating access to safe houses, forensic evidence etc.
- 6.6. DEVELOPMENT OF GENDER SENSITIVE POLICIES:** The world of work is undergoing rapid and profound change. There is a need to put in place the right policies and measures to respond adequately to this. States must focus on three main policy issues: (i) investing in the care economy and the links between paid and unpaid work,



(ii) ensuring equal pay for equal work and reducing the gap in this regard and (iii) addressing sexual harassment and violence against women.

6.7. ROLE OF THE PRIVATE SECTOR: A culture of socio-corporate responsibility is lacking globally. The private sector should take responsibility for both ensuring that their places of work are gender sensitive as well as investing in social initiatives to address structural inequality. Over and above the concept of the private sector taking on a greater sense of socio-economic responsibility, it should also take on board the notion of corporate-social reparations. In this way, it can begin to make amends for a long historical legacy of ill-treating and exploiting workers, particularly women. This is especially applicable in the mining sector.

7. Panel Discussion on Setting the Scene: Women and Economic Empowerment on the African Continent: A Synopsis of the Key Challenges and How They Can Be Creatively Addressed

Panellists: Ms J Owigar, Co-founder and Operations Director of JuaKali (Kenya), Ms Marlise Montsho, President of FemTIC Dev (Benin), Ms S De Martino, Economist: Mind, Behaviour and Development Unit, World Bank (USA), Moderated by Hon E Ntlangwini

Panellists raised the following key issues:

7.1. FOCUS ON INTERNATIONAL INSTRUMENTS: Monitoring the implementation of the Sustainable Development Goals (SDGs) is critical to the promotion of gender equality. One of the critical areas of concern of the Beijing Platform for Action is to ensure that there are mutually reinforcing links with all international instruments aimed at the eradication of poverty. The conference must seek to strengthen the global normative framework and must attempt to link regional and international instruments aimed at eradicating gender inequality. Monitoring the implementation of the SDGs from a gender perspective is critical. The vision of the SDGs is transformative in nature and it has specific timeframes for the achievement of certain targets. The achievement of full

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human potential is not possible without gender equality. It requires the systematic mainstreaming of gender equality into all processes at state level. The 2030 Agenda for Sustainable Development is a critical instrument for transforming society at the level of gender oppression.

- 7.2. DEVELOPMENT OF ACTION PLANS:** There has been an erosion of some of the gains made in promoting gender equality in areas where progress had already been made. Swift and decisive action is needed to address this. Therefore, states need to develop national action plans for the attainment of gender equality. These should have clear targets and benchmarks against which progress should be measured.
- 7.3. ECONOMIC EMPOWERMENT OF WOMEN:** Coordination of structures that focus on the development of women in business that promote access to business and training opportunities is required. The approach of focusing only on providing women access to micro credit is not enough. Women-owned businesses need leverage and the ability to grow in scope thereby realising potentials beyond that of a small business. One of the key avenues for the economic empowerment of women is through women political leaders monitoring the extent to which the procurement of government services is preferentially given to businesses led by women. Economic empowerment must happen at all levels of society, at the top levels such as by ensuring that women are equally represented in political decision-making positions and at grassroots level, by ensuring that men are more involved in family and community care work so as to ensure that women have more time to enter into economic activities.
- 7.4. CHANGING SOCIAL NORMS – CULTURE AND TRADITION:** Culture and tradition are key structural barriers that impede progress in the fight for gender equality and the eradication of patriarchy. There is a need to envisage the world that we want to create 20 years from now, with a gender perspective. Women should define the vision of this world and the changes that they want to see come into effect. In the context of women in the world of work, there needs to be a clear vision of what is needed to transform the world of work in order to assist women to be integrated fully into the economy in a way that it is sensitive to their roles as caregivers. An example of this how workplaces did



not previously provide for maternity leave. Women activists had a clear vision for changing this and progressive laws governing maternity leave were subsequently promulgated.

- 7.5. FAMILY ROLES AND RESPONSIBILITIES:** Many women end up sacrificing their careers so that they are able to be more active in their families and homes. There is a need to examine this in the context of patriarchy and explore the implications of this on women's financial independence and the ability to make life decisions such as when women want to leave a marriage or relationship. Many women find themselves in situations where, because they have had no career pathing and have dedicated their time and energy to their families, they are unable to leave abusive relationships and start out on their own because they are unable to enter the formal economy.
- 7.6. EDUCATION AND SKILLS DEVELOPMENT:** Education and skills development is key to creating a platform upon which women can grow their career potential. A critical part of this is the mentoring of young girls by skilled women so that they are able to develop their skills and abilities to their full potential. Skills development in areas where women and girls have not traditionally been encouraged such as maths and science, are areas that must receive particular focus. Campaigns that focus on creating positive role-models for younger women, such as "telling her story," which aims to create awareness about women leaders who have made significant achievements, should be developed and expanded.
- 7.7. INTENSIFY AND UP-SCALE GENDER MAINSTREAMING:** Gender mainstreaming is a globally accepted strategy to promote gender equality. It is a strategy for making women's experiences and needs an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that inequality is not perpetuated. Parliaments have a critical role to play in monitoring gender mainstreaming by government departments in order to ensure that women's economic empowerment is facilitated.



- 7.8. CREATING ENABLING LEGISLATIVE FRAMEWORKS:** An enabling legislative framework is critical to ensuring that women's economic rights are protected and promoted. Legislation must make adequate provision for education and skills development, affirmative action, and measures aimed at eradicating economic inequity.

8. Panel Discussion on Violence Against Women and Sexual Harassment and Its Impact on The World of Work

Panellists: Minister S Shabangu (Department of Women in the Presidency), Ms L Vetten (PhD Fellow at the University of the Witwatersrand), Moderated by Hon D Robinson

Panellists raised the following key issues:

- 8.1. VIOLENCE AGAINST WOMEN AS AN EPIDEMIC:** Violence against women is a significant obstacle that negatively impacts on women's lives and exacerbates their economic disempowerment. Violence against women has a negative impact on everyone in society and must be addressed at all levels. In addition, violence-free societies have a positive effect on economic growth. The Minister noted that an estimated 15 percent of all sexual offences in South Africa took place at the workplace, with 28 percent of these being attempted rapes. Almost 30 percent of these sexual offences involved a knife. In 2014, KPMG² estimated that the cost of violence against women to government was somewhere between R 28.4 billion and R42.2 billion.
- 8.2. ECONOMIC DEPENDENCY EXACERBATES GENDER-BASED VIOLENCE:**
Women's structural economic dependence on men contributes to domestic violence and creates conditions of inequality. When women are economically dependent on men, they are unable to leave violent relationships.
- 8.3. WORK AS A PLACE OF VIOLENCE:** The workplace can be a site of violence for many women. Reliable information on the situation in South Africa is not readily available.

² KPMG, "Too Costly To Ignore – The Economic Impact of Gender-Based Violence in South Africa," 2014



The Department of Labour should conduct research in this regard. Domestic workers and those working in unregulated occupations such as vendors are not adequately protected by law. In addition, women sex workers are extremely vulnerable due to the illegality of sex work. Many women do not report sexual harassment for fear of losing their jobs. Women who are most vulnerable are those in low-skilled, low-paid jobs and those working in the rural economy.

8.4. VIOLENCE AFFECTS WORK AND WORKPLACES: Gender-based violence impacts on the workplace in that it results in high levels of absenteeism as well as a loss of productivity and other opportunities. It can result in high staff turnover and the costs to companies can include costs for vicarious liability. Yet domestic violence is still seen as a private issue and not something that the employer should get involved in. Women are not provided with adequate support in terms of time off and other psycho-social support. The corporate sector should assume some responsibility in addressing domestic violence. Potential options here are to partner with shelters for provision of housing or learnerships for women who have suffered abuse.

8.5. SEXUAL HARASSMENT AT PARLIAMENTS: It is not possible to have a conversation about violence against women in the workplace without looking at sexual harassment at Parliaments. Parliaments are places of work and it is important that their policies address sexual harassment between Members of Parliament and staff. Parliaments should set an example by taking a strong stance against tolerating sexual harassment by Members of Parliament due to the power dynamic between Members and staff. It is also important to understand how the 'sexual economy' operates in places of work whereby sexual harassment is used as a way of ensuring promotion and opportunity.

8.6. CARE WORK: Social care work is performed predominantly by women. Remuneration for such work is lower than similar traditionally masculine work. For example, on average, house mothers at shelters for abused women earn about R2 500 per month. Parliaments have an important role to play in considering minimum wage levels. One in five women earn less than R1 000 per month as compared to 1 in 10 men. In addition, women form the largest proportion of employees in paid care work.



- 8.7. BREAKING DOWN PATRIARCHY:** One of the most challenging aspects of patriarchy is that it is violent. The fact that violence has become a normalised conflict resolution mechanism where physical and sexual violence is used to settle conflicts with women is a situation that exists because of patriarchy. The dismantling of patriarchy requires interaction and strategic planning at a global level. As part of this, clear goals must be set with a focus on winning the war and not just short-term battles. Data and evidence are key to compiling information required to measure progress in this regard. The social norms that enable patriarchy must be clearly identified and plans must be put in place to address these.
- 8.8. AWARENESS AND ADVOCACY:** The language of society must change as it encourages sexual violence and harassment – sexist and derogatory jokes in the office and social media must not be tolerated. This kind of sexualised language must not be normalised. The way we socialise our young children, and in particular young men and boys, must also be different – gender equality must be at the centre of socialisation. In addition, tolerance must be promoted – people’s sexuality and choice of attire are no reason for condemnation and discrimination.
- 8.9. SUPPORT PROGRAMMES FOR VICTIMS OF GENDER-BASED VIOLENCE:**
Although Victim Empowerment Programmes and interventions exist, implementation must be improved. Support systems needed to deal with issues related to sexual violence and harassment should also be established. Support needs to address both the physical and psychological impact of sexual violence.
- 8.10. LEGISLATION AND REGIONAL AND INTERNATIONAL INSTRUMENTS:** Legislation and international and regional instruments should not just be paper tigers, they must be translated into real action. In addition, the justice system and labour law must be reviewed to look at gaps, as well as ways to expedite cases of violence against women.



9. Panel Discussion on The Role of Parliaments in the Changing World of Work

Panellists: Senator M Mutsvangwa (Vice President of SADC PF), Mme O Yacouba (Directrice de Caiset Adjointe, Niger), Moderated by Hon T Didiza

Panellists raised the following key issues:

- 9.1. **LEGAL FRAMEWORKS:** In most countries in the SADC region, there are good legal frameworks for women's equality and empowerment, which are entrenched in Constitutions. However, enforcement and implementation is poor. Parliaments can initiate legislation that reduces gender inequality. Parliamentarians also have a responsibility to scrutinise gaps and weaknesses in legislation, as well as to ensure the domestication of regional and international legislation and instruments that have been ratified. Through their oversight role, parliaments should also ensure that there are dedicated budgets for women's programmes and that government departments engage in gender-responsive budgeting. Parliaments must therefore strengthen their oversight and accountability mechanisms.
- 9.2. **ECONOMIC GROWTH OF WOMEN:** On the African continent, the majority of women are still employed in the informal sector at the lower end of the economy. This must be addressed and women need to be absorbed into the formal economy at a faster rate. Parliaments must also work towards ensuring that the global gender gap is reduced. Through oversight, the role of women in entrepreneurship must be encouraged, particularly in rural areas. Women's access to finance, their 'time poverty' and continuing discriminatory practices such as child marriage and inability to own land must be addressed, as these factors impact on women's ability to make meaningful contributions to the economy. Efforts must be made to harness the contribution of stakeholders in the private sector to ensure that poverty amongst women is reduced.
- 9.3. **EDUCATION AND SOCIALISATION:** The education of young girls is imperative for economic empowerment. Girls and young women continue to experience discrimination in their daily lives through limited access to education and socialisation which enforces



that home and care work is the domain of women. Equal opportunities for girls and boys must be created and discriminatory practices outlawed. Boys must also be educated on respect and gender equality.

- 9.4. SUPPORT FOR WOMEN IN LEADERSHIP POSITIONS:** Women continue to face obstacles to entering leadership positions. In the political sphere, women must often “fight” to retain their positions. The creation and revival of structures to provide support to women in parliaments is important for networking and exchanging ideas and sharing best practice models. Women often leave the political sphere and do not enter leadership positions in new occupations, while men often leave and become board directors and executives. There is a need to look at the retention and exit strategies for women.
- 9.5. DOMESTIC VIOLENCE:** Gender-based violence was a concerted area of focus of the conference and much discussion ensued on its related challenges and the strategies that should be put in place to address it. Gender-based violence significantly impacts on women’s ability to be economically active. Parliaments have a critical role to play in eradicating such violence. Parliaments should use the conference deliberations to develop plans for taking up the issues raised as a matter of urgency.
- 9.6. WOMEN’S PARLIAMENTARY CAUCUSES:** Women’s Causes are an important platform for women to come together across the political divide and create a space to discuss issues that affect all women regardless of party affiliation. Women’s Caucuses must engage with civil society and, furthermore, they should engage with a body of robust research on the issues that negatively impact upon women’s development. Women’s Caucuses should find effective ways of collaborating with civil society organisations in order to broaden their knowledge base on issues that affect women.
- 9.7. INCLUSION OF MEN AS CHAMPIONS FOR CHANGE:** Men in parliaments should be encouraged to actively participate in changing gender relations in society. One practical way of initiating is through endorsement and implementation of the United Nations ‘He for She’ campaign.



- 9.8. FOLLOW-UP ON RESOLUTIONS:** Processes should be established to ensure that the conference resolutions are implemented. Resolutions made at the conference should result in specific areas of activity for the parliaments represented. It was also recommended that the conference be held on an annual basis.

10. Innovative Ways of Changing the World of Work for Women, Chaired by Hon L Maseko

The following issues were raised during the session:

10.1. BARRIERS TO INNOVATION:

- There is a lack of skills development, capacity building and networking opportunities for women.
- Women are still used as a “front” for accessing business opportunities, however they are rarely business owners.
- Older women, who have valuable skills and experience, are excluded from labour opportunities.
- There is a lack of information about legislation and policies protecting women, particularly those in rural areas and in vulnerable occupations.
- Structural barriers are still a problem. The workplace is designed in a male-oriented manner and does not make provision for women’s needs (e.g. childcare and breastfeeding facilities).
- Women often do not have decision-making power about the money they earn.
- Women-owned businesses are not adequately supported and need capacity building and opportunities that enable their growth.
- There is too much bureaucratic red tape when starting a business. This needs to be addressed at municipal level.



Recommendations

- There is a need for increased oversight and scrutiny by Members of Parliament, particularly of departmental budgets, programmes and targets to ensure that they promote access to skills and resources for women. Stringent monitoring and follow-up must happen in this regard.
- Gender-responsive budgeting and dedicated budgets for women are imperative to ensure opportunities for innovation.
- Skills transfer, coaching and mentorship amongst women in the workplace is needed.
- Resource facilities need to be more easily accessible.
- Resuscitate women's structures at all levels to ensure networking and engagement opportunities for women.

11. How Can Technology Be Used to Expand Women's Access to the Economy and to Entrepreneurship? Chaired by Hon S Hanoomanjee

The following issues were raised during the session:

- 11.1. RELOOK AT BASIC EDUCATION:** Delegates reflected on poor matric (Grade 12) results, and added that it was difficult to advocate for innovation when youth are failing mathematics and English. Efforts to strengthen the skills of girls should be accelerated. The focus on quality education should start at an early age and efforts should be made to improve the quality of education at early childhood development level.
- 11.2. FOCUS ON SUPPORTING GIRLS IN STEM FIELDS OF STUDY:** Concerted efforts should also be made to encourage and support girls in Science, Technology, Engineering and Mathematics (STEM) fields of study. The majority of students enrolled at South African universities are women. In 2016, 56% of bursaries were awarded to women towards postgraduate studies. Yet more needs to be done to encourage girls to study science and technology.



- 11.3. ACCESS TO TECHNOLOGY IN RURAL AREAS:** Technological development of girls living in rural areas must be addressed as a matter of priority. Delegates noted that this is a serious problem for women living in deep rural areas. A national plan that focuses on building technological infrastructure in rural communities should be developed, resourced and implemented with urgency. This will facilitate the quality of education and provide opportunities to girls in rural areas. Electrification in rural communities is a critical prerequisite to create an enabling environment for information and communication systems (ICT). Access to free wifi in rural areas is essential to unlocking women's economic potential and should be viewed as an investment in future economic prosperity.
- 11.4. NEED TO SIMPLIFY THE UNDERSTANDING OF TECHNOLOGY:** For many, technology can be daunting. Opportunities should be created to improve understanding and learning optimal use of technology. Children should be exposed to technology at a young age in the education system. This can be done by ensuring that all schools are equipped with computer laboratories, especially those in disadvantaged communities. Existing ICT programmes must be available in all official languages to ensure easy access and understanding by all users. Learnerships and internships that focus on information, communication and technology should be strengthened. These should be readily available in rural areas.
- 11.5. INTELLECTUAL PROPERTY:** There is a need to recognise students and not just their supervisors for technological innovations. Universities must acknowledge the work done by students and not take ownership for the work of young people. Delegates noted that parliaments should review legislation that protects indigenous knowledge.

12. Sexual Harassment and Violence Against Women – The Role of Legislatures in Fast-Tracking Progress, Chaired by Hon S Morutoa



The following issues were raised:

- 12.1. **INADEQUATE STATISTICS ON VIOLENCE AGAINST WOMEN:** Notwithstanding that levels of violence against women has reached alarming levels, current statistics in this regard are inadequate and there is significant room for improvement in the collation of these statistics. Since 2013, the South African Police Services (SAPS) has not reported on crime statistics for murder, assault with the intention to do grievous bodily harm or common assault by gender. This is a problem as violence against women must be looked at in the context of these statistics.
- 12.2. **UNEQUAL POWER RELATIONS, GENDER INEQUALITY AND PATRIARCHY:** The unequal power relations between men and women and the social context of patriarchy and gender inequality play a role in creating an enabling environment within which violence against women can thrive. Violence against women cannot be addressed in a vacuum without addressing the broader social context of structural inequality.
- 12.3. **LIMITED AWARENESS ON VIOLENCE AGAINST WOMEN:** Victims of violence, especially women in the rural areas and at grassroot levels, are often not aware of their rights as information does not filter to them or information is inaccessible in terms of language and plain language.
- 12.4. **FRAGMENTED APPROACH TO ADDRESSING VIOLENCE AGAINST WOMEN BY DEPARTMENTS SUCH AS POLICE AND JUSTICE :** The approach to addressing violence against women must be coordinated and concerted to have a positive impact. One practical solution here is to introduce a system where it is possible to track a single case in the police, health and court systems through a centralised system with a single tracking number. This should be available on a computerised system that links health, police and court services and provides updated information on where a case is at any given point in time.
- 12.5. **POOR REPORTING OF INCIDENTS OF SEXUAL HARASSMENT:** The issue of sex for jobs is often reported after the fact and not as soon as it takes place. Moreover, it is



difficult for victims of sexual harassment to come forward and admit that they secured a job after being sexually harassed. Government departments are also not required to report incidents of sexual harassment in their annual reports to Parliament.

- 12.6. **WEAK POLICIES ON SEXUAL HARASSMENT:** Although workplaces have policies in place against sexual harassment, these policies rarely address sexual harassment from a preventative perspective and do not offer effective support to victims who are too afraid to lodge a formal case. Even where policies are in place, they are sometimes flouted and not implemented.
- 12.7. **POOR ACCESS TO JUSTICE:** Women often experience secondary victimisation when engaging with the criminal justice system. There is a need to ensure that service provision to victims of gender-based violence is co-ordinated at an inter-departmental level, adequately budgeted for and implemented in an effective manner that reduces secondary victimisation.



Recommendations

- **Address gender-based violence as a multi-dimensional issue**

Violence is a multi-dimensional issue and strategies to address it require complex approaches involving a range of different stakeholders in society. No one initiative can both prevent and address violence against women. It requires coordinated effort and it is critical to involve all stakeholders in a quest to change the social norms and gender stereotypes that allow gender-based violence to thrive. The issue of gender inequality is at the heart of violence against women and prevention work must focus on this.

- **Review the implementation of legislation**

There is a need to review the implementation of legislation aimed at addressing violence against women. Civil society participation should be elicited in this regard. Based on the recommendations received through this process, a strategy should be put in place to address the challenges experienced.

- **Conduct a review of sexual harassment in the workplace**

There is a need to elicit evidence-based information that provides an understanding of the nature and extent of sexual harassment in workplaces and the extent to which recourse mechanisms are effective or not. Based on this, plans should be put in place to make places of work safer for women. All legislatures should ensure that they have sexual harassment legislation in place as well as internal policies to address sexual harassment in legislatures as places of work. Legislation and policies on sexual harassment should carry harsher penalties and place an obligation on an employer to address and deal with complaints of sexual harassment.

- **Ensure adequate budgeting**

Budgeting for service provision to address gender-based violence, including infrastructural and operational costs, should be ring-fenced. Without transparent budgeting, it is impossible to track what is being spent to give effect to policy and legislation aimed at addressing violence against women.

- **Health consequences of gender-based violence**

The health consequences of gender-based violence include physical injury, depression, attempted suicide, mental health issues and reproductive health problems. Within the ambit of a public health approach, it is important that states include maternal and child health programmes; mental health initiatives and sexual and reproductive health interventions. In developing a comprehensive public health approach, governments must ensure that they incorporate violence against women in their health plans, have a dedicated budget for providing related services, develop service delivery plans and develop strategies for improving upon the collection of health-related data and evidence.

- **Address the way in which culture and tradition impact on gender-based violence**

Culture and tradition are often permeated by power relations and used to exercise control over girls and women. Domestic violence and the exclusion of women from inheriting land are examples of cultural practices that are harmful to women's rights. There is a need to monitor the negative impact of culture and tradition. Traditional leaders should be educated on issues relating to violence against women and sexual harassment.



13. Conference Resolutions

The following declaration was adopted by the conference:

1. The International Conference on Women and the Changing World of Work builds upon and reinforces the conference conclusions of the sixty-first session of the UN Commission on the Status of Women. The Conference:

Affirms the SDG 5 targets, which include the ending of all forms of discrimination against women and eliminating all forms of violence against women and girls in both the public and private spheres.

Reaffirms the Beijing Declaration and Platform for Action and reiterates the Convention on the Elimination of All Forms of Discrimination Against Women as well as other relevant international legal frameworks for realising gender equality and the empowerment of women and girls, including those that address women's economic empowerment.

Recognises that the gender responsive implementation of the AU Agenda 2063 for sustainable development in Africa is a critical component to facilitating women's economic empowerment

Further recognises the important role played by regional conventions, instruments and initiatives in the achievement of gender equality and the empowerment of women and girls, including, the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa, the SADC Declaration on Gender and Development and the Solemn Declaration on Gender Equality in Africa.



2. Based on the deliberations of the International Conference on Women and the Changing World of Work, the following conclusions are agreed to:
- a) That women's right to work is critical for economic empowerment. This includes the right to decent work and full and productive employment as a critical means of implementing SDG 5 on achieving gender equality.
 - b) That the feminisation of poverty is a significant challenge in women's economic empowerment.
 - c) That transformation of the world of work will help achieve exponential economic growth and assist with ending poverty.
 - d) That gender inequalities in labour markets persist and that the pace and scale of transformation towards realising women's economic empowerment has been unacceptably slow. Parliaments have a critical role to play in overseeing that the pace of change is accelerated.
 - e) The continued gender gaps in labour force participation and leadership; wages and income; occupational segregation; social norms and workplace culture; unequal working conditions; the burden of women's unpaid domestic and care work and gaps in social protection and commits to finding ways of addressing these. The conference commits Parliaments to overseeing gender gaps in labour force participation, wages, income, pensions and social protection as a matter of priority.
 - f) That access to and effective usage of technology is key to unlocking women's economic potential. Ensuring that women and girls are technologically empowered, computer literate and able to navigate their way on the internet, is critical to growing their knowledge base, especially so in the case of rural women and girls. In addition, Parliaments need to engage in oversight to ensure that the cost of access to broadband is not exorbitant, thereby excluding the poor from using it for their development.



- g) The empowerment of indigenous women as well as the empowerment of rural women and girls is critical to the economic empowerment of women.
- h) Structural barriers to women's economic empowerment can be exacerbated in conflict and post-conflict; refugee and humanitarian settings.
- i) Changing women's lives is not possible without states ensuring that expenditure is planned and monitored from a gender perspective and that the gendered implications of all government programmes are clear.
- j) Structural barriers to gender equality impose constraints on women in balancing work and family responsibilities and that these barriers need to be eliminated so as to ensure women's full participation in the world of work.
- k) The sharing of family responsibilities creates an enabling family environment for women's economic empowerment and encourages the creation of societies where men and women make significant contributions to the home and community, including unpaid care and domestic work.
- l) The right to quality and inclusive education is a critical component of narrowing the gender gap in the economy. This includes the need for women and girls to acquire skills in digital fluency and technology.
- m) Violence against women in all its forms has serious consequences for the quality of life of women, including the fact that it serves as a major impediment to women's economic empowerment and their social and economic development.
- n) Sexual harassment is a significant impediment to women's health and well-being and to their economic advancement.



- o) That men and boys must be encouraged to take an active part in and to engage fully as agents and beneficiaries for change in the realisation of women's economic empowerment.
 - p) Civil society organisations and the private sector have a critical role to play as stakeholders and agents in ensuring women's economic empowerment.
3. Based on the above conclusions, the Conference encourages Parliaments to:
- a) Effectively oversee poverty alleviation strategies, including addressing the plight of women and girls in situations of extreme poverty.
 - b) Conduct oversight of the integration of government action for women's economic empowerment into national sustainable development, poverty eradication and sectoral strategies, policies and action plans at all levels.
 - c) Ensure that appropriate legal frameworks exist for the protection of rights, safety and security of women and girls in conflict, post-conflict and refugee settings.
 - d) Take action at national, regional and a global level to strengthen normative and legal frameworks for full employment and decent work and the eradication of gender discrimination on the whole.
 - e) Oversee the maximisation of targeted financing to accelerate the achievement of women's economic empowerment.
 - f) Be rigorous in ensuring that gender responsive budgeting is used as a tool in passing and overseeing government budgets.



- g) Encourage legislative reform that seeks to address structural barriers that constrain work and family responsibilities of women.
- h) Oversee gender-responsive education policies and strategies at all levels, including ongoing, lifelong learning opportunities for women and girls.
- i) Strengthen the capacity, resources and the authority of national gender equality mechanisms so that they can support and monitor the implementation of action plans. Specifically, Parliaments should adequately capacitate, resource and support the work of Women's Caucuses in Parliament.
- j) Accelerating reform and initiatives to address violence against women and its impact on the economic and social empowerment of women through vigorous oversight in relation to violence against women and to ensuring that budgets for expenditure in this regard are ring-fenced. Parliaments should seek to ensure that government budgets prioritise care work in relation to violence against women and that this is adequately provided for.
- k) Adopting sexual harassment policies that cover all aspects of sexual harassment, including harassment by Members of Parliament to members of staff. Parliaments should set the example of adopting a zero-tolerance approach to sexual harassment.
- l) Commit to forming partnerships and engaging civil society and the private sector and ensuring their regular and meaningful participation in legislative and oversight processes.
- m) Develop national action plans for oversight of the attainment of gender equality insofar as women's economic empowerment is concerned. These should have clear targets and benchmarks against which progress should be measured.



- n) Further build, support and capacitate integrated and coordinated national and regional initiatives to promote gender justice and women's socio-economic empowerment through the established gender machinery.

14. Conclusion of the Conference, Hon B Mbete, Speaker of the National Assembly of South Africa

Hon Mbete noted that the conference had achieved what it had set out to do and had created a platform for unpacking a number of critical issues. Within the context of SDG 5, the conference had managed to develop a plan to ensure that parliaments take forward the work of the sixty-first session of the Commission on the Status of Women.

A critical issue that emerged over the course of the conference is the issue of budgets, of ensuring that there are adequate resources for investing in women's economic empowerment and addressing violence against women. Parliaments have a critical role to play in ensuring that governments use gender responsive budgeting as a tool for ensuring that public expenditure is viewed through a gendered lens.

In terms of suggestions to host the conference on an annual basis, this is a difficult decision to take upfront as the questions of resourcing such an initiative comes to the fore, careful thought will have to be applied to the issue of how this could be financed. What is critical is that the conference declaration is used to channel the conference issues through the relevant structures in parliaments.

One possibility of ensuring information sharing on implementing the conference resolutions is the development of a small task team of persons who participated in the conference to look at how to take the conference forward. The Women's Caucuses represented should discuss and settle this matter.

COMMITTEE REPORTS

National Assembly

1. Report of the Portfolio Committee on Justice and Correctional Services on the Traditional Courts Bill [B 1 - 2017] (National Assembly – section 76), dated 6 March 2019

The Portfolio Committee on Justice and Correctional Services (the Committee), having considered the Traditional Courts Bill [B 1 -2017], (the Bill) referred to it and classified by the Joint Tagging Mechanism (JTM) as a section 76 Bill, reports the Bill with amendments [B1A-2017]. The Committee, furthermore, wishes to report as follows

1. The Traditional Court Bill [B1-2017] was tabled and referred to the Committee for consideration and report on 30 January 2017.
2. The Committee was briefed on the Bill and advertised it for public comment. Public hearings were held at Parliament in March 2018. The submissions received highlighted a number of issues, including concerns relating to the adequacy of the measures contained in the Bill to protect vulnerable groups and promote equality within traditional courts. There were also arguments for and against the requirement that parties against whom proceedings are instituted in a traditional court must consent to the matter being heard in that court.
3. The Committee is cognizant of the fact that although traditional courts already form an integral part of the delivery of justice in our country, it is a constitutional imperative that they be transformed to suit the new constitutional dispensation. At present, Traditional Courts are still governed by the Black Administration Act 38 of 1927, which is entirely unacceptable.

4. New legislation regulating traditional courts is, therefore, required to:
 - Replace the remaining provisions of the Black Administration Act, 1927;
 - Ensure alignment with the rights contained in the Constitution;
 - Regulate the role and functions of traditional courts in the administration of justice; and
 - Facilitate greater support of these courts by the State.

5. Two earlier versions of the Traditional Courts Bill precede this Bill: In 2008, a Traditional Courts Bill was introduced but lapsed because of a shortened parliamentary programme ahead of the general elections in 2009. The Bill was revived in the National Assembly at the beginning of the Fourth Parliament but was withdrawn. Later, in 2012, the Bill was re-introduced in the National Council of Provinces, where it eventually lapsed.

6. The main object of this Bill is to create a uniform legislative framework regulating the roles and functions of traditional courts in the resolution of certain disputes, in accordance with constitutional imperatives and values.

7. The Bill is also intended to increase access to justice services by enhancing the effectiveness, efficiency and integrity of traditional courts for the purposes of resolving disputes. The thrust of the Bill, therefore, can be aligned with the National Development Plan's vision of realising a developmental, capable state and broadening social cohesion.

8. The Bill repeals all existing legislation of the former homelands that continues to regulate traditional courts, as well as sections 12 and 20 of the Black Administration Act, 1927.
9. The Bill, as introduced, specifically referred to the principle that customary law is based on voluntary affiliation and the right to freely and voluntarily elect to or elect not to abide by the various applicable practices and custom and provided that a Traditional Court may only hear a matter if the person against whom the proceedings are instituted has consented to appearing in that court. The Committee, however, does not support a right of such person against whom proceedings are initiated in a Traditional Court to “opt out” of appearing before that Court, as this undermines the role and importance of these courts to the delivery of justice services in traditional communities.
10. To address concerns raised during the course of deliberation should the so-called “opt out” clause be removed, the Bill now provides that a party who is aggrieved by a decision or order of a traditional court on grounds may, after exhausting all the traditional court system appeal procedures that the Bill makes available, refer that decision or order to the magistrate’s court having jurisdiction, in the prescribed manner and period.
11. The Bill includes provisions that seek to promote the right of equality within traditional courts: Traditional courts must be made up of women and men pursuant to promoting the right to equality as contemplated in section 9 of the Constitution.; traditional courts are required to promote and protect the representation and participation of women, as parties and members of the courts; and the Minister and the Commission for Gender Equality to put measures in place to promote gender equality in these courts and to report annually on

these to Parliament. Furthermore, Schedule 1 of the Bill lists conduct, which infringes on the dignity, equality and freedom of persons. The listed conduct is prohibited and the State must, where appropriate, ensure that legislative and other measures are taken to address these.

12. Further safeguards are contained in the Bill for the protection and assistance of vulnerable groups. The Bill requires, for instance, that all court proceedings must be open to all members of the community at a place which is accessible to members of the community, proceedings must be conducted in the presence of both parties and both parties must be able to participate fully in the proceedings without discrimination on any of the prohibited grounds referred to in section 9(3) of the Constitution. Failure to comply with these important procedural aspects can result in the matter being taken on review to the High Court. Provincial Registrars are required to assist unhappy litigants to take their matters on review. Parties in proceedings before a traditional court are; furthermore; allowed to be assisted by any person of their choice in whom they have confidence although legal representation is not allowed.

Report to be considered

2. Report of the Portfolio Committee on Higher Education and Training on its oversight visit to the Northern Cape and the Free State on 28 January -01 February 2019, dated 27 February 2019.

The Portfolio Committee on Higher Education and Training having conducted an oversight visit to the Northern Cape and the Free State from 28 January to 01 February 2019, reports as follows.

1. DELEGATION LIST

1.1 Members of the Committee

Hon D Kekana (ANC), Hon J Kilian (ANC), Hon R Mavunda (ANC), Hon S Mchunu (ANC), Hon C September: Chairperson (ANC), Hon M Wolmarans (ANC), Hon B Bozzoli (DA) and Hon A van der Westhuizen (DA).

1.2 Support staff

Mr A Kabingesi: Committee Secretary, Ms M Modiba: Content Adviser, Dr J Nel: Temporary Researcher and Mr L Ben: Committee Assistant.

2. INTRODUCTION

In pursuance of its constitutional oversight obligation, the Committee undertook an oversight visit to the Northern Cape Rural TVET college (Kuruman Campus, Sol Plaatje University, Goldfields TVET college, Motheo TVET college campus in Bloemfontein and the University of the Free State in Bloemfontein).

The objectives of the oversight visit were to:

- assess the 2019 registration process;
- assess the state of readiness of the institutions to implement the 2019 academic programmes;
- assess the 2018 overall academic performance of students; and
- undertake site visits to infrastructure projects, student accommodation and registration facilities.

In addition to the afore-mentioned objectives, the Committee held a meeting with the National Student Financial Aid Scheme (NSFAS) during which the entity made a presentation on its plans to improve the disbursement of funding to students. Furthermore, the Committee also met with the relevant stakeholders from each institution which included the student representative council, labour unions and council. The discussions revolved around the contribution made by the stakeholders to the stability of the institutions. The stakeholders were also granted an opportunity to elaborate on the challenges experienced by the students and workers respectively.

3. SUMMARY OF THE PRESENTATIONS

3.1 National Student Financial Aid Scheme

Dr R Carolissen: Administrator delivered the presentation and started by giving the Committee a high-level overview of the organization since his appointment in August 2018. He indicated that NSFAS had experienced a collapse in governance; system instability; compromised data integrity; compromised disbursement processes; poor public reputation and credibility and a poor organizational climate.

With respect to the close out of the 2017/18 student funding cycles, in 2018, the Administrator indicated that an amount of R10 billion had been unlocked for immediate payment to institutions for the disbursement of NSFAS bursaries. He explained that this step had been necessitated due to the inability of NSFAS to provide remittances for up to eight months, and a further R8 billion had been disbursed directly. With the deployment of senior managers to the regions, NSFAS had found 130 000 students who had not been accounted for in the tertiary system. NSFAS had traced 90 000 students with the assistance of the student leadership and assisted them to sign their contracts so that they could receive their allowances. The Administrator pointed out that the total number of students who were funded in 2018 was 708 336; however, 20 554 contracts remained unsigned in 2018. Some of the students had submitted incomplete information while others had not met the eligibility threshold.

In reference to the 2019 online application process, the Administrator said that NSFAS had received 494 401 applications, of which 358 051 were from universities and 136 350 from TVET colleges. NSFAS had opened an appeals process for all rejected applications. Furthermore, NSFAS was not in a position to fund students beyond the enrolment target set by the Department and only registered students would be funded. Referring to the upfront payments, he explained that R3.6 billion would be paid as an advance payment to universities, and R1.7 billion had already been paid on 25 January 2019. For TVET colleges, R395 million would be paid in advance and R195 million had already been paid on 25 January 2019.

The Administrator indicated that NSFAS planned to disburse funding directly to the students and institutions in 2019, and that the appointment of any third-party service providers would require approval from NSFAS. He elaborated that NSFAS intended to remove all commercial interests from the disbursement process and that a programme to redesign the disbursement of allowances had been put in place. For the 2019 academic year, NSFAS would pay student allowances, directly into their bank accounts. This step had been taken to eliminate the sBux voucher system and the use of a third-party which were susceptible to fraud and corruption. He explained that all institutions with capacity would receive upfront payments to disburse funding to students in cash. Institutions that were not able to disburse funding, would be assisted by the South African Post Office (SAPO) through its banking platform. He said that NSFAS had had engagements with commercial banks, who had agreed that students could open bank accounts to receive their allowances and thus, negotiations on different student packages and assistance to students opening own bank accounts were underway. Upfront payment to universities that had signed a memorandum of understanding were also underway. The Administrator pointed out that TVET Colleges were also ready to finalise their capturing of student data. The Administrator informed the Committee that TVET College students would receive R1 950 allowance for two months.

Regarding plans to address internal challenges at NSFAS, the Administrator indicated that a comprehensive plan had been developed to address the

Auditor-General (AG) 2017/18 findings. In addition, specialized resources had been made available to support key areas such as information technology (IT), data - and project management office. He pointed out that the deployment of key account managers' teams at the regional level to assist with student queries had contributed significantly in addressing the backlogs in the application process. The IT systems availability for the myNSFAS portal was 96 percent completed and the core disbursement system had been successfully improved.

3.2 Northern Cape Rural TVET College (Kuruman Campus)

3.2.1 Management

Mr P Sago: Principal made the presentation which highlighted the following: The NCR TVET College consisting of five campuses (Namaqualand, Kathu, Upington, De Aar and Kuruman) and one central office was located in Upington. He pointed out that the Kuruman campus was situated in the Joe Taolo Gaetsewe District and Segonyana Local Municipality, which was approximately 300 kilometres from the central office and that the Kuruman campus had originally started operating as an evening class for Computer Studies in 1996. However, increasing demand had necessitated the lease of a building from the local municipality to cater for all students in the region.

He referred to governance, adding that the college had a fully constituted council with 16 members which included internal and external members. The college council had various committees which included: executive committee (EXCO); finance committee, audit and risk committee and human resource committee. With respect to the staff establishment, the college had 114 lecturing staff, 85 support staff and four senior managers comprising a total staff establishment of 203 individuals. with regard to racial profile, Ms Sago said that 56 percent of the total staff complement were Coloured, 26 percent was African, 17 percent White and 2 percent Indian, which is in line with the demographics of the province.

He explained that the college offered NATED courses in (public management, human resource, management assistant and financial management) and the National Certificate Vocational NC(V) in: hospitality, office management, electrical infrastructure and construction and engineering and related design. The college also offered occupational programmes in various trades. He noted that the college was concerned about the decline in the uptake of the NC(V) programme. The NC(V) programme was offered over a three-year period and was equivalent to a Matric certificate. Some of the students that enrolled at the college had passed Matric and therefore the predominantly chose the NATED courses.

He went on to talk about the 2019 enrolments, saying that the college had enrolled 3 404 students across the five campuses. The total number of applicants for NSFAS in 2019 was 1 516 students. He indicated that the college had not yet received the upfront payments for 2019 and was expecting the first payment to take place in the first week of February 2019.

He pointed out the following key challenges which were experienced by the college, namely: the vast distances students had to travel to campuses; the unwillingness of industry to accept lecturers for work-integrated learning (WIL) and student for workplace-based training; the poor socio-economic circumstances of students; challenges relating to articulation opportunities for students and the poor standard of college facilities. He concluded by referring to the successes achieved by the college: the college was satisfied with enrolment targets that had been achieved; that it had received an unqualified audit report and that lecturers and staff were being developed in line with planned targets.

3.2.2 Labour unions

3.2.2.1 Public Service Association (PSA)

Mr E Louw made the presentation and that, according to him, the management of the college did not have a close and harmonious relationship with the labour union of the college, and it was the duty of management to recognise the rights of the labour representative at the college. He indicated that the management's response to workers' grievances at the college was a

matter of concern, management was not consistent in its decision-making processes, and the management's refusal to deduct the union's monthly subscription fee from the workers' salaries was of particular concern. The union indicated that it would consider the possibility of having a strike if the management of the college did not respond to its grievances swiftly.

3.2.2.2 South African Democratic Teachers Union (SADTU)

Mr D Moagi: Branch Chairperson pointed out that the union had not been invited to attend the Committee meeting and that it meant that they could not prepare a presentation as they were not aware of the oversight visit's focus areas. Nonetheless, he expressed the union's dissatisfaction with the model of staff appointment at the college. Reference was made to some lecturers appointed on a temporary basis for more than six months and the salary disparities between lecturers appointed by the College Council and those on the DHET Persal.

3.2.3 Student Representative Council (SRC)

The Committee was informed that the term of student representative council (SRC) of the college had come to an end in the last quarter of 2018, and that a new SRC had yet to be constituted. A representative from the South African Further Education and Training Students Association (SAFETSA) wanted to make a presentation on behalf of the students. Unfortunately, the Committee could not accept this presentation as he did not represent a recognised structure of the college.

3.2.4 Site visit

The Committee was taken to the college administration office where students were assisted with queries with respect to their registration and other matters. The Committee observed that the office was extremely small for the students and that it was not sufficiently resourced. The college employed its own graduates as interns and placed students for 18 months' work integrated learning (WIL) periods so that they could acquire experiential learning required to complete their qualifications and so that they could obtain diploma certificates. As part of their work integrated learning, they assisted with the student queries, the capturing of data (including student NSFAS data), supporting lecturers with administrative work and intervention classes. In this way they would complete their qualifications.

The Committee also visited the computer laboratory equipped with 24 computers. The college campus offered Business Studies courses. The students who were in training during the Committee's visit were enrolled for the N5 Management course (office practice). The proportion of female students in these classes was higher than males, which the Committee commended. The students raised their concern that they had to share the facility with other students due to infrastructure capacity challenges. In essence, the college acknowledged that the Kuruman campus was too small for the number of registered students and it was necessary to expand to cater for the high demand for skills development in the district. The College campus was situated on the main road with busy traffic and this posed a safety risk to both students and staff which was cause for great concern to the Committee.

3.3 Sol Plaatje University (SPU)

3.3.1 Council

Ms J Glennie: Deputy Chairperson of Council conveyed the apology of the Chairperson of Council, Judge Y Mokgoro, who was chairing a commission of inquiry at the time. She indicated that the council was passionate about making the new University a success pointing to the council's strengths including: gender balance and diversity within the council; highly qualified council members; good attendance of the council meetings; excellent secretariat support and registry; compliance tracking and overall good governance.

She then moved on to the progress made since the establishment of the University, referring to the subsequent appointment of a number of new senior managers such as the Chief Financial Officer and the DVC of

Academics. She reported that the academic programme of the University was evolving and there was a strong focus on building research capacity as well as maintaining student success. She also indicated that the process of establishing the University took into account the national and local imperatives.

3.3.2 Management

Prof J Baxen: Deputy Vice-Chancellor Teaching and Learning / Acting Vice-Chancellor expressed her appreciation for the Committee's visit at the University during the critical registration period. She apologised on behalf of the Vice-Chancellor, Prof Y Ballim, who was attending to long-standing commitments in Kenya. Prof Baxen informed the Committee that the President of the SRC was expelled from the SRC due to a case of sexual misconduct. She reported that a disciplinary process against him had been held and a sanction was meted out. However, the sanction had been overturned. She indicated that the management would engage with the SRC to find a way forward with the election of the new SRC president. Prof Baxen indicated that the social justice project of the University comprised of: human development; social, cultural, political and economic inclusion; work productivity; interconnectedness and community impact. At the same time, the academic project of the University was centred around teaching, community engagement and research.

Prof Baxen indicated that the University took a deliberate decision not to offer students bridging courses. In its place, the University offered higher certificates and diplomas to those students who did not meet the minimum requirements for entry into the bachelor's degrees programmes. In terms of catering for academic disciplines, he indicated that the University had four schools, namely: education, natural and applied science, humanities and economic and management sciences (EMS). The school of education was the largest with 52 percent of the student population. These four schools were intended to evolve into faculties as the University would be growing to its projected maximum enrolment target.

Student enrolment had grown from 124 students in 2014 to 2000 students in 2019. The University attracted 70 percent of its student population from the Northern Cape. The overall pass rate at the University was at 82 percent, and on time graduation by cohort was 75 percent. In relation to staff profile, the University employed a total of 117 academic staff, and 283 non-academic staff. 515 students who had received NSFAS funding returned to continue their studies while 320 NSFAS-funded students were new entrants.

338 applications had been submitted to NSFAS for assessment of which 236 students still needed to be assessed or approved for funding. There were also incomplete remittances resulting in funds not being transferred into students' bank accounts.

3.3.3 National Education and Health Allied Workers Union (NEHAWU)

Mr T Mkhila: Regional Secretary thanked the Committee for affording the union an opportunity to make a presentation at the meeting. He indicated that the union had launched its branch in 2017 with a current membership of 300, thus making it the largest recognised union at the University. With regard to the relationship with the university management, Mr Mkhila alleged that the union had struggled to work with the management and that the Vice-Chancellor was opposed to the presence of the union at the University. He added that the union did not have representatives serving in the council and that the union was viewed by management as anti-progressive.

He further indicated that the top management of the University was mostly white and that the University did not have an employment equity plan in place. Furthermore, he alleged that the VC appointed employees that were close to him and that there was nepotism involved in the appointment of staff. Adding to that were allegations that white lecturers at the University earned far more than their black counterparts, and that the majority of employees who had faced disciplinary charges against them, were black.

The union had an agreement with the University with respect to the insourcing of security, cleaning and catering staff. The insourcing of security and cleaning staff had been successfully completed. However,

management was reluctant with the insourcing of catering staff. The union reasoned that the insourcing of staff would lead to sustainable jobs for the workers and that the private service provider that employed the catering staff, should improve the service conditions of workers.

The union expressed its concern over the alleged appointment of companies that were not from the Northern Cape and those that were favoured by the VC. The union alleged that some companies to whom tenders had been awarded to build the University had links with some of the consultants employed by the University. The union indicated its willingness to work with the management of the University, but expressed a concern about the leadership style of the VC, and said that it intended to remove the VC “surgically”.

3.3.4 Student Representative Council (SRC)

Ms N Qiza: Deputy President/Acting President and Ms L Ngema made the presentation which highlighted a number of issues. Regarding facilities to assist students with various matters, the SRC indicated the students were placed in mixed residences for improved social interaction. Concerns were expressed regarding the disparities in different fees charged by the University for its own residences and fees charged by private residences providers, and it proposed parity in residential fees, i.e. into having standardised residence fees for both universities owned residences and private accommodation. The SRC complained about the University library closing at 04h30 due to shortage of staff and the inadequate maintenance of the University residences. The SRC indicated that the University had a serious shortage of health professionals at the institution to assist students, mentioning the example of one nurse and one psychologist for 2000 students.

With regard to student funding, the SRC expressed its concern over the inadequate NSFAS allowances for students and the delays in the payment of transportation and food. Adding to that students that were required to pay R5000 upfront before they could be allowed to register at the University. The SRC proposed that it should have representatives on the procurement and tender committees in addition to increasing the number of SRC representatives in council.

3.3.4 Site visits

3.3.5.1 Exam hall

The Committee was taken to the University's exam hall, which was used as the registration facility for new and returning students. The exam hall was also utilized as an indoor sports centre for the various sport codes of the University. The University started with 5 sport codes in 2014 and it would offer 20 sport codes by the end of 2019. Some of the significant achievements of the University's sport and recreation programmes included a student dance group winning an international award in hip hop, ballroom dance and Latin dancing.

The Committee took note of the long queues of students that were waiting for their registration to be completed. The University indicated that most of the students preferred human interaction while completing their registration forms as opposed to online registration, which contributed to the long queues. The University was also accommodating walk-ins and students that were selected through the CACH system into programmes that had spaces available. Registration was conducted on two floors and facilities such as residence office, financial office, school academic advice (for all the four schools) and document verification, student card facilities, including the temporary Office of the Registrar were available at the registration hall. Senior student volunteers assisted during the registration process and they were introduced to the Committee.

3.3.5.2 Morocco House

The Committee was taken to the University's student residence known as Morocco House on the main campus. The University has four student residences in total, accommodating 536 beds. The Morocco House was the largest in terms of student population. The Committee observed that the Morocco house student residence was a newly built facility, which had secure access control systems that would be accessible to registered students only. The residence block is a few minutes' walk to the classrooms.

The residence had rooms specifically designed to cater for students with disabilities and each commune had a kitchenette fitted with modern furniture and appliances. The students at the residence were not allowed to

cook inside their rooms for safety reasons. The rooms were fitted with beds, bedside table, study table, shelves, study lamps and blackboards for students to write their notes. The Committee was informed that the University prioritised the placement of first year undergraduate students in its residences. This was to ensure their safety as they are the most vulnerable group. Senior students were also placed with the first-years to provide mentorship. One senior student (mentor) was responsible for 12 mentees. Each residence had a combination of students from all schools so as to build learning communities. Private residences were accommodating mainly senior students and students used bicycles which were rented for R300 per year to move between the campus and private residences.

3.3.5.3 Dining hall

The Committee was taken to the dining hall of the institution which catered mostly for the students residing in the student residences. The students living in the residences on campus were given three meals daily and they used their student cards to purchase their meals. The dining hall had been fitted with a modern industrial kitchen and it could also accommodate 500 students. On average, the dining hall served about 300 students per day as well as being a place for students to socialize.

3.3.5.4 Library

The University's library and student resource centre were located at the centre of the main campus to facilitate easy access for the students and staff. The six-storey library cost approximately R155 million to construct and it has won numerous awards for its architectural design, notably the 2017 Fulton Concrete Award, beating the prestigious Price waterhouse Coopers (PwC) building situated in Midrand. The library provided a highly visible and sculptural presence to the central campus precinct. The entire structure of the library had been built using concrete slabs, steel and glass.

The library had an auditorium that was used by the University for various events. The Committee observed that the library was not fully resourced and the students and staff were utilizing the first two floors of the library. The Committee was taken to the top floor of the library to look at the other buildings on the campus and to get a view of the town of Kimberly itself.

3.3.5.5. Construction of the new Natural and Applied Sciences building

The Committee was shown a new construction site, which was to house the School of Natural and Applied Science. The building had been designed to offer classes which would be able to seat 320, 160, 80 and 20 students. Smaller classes to cater for 20 students would be mainly used for tutorials. The building would also offer space for administration purposes. The completion of the construction of this building was planned for November 2019. In order to reduce its carbon footprint, the University buildings have been fitted with windows that would allow for natural light to be drawn inside; yet keep the heat outside.

3.3.5.6. Education Building

The Committee was informed of the state of the education building with state of the art equipment and that it proves to be the best facility of its kind in the country. It was reported that the building boasted modern audio-visual recording equipment which was used for micro teaching. Education students used the facility to practice teaching and then they review the recording to reflect on their teaching skills. This facility has contributed to the production of competent and employable teachers.

3.5 Goldfields TVET college

3.5.1 Management

Mr F Mahlangu: Principal expressed his sincere apology to the Committee for the way in which the management of the college had handled the textbook issue which contributed to the student protests that threatened to disrupt the oversight visit. He undertook to work closely with the Officials of the Department from the Free State Regional Office to sort out the delays in the delivery of the textbooks and to ensure that teaching and learning would not be disrupted. He indicated that the management had learnt a lesson from the textbooks incident and would improve to avoid unnecessary disruptions in the near future.

Mr Mahlangu began the presentation by indicating that the college had a high vacancy rate at senior management level. He said that several senior management posts had been advertised and the recruitment processes were under way to fill the eight vacant posts on a permanent basis in 2019.

The Principal mentioned a few highlights, namely that the college had received accreditation from the Quality Council for Trades and Occupations (QCTO) for the boiler making and electrical workshop; accreditation with City Guilds for hairdressing; received a donation of two new ford bakkies for training purposes; established a satellite campus in Meloding and a skills academy in 2018 and received an award for being one of the top 10 performing college in the NC(V) programme for 2016.

3.5.2 Labour unions

3.5.2.1 South African Democratic Teacher Union (SADTU)

Ms D Makintane: Branch Secretary started the presentation by elaborating on the union's objectives including: fighting for better remuneration and working conditions for educational workers; representing and promoting the professional aspiration of educators and playing a leading role in the struggle for education transformation to deliver free and equal quality public education for all.

Ms Makintane proposed a review of the admission trends into the college's various programmes; promotion of access to post-school education and training; the need for research into the labour market needs; the need for the transfer of skills and competencies which corresponded with the demands of the labour market and the importance of delivering quality education to the previously disadvantaged groups.

In an effort to respond to the challenges experienced by the college, Ms Makintane proposed the following: need for a well capacitated human resource section of the college; the implementation of section 198B of the Labour Relations Act, 1995 (Act No. 66 of 1995) in respect of the permanent appointment of temporary employees; the elimination of disparities in conditions of employment between employees doing equal work and the improvement of safety in workplace.

Ms Makintane indicated that the labour forum should be a decision-making body and the institution should implement and honour the collective agreements.

3.5.2.2 National Education and Health Allied Workers Union (NEHAWU)

Mr P Lemeko: Branch Chairperson said the following were issues that affected the college, namely: that the college had outsourced the protection services and that the contracted company did not comply with the current minimum wage and other conditions of service; the college had incurred losses due to theft of computers, although a security company had been employed; the college council did not want to engage with the union; salary disparities due to the incorrect migration of workers to the Department and inadequate infrastructure were also mentioned as challenges faced by the union.

Mr Lemeko shared the following demands of the union: insourcing of staff to be completed by 1 March 2019; that the college should appoint a Chief Protection Officer; that the college should appoint senior protection officers and that salary disparities should be corrected.

3.5.2.3 Public Service Association (PSA)

Ms M Mokolutlo: Branch Secretary started the presentation by focusing on infrastructure challenges at TVET colleges. She indicated that the TVET college was experiencing an influx of students on an annual basis and that no funding provision was made to make provision for building or expanding the existing college infrastructure. She added that the existing infrastructure of the college could not accommodate all the students.

In relation to TVET funding, Ms Mokolutlo indicated that the funding model for TVET colleges did not address the current socio-economic status of TVET colleges, and resultantly colleges had continuously received less than what they were supposed to receive. Furthermore, she reported that the funding model had placed restrictions on colleges to recruit more staff for the ever increasing number of students attending. She indicated that the colleges wage bill was capped at 63 percent and colleges that have reached this threshold were not able to recruit more staff despite an increase in student enrolment figures. She alleged that the lecturers and support staff had been remunerated according to policies of the Department of Basic

Education, and it was difficult to recruit qualified staff for the sector. The union was also concerned about the NC(V) programme and the possibility attached to phasing out the NATED programmes as well as subsequent consequences thereof.

Ms Mokolutlo proposed the following recommendations: revision of the current funding model of TVETs; NQF Level 5 programmes to be developed to replace the NATED programmes; salary structures of support staff and lecturers that should be investigated as well as additional funding to be allocated for the building of additional infrastructure.

3.5.3 Student Representative Council (SRC)

Ms J Phanyane: Secretary-General made the presentation and indicated that the core business of the college should be offering quality education in pursuit of academic excellence and for all this to be achieved, teaching and learning would have to happen in an environment with all the necessary facilities and resources available to all.

Ms Phanyane indicated that, since the SRC took office in 2018, students had been complaining about the following: completion of the media centre that was used as a block of lecture rooms; inadequate computer laboratories; insufficient office space for the SRC; inadequate help desk assistants to support students with registration; unhygienic toilets and inadequate security on campus.

According to her, students had been complaining about delayed payment of their NSFAS allowances dating back to 2016 and 2017 respectively. She alleged that the college had made payments of bursaries to students who were not bursary holders and no update was given as to how this had occurred. She further alleged that the students had embarked on a peaceful protest in 2017 and had demanded the payment of allowances by NSFAS. Apparently, there was no damage to the college's property; however, the SRC was served with a court interdict to dissolve the protest. She indicated that the management of the college had not been able to resolve student

grievances as presented by the SRC. She further indicated that other challenges of the SRC at the college included challenges related to certificate backlog, an unfair treatment of the SRC by management, insufficient resources for the SRC and insufficient bursaries for students.

3.5.4 Site visits

3.5.4.1 Bookshop

The Committee visited the in-house bookshop of the college where the distribution of textbooks and other learning material of students was undertaken. The bookshop had two staff members who were responsible for the management and administration of the bookshop. The Committee observed that there were very long queues of students who were waiting to receive their learning materials and other textbooks. The students had to wait in the scorching heat to receive their textbooks and it appeared that the college did not have an efficient method for seamless distribution of said textbooks to its students to make the experience bearable and to offer a quick service.

The Committee was informed that the college had experienced delays in the arrival of textbooks for 2019, and that there were also changes in the NC(V) syllabus and subsequently, the updated textbooks were not available yet. The Committee expressed a concern that students had to wait in long queues to receive textbooks while classes had already commenced on 14 January 2019. The management indicated that the photocopies of the textbooks chapters were given to students whilst they wait for the textbooks. The students did not take kindly the textbooks delay situation and they resorted to protest, demanding the management to sort out the problem and also requested for the Committee to intervene in the matter.

3.5.4.2 Student centre

The Committee visited the college's student centre which was still under construction during the site visit. The student centre could accommodate up to 600 students and it was aimed at providing a social space for students to interact. The facility would also house computer laboratories and classes. The Committee was informed that the student centre would be ready for use

before the end of February 2019. The facility cost approximately R30 million to construct and the construction began five years ago, however, due to shortage of funds, the project had to delay.

3.5.4.3 Computer laboratory

The college's computer lab was designed to accommodate up to 36 students at a time and the facility was shared by students registered for different course. The lab was also used to assist the students to apply for online registration and bursaries. The college experienced a challenge with respect to the roll-out of the WIFI to its campuses, and students had to use the computer lab in order to access the internet.

3.5.4.4 Salon

The Committee was informed that the hair salon was established to train students in the occupational qualification of hairdressing. The college received a provisional accreditation from the Quality Council for Trades and Occupations (QCTO) as a trade test centre, and a process was underway to receive full accreditation when the QCTO would return to the college to inspect the facility before the end of February 2019. The facility was equipped with the necessary equipment for a modern salon. The college indicated that it would be training 100 youth from the Matjhabeng District in the hairdressing qualification which was equivalent to a National Qualifications Framework (NQF) Level 4 qualification. The Services SETA would be funding this project and would also pay for the stipend of learners. Occupational students would use the facility on a rotational basis.

3.5.4.5 Administration block

The building housing the administration block was used by the college to assist students with queries related to their registration and bursaries. The college also employed two interns who assisted students with their queries. The Committee was informed that the students collected their certificates from the administration building. The Committee observed that students had to wait outside in long queues before they could be attended to by staff at the facility. There were no chairs inside the administration building so that students could sit whilst waiting to be attended; thus the Committee suggested that the college should have chairs for students inside the building too.

3.6 Motheo TVET college

3.6.1 Governance and Management

Adv X Xuma: Acting Chairperson indicated that the term of office of the College Council had ended in October 2018 and that the process to appoint the new Council was underway by the Department. The Committee could not therefore receive a presentation from Council.

Ms D Phutsisi: Principal started the presentation by giving an overview of college's 2019 registration process. She indicated that the college had a functional online registration system for new and returning students and that the college had enrolled 10 824 new students in 2019. In relation to students with disabilities, the Principal indicated that the college attained an outstanding performance in disability support in 2018. Apparently the college was one of the biggest in the country in terms of student enrolment.

When referring to the student success, the Principal acknowledged that the college had challenges in the certification rates of the NC(V) and NATED programmes. She indicated that the college's average certification rate in the NC(V) programme for 2018 was 33 percent and for the NATED programme it was 35 percent. The Principal indicated that the college had implemented strategies to improve performance which included the following: the implementation of common assessment to standardize assessment; student camps to deal with problematic areas; the provision of e-books; student tutoring programmes and lecturer development. It was indicated that the number of students who were absent from exams for November 2018 examination was extremely high.

The Principal indicated with regard to the work integrated learning (WIL) and the graduate exit plan that the college had offered job placement service to assist students in gaining work experience with various companies. The college was apparently also embarking on new programmes like ocean economy by training lecturers in maritime studies. The college had, through research, identified a gap in this area and would invest more resources to train students in various trades suitable for the maritime industry. The college served as the best practice for supporting students with disabilities. Many TVET colleges in the country visited the college for benchmarking lessons.

In relation to funding, the Principal indicated that the college had minimum resources and that this had an impact in its ability to expand its infrastructure. The 2018/19 operational budget allocated to the college amounted to R139 million and it would increase to R161 million in 2019/20. The college had a serious challenge with regard to student debt, amounting to R122 million, and hence students with outstanding debt have been encouraged to settle their debt before they could register for new courses. The college's funding deficit for 2017/18 amounted to R49.6 million. Despite its challenges, the college had been receiving good recognition and international awards for its work.

3.6.2 Labour unions

3.6.2.1 National Health and Allied Workers Union (NEHAWU)

Mr T Monoko: Branch Chairperson made the presentation and indicated the following: In relation to the union's contribution to the academic success of the college, the union was committed in supporting the vision statement of the college and the objectives of the National Development Plan (NDP) 2030. According to him, the union was also responsible for ensuring that teaching and learning took place at the college without unnecessary industrial action. He said that the union's priority was to ensure that the college achieves high certification and throughput rate. The union welcomed the proposed establishment of a labour forum by the college where labour issues would be discussed.

3.6.2.2 SADTU, NAPTOSA, PSA and SALIPSWU

The unions informed the Committee that they had an agreement to do a joint presentation which responded to the invitation of the Committee. In relation to the contribution of the unions to the academic success and other successes of the college, the unions indicated that they have avoided having meetings and activities during tuition times and more support was rendered to students with special needs.

With respect to the challenges at the college, the unions indicated that the management had instigated students to cause instability at the college and to attack some staff members not favoured by the management. The unions

had expressed a concern with respect to alleged irregular appointments and nepotism at the college. The unions alleged that the Principal appointed two family members to the college and the wife and family member of the Deputy Chairperson of Council was appointed irregularly. Other challenges that were raised by the unions included: inconsistent management discipline; irregularities in the supply chain management processes; the fact that the college had been receiving international awards undeservedly; the installation of bio-metrics systems that were not working; students being forced to pay upfront fees before registration; the inadequate implementation of the performance management and unjustifiable suspensions and dismissals of staff.

The unions expressed a concern with respect to the response by the management to the unions' grievances. The unions indicated that they had written to the management and to the Department requesting the KNT Forensic Investigation report and its recommendations were not released and implemented. Added to that, a letter that was addressed to the Department from the concerned staff members of the college, had been ignored by the Department.

The unions demanded the following: that all matters that were escalated to the Department and the Committee should be investigated; the urgent appointment of suitably qualified people into the college council; all recent appointment and promotions at the college to be revisited; the reinstatement of officials that were unfairly dismissed; an investigation of all tenders and the reversal of improper transfers of staff and acting allowances.

3.6.2.3 Suid Afrikanse Onderwysunie (SAOU)

Ms H Roodt: Representative made the presentation and indicated the following: In relation to the contribution of the union to the academic success and other successes of the college, the union had assisted the college to adhere to all relevant legislation and policies; had cultivated a culture of sound labour relations between employees and the employer and had organized award ceremonies for members to reward outstanding work.

In relation to the contributions of the union towards addressing the challenges at the college, she said that the union had participated in establishing forums and procedures that allow for efficient reporting and management of issues such as resource shortages. She further said that the

union provided training to the employees of the college to improve their work performance and established an efficient and open communication channel with the college. According to her, the union also had assisted the college with the establishment of a labour forum.

3.6.3 Institutional Student Representative Council (ISRC)

Mr L Tsie: President began the presentation by giving a brief background of the college. He indicated that the college consisted of three campuses with a student enrolment of 22 300 in 2019. With respect to the composition of the SRC, Mr Tsie said that the central SRC had nine members and the local SRCs had 4 members per campus.

With regard to the contribution of the SRC towards a better 2019 academic year, he said that the SRC had developed 16 policies that were still waiting for the approval of the council, and it had organized an SRC academic conference 2018. He indicated that, for 2019, the SRC was planning to organize the 8th student parliament and an invitation would be extended to the members of the Portfolio Committee to attend this event.

With respect to student housing, Mr Tsie indicated that the college did not have its own student residences for its 20 300 students. However, the SRC had proposed accommodation sites for the management to consider purchasing. Mr Tsie added that the college had various facilities to assist students with disabilities.

According to him, the challenges of students at the college included the following: lack of libraries/resource centres; lack of cafeterias; usage of drug abuse and inadequate student safety at the campuses.

3.6.4 Site visit

3.6.4.1 National Artisan Development Academy

The Committee was accompanied to the college's newly constructed National Artisan Development Academy which was situated approximately 7 kilometres from the college's main campus. The academy was envisaged to bridge the skills gap in the field of artisan training and was also aimed at creating a pathway for entrepreneurship. The construction and resourcing of

the Academy was financed by the Services SETA to the amount of R500 million. The college indicated that it did not incur any expenditure towards the construction of the academy.

The academy was over 49 000 square metres in size and it had three workshops (boiler-making, welding and electrical) and each of the workshop would be having a trade test centre. The academy was still empty during the site visit of the Committee since the construction was still not completed. The academy had student accommodation offering 372 beds, an administration building, a dining hall as well as recreational facilities. There were rooms that were designed to cater for students with disabilities. The residences had rooms to cater for two students sharing and those that would accommodate four students. The academy also made provision for computer laboratories to train IT specialists and a student centre. The classrooms of the academy were designed to take up to 35 students while the workshops would accommodate 15 students.

The college indicated that the academy would accommodate at least 1000 students who would be studying towards one of the sixteen trades offered at the academy. The first student intake was expected before the end of June 2019. The college also indicated that the concept of the academy developed as result of a research collaboration with the University of the Free State and the Central University of Technology on determining which courses would be suitable for the academy. The opening of the academy was in line with NDP 2030 target of producing 30 000 artisans per annum by 2030. The Committee commended the college and Services SETA for this great initiative.

3.7 University of the Free State

3.7.1 Management

Prof F Petersen: Vice-Chancellor began the presentation by giving a brief background of the University. He indicated that the University was 111 years old with an estimated student population of 39 800 students. In 2018, the University produced 7 981 graduates from its three campuses located in

Bloemfontein, QwaQwa and the South Campus. With respect to staff, the University 799 academic staff and 1 680 support staff making a total of 2 487 staff complement in total.

The VC said that the University was underpinned by three pillars, namely: academic excellence; diversity, inclusivity, transformation and innovation. In relation to the undergraduate registration statistics for 2019, the University enrolled 4 339 students. In so far as the 2018 student performance, the VC said that the University's undergraduate success rate was relatively on par with the national average, however, the achievement gap between Black and White students was larger. Proportionally, 70 percent of undergraduates graduates were African, 27 percent White, 5 percent Coloured and 2 percent Indian based on 2017 data.

With respect to NSFAS, the VC indicated that 16 000 students were assisted through NSFAS funding in 2018 and the number was expected to increase in 2019. In 2018 as well in previous years, the University provided allowances in excess of R200 million to students, even though NSFAS had not yet released funds to the University. The University informed the Committee that it had received an upfront allocation from NSFAS.

In relation to infrastructure, the VC indicated that the University would build more students residence to meet the growing demand and it was also involved in the development of solar and greywater projects. The total number of students living on campus residences was 5 904 and 34 180 at off-campus residences.

3.7.2 Labour unions

3.7.2.1 National Education and Health Allied Workers Union (NEHAWU)

Mr Z Mdletshe: Branch Secretary, gave an overview of the 2019 registration process at the University. He pointed out that students, particularly those from rural areas experienced difficulties with the online registration system of the University and proposed that the University should consider having a

manual registration process. He added that students with historic debt had experienced difficulties while attempting to register and that such students had been requested to pay the outstanding debt.

Mr Mdletshe expressed concern with respect to the NSFAS appeals process which did not take the university's calendar into consideration. He added that the response to student appeals were often delayed which meant that the response would be received only after the registration period had closed. Mr Mdletshe proposed that the Department should develop minimum requirements for private accommodation providers to adhere to before they could accommodate students.

Mr Mdletshe concluded the presentation by saying that the relationship between the stakeholders of the University was good. However, according to him, equity remained a challenge at some of the faculties at the University especially among senior academics. He referred to the workers feeling that the salaries offered by the University were not on par with that of other institutions of higher learning.

3.7.2.2 Universiteit van die Vrystaat se Personeelunie (UVPERSU)

Ms A Lombard: CEO, gave a brief background of UVPERSU. She indicated that the union was underpinned by the following values; accountability, respect, integrity, equity, equality and devotion. She referred to the key focus areas regarding delivery, namely caring about UFS staff, ensuring a sustainable UFS future, acting as a watchdog over UFS values, challenging governance to ensure transparency, creating a positive working environment and building integrity.

3.7.3 Institutional Student Representative Council (ISRC)

Mr S Dwaba: President, gave an overview of the facilities the University had to assist students with various matters. He indicated that the University offered free accommodation to new students who came to register at the institution but did not have a place to stay. He said that the University had a draft policy in place to deal with food insecurity. According to him, this policy had been developed to assist students who did not have the financial means to buy food for themselves.

Mr Dwaba indicated that students who resided off-campus were exposed to robberies and muggings on a daily basis and that the SRC had raised the matter with the relevant authorities and the Mangaung municipality. However, according to him, little help had been forthcoming to address the challenge of student safety. He said that the SRC requested the intervention of the Committee in this matter given the unfavorable response from the local authorities.

Mr Dwaba indicated that student did their best at the University to pass in the time allocated to the course they had inscribed for and that the average throughput rate was 60 percent. He mentioned that inadequate support given to students at basic education level for higher education remained a concern. Adding that students at basic education level were expected to pass with a minimum of 30 percent for a subject, while the minimum pass requirements for a subject at universities were much higher. Mr Dwaba proposed that the curriculum for basic education be decolonized so that it could be better aligned with the history of the country. The President proposed that life skills, including financial management skills should be taught to learners at basic education level.

Mr Dwaba said that the strategic plan was underpinned by three pillars, namely academic support, financial support and institutional culture and transformation. He indicated that the SRC did not support the academic exclusion of academically deserving students based on financial reasons. According to him, the students were well represented in the institution's governance structures and it was planning on establishing faculty councils in each faculty of the University.

Referring to financial support, Mr Dwaba welcomed the establishment of an appeals committee at the University to assist students with their grievances. However, he added that the SRC and the students were not satisfied with the concept of free education, since it had not been well articulated. He concluded by saying that the confusing threshold of the NSFAS means test compounded the situation.

3.7.4 Site visits

3.7.4.1 Registration hall

The Committee was taken to the University's registration hall which was used to register and admit new and returning students at the University. The hall had 80 assistants that worked from 08:00 until 15:00 during the week to help students with registration queries. The University indicated that it used online registration for new and returning students. Students that received offers from the University had been sent a confirmation letter or sms, and they had to accept the offer by 18 January 2019. The University had extended the due date to 01 February 2019 to offer an opportunity to those students who had not responded timeously. Admission to the University was subject to availability of space in each programme. The University indicated it had received 4000 applications for the 170 available places in its law faculty.

3.7.4.2 Harmony student residence

The Committee was taken to the Harmony student residence which had been established in 2015 making it the newest residence on the University's main campus. The residence accommodated 185 first-year female students only, who received special support from residence assistants (RA) that served as first-year mentors and role models. These RAs supported the first-year students during their first year experience and transition at the University.

The University indicated that it accommodated up to 50 percent of its first year undergraduate students at the residences and that it aimed to increase the intake to 60 percent by 2020. The placement of first year students at the University residences increased their chances of successfully completing their studies as better student support services were available at the residences. The Committee observed that the residence was fairly new and well maintained and the residence had good support systems in place. The Committee was informed that the ground floor rooms had been designed for students with disabilities and the furniture fittings in the rooms were adjusted to meet their needs.

3.7.4.3 Data centre

The Committee visited the University's data centre that centralized the University's IT operations and equipment. The center's crucial role was to store, manage and disseminate the University's data and was vital to the continuity of the University's daily operations. The Committee was informed that the centre housed one of the three biggest research computers in the country. The total storage capacity of the centre was 4 petabytes and it was monitored 24 hours a day and seven times a week. The estimated value of the data centre was R120 million.

4. OBSERVATIONS

The Committee conducted an oversight visit to the post-school education and training institutions in the Northern Cape and Free State Provinces. The objectives of the visit were to:

- assess the 2019 registration process;
- assess the state of readiness of the institutions to implement the 2019 academic programmes;
- assess the 2018 overall academic performance of students; and
- undertake site visits to infrastructure projects, student accommodation and registration facilities, and
- assess the National Student Financial Aid Scheme's plans to improve the disbursement of funding to universities and its payment of allowances to students.

The Committee, having listened to the different inputs by stakeholders, made the following observations:

4.1. Admission and registration processes

4.1.1. The Committee observed that the admission and registration processes at the Sol Plaatje University and the University of the Free State had proceeded well and without any incident. These institutions had put in place mechanisms to ensure the smooth process of admission and registration. The universities reported that

they had walk-in applicants; however, resources were availed at these institutions to make provision for the prospective students to apply through the Department of Higher Education and Training's Central Applications Clearing House (CACH) system. These universities had waiting lists of prospective students who applied, but could be given admission offers due to the large number of applications. Students on these waiting lists and those referred through the CACH system were to be considered after prospective students with admission offers were already registered or did not take up the offer to register.

- 4.1.2. The TVET colleges (Northern Cape Rural, Goldfields and Motheo) had almost completed their admission and registration processes for the first trimester, first semester and for the NC(V) which are year-long programmes. Academic classes had commenced at all the TVET colleges. Another rounds of admissions and registrations for future trimester and other semester programmes would be done later in the year.
- 4.1.3. The Committee was concerned about the student protests at the Goldfields TVET College, Welkom Campus, which were caused by delays in the distribution of textbooks. Students complained that classes had commenced; yet some of them had not been provided with textbooks and some were due to write tests. During its on-site tour of the campus, the Committee observed that students were standing in long queues to collect textbooks from the bookshop and the College Management had not put systems in place to protect such student from the scorching heat. The Committee was also informed of the shortage of staff at the bookshop.
- 4.1.4. The Committee was concerned that the Department had not deployed its resources sufficiently in the Regional Offices to ensure smooth registration processes at the Colleges.

4.2. Decline in enrolment in the Ministerial approved programmes, mainly NC(V)

- 4.2.1. The decline in the enrolment for the NC(V) programmes across all the three colleges was noted with concern. The colleges informed the Committee that the enrolment in the N(CV) programmes had been declining for a few years. This was due to the students who would enrol into the programme with a Grade 10 qualification and would not be able to cope with the cognitive demand of the programme; resultantly, they would drop out. Its equivalence to Grade 12 and the lack of interest from employers, especially mining houses, where the preference would be the NATED N1- N3 programmes were also contributory factors to its decline. The Northern Cape Urban TVET College experienced a decline in enrolment for NATED N1 – N3 as well.
- 4.2.2. The colleges reported that the decline in the NC(V) enrolment had a negative impact on their budgets as funding for NC(V) programmes was at a higher level compared to that for Report 191. A decline in enrolment numbers would necessarily mean a decline in the budget for the colleges.
- 4.2.3. The Committee was concerned about the large investment that had been made into the NC(V) programmes; and that the yield was little.
- 4.2.4. The Committee commended the growth shown with regard to the enrolment in the NATED programmes and the occupational programmes that were offered to address provincial and regional skills that were needed. Of concern was the overreliance on the funding of Sector Education and Training Authorities (SETAs) as well as its sustainability to support the occupational programmes.

4.3. Procurement of textbooks

- 4.3.1. The colleges reported that they had procured textbooks for students in 2018. However, there was a shortage of textbooks and the colleges were waiting for deliveries. The Northern Cape Rural TVET College reported that one of the contributing factors to the shortage of textbooks was that students were not returning textbooks to the college after they complete a certain level.

- 4.3.2. At Goldfields TVET College, it was reported that the Department of Higher Education and Training had revised the curriculum in 2018 and that the revised syllabus was communicated to the college at a very late stage. This had contributed to the delays in the procurement of textbooks for the affected subjects. The college was communicating with the suppliers to check the availability as they were not allowed to purchase books that were not on the DHET approved catalogue. In ensuring that teaching and learning was not adversely affected by the delays in the delivery of new textbooks, the college made copies of the first chapters of the textbooks for the students. This was done in compliance of the copyright regulations.
- 4.3.3. The Committee was concerned about the student protests at the Goldfields TVET College due to challenges relating to the distribution of textbooks to students. Students at the college had to stand in long queues in the scorching heat waiting for textbooks to be handed out to them. The Committee expressed a concern regarding the inadequate management and leadership capabilities at the college as it seemed like they had been lax in dealing with the significant problem related to the shortage of textbooks. This prompted the Committee to request the DHET and the college management to find an urgent solution to the matter.

4.4. Student academic performance for the 2018 academic year

- 4.4.1. The Northern Cape Rural and Goldfields TVET College's pass and certification rates in NC(V) and Report 191 for the 2018 academic year had improved significantly compared to that of 2017. At the Northern Cape Rural TVET College, certification rates were as follows: NC(V) Level 4 certification rate increased from 65.2 percent in 2017 to 72 percent in 2018, Business Studies increased by 5.6 percent to 55.3 percent in 2018 and Engineering N2 and N3 studies increased by 3.6 percent and 5.8 percent to 43.5 percent and 47.6 percent in 2018 respectively. At Goldfields TVET College, the pass rate per trimester for the Engineering Studies N1 – N6 and Business Studies N4 - N6 per semester had improved significantly with many distinctions recorded for some subjects.

- 4.4.2. Notwithstanding the improved certification rates at the Northern Cape Rural TVET College, the decline in the number of students completing their artisan training programme was noted as a concern, especially given the high demand in skilled artisans to be trained in order to grow the economy and in order to meet the national development plan's (NDP) target of producing 30 000 artisans per annum by 2030.
- 4.4.3. At Motheo TVET College, the Committee noted the low certification rates in the NC(V) and NATED programme. Approximately half of the students that sat for exams, did not pass in both the NC(V) and the NATED programmes. There was a high number of students who were absent from the examination. These low certification rates were more prevalent in the NC(V) Engineering programme with an estimated certification rate of 30 percent. The Committee was of the view that the significant investment in increasing equitable access in the TVET sector was not producing the desired outcomes as per the national development plan (NDP).
- 4.4.4. In terms of pass rates at universities, Sol Plaatje University's overall pass rate in 2018 was 82 percent with programmes such as the Bachelor of Education, Bachelor of Commerce and Heritage Studies recording pass rates of above 85 percent. The pass rate at the University of the Free State was on par with the national norm. The UFS reported that African graduates increased by 10 percent of the proportion of graduates between 2016 and 2017. However, the achievement gap between black and white students was slightly larger.

4.5. Articulation of TVET College students to universities

- 4.5.1. The colleges expressed a concern about the challenges experienced by TVET college graduates in articulating to universities. Sol Plaatje University and the University of the Free State are comprehensive universities and they offered programmes from higher certificate, diploma and degrees. This was to provide students from lower levels of education that would previously not have been able to attain

higher education learning and the programmes would enable students to enter the mainstream curriculum after completion. The Committee commended this initiative as it would address articulation challenges of TVET college graduates.

4.6. Student accommodation, Infrastructure Expansion and Information Communication Technology

- 4.6.1. Both the University of the Free State and Sol Plaatje University had built state of the art student accommodation. Both Universities prioritised first year students in the university owned residences while senior students were accommodated in leased private accommodation. At the University of the Free State, the Committee was informed that accommodating the first students at the university-owned residences has assisted with the building of a new institutional culture as well as inculcating the university values without the influence of senior students. In addition, this practice has provided assistance in protecting first-time entering students from demeaning initiation practices by senior students. The University of the Free State had replaced a new Gateway Programme to introduce new students to academic life. The universities commended the Department of Higher Education and Training for the Infrastructure Efficiency Grant (IEG) that had been allocated to universities in order to build new infrastructure and to refurbish the existing infrastructure.
- 4.6.2. The Committee commended the progress that was made at Sol Plaatje University regarding the expansion of new infrastructure to accommodate the growth in student numbers. During its on-site visit around the university, the Committee noticed impressive state of the art teaching and learning buildings. The Committee was also informed of the unique education building which was used for macro teaching by Education students.
- 4.6.3. The TVET Colleges expressed a serious concern about the severe shortage in teaching and learning infrastructure, including student accommodation at the colleges. Goldfields and Motheo TVET Colleges did not have student accommodation, while TVET the

Northern Cape Rural College had accommodation donated by a mining company. However, funding is required to refurbish the hostels donated to the college.

- 4.6.4. TVET Colleges reported that through the district and provincial government support, they sourced unused properties as satellite campuses and skills centres. Of concern to the Committee was the fact that the processes by the Department of Public Works to transfer the properties for ownership by said colleges, proved to be challenging. The colleges were investing funds into refurbishing property that was not officially under their ownership. The Northern Cape Rural TVET College informed the Committee that it had, due to outstanding title deeds, lost opportunities from private donors who were willing to expand the college infrastructure.
- 4.6.5. The colleges reported that there were no sporting facilities at the colleges itself for student sports and recreational activities. This situation has limited the opportunities for students to participate in sports. Motheo TVET College rented public facilities such as municipal soccer and athletic stadiums. The college had formed a partnership with the University of the Free State to be able to use its sport facilities.
- 4.6.6. The colleges welcomed the funding for infrastructure refurbishment from the Department of Higher Education and Training. However, they expressed concerns that there was no funding allocated to build new infrastructure which was really needed.
- 4.6.7. The colleges did not have WIFI connectivity that was accessible to students. The Northern Cape Rural College committed to improving its WIFI connectivity across all its campuses during the course of 2019 and negotiations with Telkom had been underway. Sol Plaatje University and the University of the Free State had WIFI connectivity which was accessible to all students on campus and in their residences.
- 4.6.8. The Committee commended the ICT infrastructure that the University of the Free State had built. The data centre, which was the third biggest research computer centre in Africa, which expedited data processing, was welcomed by the Committee.

4.7. Governance

4.7.1. Goldfields and Motheo TVET Colleges did not have functional councils. The term of office of the previous councils ended at the end of October 2018 and a process to appoint new councils was not put in place by the Department of Higher Education and Training prior to when these terms would expire. The Committee was concerned that governance structures are critical to the functioning of these institutions and that the absence of such structures would have an adverse impact on the running of these institutions. The Committee noted with concern that the Northern Cape Rural TVET College did not have an elected Student Representative Council for 2019.

4.8. Outstanding certificates and November 2018 outstanding results

4.8.1. The colleges welcomed the effort by the Department of Higher Education and Training and other stakeholders in addressing the certification backlog dating back to 2007. They acknowledged the significant improvement in the reduction of the backlog and issuing of outstanding certificates. They reported that many certificates were outstanding, although not at a high number. The Committee was informed of the pending results for November 2018 examination. Goldfields TVET College reported results pending in the following subjects: English First Additional Language L2 and L3 (329), Mathematical Literacy L2 and L3 (334), Mathematics L2 and L3 (8), Life Orientation L2 and L3 (356), Engineering Processes L4 (27), Engineering Science N3 (42) and Mechatronics N4(30). Motheo TVET College reported results pending in the following subjects: Labour Relations N5, Travel Office Procedure N4 and Computer Practice N6.

4.9. Administration of the National Student Financial Aid Scheme

4.9.1. The Committee welcomed the proposal by NSFAS to eliminate both the voucher system and the intermediaries for disbursement of student allowances in 2019. NSFAS had planned to make cash payments to students to eliminate the use of third-party service providers who had been benefitting from the disbursement of student

allowances on behalf of the institutions. The voucher system had been susceptible to fraud and corruption, and there had been many complaints from the PSET sector about the delays in the payment of student allowances through the sBux system.

- 4.9.2. The Committee expressed a concern about the capacity and IT systems of some institutions that would be expected to disburse funds on behalf of NSFAS as NSFAS relied on the institutions to provide reliable data regarding student registration to be able to allocate allowances to students.
- 4.9.3. The Committee welcomed the continuous engagements by the Administrator and his team with the student leadership and other key stakeholders in the PSET sector. The Committee requested more details regarding the outcomes of these engagements and the memorandum of understandings (MOUs) that had been signed with the stakeholders. The Committee welcomed the deployment of senior staff to assist the institutions at provincial and regional levels.
- 4.9.4. The Committee expressed its concern about the possibility of financial institutions (banks) charging exorbitant bank fees when the student allowances were deposited into their bank accounts.
- 4.9.5. The Committee expressed its concern regarding the number of student applications that had not been processed due to the confusion with respect to the different thresholds of eligibility for NSFAS funding. The Committee indicated that some of these students would incur historical debt that might lead to financial exclusion and there was a need for NSFAS to provide clarity in this regard.
- 4.9.6. The student appeals system was widely welcomed by the Committee since it offered students an opportunity to re-apply for NSFAS funding.
- 4.9.7. The Committee held the view that consequence management should be implemented against individuals at NSFAS who were involved in any form of irregularities or corruption.
- 4.9.8. The TVET Colleges and Sol Plaatje University reported that the upfront payment was yet to be paid to these institutions. The University of the Free State had received its first tranche of upfront payment for the 2019 academic year.

4.10. Partnerships, work-based learning opportunities and exit plans for graduates

4.11.1. The three TVET Colleges had heeded the call to open their workplaces for their own students for internships and work-based learning opportunities. Students placed in administration were doing data capturing support, giving lecturer support with administrative work, were capturing students' NSFAS related information and were offering other administrative support. The Committee welcomed the efforts by the colleges to ensure that students who required work-integrated learning could complete their qualifications and as such had been provided with opportunities by the colleges. The partnerships established by the colleges with industry and government departments and entities to generate a third-stream income for occupational programmes, infrastructure development, the placement of students and lecturers for work-integrated learning and work-based exposure was commended by the Committee. These efforts assisted greatly in ensuring that students were prepared for the world of work.

4.11.2. The Committee welcomed the regional partnerships between the Universities and TVET Colleges in the Free State and Northern Cape with regard to lecturer development, resource sharing, the articulation of students and research.

4.11.3. The Northern Cape Rural TVET College informed the Committee of a lack of interest by industry to place TVET College lecturers for work-based exposure, as per the Medium-Term Strategic Framework policy priority to improve the quality of lecturing through placing 30 percent of TVET College lecturers in the workplaces to acquire workplace exposure every year by 2019.

4.12. Employee related matters

4.12.1. The colleges reported to the Committee that the capping of the wage bill to 63 percent had adversely impacted on the ability of the colleges to recruit both support and academic staff. This has resulted in overworking the staff available.

- 4.12.2. TVET College labour unions complained about salary disparities of staff employed on the Department's Persal system and those appointed by the college councils. Furthermore, the unions noted that there were outstanding migration issues that had not been addressed by the Department and those were causing discontentment among staff.
- 4.12.3. The inharmonious relationship between labour unions at Sol Plaatje University, Goldfields, and Motheo TVET Colleges were noted with great concern. At Sol Plaatje University, the union alleged that the VC took unilateral decisions, as well as being averse to the presence of the union at the institution. The management indicated that the union did not raise its grievances internally, and did not attend meetings where institutional issues were discussed. At both Goldfields and Motheo TVET Colleges, unions alleged that the bargaining agreement and the Labour Forum decisions had not been implemented by College Management.
- 4.12.5. Delays in the finalisation of post-establishment for the colleges was noted as a serious concern and in some colleges there were no lower middle management post provision.
- 4.12.6. The Committee expressed its concern regarding the litany of accusations levelled against the Principal of Motheo College by the unions and what appeared to be animosity between the unions and the management. The Committee was of the view that the Department and the college should provide further details of the accusations against the Principal and the causes of instability at the college.
- 4.12.7. The Committee commended the harmonious relationship that existed between the management and university stakeholders at the University of the Free State. The unions acknowledged that the management was attentive to its demands.

5. Specific findings per institution

5.1. Sol Plaatje University

5.1.1 The absence of the Vice-Chancellor, who had been abroad during the oversight visit of the Committee, was noted as a concern. The Committee indicated that the registration period was a very critical period for the institution, and that the VC should have been present to account to the Committee.

5.1.2 The University relied on specially earmarked funding for its expansion given that it was a fairly new institution. The Committee expressed its concern with respect to the sustainability of the University when subsidies through earmarked grants would come to an end. The University was planning to be a fully-fledged institution by 2027 with an estimated headcount enrolment of 8 000 students.

5.1.3 The Committee did not support the union's (NEHAWU) proposal to be involved in the procurement process of the institution. The Committee indicated that there had been incidences of corruption and instability where labour unions had been involved in the procurement process of the University. The Committee expressed its dissatisfaction with the fact that the presentation of the union focused more on its demands and complaints than on its contribution to the sustainability of the institution.

5.1.4 The University had issued its full-time students with laptops and it also had a bicycle project, which provided students or staff the possibility of renting a bicycle at R380 per annum. These initiatives were commended by the Committee as they contributed positively to teaching and learning.

5.1.6 The University was commended for the offering of a degree in Data Science which was one of its kind on the African continent and the offering of postgraduate programmes for the first time since the establishment of the University. This was an indication of the incremental growth at the University.

5.1.7. Section 7 (4)(g) of the Higher Education Act which provides for representation of an employee or employees other than academic employees, elected by such employees of the public higher education institutions. The Committee was concerned about the exclusion of the employees other than academic employees in the representation on Council as per the Institutional Statute of the University.

5.2. University of the Free State

5.2.1. The Committee expressed its concern regarding the declining numbers and output of the Health Sciences faculty of the University. The Committee indicated that the country had a shortage of health professionals and that it was critical for the University to put measures into place to realise the intended outcomes of this faculty.

5.2.2. The Committee was of the view that the University was under good management and leadership. This has contributed to its student success rate of 85 percent and the good maintenance of infrastructure.

5.2.3. The University had developed a policy that would deal with challenges related to food insecurity for students and this initiative was commended by the Committee.

5.2.4. The Committee indicated that the University needed to do more in addressing the equity of success in its student body, especially between Black and White students.

5.2.5. The University was commended for using grey water system to water the grounds at three of its newly built residences and the installation of the solar streetlights to support its renewable-energy power solutions.

5.3. Goldfields TVET College

5.3.1. The high vacancy rate, including a high number of acting positions at senior management level were noted with serious concern.

5.4. Motheo TVET College

5.4.1. The construction of the new National Artisan Development Academy at Motheo TVET College was commended. The Academy, which was funded by the Services SETA, would contribute to the production of artisans as per the National Development Plan. The Committee commended the college for its research to inform scarce and critical programmes that would be offered at the Academy. The Committee commended the College for winning national and international awards, which provided evidence that it was being recognized for great work done, its contribution to the skills development and its contribution to the economic growth of the country

5.4.2. The Committee commended the work of the college and programmes put in place to support students with various forms of disability. The college served as a best practice for other colleges.

6. SUMMARY

The oversight visit of the Committee focused mainly on assessing the 2019 registration processes and the readiness of universities and TVET colleges in the Northern Cape and the Free State for the 2019 academic year. As part of the oversight visit, the Committee interacted with the institutions' management, council, student representative council (SRC) and the labour unions. The purpose of this interaction was to give an opportunity to the stakeholders to present to the Committee the contributions they had made towards the successes of their respective institutions and to raise other issues that affected the students and workers. The Committee also met with NSFAS to assess its plans to improve the disbursement of funding to students at universities and TVET colleges.

In so far as registration for 2019 was concerned, the Committee was pleased that the majority of the institutions were making use of online registration, which reduced the long queues that had been experienced with the manual registration process. The CACH system also assisted in reducing the number of walk-ins at the institutions and made the registration process more efficient. There were a few hiccups that were observed at the Goldfields TVET college (Welkom Campus). The college experienced delays in the distribution of textbooks to students and this caused instability at the institution. The Committee requested the Department and the college management to develop an urgent plan to resolve the textbooks challenge.

With respect to student funding, NSFAS indicated that it had received 494 401 applications for 2019 and this included the 130 000 TVET college walk-ins in January 2019 walk-ins. Of the 494 401 applications received, 308 561 were successful while the remaining applications either did not meet the eligibility criteria or had missing documents. NSFAS indicated that it had established an appeals process for all applications that had been rejected. This offered an opportunity to students to submit the necessary information that was required to meet the eligibility criteria. NSFAS had already made R1.7 billion in upfront payments to those universities where a memorandum of agreement had been signed, and R195 million to TVET colleges. The Committee was pleased that for the first time in 2019, NSFAS would pay a standard personal care allowance of R1 950 for students at TVET colleges and R2 750 for students at universities. The institutions also acknowledged that there had been a significant improvement in the disbursement of funding and student allowances since the Administrator had taken over at NSFAS.

In relation to the infrastructure, the Committee observed that there was a high demand for student accommodation at all the institutions. The situation at TVET colleges was worse, given that for a very long time these institutions did not receive infrastructure grants as compared to universities. The Motheo TVET college for example had an estimated enrolment of 20 000 students in 2018, however, it did own a single student residence. Similarly, the NCR TVET college (Kuruman Campus) had very limited

space for teaching and learning and students had to share computer classes. Compounding the infrastructure challenge in the TVET sector were the delays in the issuance of title deeds by the Department of Public Works and other provincial government institutions for the buildings that had been transferred to colleges. Despite the infrastructure challenges of the TVET sector, the Committee was impressed by the construction of the National Artisan Training Centre sponsored by the Services SETA for Motheo TVET college.

7. RECOMMENDATIONS

The Committee, having undertaken an oversight visit to the post-school education and training institutions in the Northern Cape and the Free State, recommends that the Minister of Higher Education and Training consider the following:

7.1. TVET Colleges

7.1.1. Outstanding certificates and pending results for November 2018 examination

7.1.1.1. The student leadership of the TVET colleges, including management, raised the challenge of outstanding NC (V) certificates and NATED diplomas for students that had completed their courses. The Committee welcomed progress made by the Department and acknowledged by the TVET Colleges in addressing the certification backlog. Notwithstanding this progress, the Committee recommends that the Department should investigate the reasons for the remaining challenges relating to all outstanding certificates.

7.1.1.2. The colleges also reported on the pending results for November 2018 examination and this has impacted on the promotion of students and finalisation of registration of the affected students. The Department should also expedite its processes to release the pending results of November 2018 examination so that Colleges can finalise registration process and that NSFAS receive student academic performance to finalise its processes.

7.1.2. Decline in enrolment in the Ministerial approved programmes, mainly NC(V)

- 7.1.2.1. The Committee observed that there had been a significant decline in the NC(V) enrolments at TVET Colleges. Compounding the situation was higher dropout rates and low certification rates in the NC(V) programme. The Committee recommends that the NC(V) and NATED curriculum review processes be expedited so that there could be value of government's investment in the sector.
- 7.1.2.2. The Committee recommends that a meeting should be convened with the Department of Higher Education and Training to engage on the future of the NC(V) programmes and on the funding model for the Report 191 programmes.

7.1.3. Procurement of textbooks

- 7.1.3.1. The TVET Colleges should develop and implement a policy on students returning their textbooks once they have completed their programmes.
- 7.1.3.2. TVET Colleges should ensure that the procurement and the delivery of textbooks for the new academic year is finalised in the previous academic year to ensure smooth running of the new academic year and that every registered student has a textbook on the first day of the commencement of academic classes.
- 7.1.3.3. The Department should ensure that any revision of the curriculum/syllabus is communicated to the college timeously to ensure procurement of relevant textbooks.

7.1.4. Student academic performance

- 7.1.4.1. TVET Colleges should put mechanisms in place to strengthen the Student Support Services, including implementing measures to identify those students who are at risk - so as to improve throughput and certification rates and to reduce dropout rates.

7.1.5. Articulation of TVET College graduates to universities

7.1.5.1. The colleges expressed a concern about the challenges experienced by TVET College graduates in articulating to universities. Articulation should not be dependent on a “gentlemen’s agreement”. The Department should rather ensure that the National Articulation Policy, developed by the South African Qualifications Authority, is implemented by all universities. Consequence management should be implemented where contraventions are found to occur.

7.1.6. Infrastructure and transfer of property

7.1.6.1. TVET Colleges had an acute shortage of student accommodation and had alarmingly decaying infrastructure. Colleges had been allocated infrastructure grants for maintenance and refurbishment of the existing infrastructure. Notwithstanding the fact that vast resources have been made available for the TVET Sector, the Committee had noted that there was still a need to ensure that future budgets should consider improved allocation to address the areas of urgent intervention like construction of new infrastructure to accommodate growth in student numbers, student recreational facilities and especially WIFI connectivity. The Department should explore innovative funding mechanisms for infrastructure expansion at TVET Colleges.

7.1.6.2. The Committee observed that institutions were receiving third stream funding from the SETAs. The DHET, in partnership with the SETAs, should strengthen efforts to ensure the better use of the financial model with regard to the utilisation of third stream funds so as to ensure effective and efficient spending.

7.1.6.3. The Committee commended the state of the art teaching and learning, including student accommodation at Sol Plaatje University and the University of the Free State. The Committee recommends that the universities should not neglect maintenance of these buildings to ensure durability.

7.1.6.4. The colleges have reported that they had acquired buildings from the provincial Department of Public works in the Northern Cape and Free State provinces for use as satellites campuses and skills centres. However, there had been delays with the transfer of title deeds for the buildings to the Colleges by the provincial Department of Public Works. The Colleges were investing funds into refurbishing property that was not officially under their ownership. The Northern Cape Rural TVET College informed the Committee that it had lost opportunities from private donors who were willing to expand the College infrastructure due to outstanding title deeds. The Committee recommends that the Department engage with the relevant provincial departments to expedite the transfer of the properties to College ownership.

7.1.7. Finalisation of the post establishment norms and outstanding migration issues

7.1.7.1. The delays in the finalisation of the post-establishment for the Colleges was noted as a serious concern and in some Colleges there was no lower middle management post provision. The Department should expedite the development and implementation of post-establishment norms for TVET Colleges.

7.1.7.2. The high vacancy rate, including a high number of acting positions at senior management level at the Goldfields TVET College was noted with serious concern. The Department and the TVET college should ensure that all funded positions were filled.

7.1.7.3. TVET College labour unions complained about salary disparities of staff employed on the Department's Persal system and those appointed by the college councils. Furthermore, the unions noted that there were outstanding migration issues that the Department had not addressed and those are causing discontentment among staff. The Department should engage the TVET College councils on the salary disparities of staff and to address the outstanding migration issues to ensure stability at the colleges.

7.1.7.4. The inharmonious relationship between labour unions at the Goldfields and Motheo TVET Colleges were noted with great concern. The Committee recommends that the stakeholders should build a social compact to create a harmonious relationship for the benefit of the College as well as to amicably address issues affecting employees.

7.1.7.5. There was a litany of accusations levelled against the Principal of Motheo TVET College by the unions in what appeared to be animosity between the unions and the management. The Committee recommends that the Department should present to the Committee the findings and recommendations of the forensic investigation and that mechanisms should be put in place to restore stability at the college.

7.1.8. Appointment of TVET councils

7.1.8.1. The Committee observed that some colleges did not have a fully constituted council as per the provision of the Continuing Education and Training Act, 2006 (Act No. 16 of 2006). The Committee recommends that the Minister should expedite the process of the appointment of TVET College council members so that they can exercise their fiduciary duties adequately.

7.1.8.2. The Committee recommends that processes to appoint new members of council should commence three months' prior the end of term of sitting council to ensure that there is no governance vacuum at the colleges and there is proper handover.

7.1.9. Student funding

7.1.9.10. The Committee heard that NSFAS would only pay student allowances to TVET colleges from 2019 once the registration of students had been confirmed. Teaching and learning at TVET colleges had already commenced, and the registration processes had not been completed. The Committee recommends that

communication by the Department to TVET colleges should be improved given the confusion in the disbursement of funds and allowances to students in the TVET sector.

7.1.10. Representations at institutions

7.1.10.1. The Committee found disconcerting the presence of some individuals who were not members of any of the institutional structures who delivered presentations or who spoke on behalf of these structures. The Committee recommends a stricter entrance regime at institutions to regulate access at all levels, albeit with regard to formal discussions or sessions being held or with regard to physical entrance at these institutions.

7.2 Universities

7.2.1 Student safety

7.2.1.1. The Committee was informed that student safety at the University of the Free State, especially for students who resided off-campus, remained a serious concern. The Committee recommends for a conferral with the PC on Police regarding the challenge of student safety experienced in higher education.

7.2.1.2. Section 7 (4)(g) of the Higher Education Act provides for representation of an employee or employees other than academic employees, elected by such employees of the public higher education institutions. The Committee was concerned about the exclusion of employees other than academic employees in the representation as per the Institutional Statute of Sol Plaatje University. Of great concern was that the Minister approved and gazetted the University's Institutional Statute despite contravening section 27 (4)(g) of the Higher Education Act. The Department should ensure that the University amends its Institutional Statute to make provision for the representation of non-academic employees on council.

7.2.2. Infrastructure

7.2.2.1. The demand for space into student residences in higher education was very high. A number of research studies had proven that students residing in university residences performed much better than those residing off campus. The Committee recommends that the Department should assist universities to expand their infrastructure.

7.3. NSFAS

7.3.1.1. There was confusion about the NSFAS threshold for student funding. The NSFAS threshold was extended from R120 000 to R320 000 following the announcement of fee-free higher education in 2017. The Committee recommends that Department should provide clarity with respect to funding for students eligible for NSFAS to minimize such confusion.

7.3.1.2. NSFAS had planned to discontinue the sBux voucher system from 2019 in favour of paying allowances directly into the student's bank accounts. The Committee recommends that the Department and NSFAS to have a discussion with the banks to ensure that students were not charged unnecessary banking fees when the allowances are deposited into their bank accounts.

7.3.1.3. The Committee was concerned about the capacity of some institutions to process the funding provided by NSFAS for disbursement to students. The Committee recommends that the Department and NSFAS should provide the necessary support to the institutions whose IT systems were inadequate for the disbursement of NSFAS funding.

7.3.1.4. There were outstanding applications from 2017 and 2018 that had not been processed by NSFAS. The Committee recommends that NSFAS should prioritise the close out of the 2017 and 2018 outstanding applications.

7.3.1.5. NSFAS should furnish the Committee with the details of its stakeholder engagements and the Memorandum of Understanding that had been signed.

Report to be considered.

3. Report of the Portfolio Committee on Science and Technology on the **Science and Technology Laws Amendment Bill [B 42 – 2018]**, dated 6 March 2019.

The Portfolio Committee on Science and Technology, having considered the subject of the **Science and Technology Laws Amendment Bill [B 42 - 2018]** (National Assembly – sec 75), referred to it, reports the Bill with the following amendments [B 42A - 2018].

CLAUSE 1

1. On page 3, in line 6, after “;” to insert “and”.
2. On page 3, in line 12, to omit the second “;” and to substitute “.”.
3. On page 3, from line 13, to omit paragraphs (c), (d) and (e).

CLAUSE 2

Clause rejected.

CLAUSE 3

1. On page 3, from line 36, to omit subsection (3) and to substitute:

“(3) [If a committee referred to in subsection (1) consists of more than one member, the] The Board shall designate a member of the committee as chairperson thereof.”.

CLAUSE 4

1. On page 3, in line 47, after “;” to insert “and”.
2. On page 3, from line 48, to omit paragraph (b).
3. On page 3, in line 51, to omit “(c)” and to substitute “(b)”.
4. On page 3, in line 53, to omit “[, in consultation with the Minister,]” and to substitute “, [in] after consultation with the Minister.”.

CLAUSE 16

1. On page 7, from line 9, to omit paragraph (a).
2. On page 7, in line 13, to omit “(b)” and to substitute “(a)”.
3. On page 7, in line 13, to omit “(c)” and to substitute “(b)”.

CLAUSE 17

1. On page 7, from line 27, to omit paragraph (b) and to substitute:
(b) by the substitution for subsection (2) of the following subsection:
“(2) A committee referred to in subsection (1) consists of such number of members of the [Academy] Council, and employees of the Academy, if any, and any other persons with suitable skills or experience as the Council may deem necessary, and the Council may at any time dissolve or reconstitute a committee.”; and

CLAUSE 18

1. On page 8, in line 5, after “Minister” to insert “as determined by the National Treasury”.
2. On page 8, in line 17, after “term” to insert “by the Council in consultation with the Minister”.
3. On page 8, from line 18, to omit subsection (6).
4. On page 8, in line 19, to omit “(7)” and to substitute “(6)”.
5. On page 8, in line 22, to omit “(8)” and to substitute “(7)”.
6. On page 8, in line 25, to omit “(9)” and to substitute “(8)”.
7. On page 8, in line 29, after “may” to insert “, after consultation with the Minister,”.

CLAUSE 22

1. On page 9, from line 32, to omit paragraphs (a) and (b).
2. On page 9, in line 39, to omit “(c)” and to substitute “(a)”.
3. On page 9, in line 44, to omit “(d)” and to substitute “(b)”.

4. On page 9, after line 48 to insert the following:
(c) by the substitution in subsection (6) for paragraph (h) of the following paragraph:
“(h) the member as a result of improper conduct is removed from a position of trust **[by a competent court of law]**.”
5. On page 9, from line 49, to omit paragraph (e).

CLAUSE 25

1. On page 10, in line 25, to omit “chairperson of the”.

CLAUSE 26

Clause rejected.

CLAUSE 27

1. On page 10, in line 45, to omit **[, in consultation with the Minister,]** and to substitute “, **[in] after** consultation with the Minister.”
2. On page 10, in line 47, after “;” to insert “and”
3. On page 11, in line 2, to omit “; and” and to substitute “.”
4. On page 11, from line 3, to omit paragraph (d) and to substitute:
“(d) by the deletion of subsection (9).”

CLAUSE 36

Clause rejected.

CLAUSE 37

1. On page 12, in line 31, to omit “and”
2. On page, 12 in line 34, to omit “the full stop” and to substitute “; and”

3. On page 12; after line 34 to insert the following:

(c) by the substitution for paragraph (e) of the following paragraph:

“(e) removed as a result of improper conduct from a position of trust [**by a competent court of law**]; or”.

CLAUSE 41

Clause rejected.

CLAUSE 42

1. On page 13, after line 38, to insert the following:

(b) by the substitution for subsection (5) of the following subsection:

“(5) The Chief Executive Officer holds office for a period not exceeding five years and is eligible for reappointment on expiry of his or her term by the Board in consultation with the Minister.”; and

2. On page 13, in line 39 to omit “(b)” and substitute “(c)”.
3. On page 13, in line 41, to omit “[, with concurrence of the Minister,]” and to substitute “, [**with concurrence of**] after consultation with the Minister,”.
4. On page 13, in line 45, to omit “; and” and to substitute “.”.
5. On page 13, from line 46, to omit paragraph (c).

CLAUSE 44

1. On page 14, in line 21, to omit “chairperson of the”.

CLAUSE 49

1. On page 15, after line 12, to insert the following:

(a) by the substitution in subsection (1) for paragraph (f) of the following paragraph:

“(f) has, as a result of improper conduct, been removed from a position of trust [**by a competent court of law**]; or”;

2. On page 15, from line 13, to omit paragraph (a).
3. On page 15, in line 19, after “;” to insert “and”.
4. On page 15, in line 22, to omit “;and” and to substitute “.”
5. On page 15, from line 23, to omit paragraph (e).

CLAUSE 53

1. On page 16, in line 19, to omit “chairperson of the”.

CLAUSE 54

Clause rejected.

CLAUSE 55

1. On page 16, in line 34, after “;” to insert “and”.
2. On page 16, in line 37, to omit [**with the concurrence of the Minister,**] and to substitute “, [with concurrence of] after consultation with the Minister.”
3. On page 16, in line 41, to omit “; and” and to substitute “.”
4. On page 16, from 42, to omit paragraph (c).

Report to be considered

4. Report of the Standing Committee on Finance on the Financial Matters Amendment Bill [B 1 – 2019], dated 7 March 2019.

The Standing Committee on Finance, having considered and examined the Financial Matters Amendment Bill [B 1 – 2019] (National Assembly- section 75) referred to it, reports as follows:

The Financial Matters Amendment Bill (FMAB) was introduced in the National Assembly on 31 January 2019. The FMAB proposes amendments to-

- the Insolvency Act, 1936 to amend the regulation of over-the-counter derivative (OTC) markets in line with G-20 commitments;
- the Military Pensions Act, 1976 to address discriminatory provisions;
- the Banks Act, 1990 to enable state-owned companies to apply for banking licences subject to executive approval;
- the Government Employment Pension Law, 1996 to change the debt approach applied to public servants following divorce to a less burdensome approach of pensionable service reduction; and
- the Auditing Profession Act, 2005 to address challenges and limitations that the Independent Regulatory Board for Auditors faces in discharging its regulatory and oversight responsibilities.

Amendments to the Insolvency Act, 1936

After the 2008 global financial crisis G-20 states agreed that non-centrally cleared OTC derivatives contracts should be regulated in accordance with a unified international standard. From 2016 the National Treasury, Prudential Authority and Financial Sector Conduct Authority began the process of proposing amendments to the Insolvency Act to ensure that South Africa complied with its international obligations. The proposed amendments to the Insolvency Act will ensure that:

- creditors who enter into derivatives contracts and exchange collateral will be able to keep the proceeds during insolvency;
- South Africa will meet the G-20 deadline of September 2019 to strengthen the regulation of OTC derivatives;
- domestic banks will continue to enter into OTC derivatives transactions with their foreign counterparties; and
- systemic risk will be reduced and financial stability maintained.

Following stakeholder consultation, the Committee made changes to the amendments to the Insolvency Act in the FMAB. The changes include-

- clarification that the Master will only adjudicate disputes of preference and settlement of disputes will be in terms of submitted documents;
- provision for a court to direct a creditor under a Master Agreement to repay the net proceeds of the realized collateral;
- a definition of “well founded” to provide that the Master must be satisfied that the reasons furnished by the trustee or any other creditor reasonably and sufficiently challenge the validity of documentation submitted as proof of the secured claim.

Amendments to the Military Pensions Act, 1976

These amendments are necessary to recognise all types of relationships, including life partnerships, to qualify for benefits and to ensure gender neutrality in accordance with the Constitution.

Amendments to the Banks Act, 1990

As the FMAB included provision for the formation of a state-owned bank, it was considered together with the Banks Amendment Bill (B12-2018) (BAB), introduced by Mr Floyd Shivambu, as a Private Members Bill which has the same objective.

The amendments to the Banks Act provides for state-owned companies meeting the prudential and other requirements of the Banks Act to apply for authorisation to establish a bank. The substance of the amendments to Banks Act amendment in the FMAB were already extensively deliberated following the introduction of the BAB.

The Committee decided that the FMAB was better than the BAB because it provides for more qualifications and checks and balances on the formation of a state-owned bank and is drafted in the context of other applicable legislation that National Treasury is responsible for including the Public Finance Management Act and the Financial Sector Regulation Act.

There were 3 areas in particular that the FMAB was stronger:

1. It requires that if a state-owned company (SOC) wants to apply for authorisation to establish a bank it must first get the approval of the Minister of Finance, acting with the concurrence of the Minister responsible for the SOC.
2. The assets of the SOC, its holding company and, if applicable, the holding company of the holding company, must exceed its liabilities.
3. It excludes municipal owned companies from applying for authorisation to establish a bank.

While the Committee fully supports state-owned banks and in particular the expeditious processing of the licencing of the Postbank, we believe that because of the possible fiscal risks posed by state-owned banks which may require bailouts, the above qualifications are necessary to restrict the circumstances in which state-owned banks are formed and therefore believe that the FMAB provisions on state-banks are better than those in the BAB.

The Committee decided not to deal with whether provincial SOCs should be allowed to establish banks and, if so, under what conditions, as there is a need for a more extensive discussion on this and there simply was not the time to do this.

Amendments to the Government Employment Pension Law, 1996

These amendments address the prejudice suffered by divorced public servants through the current debt approach. It entails a debt (a “forced” loan) which accrues interest. Upon exit, the member may receive a reduced or no cash payment (gratuity) and, if the gratuity is insufficient, the annual pension paid monthly will also be reduced. The reduction of pensionable service is the approach adopted by most pension funds and results in a more predictable outcome for the member. The Public Service Co-ordinating Bargaining Council adopted a resolution in support of the service reduction approach. The Public Protector also received complaints about the current debt approach.

Unable to process amendments to the Auditing Profession Act, 2005

The Committee deeply regrets that it was unable to process these amendments especially as they are so urgently needed and the Committee itself has been putting pressure on NT for some while to bring these legislative amendments to Parliament. It was just not possible to process the amendments in view of the very limited time available before the 5th term of parliament ends. The National Assembly rises on 20 March and the NCOP on the 28 March for the 8 May elections, and after consultation between the decision-making authorities in both Houses, the Committee was advised that the NCOP will not be able to process the amendments to the Auditing Professions Act before the end of the 5th term of Parliament as they are too elaborate and they are being contested. Also, the Standing Committee on Finance (Scof) just did not have enough time to process these amendments.

The Minister of Finance is urged to bring these amendments to the next Parliament as soon as possible after it is convened and we recommend, with due respect, that the incoming Scof processes these matters expeditiously.

The Committee expresses its severe criticism of NT for introducing the FMAB so late on the eve of the ending of the 5th term of parliament, and had it not been for the fact that we had, as explained, extensive discussions on policy issues related to state-owned banks through considering the BAB we would not have been able to finalise this aspect of the FMAB. Fortunately, the amendments to the Military Pensions Act and Government Employees Pension law were basically technical amendments and could be processed easily. Following extensive consultation between NT, the SARB, JSE and BASA there was agreement on the insolvency provisions and following representations by the SARB Governor and in view of the urgency of the matter, as explained above, the Committee considered these amendments and the further amendments that came through and decided to vote on them.

The Standing Committee on Finance reports a re-draft of the Bill [B1 B - 2019]

The DA reserve their position

Report to be considered.

5. Report of Standing Committee on Finance on the Banks Amendment Bill [B 12 – 2018], 7 March 2019

Motion of Desirability on the Banks Amendment Bill [B 12 – 2018]

Mr Floyd Shivambu introduced the Banks Amendment Bill (B12-2018) (BAB) on 15 May 2018 to amend the Banks Act (Act No. 94 of 1990) to provide for a state-owned company to "register and conduct the business of a bank in terms of the Banks Act" and matters related to this. The Committee had public hearings on the Bill on 4 September, and deliberations on 11 September and 14 November 2018 and 5 March and 6 March 2019.

The majority in the Committee agreed with the approach in this Bill, but was also aware that National Treasury (NT) had also drafted a Bill dealing with state-owned banks, with a particular concern to ensure the long-delayed licencing of the Postbank. This Bill was promised in 2016 but because it had not yet been introduced at the time Mr Shivambu introduced his Bill we had to proceed with considering his Bill.

However, NT gazetted the Financial Matters Amendment Bill (FMAB) on 24 August 2018 for public comment and provided the Committee with a briefing on it on 20 November 2018. As the FMAB included provisions for the formation of a state-owned bank, the majority in the Committee felt that we should consider the BAB and FMAB together.

With the formal introduction of the FMAB, public hearings were held on 12 February 2019 and both Bills were considered.

The majority of the Committee decided that the FMAB was better because it provides for more qualifications and checks and balances on the formation of a state-owned bank and is drafted in the context of other applicable legislation that National Treasury is responsible for including the Public Finance Management Act and the Financial Sector Regulation Act.

There were 3 areas in particular that the FMAB was stronger:

1. It requires that if a state-owned company (SOC) wants to apply for authorisation to establish a bank it must first get the approval of the Minister of Finance, acting with the concurrence of the Executive Authority responsible for the SOC.
2. The assets of the SOC, its holding company and, if applicable, the holding company of the holding company, must exceed its liabilities.
3. It excludes municipal owned companies from applying for authorisation to establish a bank.

While the majority in the Committee fully support state-owned banks and in particular the expeditious processing of the licencing of the Postbank, we believe that because of the possible fiscal risks posed by state-owned banks which may require bailouts, the above qualifications are necessary to restrict the circumstances in which state-owned banks are formed and therefore believe that the FMAB provisions on state-banks are better than those in the BAB.

The Committee expresses its appreciation to Mr Shivambu for introducing the BAB which assisted us considerably in finalising the policy issues.

For the reasons set out above, the majority in the Committee decided to reject the motion of desirability, referred to in rule 286(4)(i) of the Rules of the National Assembly, on the Banks Amendment Bill (B12-2018) and vote instead for the Financial Matters Amendment Bill, (B1-2019).

The DA reserve their position

Report to be considered.

National Council of Provinces

This report replaces the Report of the Select Committee on Education and Recreation on National Qualifications Framework Amendment Bill which was published in ATC dated 6 March 2019 (No25, 2019)

1. Report of the Select Committee on Education and Recreation on the National Qualifications Framework Amendment Bill [B20B – 2018] (National Assembly – sec 75), dated 06 March 2019:

The Select Committee on Education and Recreation, having considered the subject of the **National Qualifications Framework Amendment Bill [B20B – 2018]**, referred to it and classified by the Joint Tagging Mechanism as a section 75 Bill, reports that it has agreed to the Bill, with Members of the Democratic Alliance opposing.

Report to be considered

2. The Legacy Report of the Ad Hoc Committee to Inquire into the North West Section 100 Intervention – 2019

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GLOSSARY TERMS

Acronym	
AGSA	Auditor General of South Africa
CASP	Comprehensive Agriculture Support Programme Grant
CFO	Chief Financial Officer
DPSA	Department of Public Service Administration
EXCO	Executive Council
FEED	Department of Finance, Economy and Enterprise Development (provincial)
GRAP	Generally Recognised Accounting Practice
GTAC	Government Technical Advisory Centre
HOD	Heads of Department
HR	Human Resources
ICT	Information, Communication and Technology
IMTT	Inter-Ministerial Task Team
MFMA	Municipal Finance Management Act No. 56 of 2003
NCOP	National Council of Provinces
NT	National Treasury
NTCE	National Tourism Career Expo
NWDC	North West Development Cooperation
OCPO	Office of the Chief Procurement Officer
OOP	The Office of the Premier
PAAP	Post Audit Action Plan
PEGA	People Economic Growth Agency
PFMA	Public Finance Management Act No. 1 of 1999
PMU	Project Management Unit
PT	Provincial Treasury
READ	Department of Rural, Environment and Agricultural Development (provincial)
SCM	Supply Chain Management
SDIP	Service Delivery Implementation Plan
SITA	State Information Technology Agency
SOP	Standard Operating Procedure

The Ad Hoc Committee to inquire into the North West intervention (Committee) having completed its work hereby report as follows in its legacy report:

1. INTRODUCTION AND BACKGROUND

The Ad Hoc Committee to inquire into the North West intervention (Committee) was established by the National Council of Provinces (NCOP) to facilitate inquiries and also to conduct oversight in terms of Section 100 of the Constitution of the Republic of South Africa, 1996 (hereinafter referred to as the Constitution) in order to pronounce on whether the intervention in the North West Provincial Government is warranted or not. The adopted Committee report dated 30 October 2018, resolved that the intervention was indeed warranted and contains recommendations proffered by the Committee in order to give meaningful effect to its purpose and mandate, as well as the implementation, monitoring and evaluation of the intervention. This report provides a summary of the progress made in implementing the Executive directives and Committee recommendations, sets out key achievements since the inception of the intervention and highlights critical issues to be followed up by the sixth Parliament. This will further ensure continuous engagement between Parliament, Inter-Ministerial Task Team (IMTT) and the North West Government until the intervention addresses most of the challenges set out in the diagnostic reports.

2. LEGISLATIVE FRAMEWORK THAT GUIDES THE NORTH WEST INTERVENTION, SECTION 100(1)(a) and 100(1)(b)

In terms of Section 100 of the Constitution, national intervention in a provincial administration may take place when a province cannot or does not fulfil an executive obligation in terms of the Constitution. The Constitution provides that national executive may intervene by taking

any appropriate steps to ensure the fulfilment of the obligation. The steps taken by the national executive may impose the following sections:

- 100 (1) (a) – where a directive is issued to the provincial executive, describing the extent of the failure to fulfil its obligations and stating any steps required to meet its obligations; and
- 100 (1) (b) – where a responsibility is assumed for the relevant obligation in that province to the extent necessary to maintain essential national standards or meet established minimum standards for the rendering of a service; maintain economic unity; maintain national security; or prevent that province from taking unreasonable action that is prejudicial to the interests of another province or to the country as a whole.

Departments under Section 100 (1)(a)	Departments under Section 100 (1)(b)
<i>1 North West Department of Social Development</i>	<i>1 North West Office of the Premier</i>
<i>2 North West Department of Local Government and Human Settlements</i>	<i>2 North West Department of Health</i>
<i>3 North West Department of Finance, Economy and Enterprise Development</i>	<i>3 North West Department of Education and Sport Development</i>
<i>4 North West Department of Tourism</i>	<i>4 North West Department of Transport and Community Safety</i>
<i>5 North West Department of Rural Economy and Agricultural Development</i>	<i>5 North West Department of Public Works and Roads</i>

Rule 254 of the NCOP provides that whenever the national executive intervenes in a provincial executive in terms of section 100 (1) (b) of the Constitution, the national executive responsible for provincial affairs must submit a written notice of the intervention in the Council within 14 days after the intervention began. Furthermore, Rule 254(4) of the NCOP also provides that the Committee appointed by the Chairperson must investigate and report whether or not the intervention is necessary.

3. DASHBOARD OF THE SEQUENCE OF EVENTS AND MILESTONES OF THE NORTH WEST INTERVENTION SECTION 100 (1) (a) AND 100 (1) (b)

The section below seeks to provide a summary of events and milestones which have taken place since the inception of the Section 100.1 intervention in the North West Provincial Government.

Month	Activities
April 2018	<ul style="list-style-type: none"> • <i>The province was characterised by service delivery and labour unrests.</i> • <i>On 25 April 2018, Cabinet invoked Section 100.1.b for the North West Department of Health.</i> • <i>On 30 April - 17 May 2018, the Inter-Ministerial Task Team (IMTT) was established and there were further engagements around the challenges of labour unrest faced by the North West Province.</i>
May 2018	<ul style="list-style-type: none"> • <i>On 09 May 2018, Cabinet invoked Section 100(1) and also specified each intervention for all the 10 Departments which were involved.</i> • <i>On 17 May 2018 following the notice on an intervention by the President to North West province in terms of section 100(1) the Committee was established by the NCOP.</i> • <i>On 21 May 2018, agreements were reached with organised labour for the staff to return to work for both Department of Health and Social Development.</i> • <i>On 23 May 2018, the Premier resigned and further details for the intervention in the 10 departments were outlined.</i>

	<ul style="list-style-type: none"> • On 29 May 2018 members of the Committee were appointed and the committee held the first meeting. • On 30 May 2018 members of the Committee had the first meeting to elect the Chairperson and also develop the Committee program.
June 2018	<ul style="list-style-type: none"> • On 07 June 2018, the IMTT briefed the Provincial leadership in Mahikeng on the decision for intervention. • On 14 June 2018, the IMTT briefed the Committee about the North West intervention. • On 22 June 2018 the new Premier was sworn in, • On 27 June 2018, the North West Provincial Executive briefed the Committee. • On 28 June 2018, the Memorandums of Understanding (MOUs) were signed between the National and the North West Province.
July 2018	<ul style="list-style-type: none"> • On 10 July 2018, Administrators were appointed and introduced to the management of North West Government.
August 2018	<ul style="list-style-type: none"> • On 02 August 2018, there was a first meeting of the intervention coordinating team in Mahikeng. • On 16 August 2018, the second IMTT progress report was presented to the Committee.
October 2018	<ul style="list-style-type: none"> • From 15 – 19 October 2018, the Committee undertook a visit to the North West Province, and thereafter submitted its report to the House. • On 31 October 2018, the NCOP approved the intervention.
December 2018	<ul style="list-style-type: none"> • On 06 December 2018, the Premier of North West reshuffled his Executive members. • From 12 -13 December 2018, the intervention workshop for the new Exco took place.
February 2019	<ul style="list-style-type: none"> • 06 February 2019, the IMTT presented a progress report to the Committee. The details of this report are discussed in the sector departments below.

4. DEPARTMENTS THAT FALL UNDER SECTION 100(1)(a)

4.1 DEPARTMENT OF SOCIAL DEVELOPMENT - SECTION 100(1)(a)

This section aims to provide a progress report on the implementation of the Executive directives. It also provides progress on Committee Recommendations and a summary of achievements since the inception of the intervention as a direct response to the challenges outlined in the diagnostic reports done by IMTT and North West Government.

4.1.2 Achievements made since the intervention started in 2018

Directive	Progress as reported in February 2019
Compliance with the Occupational Health and Safety Act.	<ul style="list-style-type: none"> - The Department is currently implementing the recommendations of the report compiled by the Joint Technical Task Team to address non-compliant OHS conditions. Implementation is over the MTEF period.
Development of the Service Delivery Improvement Model Plan (SDIP) as well as the implementation and Monitoring of a Catch up or Recovery Plan.	<ul style="list-style-type: none"> - Monitoring of implementation of the Service Delivery Improvement Plan 2018/19 - 2020/21 was conducted. The 3rd Quarter is due on the 29th January 2019. - The SDIP focuses on provision of care and protection to older persons; provision of state run residential care and protection services to children in need of care and protection; and provision of care and support to victims of GBV.

Directive	Progress as reported in February 2019
Strengthening of Financial management and Supply chain management, which include urgent employment of the Director, Supply Chain Management, monitoring of the post audit action plans, Management of both contracts and lease agreements.	<ul style="list-style-type: none"> - A Progress Report on implementation of the PAAP for 2016/17 financial year will be submitted to the Provincial Internal Audit for review before uploading on the Provincial Monitoring System as the audit was concluded in December 2018. Whilst implementation continues and preparation for 2018/19 financial year end.
Compliance with statutory reporting requirements.	<ul style="list-style-type: none"> - The draft annual financial statement and the annual reports to be finalised and submitted to AGSA by the 29th January 2019. - APP 2018/19 third quarter performance is at 41 per cent. - The overall third quarter expenditure of the Department is at 75 per cent.
Effective management of statutory services focusing on the eradication of the foster care backlog.	<ul style="list-style-type: none"> - The recovery plan for addressing the foster care backlog was developed and implementation to be monitored in four Districts.
Effective and efficient management of all conditional grants allocated to the Province, including EPWP, absorption of scholarship graduates, ECD and Substance Abuse.	<ul style="list-style-type: none"> - The overall spending as on 28 January 2019 was 62 per cent.
Assessment of business plans, transfer payments and subsidies to NPO's and monitoring of the implementation of the activities as outlined in the Service Level Agreement.	<ul style="list-style-type: none"> - The overall spending as at 28 January 2019 was 82 per cent to date. - A total of 828 (95 per cent) business plans were signed out of a total of 872 (where 44 business plans were not compliant).

4.1.3 Other achievements since the intervention started in 2018

- The formation of a Joint Infrastructure Technical Task Team (Department of Social Development and Department of Public Works and Roads) and a report on all OHS non-compliant buildings has been received. Discussions are on-going for the implementation of recommendations.
- The B.5 table was revised to reprioritized allocated funds to the most urgent infrastructure needs.
- Reviewed court orders for children legible to remain in foster care is at 2 981 to date - out of the target of 9 975.
- Annual placement of new children in the foster care system is at 925 - out of the target of 1 842.
- The process of procurement of additional office space for Provident House (Mahikeng DSD offices) is at the adjudication stage. Process of adjudication to be finalized by end January 2019.
- APP 2018/19 third quarter performance is at 41 per cent
- Signed SLA are at 95 per cent, while the number of signed business plans to date are 828 out of 872 and payment is on-going (the 44 business plans were non-compliant).
- Conditional grants for the third quarter was at 55 per cent and total expenditure on 6 February 2019 was reported at 80 per cent.
- 80 per cent of the maintenance work at Provident House has been completed by the landlord.
- All issues raised at the Matlosana Service Point have been addressed.

4.1.4 Outstanding issues to be followed up by the sixth (6th) Parliament

The sixth Parliament should make follow up on the following areas:

- Ongoing labour unrest.

- Inadequate tools of trade, particularly ICT equipment and vehicles due to limited financial resources.
- Limited resources for office space that requires upgrades and additions.

4.2 DEPARTMENT OF LOCAL GOVERNMENT AND HUMAN SETTLEMENTS– 100(1)(a)

There are currently eight municipalities which are under intervention in terms of Section 139 of the Constitution and Section 137 of the Municipal Finance Management Act of 2003. However, the following milestones have been achieved.

4.2.1 Achievements since the intervention started in 2018

Improved Municipal Infrastructure Grant Expenditure	<ul style="list-style-type: none"> - The MIG expenditure has improved in the following municipalities since the intervention: Ditsobotla, Ngaka Modiri and Molema District Municipalities. - In Ngaka Modiri Municipality MIG is no longer used for operations since the intervention.
Stable Governance and Institutional System	<ul style="list-style-type: none"> - The governance and institutional systems have been stabilised in the Ramotshere Moilwa Municipality.
On VBS Mutual Bank	<ul style="list-style-type: none"> - Consequence management is being implemented to officials implicated with VBS investments in the following municipalities - Mafikeng, Moretele and Madibeng. - The Municipal Managers of Mafikeng and Madibeng resigned after the investigation started. - The Municipal Manager for Moretele has been suspended. - Criminal cases have been opened with the law enforcement agencies.
Improved Municipal Water Capacity	<ul style="list-style-type: none"> - Ditsobotla Municipality has improved water capacity from 40 per cent to 70 per cent, after two transformers were donated by business chamber.

4.2.2 Outstanding issues to be followed up by the sixth (6th) Parliament

The sixth Parliament should make a follow up on the following areas:

- Given that administrators for Maquassi Hills Municipality and Kagisano Molopo Municipalities have been prevented to enter the municipal premises by community members, the follow up is required on the progress made through political interventions and legal processes.
- Follow up on the work of the task team, which is appointed by the MEC to conduct an assessment and intervention mechanism on the regressing municipalities.
- Department of Cooperative Governance and Traditional Affairs should make sure that:
 - The political interference is resolved to improve performance in Ratlou Municipality;
 - The water challenges including water spillage in Dr Ruth SM District is resolved and monies invested in VBS are recovered; and
 - That drastic action is taken to address the collapse of the JB Marks Municipalities which is a merger of Tlokwe and Ventersdorp Municipalities.

4.2.2.1 DEPARTMENT OF HUMAN SETTLEMENTS - SECTION 100(1)(a)

This section aims to provide a progress report on the directives which are not yet achieved. It also provides a summary of the achievements since the inception of the intervention as a response to the challenges outlined in the diagnostic reports.

4.2.2.2 Progress made in the Implementation of the Committee Recommendations

Directive	Progress as reported in February 2019.
Beneficiary Management and Community Outreach	- The 1500 beneficiaries to be recorded by Provincial and Municipal officials is underway. The 1500 cases are envisaged to be completed in March 2020.
Reposition the Department to be fit for purpose.	- The approval of the new organisational structure is still pending.

4.2.2.3 Achievements made since the intervention started in 2018

Housing backlogs	- About more than 1500 housing cases have been resolved for beneficiaries.
Second Draft Implementation Plan	- The Second Draft Implementation Plan for 2019/20 Statutory has been completed.
Community Outreach programme	- There is about 15 successful community outreach session with 3500 beneficiaries, consumer education, projects updates, title deed checks and national housing needs registration concluded.

4.2.2.4 Outstanding issues to be followed up by the sixth (6th) Parliament (Recommendations)

The sixth Parliament should make follow up on the following areas:

- The implementation of measures such as a Community Outreach programme which is aimed to address stalling housing projects and community unrests.
- NCOP should follow up on the 1500 cases to be completed in March 2020.
- NCOP should follow up on the approval of the new organisational structure.

- The implementation of measures taken to address the poor workmanship of contractors on various sites need to be followed up.
- Measures taken to address the sporadic community unrests which impede on progress of the housing projects need to be followed up.

4.3 DEPARTMENT OF TOURISM - SECTION 100 (1) (a)

This section aims to provide progress report on the directives which are not yet achieved. It also provides a summary of the achievements since the inception of the intervention which as a response to the challenges outlined in the diagnostic reports.

4.3.1 Progress made in the Implementation of the directives

Directive	Progress as reported in February 2019
Resolve the delays in infrastructure projects to avoid further cost escalations.	- The request for approval of the variation order has been sent to Provincial Treasury. The extension of time has been granted to secure guarantees and to allow for payment of approved certificates.
Resolve incidences of misalignment between job evaluation outcomes and appointment levels in the structure.	- In consultation with the PSC and DPSA the DG has requested documents from the HoD in order to advise on applicable route, and these documents are still pending.
Assess capacity of staff to function as a standalone department.	- The skills audit questionnaire was provided. The process of data analysis to match the post requirements against the skills is underway.
Ensure appropriate levels of financial management. Takes steps to eliminate irregular expenditure.	- The revision of the financial delegation is intended to provide better controls to contain irregular expenditure. Some issues raised under the infrastructure actions still require attention.
Address audit findings	- Post Audit Action Plan (PAAP) developed and being discussed with the PT.

Provide adequate office accommodation.	- No report has been received on the status of the office accommodation.
Correct the appointment procedure for the North West Tourism Board Members and CEO.	- The national team has assisted in redesigning procedures of appointment of the Board to inform the next appointment of a new Board.
Capacity of the NWTB	- The assessment has been completed, and a number of concerns were raised by the task team report. Therefore, the North West Tourism Board will be amalgamated with the Parks Board as part of SOE rationalisation.

4.3.2 Achievements made since the intervention started in 2018

Audit Findings for Projects	<ul style="list-style-type: none"> - There were five projects which had audit findings, of which three of these have been corrected. - More capacity to address audit findings has been created.
Financial Delegation	- Financial delegation has been approved and communicated to staff to reduce the risk of irregular expenditure. The approved delegations are aiming at strengthening the internal control environment.
Assessment of North West Tourism Board	- The assessment of North West Tourism Board has been concluded and the state of the Board is concerning in the area of governance, financial management and potential duplication.

4.3.3 Outstanding issues to be followed up by the sixth (6th) Parliament (Recommendations)

The sixth Parliament should make a follow up on the following areas:

- The amalgamation of the North West Tourism Board with Parks Board as part of SOE rationalisation process.

- The implementation of the Risk Management Plan, which is not yet implemented.
- The misalignment between job evaluation outcomes and appointment levels in the organisational structure.
- The investigations that are currently underway in relation to irregular expenditure incurred by the Tourism Board and ensure that Section 84 and 85 of the Public Finance Management Act of 1999 is implemented.

4.4 DEPARTMENT OF FINANCE, ECONOMY AND ENTERPRISE DEVELOPMENT – SECTION 100 (1) (a)

This section aims to provide a progress report on the directives which are not yet achieved. It also provides a summary of the achievements since the inception of the intervention as a response to the challenges outlined in the diagnostic reports.

4.4.1 Achievements made since the intervention started in 2018

Directive	Progress as reported in February 2019
Configure the SCM operating systems in the Province to the SCM blueprint by standardising, simplifying and automating procedures and processes.	<ul style="list-style-type: none"> - A draft Provincial SCM Policy Framework was presented at I-Develop engagement sessions, with inputs currently being incorporated into the framework. - A draft Municipal Blueprint will be presented to the CFO Forum for awareness and input. - The OCPO in NT will meet with SITA and discuss how to assist the PT on the procurement of g-Commerce system by February 2019.
Implement the approved organisational structure and fill vacancies within the PFMA and MFMA units immediately.	<ul style="list-style-type: none"> - The PT organisational structure was approved. - Critical vacant posts were advertised in October 2018 and HR is currently profiling the applications.

<p>Finalise the approval of additional positions in the new structure for MFMA unit.</p>	<ul style="list-style-type: none"> - DPSA has yet to respond to PT regarding the proposed MFMA structure. - The first batch of MFMA vacant posts was advertised in October 2018 and HR is currently profiling the applications.
<p>Undertake a skills audit of the MFMA unit and structure a programme for upskilling the officials where necessary.</p>	<ul style="list-style-type: none"> - A skills audit report was developed. - NW University to provide PT with a comprehensive programme, based on the report, which is suitable for MFMA officials for up-skilling purposes.
<p>Reduce dependency of consultation on financial management and reporting by implementing new structure and fill the posts with competent and skilled personnel.</p>	<ul style="list-style-type: none"> - Awaiting OOP and DPSA to approve the new MFMA structure. - Critical vacant posts were advertised in October 2018 and HR is currently profiling the applications. - Office of the Auditor-General conducted a skills assessment of provincial and public entity officials and provided GRAP training to participants in August 2017. GRAP Training will be concluded at the end of February 2019. - Municipal skills audit report has been submitted to the HOD for approval.
<p>Review all ICT and software contracts and the implementation thereof in the Province and follow the National Treasury's Guideline and prescripts in respect of findings and recommendations.</p>	<ul style="list-style-type: none"> - The PT handed over ICT and software contracts to NT' OCPO to review and assess any irregularities. - More documents on contract were submitted to the OCPO on 30 January 2019 for assessment. - Once the assessment of all the documentation is complete, OCPO will advise accordingly.
<p>Implementation of discounted rates available through centrally negotiated agreement for software, Telecommunications, travel and accommodation.</p>	<ul style="list-style-type: none"> - Phase one of the Telkom cost saving has been implemented. Rental costs were reduced from R100 000 to R60 000 per month. - Phase two of the Telkom cost savings is in the process of negotiations. - Departments are submitting cost containment reports on a quarterly basis as part of NW Finance monitoring and compliance mechanism.

<p>Issue a moratorium on the establishment of Projects/Program Management Units (PMUs).</p>	<ul style="list-style-type: none"> - The Moratorium was issued in July 2018. - SOP for the appointment of PMUs was developed and incorporated into the NW Provincial SCM Policy Framework.
<p>Strengthen SCM oversight capability of the PT for both PFMA and MFMA compliant institutions in the Province.</p>	<ul style="list-style-type: none"> - An instruction note on the valuation of tenders above R10 million was developed. - The instruction note will be communicated to departments and public entities for compliance, once approved by the HOD. - Awareness sessions on the proposed SCM competency assessment project for provincial departments, public entities and municipalities were held from 15 to 22 November 2018. - Training of SCM practitioners is in progress, with the first week of the project producing 133 self-assessments, which represents 44 per cent of the number of invitees.
<p>Current irregular expenditure to be identified, assessed and cleared within 6 months.</p>	<ul style="list-style-type: none"> - The NT received 12 cases for condonation of irregular expenditure; however, some applications were incomplete and returned. - The application by the Department of Culture, Arts and Traditional Affairs has not been condoned, while the Department of Community Safety and Transport Management case is still outstanding pending clarification. - The PT and the NT to meet on the 30 January 2019 to discuss the issue of investigating prior year's irregular expenditure. - A Central Consequence Management Committee located in the OOP will be resuscitated and chaired by an official from DPSA.

<p>Develop and institute measures to monitor and guide institutions to implement efficient contract management processes and procedures.</p>	<ul style="list-style-type: none"> - The PT is currently consolidating documents received to compile a comprehensive contract register. - The PT also handed over contracts to the NT to review and assess with the aim of reducing cost of contracts. The meeting has been scheduled for 30 January 2019 with the NT to discuss the matter. - Three workshops on the implementation of MFMA Regulation 32 was conducted by the PT.
<p>Support the finalisation of the 2017/18 financial year audit process with the Auditor-General.</p>	<ul style="list-style-type: none"> - 2017/18 financial year audit completed for all departments. - The contract of the six service providers that assisted with the 2017/18 audit lapsed in July 2018. - A new tender is in process to obtain service providers to assist with the 2018/19 financial year audit.
<p>Institute measures to assist institutions to comply with the audit process and improve audit outcomes.</p>	<ul style="list-style-type: none"> - Draft PAAP reports for 10 departments were reviewed. - The PAAP report for the Health Department is being developed.
<p>Facilitate the relocation of the NWDC from the OOP to EED.</p>	<ul style="list-style-type: none"> - Gazette amending the reporting line of NWDC to EED published.
<p>Suspend the rationalisation of public entities (that is the merging into PEGA) until a sound business case for each proposed change is made.</p>	<ul style="list-style-type: none"> - The EXCO still to finalise the suspension resolution to merge public entities into PEGA. - This matter has been escalated to the EXCO. - The PT submitted a request to the NWCC to rationalise public entities and subsidiaries and are awaiting approval. - The GTAC to advise on the rationalisation of NW public entities.

<p>Support and facilitate the referral of irregular contracts/projects within provincial departments, public entities and municipalities for forensic investigations.</p>	<ul style="list-style-type: none"> - Contracts that were identified as irregular were handed over to the NT's Forensic Unit for investigation and investigations are reportedly in progress. - Upon the recommendation of AGSA, unauthorised, irregular, fruitless and wasteful expenditure registers have been requested from municipalities directly. - PT will submit unauthorised, irregular, fruitless and wasteful expenditure documents to NT once received from municipalities.
<p>Support the criminal investigations and disciplinary procedures on officials being conducted by the relevant institutions.</p>	<ul style="list-style-type: none"> - The AGSA officials are part of the team undertaking forensic investigations.
<p>Ensure that provincial departments, public entities and municipalities are appropriately funded.</p>	<ul style="list-style-type: none"> - A benchmark engagement between the PT and the National Treasury took place on the 12 December 2018. The 2019 MTEF budget allocations and budget growth of the departments and the budget credibility was discussed in detail. - Further discussion will take place in the month of February between the NT, the PT and the Health department. - The Municipal Financial Plan Tool together with the approved budget circular Chapter 4 of the MFMA was issued to municipalities on 2 December 2018.
<p>Implement revenue enhancement strategies and put measures in place to improve revenue collections.</p>	<ul style="list-style-type: none"> - The Provincial Revenue Enhancement Strategy was finalised and submitted to the Legal Directorate for inputs. - A revenue enhancement project is underway at five local municipalities (i.e. Tswaing, Maquassi hills, Mamusa, Kgetlengrivier and Ramotshere Moiloa). - A process is underway for procuring a service provider for three local municipalities (i.e. Mahikeng, Madibeng and Lekwa-Teemane).

Appoint Administrators for all provincial departments which are under section 100 (1) (b) of the Constitution as Accounting Officers as per Section 36 (3) of the PFMA.	- Administrators were appointed in all five departments placed under Section 100 (1) (b) administration.
Put measures in place to improve Infrastructure Procurement.	- The SIPDM was reviewed and shared with all sectors for input.
Ensure that the reconfiguration of provincial departments result in efficiencies and cost savings.	- The proposal for the reconfiguration of provincial departments was submitted to OOP for implementation.

4.4.2 Outstanding issues to be followed up by the sixth (6th) Parliament

The sixth Parliament should make follow up on the following areas:

- Finalisation of the Provincial SCM Policy Framework and its distribution to the sector departments.
- The PT has advertised critical vacant SCM posts in October 2018 and HR is currently busy profiling the applications. Progress in filling the posts to be monitored.
- The PT to provide the National Treasury with information required to finalise the application of irregular expenditure for condonation.
- The PT to submit unauthorised, irregular, fruitless and wasteful expenditure documents to the National Treasury, once received from municipalities.
- The filling of the advertised critical vacant posts within the PFMA and MFMA units.

- Progress with the procuring of the service providers for data cleansing at Mahikeng, Madibeng and Lekwa-Teemane municipalities.
- Procure service providers to assist on 2018/19 financial year audit.

4.5 DEPARTMENT OF RURAL, ENVIRONMENT AND AGRICULTURAL DEVELOPMENT – SECTION 100(1)(a)

This section aims to provide a progress report on the directives which are not yet achieved. It also provides a summary of the achievements since the inception of the intervention as a response to the challenges outlined in the diagnostic reports.

4.5.1 Achievements made since the intervention started in 2018

Directive	Progress as reported in February 2019
READ to share a PMU close out report.	<ul style="list-style-type: none"> - A written update on the court process is awaited from READ.
READ to halt the appointment of NWDC as a PMU of the department.	<ul style="list-style-type: none"> - The Department agreed to rescind its decision to have the NWDC appointed as its PMU. - The documentation to this effect has yet to be submitted.
READ to submit a list of Designs and Bill Quantities it has or requires in relations to its 2018/19 DORA (CASP) Business Plan.	<ul style="list-style-type: none"> - The list of Designs and Bill Quantities is yet to be submitted. - There was a commitment that the list would be submitted on 28 November 2018.
READ to present its Procurement Plans for the 2015/16, 2016/17, 2017/18 and 2018/19 financial years as well as the linked projects completion and expenditure reports.	<ul style="list-style-type: none"> - The plans will now be submitted as part of the Forensic Investigation.

<p>READ to provide a formal report on the four Agriparks and the massive production initiatives in and around the parks as well as the money spent on the parks.</p>	<ul style="list-style-type: none"> - An engagement with the Department of Rural Development and Land Reform on the Agriparks is yet to be finalised.
<p>READ to formalize the areas where they were not ready to take over the implementation of projects.</p>	<ul style="list-style-type: none"> - The report listing the projects that were too complex for implementation was expected to be tabled at the end of November 2018.
<p>READ to submit a report on the ‘unintended consequences’ associated with the handing over mechanisation packages.</p>	<ul style="list-style-type: none"> - The detailed comprehensive report on all mechanisation and related assets acquired was submitted in November 2018 and is currently being analysed.
<p>READ to submit a turnaround strategy on the implementation of projects that were initially handed over to NWDC for implementation.</p>	<ul style="list-style-type: none"> - The turnaround strategy was due for submission during the scheduled meeting in November 2018.
<p>READ to submit a Planting Season costed state of readiness plan.</p>	<ul style="list-style-type: none"> - The meeting on the implementation plan was due on 30 November 2019.
<p>READ to present a comprehensive report on the status of Springbokpan AgriPark.</p>	<ul style="list-style-type: none"> - The comprehensive report was due for submission during the scheduled meeting in November 2018.
<p>List projects funded through equitable share and the Ilima/Letsema Grant.</p>	<ul style="list-style-type: none"> - The assessment report on projects was finalised and the funding recommendations for projects for 2018/19 was finalised.

4.5.2 Outstanding issues to be followed up by the sixth (6th) Parliament

The sixth Parliament should make follow up on the following areas:

- A meeting of the Political Principals needs to be scheduled to address issues regarding implementation of Directives.
- The Department to obtain a progress report from the courts on the AgriDelight matter.
- The Department to devise a strategy in dealing with outstanding claims emanating from contracts initiated by AgriDelight.
- DAFF, READ and DRDLR to meet and discuss AgriParks with the specific purpose of outlining roles and responsibilities relating to the establishment of AgriParks.
- The department to provide progress report with regard to all the outstanding issues referred to above.

5 DEPARTMENTS THAT FALL UNDER SECTION 100 (1) (b)

5.1 DEPARTMENT OF HEALTH – SECTION 100(1) (b)

This section provides a progress report on the implementation of the Committee recommendations by the North West Provincial Government in relation to the intervention. It further provides a summary of achievements since the inception of the intervention as a direct response to the challenges outlined in the diagnostics.

5.1.1 Progress made in the Implementation of the Committee Recommendations

Committee Recommendations	Progress as reported in February 2019.
Disciplinary action to be instituted against officials who conducted serious financial misconduct, fraud and corruption.	<ul style="list-style-type: none"> - Head of the Department of Health has been suspended and disciplinary action is underway for the financial misconduct. - Five officials are facing disciplinary action linked to fraud, transgression of Treasury Regulations for an amount of more than R350 million.
Criminal proceedings to be instituted against the officials who committed criminal conducts.	<ul style="list-style-type: none"> - Currently, the Hawks are handling about 49 cases involving theft, fraud and contravention of Corruption Activities Act of 2004. - The Special Investigation Unit (SIU) is also handling 44 cases and these cases involve a total amount of R2.497 billion.
Compliance with legislations, enhance good governance, sound financial management and robust M&E function.	<ul style="list-style-type: none"> - A war room to direct and coordinate efforts to address service delivery has been established in the Premier's Office M&E section. - The war room is inclusive of the District Offices and Community Development Workers.
Expedite payment verification process made to Mediosa, Buthelezi and High Care and other implicated service providers.	<ul style="list-style-type: none"> - Mediosa contract was cancelled before intervention took place, which makes it difficult to recover funds. - Efforts to obtain credit notes from Buthelezi and High Care have not succeeded. Hence these companies have been debited against the unpaid invoices.
The insufficient budget in Mahikeng hospital as a major contributor to slow progress	<ul style="list-style-type: none"> - Although there is no improvement in this area for both 2019/20 and MTEF period, discussions are underway with the PT and at a level of National Department of Health and the National Treasury.

<p>Good governance systems is critical to ensure effective and efficient procurement process for hospitals.</p>	<ul style="list-style-type: none"> - Good governance has been eroded by the absence of the CEO and other critical vacant positions. - The CEO has been appointed and will resume his duties on the 1st of March 2019. - The other critical vacancies can only be filled once the hospital receives the required budget.
<p>Need to improve the public health care system in South Africa.</p>	<ul style="list-style-type: none"> - Section 100.1.b is being implemented to improve the health system in the North West Province.
<p>Due to the lack of maintenance, there was a need to balance the building of new facilities, while maintaining the existing ones.</p>	<ul style="list-style-type: none"> - The lack of capacity in the maintenance unit of the Department of Health is being addressed. A ten year plan has been completed to address the severe maintenance backlog in the system. - Funding remains a challenge, discussions are still underway with both the Provincial and the National Treasury.
<p>Need to delegate the authority to district offices to establish their own SCM Committees to expedite procurement for clinics and hospitals.</p>	<ul style="list-style-type: none"> - A technical assistant has been appointed with the NGO funding to ascertain as to why SCM structures in the districts and larger hospitals are ineffective and this should be completed by June 2019.

5.1.2 Other achievements since the intervention started in 2018

<p>The availability of Medicine</p>	<ul style="list-style-type: none"> - Medicine has increased from 67 per cent to 83 per cent in hospitals. - This has also increased from 53 per cent to 74 per cent in the depot.
<p>Payment of Accruals</p>	<ul style="list-style-type: none"> - About 96 per cent of accruals to suppliers have been cleared (amounting to R952, 764,450 of the R992, 462,969).
<p>Mahikeng Hospital</p>	<ul style="list-style-type: none"> - Four out of five theatres have been returned to functionality and the fifth one needs some additional staff and equipment. - A permanent CEO has been appointed.

Vacant posts	- 35 out of the 2 198 positions advertised has been filled, and 85 posts are in the recruitment process.
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5.1.3 Outstanding Committee Recommendations and other sector issues to be followed up by the sixth (6th) Parliament

The sixth Parliament should make follow up on the following areas:

- Make sure all funds lost due to financial misconduct, corruption, transgression of the PFMA, irregular contracts, overpayments (Mediosa, Buthelezi and High Care etc) are recovered and consequence management is implemented.
- Make sure that all cases which are handled by both the Hawks (49 cases) and the SIU (44 cases) are finalised and implicated officials or persons are charged.
- Make sure that all the critical vacant posts and 2 198 advertised posts are filled without delays to address the capacity challenges, particularly around the maintenance unit and other critical areas.
- Make sure that the discussions between the North West Department of Health, the National Department of Health, the Provincial Treasury and the National Treasury to address the budget shortages are concluded. This will assist to resolve the issue of staff and equipment shortage in Mahikeng Provincial Hospital and will enable the fifth theatre to become functional.
- Make sure that the investigation of the poor performance of the SCM structures at the District levels and bigger hospitals is concluded by June 2019.
- Make sure that the invoice tracking mechanism is established as a way to improve payment turnaround time. This will reduce backlog of unpaid invoices and further reduce accruals.

5.2 DEPARTMENT OF COMMUNITY SAFETY AND TRANSPORT MANAGEMENT – SECTION 100(1) (b)

This section provides a progress report on the implementation of the Committee recommendations by the North West Province. It further provides a summary of the achievements since the inception of the intervention as a direct response to the challenges outlined in the diagnostic reports.

5.2.1 Progress made in the Implementation of the Committee Recommendations

Committee Recommendations	Progress as reported in February 2019.
Institute disciplinary action to officials who have conducted serious financial misconduct, fraud and corruption.	<ul style="list-style-type: none"> - Although there are no formal charges for implicated employees but the investigations by Hawks and SIU are underway.
The Department should finalise route verification and recover all the monies lost due to over payments.	<ul style="list-style-type: none"> - The route verification process has been concluded, pending final audit of the process. - The SIU is tasked with the matter of overpayments. The list of all affected service providers has been compiled.
Department of Transport and Education should resolve the issue of Scholar Transport function.	<ul style="list-style-type: none"> - The discussions are underway between the National Department of Transport and the National Basic Education to resolve the location of the function.
The Department of Transport should investigate irregularities in the Scholar Transport function.	<ul style="list-style-type: none"> - Although no one has been formally charged, but the SIU is tasked with the matter and the report is expected to be tabled soon.

The Department should review the Scholar Transport Funding Model.	<ul style="list-style-type: none"> - There indications that with accurate and verified routes, real time online tracking mechanism and other innovative technologies the cost of Scholar Transport will be reduced below R468.6 million.
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5.2.2 Other achievements since the intervention started in 2018

Scholar Transport Programme in the North West Province.	<ul style="list-style-type: none"> - Provincial Executive recently approved the movement of the Scholar Transport function from the Northwest Transport Investment (NTI) to the Transport Department, route monitoring and verification has been completed, however, the final audit process is still pending. - The audit will be undertaken in March 2019.
Irregular Contracts.	<ul style="list-style-type: none"> - Possible irregular expenditure has since been avoided through the cancelation of three bids that were not compliant with the SCM.
Irregular Expenditure Framework	<ul style="list-style-type: none"> - Departmental officials have been trained on the Irregular Expenditure Framework to reduce non - compliance.
Bid Committees	<ul style="list-style-type: none"> - The restructuring process of the departmental bid committees to ensure effectiveness has been completed.
Action Plan	<ul style="list-style-type: none"> - Action plans to address the internal control weaknesses have been developed and are being monitored.
Site visits	<ul style="list-style-type: none"> - Site visits undertaken by the Department has uncovered a number of discrepancies such as differences in the number of kilometres, types and capacity of vehicles used by service providers.

5.2.3 Outstanding Committee recommendations and other issues to be followed up by the sixth (6th) Parliament

The sixth Parliament should make follow up on the following areas:

- Ensure that the audit process for the scholar transport routes is concluded by March 2019 as per their target. This will enable the Department to rectify all the incorrect information for kilometres travelled and recover monies that have been overpaid.
- Make sure that the online tracking of transport and other new innovative mechanisms are implemented to reduce the cost of the scholar transport programme.
- North West Department of Transport and Community Safety should conclude the investigations for the financial misconduct and criminal acts within the reasonable timeframe and implement the consequence management for the implicated persons.
- The discussions between the National Department of Transport and Education to resolve the Scholar Transport function should be concluded sooner.
- The SIU should conclude its investigations on the Scholar Transport irregularities, and consequence management should be implemented with immediate effect.

5.3 NORTH WEST OFFICE OF THE PREMIER - SECTION

100(1)(b)

This section aims to provide a progress report on the implementation of the Committee recommendations by the Executive. It also provides progress on Committee Recommendations and a summary of achievements since the inception of the intervention as a direct response to the challenges outlined in the diagnostic reports done by IMTT and North West Government.

5.3.1 Progress made in the Implementation of the Committee

Recommendations

Committee Recommendations	Progress as reported in February 2019
<p>Compliance with legislation should be enforced to enhance good governance, sound financial management, accountability, robust oversight of monitoring and evaluation function of the intervention housed in the Office of the Premier and extended to the District Offices to improve coordination between all departments in terms of the Intergovernmental Relations Act, as well as restore service delivery in the Province.</p>	<ul style="list-style-type: none"> - Legislative compliance is a core focus of the intervention and is being advanced through the various intervention protocols and directives. - A war room to direct and coordinate efforts to address service delivery breakdowns has been established in the Office of the Premier. - This war room incorporates the District Offices and the Community Development Workers and is located in the monitoring and evaluation function of the Office of the Premier, under the direction of the Administrator.

5.3.2 Achievements made since the intervention started in 2018

Intervention Required	Progress as reported in February 2019
<p>Invoke Section 100 (1)(b) in relation to North West Office of the Premier</p>	<ul style="list-style-type: none"> - A Protocol for the intervention in OOP was developed. - An Administrator was appointed and an office was established for the Administrator.
<p>A detailed planning and risk assessment of the intervention needs to be undertaken</p>	<ul style="list-style-type: none"> - The assessment of the functional areas of Performance Monitoring & Evaluation; Policy & Planning; Strategic Planning & Transformation; Office Support & Auxiliary Services; Security Management;

Intervention Required	Progress as reported in February 2019
	<p>Integrity management; as well as Human Resource Management.</p> <ul style="list-style-type: none"> - The consolidated report, with improvement plans is being finalised for submission. - The outstanding performance assessments of staff in the office of the Premier has been completed after a two year period of stalling
<p>Assess all PMU contracts and outsourced government business in the province.</p>	<ul style="list-style-type: none"> - Assessment of the PMUs within the OOP has been completed. - Legal process to deal with the OOP PMU contracts has been approved by the administrator and is underway. - The multi-disciplinary internal team appointed by the administrator, has undertaken ongoing working sessions to ensure matters are finalised. - All the key activities under this specific intervention will be discontinued once the Co-ordination Model has been implemented.
<p>Immediately attend to the breakdown of relations with workers and communities.</p>	<ul style="list-style-type: none"> - All departments were instructed to address consequence management through disciplinary procedures. - The coordinators met NEHAWU, specifically to set up processes of providing regular feedback to NEHAWU with regard to work being done to address their demands, it was agreed in one meeting that NEHAWU will receive bi-monthly progress reports on the memorandum. The first progress report was given to NEHAWU on 8 October 2018. - A draft communication plan to be developed to strengthen the appropriate communication and feedback on the issues

Intervention Required	Progress as reported in February 2019
	of the intervention with both workers and communities.
Provide frequent feedback on the status of the OOP intervention to prevent speculation and misinformation.	<ul style="list-style-type: none"> - A draft communication plan incorporating the three pillars of: Supporting Premier's National Key Projects; providing support to NWPB programs and initiatives; and providing communication support to Section 100 intervention was developed. - Discussion and engagement with the Administrator on the draft Communication Plan will take place.
Provide transversal support services in order to turn around service delivery.	<ul style="list-style-type: none"> - A root cause analysis of the Provincial Complaints and Compliments management is underway which will form part of the implementation progress of the SDIP. - Efforts to inculcate a culture of compliance to HR and Financial delegation have commenced. This will include a presentation to EXCO and the development of a delegations register in line with the Public Service & Treasury Regulations. - Engagements with all departments on outstanding organizational structures is being prioritised to fast-track their consultation and approval. - Alleged cases of misconduct are being investigated and the process to be followed in administering discipline are being reviewed. - Financial and procurement matters: SCM Processes are being strengthened to ensure closure of identified weaknesses. - A complete process of following up on irregular, wasteful and unauthorised expenditure has been completed.

5.3.3 Outstanding issues to be followed up by the sixth (6th) Parliament

The sixth Parliament should make follow up on among others the following areas:

- Engage with the Provincial Treasury and the National Treasury on issues at NWDC.
- Improve coordination between the National Treasury, the JCPS and the Administrators on forensic investigations.
- Strengthen the war room to direct and coordinate efforts to address service delivery breakdowns.
- Implement the Post Audit Action Plan for the Auditor General findings.
- Assess the capacity needs and develop a capacity-building plan to mitigate the vacuum that may arise through the disengagement of the ICT PMU.
- Engage with all programmes on budgeting to ensure alignment to National Treasury Guidelines.

5.4 DEPARTMENT OF EDUCATION AND SPORTS DEVELOPMENT - SECTION 100 (1) (b)

This section aims to provide a progress report on the implementation of the Committee recommendations by the Executive. It also provides progress on Committee Recommendations and a summary of achievements since the inception of the intervention as a direct response to the challenges outlined in the diagnostic reports done by IMTT and North West Government.

5.4.1 Progress made in the implementation of the committee recommendations

Committee Recommendations	Progress as reported in February 2019
Vacant positions which exist at management-level (HODs) at the school should be filled with immediate effect.	<ul style="list-style-type: none"> - Two HOD posts have been advertised and are currently being processed.
On creating awareness of the opportunity/social cost relating to the vandalism of existing public assets during the unrest.	<ul style="list-style-type: none"> - A Quality Learning Teaching Committee (QLTC) has been established through the mobilisation of stakeholders in ensuring the protection of schools and teaching and learning. - Meetings were also held to address the concerns of the community.
On the school infrastructure needs.	<ul style="list-style-type: none"> - Two mobile classrooms were delivered on 1 February 2019.
On Alabama P.S employing a level 4 ECD educator.	<ul style="list-style-type: none"> - The school has been encouraged to employ qualified ECD educators. The District to monitor progress in this regard in the first term.
On resuming the disciplinary process against all implicated officials relating to irregular expenditure.	<ul style="list-style-type: none"> - The Department is investigating the procurement processes followed in appointing the service provider as well as the cost of building and demolishing the old school.
On the issue of security and maintenance.	<ul style="list-style-type: none"> - Security in schools remains a challenge. - The National Treasury has been approached on increasing the allocation for operations and maintenance. - The contractor on-site to address issues raised by the principal during Committee oversight visit.

5.4.2 Other achievements since the intervention started in 2018

Scholar Transport	<ul style="list-style-type: none"> - An investigation by the department has identified 8 503 deserving learners from 64 schools who are without transport. - An audit of the route and efficient use of the service will be undertaken in March 2019.
Overcrowding in schools	<ul style="list-style-type: none"> - Mobile classrooms have been ordered to address identified overcrowding in schools. - Infrastructure delivery is in progress.
Undocumented learners	<ul style="list-style-type: none"> - The number of undocumented learners has been reduced from 51 705 to 37 347.
Performance improvement strategy	<ul style="list-style-type: none"> - Turnaround strategies are being developed and will be rolled out to schools that underperformed in the 2018 NSC exams.
Learning and Teaching Support Material (LTSM)	<ul style="list-style-type: none"> - The Department has put plans in place to the extent that stationery deliveries to schools is at 100 per cent. The distribution of textbooks from publishers to the warehouse is at 93.3 per cent and the distribution to schools is at 88 per cent.

5.4.3 Other sector issues to be followed up by the sixth (6th) Parliament

The sixth Parliament should make follow up on the following areas:

- Disruption of schooling - Protests for services not related to schools continue to disrupt teaching and learning. Learners at Ramokokastad could not attend classes from July – December 2018. Schooling resumed from January 2019, and a recovery plan is being implemented at the school.
- Safety in Schools - Drugs and gangsters in schools threaten the programmes of teaching by educators.
- Integration and transformation - There are areas in the Province where integration and transformation is still a challenge.

5.5 DEPARTMENT OF PUBLIC WORKS AND ROADS – SECTION 100(1)(b)

This section aims to provide a progress report on the implementation of the Committee recommendations by the Executive. It also provides progress on Committee recommendations and a summary of achievements since the inception of the intervention as a direct response to the challenges outlined in the diagnostic reports done by IMTT and North West Government.

5.5.1 Progress made in the implementation of the Committee recommendations

Committee Recommendations	Progress as reported in February 2019.
The Ayamah Consulting contract should be one of the contracts that are submitted to the law enforcement agencies for officials who are found to have breached the rules with immediate effect.	<ul style="list-style-type: none"> - The contract is subject to a forensic investigation led by the National Treasury. - The investigation report will be handed over to law enforcement agencies. - The HOD has been suspended and criminal investigations are ongoing.
North West Department of Public Works and Roads should address its governance and internal control challenges, put measures in place to prevent irregular, wasteful and fruitless expenditure as required by section 38 of the PFMA with immediate effect.	<ul style="list-style-type: none"> - The administration team has revised the delegation frameworks and reconstituted all governance structures to ensure that there are internal controls in the department. - The Administrator has recently established Variations and Sketch Plan Committee to consider all project variations and make recommendations to the departmental acquisitions council.

5.5.2 Other achievements since the intervention started in 2018

Improved Audit Outcomes	<ul style="list-style-type: none"> - The intervention team has started to implement the audit action plan which is already at 22 per cent in terms of implementation. - The Department has processed irregular expenditure of approximately R660 million out of R3.2 billion and submitted to the National Treasury.
Improved Service Delivery	<ul style="list-style-type: none"> - Client and Building Construction Management: Client management unit established in the office of the HOD to attend to customer complaints. - Property management: Assessment done to evaluate the provincial space requirements including utilisation levels, costs and savings. - The Administrator and the team prepared a submission to the National Treasury (through Provincial Treasury) for a special dispensation in renegotiating expired and month- to -month leases. This will standardise all leases, reduce costs and strengthen lease agreements. - Road Maintenance Recovery Plan: The revival of the provincial road maintenance recovery programme is attended to. - Contractors have established sites and commenced with the works between November 2018 and January 2019. - Acquisition, Donation and Disposal Immovable Properties: The Department has identified immovable properties that it intends to acquire, donate and dispose as part of enhancing the Immovable Asset Register.
Improved Human Resource Management	<ul style="list-style-type: none"> - The Department has reviewed the interim organisational structure and a draft of the structure was tabled to the Office of the Premier and is awaiting submission to the Provincial Treasury and the Department of Public Service and Administration for final approval. The

	<p>intention is to standardise functions across the sector.</p> <ul style="list-style-type: none"> - About 199 posts have been advertised including two executive management positions. Posts should be filled by January 2019. - A firm of attorneys have been appointed to review disciplinary cases that have been ongoing for more than three years.
Improved Financial Management	<ul style="list-style-type: none"> - The position of the Chief Financial Officer has been advertised. - The Administrator and team have established committees to assist with decision making on critical operational areas. - A Budget Committee has been revised to assist with budget preparations and monitoring expenditure.
Stabilise Management and Governance	<ul style="list-style-type: none"> - Engagements continue between the provincial EXCO, Portfolio Committee, Standing Committee on Public Accounts, Internal Audit Committee and other provincial structures. - Public hearings conducted by the NCOP have provided insight on the critical areas that need intervention.

5.5.3 Other sector issues to be followed up by the sixth (6th) Parliament

The sixth Parliament should make follow up on the following areas:

- Outstanding legal and disciplinary cases.
- Outstanding and disputed claims and invoices.
- Disgruntled communities as a result of unfunded commitments made for upgrading of roads.
- Province under-budgeting for upgrading and maintenance of roads.

6 Progress on the Cross Cutting Matters Reported in February 2019 (Findings)

- The Internal control environment has been improved by establishing irregular expenditure and loss control committees, invoice tracking system, supply chain management training.
- The following contracts which were found to be irregular has been terminated namely: Mediosa, Ayama consulting, Nepo Data Dynamics, Buthelezi, High Care etc.
- The process for consequence management and to condone the historic irregular expenditure and audit findings is underway.
- The Post Audit Action Plans to prevent future occurrences is being implemented.
- Currently the Hawks are investigating about 46 cases at various stages in the North West Government and these cases involve R2.497 billion.
- The SIU is investigating 44 cases for criminal conducts in the North West Provincial Departments.

7 Cross Cutting issues to be followed up by the sixth (6th) Parliament (Recommendations)

- a. The Department of Public Service and Administration, the Cooperative Governance and Traditional Affairs, the National Treasury and the Department of Planning, Monitoring and Evaluation should develop legislation to guide the implementation of the intervention, in terms of Section 100(3) of the Constitution.
- b. The IMTT should ensure the sustainability of the intervention post the intervention referring to:
 - sound financial management systems,
 - internal controls, governance and accountability systems,

- supply chain management processes are improved,
 - improved service delivery,
 - Prevention of irregular expenditure, unauthorised, fruitless and wasteful expenditure
 - Audit findings are addressed on a continuous basis
- c. The NCOP should monitor all the disciplinary actions taken and criminal investigations.
- d. The IMTT should table a financial report for all the 10 Departments under the intervention during the 6th Parliament since it was unable to do so in the fifth Parliament. This will assist Parliament to have a complete picture for both performance and the fiscal position of the North West Province.
- e. The intervention is now in its implementation phase of the action plan to be followed by the recovery phase. The exit phase and strategy has to be done in such a way that it ensures sustainability of the intervention post the intervention and that the set objectives are met.
- f. The Ad Hoc Committee having visited the North West Province the following recommendations were submitted to the House:
- i. That based on the evidence presented by the North West Provincial Government, Inter-Ministerial Task Team, National Treasury, the Auditor General, and the Committee oversight visit the intervention should be approved by the NCOP; and
 - ii. That the Ad Hoc Committee as established by the Council must while the intervention continues, review the intervention regularly and make any appropriate recommendations to the national executive.

8. Conclusion

Great strides have been made since the NCOP approved the intervention for the North West Provincial Government on 31 October 2018. The various sector departments have engaged in the process of implementing both the Executive directives and Committee recommendations by rebuilding the supply chain management systems and internal controls management processes which had collapsed before the intervention. Steps have been taken to terminate irregular contracts, the Hawks are investigating 49 cases, while the SIU is investigating 44 more cases. Some officials who were implicated in the wrong doing have resigned and some have been suspended, disciplinary actions are underway. The list of the service providers who were overpaid has been compiled and the consequence management process is underway. This incident should serve as a case study and a lesson for other provinces and other spheres of government, where they need to ensure that financial management systems, supply chain management and internal controls are sound and solid. It should also serve as a lesson that there is a need to further strengthen the monitoring and evaluation function across government as well as the internal audits unit and ensure the appointment of the independent audit committees. Provincial Legislatures should implement closer monitoring and evaluation and ensure robust oversight over provincial government departments and provincial entities, including proper political oversight. This calls for a collaborative and synergic effort from all the relevant bodies be it internal or external oversight bodies to join hands and work together to push back the frontiers of poverty and ensure a better life for all North West citizens.

Report to be considered.