

in session



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Speaker welcomes IPU conflict resolution for a better world



WORKING FOR A BETTER WORLD: NA Speaker Ms Mapisa-Nqakula led a delegation of MPs to the 145th IPU Assembly, held in Rwanda recently.

The Speaker of the National Assembly (NA) and the leader of the South African multiparty parliamentary delegation to the 145th IPU General Assembly in Rwanda, Ms Nosiviwe Mapisa-Nqakula, says the IPU continues to raise the bar in strengthening parliamentary diplomacy and in coordinating the world's parliamentarians to work together for a resilient, safer and better world.

The Speaker was addressing the 178 member, five-day General Assembly of the Inter-Parliamentary Union (IPU) in Kigali in Rwanda was a series of reports and resolutions were adopted on how to take forward a range of strategic projects, including the interventions of the IPU task force on Ukraine.

The high-level South African parliamentary delegation was led by Speaker Mapisa-Nqakula and included the Deputy Chairperson of the National Council of Provinces, Ms Sylvia Lucas; the National Assembly House Chairperson for International Relations, Mr Madala Ntombela; Ms Doris Dlakude; Mr Floyd Shivambu and Dr Annelie Lotriet

The IPU Assembly's discussion on the war in Ukraine matter resulted in an emergency item adopted through voting and a resolution to demand the immediate withdrawal of Russia from Ukraine, while also re-affirming the continued interventions of its eight-member task force established to use parliamentary diplomacy to seek a peaceful resolution to the Russia-Ukraine conflict.

Ms Mapisa-Nqakula is part of the task force on Ukraine, which was set up after the adoption of a resolution at the 144th IPU Assembly in March 2022. The IPU Assembly welcomed the commitment of both the Ukrainian and

Russian parliaments to participate in the task force's ongoing negotiations.

The task force had a series of separate bilateral meetings with parliamentarians from Ukraine and Russia during visits to Ukraine and Russia, as well as on the side lines of the meeting in Kigali. The Speaker remains optimistic about a possible tripartite meeting where the legislatures of the two countries could meet to advance a "peaceful resolution of the war in Ukraine in keeping with the charter of the United Nations, territorial integrity and international law, and encourage both parliaments to facilitate the task force's engagement to achieve its mission.

Ms Mapisa-Nqakula expressed satisfaction with the IPU's strategic emphasis on building gender sensitive and more inclusive parliaments across the world, including youth representation and participation in parliaments. The conference theme focused on women representation and gender sensitive parliaments,

with individual national legislatures, including South Africa, accounting on progress made in improving women representation, as well as on programmes aimed at empowering women and women parliamentarians to perform optimally at the apex of parliamentary processes and decision making.

Speaker Mapisa-Nqakula said the IPU campaign “I say yes to youth in Parliament”, must be embraced by all the members of the IPU and should ensure that it finds traction across the world as a vibrant movement to mainstream young people’s meaningful participation in parliaments. She joined other speakers in signing a pledge to endorse

the campaign.

The IPU meeting endorsed the proposal to establish 14 IPU regional offices to enhance its execution capacity and coordination. It will work closely with various geo-political groupings, starting with two pilot offices.

The South African multiparty parliamentary delegation made significant contributions to a series of debates that took place in various standing committees, including Peace and International Security, Sustainable Development, Finance and Trade, Democracy and Human Rights, United Nations Affairs, as well as the Association of Secretaries General of Parliaments. 🌍



CONSULTATION: Speaker Mapisa-Nqakula engages members of the South African delegation at the 145th IPU

Speaker Calls for More Women’s Representation in Parliaments

The Speaker of the National Assembly, Ms Nosiviwe Mapisa-Nqakula, has proposed to the 145th Inter-Parliamentary Union (IPU) Assembly, which took place recently in Kigali in Rwanda, that the world organisation of national legislatures must increase its efforts to advocate for more representation of women in parliaments.

Participating in a debate on gender equality and gender-sensitive parliaments as drivers of change for a more resilient and peaceful world, the Speaker said increased women’s participation in parliamentary processes is critical in accelerating the transformation of society in meaningful ways.

“Whilst we recognise many of the achievements in the representation of women in our parliaments, we are still far from the ideal scenario articulated in numerous commitments we made. I wish to move that we explore, as the assembly, a possibility of imposing penalties on all parliaments who

are members of the IPU who seem not to be moving to ensure there is proper gender representation in their parliaments,” she said.

The Speaker also argued that unless systemic barriers to women’s participation at the apex of political leadership and decision-making are addressed, the status of women will not improve. These barriers, she said, include disempowering legislation, patriarchal gender roles in society, conservative traditions and religious fundamentalism that continue to reproduce undesirable stereotypes and inadequate support and recognition of women in individual households.

“We all agree that a gender-sensitive parliament must go beyond women’s representation, which only reflects numbers. It is more about improving the lives of women, especially the poorest and the needy. We owe it to the future generation to succeed in building societies that are more fit for women. It should start with empowering both the girl and the boy child. Issues of child marriages and genital mutilation are critical issues we should guard against in order to protect our girls and the future of our countries,” Ms Mapisa-Nqakula said.

She noted the general consensus among global parliaments that gender

equality, gender mainstreaming and women’s participation should be higher on the developmental agenda of our nations and parliaments.

The National Assembly Speaker raised a concern that the IPU Women in Parliament report of 2020 was not encouraging for a world whose leaders have expressed commitment to women’s empowerment, and to ensuring a just and equitable society.

“The statistics also show that out of its members, more than 80 parliaments have less than 20 per cent representation of women. What is even more disturbing is that the report also shows that there are parliaments with less than five per cent representation of women amongst us here, including some reporting zero per cent representation of women. This has to change,” she said.

Using South Africa as an example, the Speaker said relying on political parties to increase women’s representation is inadequate. This is because despite the ruling party having imposed a 50/50 parity in representation in all structures of leadership for itself, the South African Parliament still has less than 50 per cent women representation after the last election in 2019. 🌍

We all agree that a gender sensitive Parliament must go beyond women’s representation which only reflects numbers.



IPU Member Parliaments Promise to Accelerate Gender Equality

Parliamentarians from around the world adopted the Kigali Declaration on gender equality and gender-sensitive parliaments as drivers of change for a more resilient and peaceful world at the end of the 145th IPU Assembly in Kigali, Rwanda recently.

The declaration represents a milestone in progress towards gender equality and gender-sensitive parliaments. It encourages IPU members to increase efforts to promote gender equality in institutions and society.

The declaration recommends that parliaments implement electoral gender quotas to achieve parity in political decision-making; ensure law-making and budgeting is gender responsive; place vulnerable populations at the centre of parliamentary action; and end gender-based discrimination and violence.

The declaration also marks the 10-year anniversary of the IPU's Plan of Action for Gender-sensitive parliaments. IPU member parliaments committed to taking 10 actions in the next 10 years, including adopting formal rules to establish gender-balance in parliamentary leadership positions and introducing stringent policies to

eliminate violence against women, sexual harassment and bullying in parliament.

Other measures

The IPU Assembly also adopted a resolution on parliamentary impetus to local and regional development of countries with high levels of international migration and to stopping all forms of human-trafficking and human rights abuses, including state-sponsored abuses. In the resolution, the IPU calls on the United Nations to make the topic of human trafficking, people smuggling and modern-day slavery a specific focus of the next UN General Assembly. It also urges governments and parliaments to address the demand side of trafficking, including trafficking in women and girls for the purpose of sexual exploitation.

Other issues under consideration at the Assembly included environmental

degradation and its effects on the proliferation of terrorism; the impact of war and atrocity on civilian populations; and war and climate change as triggers of global food insecurity.

Human Rights of Parliamentarians

The IPU Assembly also considered the situation of hundreds of parliamentarians whose human rights are allegedly being violated. The IPU Committee on the Human Rights of Parliamentarians examined the cases of 428 MPs, of whom 26 are women, in 17 countries and held 12 hearings. Nearly all the cases concerned opposition MPs who have been vocal in their criticism of their governments.

Following the committee's recommendations, the IPU Governing Council adopted decisions on cases from the following countries: Brazil, Cambodia, Côte d'Ivoire, Democratic Republic of the Congo, Eritrea, Eswatini, Gabon, Myanmar, Tunisia, Turkey,

Uganda, Venezuela and Zimbabwe. The 145th IPU Assembly took place from 11-15 October in Kigali, Rwanda, in partnership with the Rwanda Parliament. Some 1 000 delegates, of whom close to 600 were MPs, attended, representing 120 countries. Just over 35 per cent of MPs were women and nearly 32 per cent were young MPs (under 45 years old).

The IPU is the global organisation of national parliaments. It was founded more than 130 years ago as the first multilateral political organisation in the world, encouraging cooperation and dialogue between all nations. Today, the IPU comprises 178 national member parliaments and 14 regional parliamentary bodies. It promotes democracy and helps parliaments become stronger, younger, gender-balanced and more diverse. It also defends the human rights of parliamentarians through a dedicated committee made up of MPs from around the world. 🌍

The declaration represents a milestone in progress towards gender equality and gender-sensitive parliaments. It encourages IPU members to increase efforts to promote gender equality in institutions and society.

NCOP Deputy Chairperson Has Bilateral Meeting with Chinese Acting General Consul



BILATERAL: NCOP Deputy Chairperson, Ms Sylvia Lucas welcomes her Chinese counterpart at the NCOP

The Deputy Chairperson of the National Council of Provinces (NCOP), Ms Sylvia Lucas, and the Acting General Consul of the Chinese Consulate, Mr Tang Changan, had an introductory bilateral meeting recently to explore areas of cooperation, writes Abel Mputing.

In their initial remarks, the pair praised the enduring relationships between the two countries' parliaments. Ms Lucas stated that although the former Speaker of the National Assembly (NA), Ms Baleka Mbete, signed a memorandum of understanding between the NA and the Chinese Parliament, the NCOP never signed it. It was now time for the NCOP to become a signatory to such a relationship.

This would, she said, nurture the long-standing relationship and areas of collaboration in improving investment between the two countries. Developmentally, she said "this cooperation is evinced by our countries involvement in BRICS".

Mr Changan agreed that there are many areas in which the two countries

can enhance cooperation. Two such areas are the safety of the Chinese community in South Africa and the energy issue, which is currently dogging the South African economy. About the Chinese community's safety, he remarked, "We are making significant investment in the country, but most often our businessmen fear for their safety and this is one of the issues that needs to be addressed."

On energy, he claimed that Chinese companies are currently making "investment in clean energy in South Africa, which could in the long run help with sustainable energy supply".

He also stated that the two countries can, on the parliamentary level, do more to facilitate bilateral arrangements and visits to discuss topic of mutual benefit face-to-face at a provincial level. As such, "we would love to have more parliamentary exchange programmes and direct relations between the NCOP and our mission in South Africa. This as a means of encouraging Chinese entrepreneurs to invest more in South African economy and to start charities that would contribute to the social upliftment of South African communities."

Ms Lucas agreed with this sentiment, saying, "As the NCOP, we are privileged

because we are at the cutting edge of development and service delivery, because our work cuts across the three spheres of government." She further stated that the establishment of the District Development Model could be an ideal platform to coordinate Chinese economic investments in the local

economy and to provinces that need it the most. But she was quick to say that people don't only want handouts, they also want job security.

Another NCOP delegate who was part of the courtesy call, Mr Mohammed Dangor, hinted that investment in Kimberley's textile industry could be one of the economic interventions Chinese investors could explore.

Mr Changan replied by saying that this would benefit both countries and provide opportunities to strengthen the Twin Cities agreement between China and South Africa. This arrangement would also be an opportunity to share experiences and best investment practice. "We would propose to our team to establish a directive to discuss these possibilities within our current budget to facilitate this collaboration."

However, Mr Changan was at pains to emphasise the importance of the safety of the Chinese businessmen in these economic collaborations. He implored the NCOP to shine a light on this to ensure that Chinese lives

are safe and their investments are protected in South Africa. "It would be sad if our businessmen could decide to close their shops due to safety concerns. This would impact negatively to those whom they employ," he said.

Ms Lucas affirmed that the NCOP had taken note of the consulate's concerns and would ensure that the matter is raised with the Minister of Police. Mr Changan himself commended the resolve of the South African Police Service in addressing the matter, but was of the view that more can be done.

Turning to South Africa's contribution to global affairs, he commended the resolve with which South Africa follows its non-alignment policy in the face of enormous political influence and pressure from lobbyists and associated economic threats. "I am impressed by your resolute stance on some of these matters," he said.

Ms Lucas repeated South Africa's non-alignment stance on some of the current political upheavals facing the world today, including the war in Ukraine. "We have been defending our non-alignment position consistently. We would continue to do so. And we can't be seen to be partisan when our policy in a conflict situation is to facilitate peaceful engagements among warring parties."

To further advance non-alignment, she further suggested that the NCOP should host a debate on it, "to enlighten South Africans on why we have chosen this policy and moral position".





Cooperation between South Africa and Republic of Sahrawi is on the cards

The Chairperson of the Portfolio Committee on International Relations and Cooperation, Mr Supra Mahumapelo, recently welcomed to Parliament a delegation from the Sahrawi Democratic Arab Republic, led by President Mr Brahim Ghalil. Sureshinee Govender reports.

President Ghalil remarked that their arrival was an historical day due to their visit to Robben Island, where the late President Nelson Mandela was jailed with his comrades. He said they were in front of their comrades in the African National Congress with whom they share a closeness, because they have been struggling in the same trenches.

When they were at the moment of harvesting the fruits of liberation, President Ghalil said, they became the victims of a new invasion by an African neighbour. "We continue the struggle against them and continue today in the same trenches you were in years ago. We are in a political struggle and there is a very strong civilian systematic oppression that we are facing, which is very similar to that which the South African people faced during the times of apartheid."

President Ghalil said that one example of oppression is that of a group of political prisoners languishing in Moroccan jails. Those prisoners had been given life sentences because they had organised a simple protest against Moroccan invasion. On 31 of October, "We would have completed 47 years of Moroccan occupation, but also of Sahrawi occupation. We have

fought together in some towns; we have stayed on the road with you comrades. The Sahrawi people are determined to continue on the road for the rights of freedom and dignity."

He welcomed the solidarity Sahrawi receives from South Africa. "We thank you for your total solidarity and unwavering support for our struggle. We are confident that this meeting will be very successful and mark a new start. We are laying the foundation of the Joint Parliamentary Committee for Solidarity and Cooperation between our two countries.

"We can intensify the consultation

"We are aware of various delegations from both the ANC and government that have visited you and have showed support. President Cyril Ramaphosa has assured you of our support. It is important of all progressive forces to continue to unite to triumph and achieve your own self-determination," said Mr Mahumapelo.

and cooperation, locally and internationally, which is a very necessary step as cooperation and consultation is essential to accomplish the work of the executive and political determination."

The Chairperson of the Portfolio Committee on International Relations and Cooperation, Mr Supra Mahumapelo, replied by calling the occupation of the Sahrawi Arab Democratic Republic as illegal. "Your



HISTORIC DAY: The President of Sahrawi Democratic Arab Republic, Mr Brahim Ghalil.

cause is our cause; your triumph is our triumph because we are one," he said.

On 15 September 2004, the South African government took a decision to recognise Sahrawi Arab Democratic Republic. "Our government also believed on your insistence and resolution to ensure that there

is a referendum in your country, so that the people can decide on self-determination and we support that. We believe that the untransformed United Nations Security Council must enforce its own resolutions," Mr Mahumapelo said.

Mr Mahumapelo went on to say there is agreement with the proposal at a parliamentary level for the establishment of a joint committee to deal with this matter, which he

characterised as one of the worst examples of western imperialism. "We will use the African Union and every opportunity at other bilateral that we have with other powerful nations to plead with them to stand on the side of the truth."

"Your country and your people are denied of their birthright. The only weapon we must continue to use is to intensify the struggle and to mobilise likeminded friends all over the world to support your struggle. They must be made aware that Spain and the United States have to be consistently engaged.

"We will triumph with you one day. Our children must be told about Western Sahara. We are aware of various delegations from both the ANC and government that have visited you and have showed support. President Cyril Ramaphosa has assured you of our support. It is important of all progressive forces to continue to unite to triumph and achieve your own self-determination," said Mr Mahumapelo. 🌍

ACCOUNTABILITY: DA MP Ms Siviwe Gwarube introduced the debate in the National Assembly.



National Assembly Debate: Parties Express their Views on Phala Phala Issue

Allegations of theft, money laundering and the concealment of torture and kidnapping that have been levelled against enforcement agencies at President Cyril Ramaphosa's farm, Phala Phala, have since coalesced into an impeachment inquiry on the one hand and, on the other, calls from the official opposition in Parliament, the Democratic Alliance (DA), for an ad hoc parliamentary committee to be set up to verify the claims of wrong doing, writes Abel Mputing.

Introducing a debate on the matter in the National Assembly recently, the DA's Chief Whip, Ms Siviwe Gwarube, pointed out that such ad hoc committees have been set up before, as in the matter concerning the use of state funds to build former President Jacob Zuma's homestead in Nkandla. However, in that instance Ms Gwarube

pointed out that the Commission of Inquiry on State Capture found that Parliament failed to use the oversight mechanisms available to it to hold the executive to account on allegations of state capture. Parliament later

“The President has a case to answer and he must answer to the ad hoc committee of the National Assembly, as the Constitution stipulates, not through an impeachment process. We have been vocal on Nkandla allegations; we must do so now, too and ensure that we lead by example all the time.”

acknowledged that failure.

Now, eight years later, Ms Gwarube continued, another Speaker of the National Assembly, Ms Nosiviwe Mapisa-Nqakula, has refused to set up such a committee to investigate allegations levelled against the current President of money laundering, torture, kidnapping and abuse of state resources for covert operations.

“Are we going to shield the sitting

President from these crimes due political allegiances, or are we to hold him accountable?” she asked rhetorically. “We all took the oath of office that we would be faithful to both our Constitution and the people

of South Africa.” There may be a panel inquiry to consider the impeachment process, but this does not mean that MPs cannot hold their own investigation into the matter.

MP Ms Mina Lesoma for the ruling African National Congress party then replied by explaining that the ANC is against the establishment of an ad hoc committee, as it would undermine due process and the work of other state institutions tasked with enforcing

the law. The ANC maintains that such a process would plunge South Africa into a constitutional crisis. The party believes the impeachment inquiry should be allowed to do its work and determine if there is a need to establish Section 194 committee to investigate these allegations.

The Economic Freedom Fighters, meanwhile, is worried that if an ad hoc committee is not established, the gains achieved in the fifth Parliament will be destroyed, explained Ms Omphile Maotwe. Such a committee will enable Parliament to do its work, she stressed. Among other questions, the committee would be able to establish why the burglary was not reported and the role crime intelligence played in the matter.

The Freedom Front Plus's Mr Wouter Wessels pointed out that the state capture inquiry also grew out of mere allegations, which turned out to be true. If any lessons were learnt from the state capture inquiry, they are that “democracy remains a cliché if those in power can't be held accountable”, he said.

If the first citizen of the country is deemed unaccountable to the Constitution, what kind of example does this set for other South Africans, asked the Inkatha Freedom Party's Mr Siphosethu Ngcobo. If the President's behaviour departs from the ethical requirements of his office, he will be a poor example for others. This committee must be established to give the President an opportunity to explain what happened. “This would strengthen transparency and trust in Parliament,” he said.

Mr Brett Herron for the Good Party said the party supports the impeachment process, but does not support a motion that is highly politicised and does not serve justice. He cautioned that mature politicians committed to due process “should approach matters of such significance with sobriety, not a frivolous motion that seeks to attract publicity. That would not be helpful.”

The African Christian Democratic Party disagreed with this standpoint. Rev Kenneth Meshoe said: “The President has a case to answer and he must answer to the ad hoc committee of the National Assembly, as the Constitution stipulates, not through an impeachment process. We have been vocal on Nkandla allegations; we must do so now, too and ensure that we lead by example all the time.”

National Assembly Approves Four Bills

The National Assembly passed four Bills aimed at regulating the transport economy and establishing a land court recently.

The four Bills passed were: the Land Court Bill; the Drugs and Drug Trafficking Amendment Bill, both processed by the Portfolio Committee on Justice and Correctional Services;

Rights Act 22 of 1994 ("the Restitution Act"), establishes a Land Claims Court with exclusive jurisdiction in respect of restitution claims arising from the Act. It also has exclusive jurisdiction

National Assembly adopt the Bill with amendments.

The Drugs and Drug Trafficking Amendment Bill proposes changes to the Drugs and Drug Trafficking Act (of 1992), which criminalises the manufacture and supply of any scheduled substance included in Schedule 1 to the Act; and the use, possession and dealing in any dependence-producing substance, dangerous dependence-producing substance or any undesirable dependence-producing substance included in Schedule 2 to the Act.

Private Purposes Bill [B19-2020], which was also referred to the committee for consideration and report. The committee therefore recommended that the House approve the Bill without amendments.

The Economic Regulation of Transport Bill aims to consolidate the economic regulation of transport within a single framework and policy; to establish the Transport Economic Regulator; to establish the Transport Economic Council; to make consequential amendments to various other Acts; and to provide for related incidental matters.

Some of the notable amendments the committee made to the Bill are that it should allow for the statutory participation of Parliament in the processing of the Transport Economic Council and the consolidation of the various transport regulators into the Transport Economic Regulator through a phased approach.

Lastly, the House also passed the National Road Traffic Amendment Bill [B7B-2020], which seeks to amend the National Road Traffic Act so as to insert new definitions and to amend others; to provide for the registration and grading of training centres; and to further prohibit and reduce the limit of alcohol in a specimen of blood taken from any part of the body.

Some of the amendments to this Bill include introducing additional terminology to align the legislation with practical aspects of road traffic law enforcement and administration. However, the proposed amendments to the levels of concentration of alcohol in blood or breath specimens taken were rejected. 🙏



HARD AT WORK: National Assembly MPs completed the process to pass four bills recently.

the Economic Regulation of Transport Bill; and the National Road Traffic Amendment Bill, both considered and reported on by the Portfolio Committee on Transport.

The Land Court Bill proposes to establish a specialist Land Court with its judgement appealable by the full bench of that Court to deal with all land-related matters as regulated by legislation. This will facilitate the speedy disposal of cases and contribute towards the development of appropriate jurisprudence in relation to land matters.

Notably, the Land Court is established as a court of law in respect of the Restitution Act and has the status of a High Court that has the authority, inherent powers and standing in relation to matters under its jurisdiction. The Bill also proposes a cheaper and speedier alternative dispute resolution mechanism in the form of mediation. In addition, the Bill makes provision for future legislation (new or amending legislation) to confer jurisdiction on the Land Court as and when the need arises. Section 22(1) of the Restitution of Land

to deal with matters arising from the application of the Land Reform (Labour Tenants) Act 3 of 1996 and it shares jurisdiction with the magistrates' courts in respect of matters arising from the application of the Extension of Security of Tenure Act 62 of 1997.

However, the Restitution Act never envisaged a permanent court with permanent judges. Instead, the Land Claims Court was established as a dedicated court with a limited lifespan to deal with claims for restitution of land. However, the restitution process became protracted and is still not completed. A lack of permanent judges presiding over matters before the Court and the absence of a permanent seat has contributed to the slow processing of and backlogs in land restitution claims to the dissatisfaction of land claimants.

The Portfolio Committee on Justice and Correctional Services, having considered the Bill, recommended that the

During the public participation process on the Bill, the Portfolio Committee on Justice and Correctional Services received 319 submissions, most of which took the form of a petition. Having considered the public submissions, the committee was of the view that the issues raised fall outside the scope of the Bill and fall largely within the ambit of the Cannabis for



NA Debates Land Claims and Illegal Invasions at SANDF Military Bases



DEFENDING OUR BORDERS: ANC MP Mr Mmutle introduced the debate in the NA.

Mr Thabo Mmutle, an African National Congress (ANC) Member of Parliament who serves on both the Joint Standing Committee on Defence and the Portfolio Committee on Defence and Military Veterans, recently led a debate in the National Assembly on the need for a revised and strengthened regulatory environment to protect the territorial integrity of military bases and associated institutions.

He highlighted how, on several joint oversight visits in the past three years, the two committees observed worrying safety and security lapses at some military bases. “The committees have noted the impact of human settlements in military base areas, notably land invasions of areas adjacent to Wallmansthal base in Tshwane, where the perimeter fence was in a poor condition, water pipes vandalised and electricity cables stolen.

“While we are aware of the sensitivity of the issue of human settlements in

South Africa, we are concerned about the security of military bases and the safety of the surrounding communities. It is very dangerous to have people living next to the borders of the fence of the military base where they keep explosives and use dangerous weapons for training. We therefore recommend that the Department of Defence and other relevant departments work together to find an everlasting solution to land invasion around military bases,” said Mr Mmutle.

The committees also noted that several SANDF areas are subject to land claims processes and that by 2021 the Department of Defence was still awaiting the Land Claims Commission to submit the official request for the release of state land to the Department of Public Works and Infrastructure (DPWI). It was recommended that the department should provide a more detailed breakdown of specific bases and military areas under land claim and the progress on those specific claims.

“The main issue about land claims against SANDF land is that it stalls any development plans for the development and future use of such land. In many cases, military bases are in urgent need of upgrade, but the upgrades cannot happen as the outcome of the land claims process has not been forthcoming,” said Mr Mmutle.

The Democratic Alliance’s Mr Sarel Marais claimed that both the Department of Defence and the SANDF are in a dire situation. “The forever decrease in budget and exacerbating decline in our defence capabilities to defend our territorial integrity is embarrassing and exposes us to exploitation by our adversaries.”

Mr Maris also argued that in its current state, it is unlikely that the SANDF could repel any military threat, considering its vulnerabilities and rapid deterioration in defence readiness.

“Our military bases are poorly maintained with dilapidated buildings and broken fences and infrastructure. And the consistent stalemate and blame-shifting between the Department of Defence and the DPWI on who is responsible for the dilapidation is unacceptable. DPWI doesn’t know the importance of our strategic military infrastructure and to prioritise them. These strategic functions must be devolved to the Department of Defence,” Mr Marais said.

Ms Hlengiwe Mkhali of the Economic Freedom Fighters said incompetent leadership at both operational and political levels have failed the military. “We need a complete overhaul of the leadership of our defence at both operational and political. We can’t maintain our own aircraft, we have inadequate infrastructure, our troops are not adequately trained. No amount of budget constraints should expose our country to military risk,” Ms Mkhali said.

She was also concerned by the unauthorised occupation and subletting of military base accommodation, saying this compromised military security and exposed the country to serious security threats.

Mr Narend Singh of Inkatha Freedom Party (IFP) was also worried about budget cuts, which weakened the defence force to the point where it cannot ensure our safety and security.

Reacting to the Members’ concerns, the Minister of Defence and Military Veterans Ms Thandi Modise acknowledged that there is a lot of

“While we are aware of the sensitivity of the issue of human settlements in South Africa, we are concerned about the security of military bases and the safety of the surrounding communities. It is very dangerous to have people living next to the borders of the fence of the military base where they keep explosives and use dangerous weapons for training. We therefore recommend that the Department of Defence and other relevant departments work together to find an everlasting solution to land invasion around military bases,”
Mr Mmutle

dilapidation and poor maintenance. “I want to agree that those problems are real, but I disagree that we have failed to protect South Africa, to train our members.

“MPs can criticise us that we have trained pilots who are unable to get the required flying hours, because of certain reasons, but we are remedying that. You can say most of our prime equipment has not been working. Yes, we have issues with prime equipment. We have had some weapons stolen at Lyttleton; there is a police case. All our armoured vehicles have been repaired,” she explained.

The Minister also told the National Assembly that before 1994 there was in-house capability within the defence force to maintain facilities.

However, after 1994 this responsibility was transferred to the Department of Public Works. Defence has now started rebuilding the capabilities of in-house maintenance and has begun talks with DPWI to take back maintenance responsibilities.

The Minister also dismissed suggestions to downsize the defence force, saying this cannot be considered as the dangers on South Africa’s borders are increasing. 🌍

Eastern Cape supports National Veld And Forest Fire Amendment Bill

The residents of Amathole, OR Tambo and Sarah Baartman districts said during public hearings in their neighbourhoods that they were in favour of the National Veld and Forest Fire Amendment Bill. This is because they believe the Bill will address the threat of fire they face, as their villages and townships are surrounded by forests and vulnerable to fires, writes Mava Lukani.



FIGHTING FIRE WITH FIRE: The Portfolio Committee held well-attended public hearings on the Bill in the Eastern Cape.

The Portfolio Committee on Environment, Forestry and Fisheries conducted public hearings in the three districts recently as part of the Eastern Cape leg of the hearings on the Bill. In welcoming the Bill and supporting it, the residents of Amathole District's Amahlathi Local Municipality told the committee that it is appropriate that hearings are held in their municipality, as it is the only one in the province

surrounded by forests; hence it is named Amahlathi.

Participants included representatives from Mbashe, Mnquma, Great Kei, Ngqushwa and Raymond Mhlaba local municipalities who welcomed the Bill, saying that they hoped it would protect their veld and forests.

The committee explained the

Bill's objectives to participants, highlighting that it seeks to prevent veld and forest fires and everything in them, including precious indigenous trees and animals that are indispensable economic resources for the communities where these forests exist. The committee also told the people that the Bill seeks to ensure the empowerment of peace officers, traditional leaders and municipalities to curb veld and forest fires. Furthermore, the Bill calls for the formation of fire protection associations.

In supporting the Bill, the representatives for emerging farmers appealed to the committee to ensure that the Bill includes a clause on the protection of village veld, as currently all land in villages is used for residential purposes. They also called on the committee to ensure that the government provides fencing and dams, as currently their livestock struggle to get water even if

there is no drought.

The residents of Sarah Baartman District told the committee that the Bill promises to be a reliable tool to help address the threat of veld fires in the Tsitsikama and Baviaans mountains, which often threaten communities living nearby, especially in the Koukama Local Municipality.

They told the committee that at least 90 per cent of Koukama residents have basic firefighting skills, as fire is common in the area. For this reason, they encouraged the committee to ensure that the Bill has a clause empowering people, especially the youth, with firefighting skills, so they can respond effectively when fire breaks out.

Residents also called for the Bill to promote cooperation between provinces that share borders, such as the Western and Eastern Cape. Koukama is on the border of these two provinces, but the well-resourced Western Cape Provincial Government does not provide firefighting assistance in the Eastern Cape, no matter how close that fire may be to a Western Cape community on the border.

The residents also called on National Treasury to allocate enough money to firefighting, especially in local municipalities. They also called for the creation and maintenance of fire breaks to prevent the spread of fires when they break out. They said the Bill should include a clause that punishes arsonists heavily, as veld fires have such a devastating effect on local economies.🌱

Home Affairs Committee adopts A-List of the Electoral Amendment Bill

The Portfolio Committee on Home Affairs recently adopted the A-list of the Electoral Amendment Bill. This presents a major step towards concluding the process initiated by the committee this year, following the tabling of the Bill in Parliament. The committee was satisfied that the process has been rigorous, inclusive and detailed to ensure that the spirit of the Constitutional Court judgement is encapsulated in the Bill.

The committee adopted the A-List Bill with minor amendments after considering the public submissions made in a second round of public consultations. This round of consultations became necessary after the National Assembly (NA) gave its permission for the committee to make substantial changes to the Bill on 1 September 2022.

Some of the amendments include dropping the cooling-off period; adopting the 20% quota of votes in the previous election required as the threshold for the signatures an independent candidate must submit to support their candidature; the requirement for an election deposit (the amount of this deposit will be determined in regulations by the

Electoral Commission of South Africa). The committee considers this Bill fair and balanced for both independent candidates and political parties.

The committee was full of appreciation for those individuals and organisations who took the time to participate in the legislative-making process. Their inputs strengthened the Bill and clarified

some aspects immensely. Their efforts also assisted committee Members in their deliberations on the Bill.

The B-list of the Bill will now be developed for the committee to consider before presentation to the NA. This will represent another step forward in concluding the process in the NA.🌱

PC on Public Works and Infrastructure welcomes positive impact on the general environment in South Africa



OFFICE SPACE: Public Works committee on an oversight visit to Telkom Towers in Pretoria, where SAPS intends to have its new offices.

The Portfolio Committee on Public Works and Infrastructure recently attended the launch of the government's EcoASA Eco-labelling System for Building Materials and Products by Agrément South Africa (Agrément SA) as part of an oversight visit to Telkom Towers in Pretoria, writes Faith Ndenze.

The oversight visit arose after numerous meetings held with the Department of Public Works and Infrastructure to discuss the South African Police Services' (SAPS's) purchase of Telkom Towers offices in 2016 for R695 million. SAPS has spent almost R200 million on renovations and other services, but has still not moved in. Most head office staff continue to work from the old SAPS head office in the Koedoe building on Pretorius Street.

During its oversight visit in 2019, the committee was assured that the SAPS would move into the offices in the following six months after renovations were done. The 2021 report from the Auditor-General showed that the government had spent millions on refurbishments at various facilities that have dragged on for years. This includes the old Telkom Towers.

According to the report, additional costs were incurred at the facility at the police's request, including R152 million paid to "consultants", R10 million for security and R15 million for facilities management.

The committee was pleased to see that Agrément SA followed through with what they stated as one of their initiatives in their annual performance plan for 2022/2023. The establishment of this eco-labelling system is an important advancement in the South African construction and professional built environment to conform with ISO 14024 Environmental Labels and Declarations: Environmental Labelling Type I, Guiding Principles and Procedures.

Agrément SA can now assess, certify and label building materials such as wall and ceiling panels, paint, sealants, adhesives, carpets, and insulation materials with the ecoASA label. The increased use of ecoASA labelled construction products and materials in buildings and infrastructure will make them more environmentally friendly.

The committee expressed its excitement as this development will have a positive impact on the general environment in South Africa, particularly in cases where buildings and public infrastructure are demolished or destroyed as a result of a natural disaster or any climate-related calamity. In such cases, if the debris and discarded building material

is ecoASA labelled it will cause minimal harm, as they are completely recyclable.

Natural disasters such as the flood disaster that occurred in April 2022 in KwaZulu-Natal and in certain parts of the Eastern Cape and North West provinces have showed that climate change is increasing the frequency and intensity of natural disasters. The development of the ecoASA Eco-labelling System for Building Materials and Products as a green-rating tool for public buildings and infrastructure is one of the ways in which South Africa is mitigating against the effects of climate change and ensuring that its citizens are protected against its effects. 🌱

"Natural disasters such as the flood disaster that occurred in April 2022 in KwaZulu-Natal and in certain parts of the Eastern Cape and North West provinces have showed that climate change is increasing the frequency and intensity of natural disasters."



SCOPA engages Eskom on implementation of its recommendations

The Standing Committee on Public Accounts (SCOPA) received a briefing recently from Eskom on progress towards implementing SCOPA's 23 recommendations following an oversight visit to Eskom in 2019, writes Faith Ndenze.

The Chairperson of the committee, Mr Mkhuleko Hlengwa, stated that the committee has met with Eskom more than any other committee or department in this term. "We have conducted two oversight visits to Eskom, we have had 16 meetings in this term and three meetings on Eskom-related matters, totaling 21 engagements on Eskom matters," he said.

Mr Hlengwa said this demonstrates how seriously the committee takes Eskom matters. "We need Eskom functional, effective and fulfilling its core mandate. We want to see financial viability, financial sustainability, the necessary reforms, consequence management, contract management and the meeting of deadlines. We remain fundamentally worried and concerned about the state of health of Eskom," added Mr Hlengwa.

The Deputy Minister of the Department of Public Enterprises, Mr Phumulo Masualle, welcomed SCOPA's focus on

Eskom. "The committee is engaging Eskom for the importance of energy security for the country. It is a matter that, both at the department level and in the rest of government, is considered one of the foremost and critical matters that require resolution continuously, as it afflicts aspects of community life in all respects."

One of the issues SCOPA has raised consistently with Eskom is the presence of the New Largo mine, which influenced the decision for the Kusile Power Station to be built in Emalahleni in Mpumalanga. Mr Bheki Hadebe, a member of the committee wanted to know where this mine is. "The determination of the location of Kusile was based on the fact that there is coal and a mine in and around the area. Therefore, you are not going to rely on trucks transporting coal."

Mr Hadebe stated that when SCOPA visited Kusile, the committee did not see any mine and 700 trucks transport coal there every day. "That is why

there is also this issue of mixing coal. There was a conveyer belt that was meant to be built from that mine to Kusile," said Mr Hadebe.

Mr Hlengwa gave context to the new board on the importance of this issue. "When we were at Kusile in 2019, the commitment given was that the issues around the mine would be sorted out by January 2020. When we returned in April 2022, there was no mine and we had a long discussion about it," said Mr Hlengwa. SCOPA keeps returning to this issue to counter the use of the 700 trucks a day that come to Kusile, damage to road infrastructure and raise the risk of inferior coal.

The Eskom Group CEO, Mr Andre de Ruyter, assured SCOPA that the mine does indeed exist. "In our presentation, we have shown an aerial photograph of the mine at Kusile. It does exist. We can arrange a visit for the committee to inspect the mine and see that it is there."



SCOPA CHAIR: Mr Mkhuleko Hlengwa.

Mr de Ruyter said the mine is being developed and the conveyer belt is being built. "We are in full alignment with your sentiments that we should get trucks off the road, coal onto the conveyer, as the original intention was when Kusile was conceived. For a number of reasons, there has been procrastination on this, but we now are forging ahead on unlocking the New Largo reserves," he said.

Mr Hlengwa welcomed the proposal to visit the mine at Kusile and said SCOPA is looking at visiting the mine towards the end of November 2022. 🇿🇦

**Mr China Dododvu –
Chairperson of the Select
Committee on Cooperative
Governance and
Traditional Affairs, Water
and Sanitation and
Human Settlements**



Dissolution only way to ensure service delivery for Ditsobotla

The collapse of service delivery, dysfunctional council and administration were at the centre of the decision by the Select Committee on Cooperative Governance and Traditional Affairs, Water and Sanitation and Human Settlement to support the North West Provincial government to dissolve the Ditsobotla District Municipality, writes Malatswa Molepo.

The committee agonised over the decision because the dissolution is an extreme solution to the municipality's problems, but the committee felt it was warranted. The dissolution of the municipality is as per Section 139 (1) (c) of the Constitution.

"We cannot over-emphasise the importance of good governance in any functional municipality. To ensure good governance, a municipal council should act as the focal point for and custodian of good governance. This primary responsibility was unfortunately undermined in Ditsobotla by the

existence of parallel council structures, with two mayors, two speakers and two chief whips which made it impossible to fulfil executive and legislative obligations. Sadly, residents of the municipality were left to bear the full brunt of the impact of the dysfunction and this, according to the committee, is another compelling reason for dissolution," said Mr China Dodovu, the Chairperson of the committee.

Things deteriorated to the extent that the former municipal manager forcefully took office and installed bouncers around the municipal premises with guns and live ammunition to control access and deny all opposed to him, including the mayor, speaker and other councillors. In addition, the signatories to the municipal account have been changed which places governance of those accounts under risk.

In light of this generally toxic environment service delivery was compromised significantly. The contestations for control over municipal accounts is also a breeding ground for corruption to take root.

At a meeting with internal and external stakeholders, they said the municipality had failed to appoint qualified people, especially in critical positions. The lack of capacity at Ditsobotla Local Municipality was concerning for the committee in the context of the proposals by the National Development Plan which proposed that to achieve the goal of eliminating poverty and reducing inequality by 2030, South Africa must build skills and enhance the capacity of the state, and promote good leadership and partnerships throughout society.

To attain a capable and functional municipality, stakeholder called for the appointment of qualified, competent and skilled officials who will be able to ensure good governance and fight against corruption. "As a result, we will recommend to the National Council of Provinces that a skills audit must be urgently undertaken to ascertain what skills are there within the municipality and which areas need augmentation," Mr Dodovu emphasised.

While the committee resolved to recommend to the NCOP to dissolve Ditsobotla, it also highlighted that government must enhance pre-emptive support to ensure municipalities remain functional. 🌱



STATE OF COLLAPSE: Municipal services in the Ditsobotla District Municipality are not being provided, leading the NCOP to consider dissolving the municipality.

COGTA Committee Calls on Stakeholders to Support Lekwa Municipality



The Portfolio Committee on Cooperative Governance and Traditional Affairs received briefings recently from the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities (CRL) Commission and the Municipal Demarcation Board (MDB) on their 2021/2022 annual reports, writes Faith Ndenze.

The committee welcomed the CRL Rights Commission's clean audit and called on the entity to maintain it. The committee was also interested to hear the outcomes of the conversations the CRL Rights Commission will be facilitating on various cultural issues, including the national indaba on initiation that the CRL Rights Commission is planning for the end of November 2022.

The committee advised the commission that it could play a more visible role in mediating the various areas of conflict on South African cultural issues. The commission should also improve on its public awareness campaigns, as it has a very low profile among most South Africans.

After the committee's oversight visit to the Eastern Cape in July this year, it instructed the National Initiation

Oversight Committee to prepare for the upcoming season of initiation, which happens at the end of every year. The committee is optimistic that a national indaba on initiation will benefit everyone involved in the matter.

The committee also highlighted the importance of developing a strategy to ensure that all official languages are developed in an equal manner to encourage and promote social cohesion.

The committee also received a briefing from the MDB on its annual report for the 2021/22 financial year. It is pleased that the MDB has received four consecutive clean audit outcomes. This outcome raises the committee's confidence in the MDB's leadership.

The committee noted the areas highlighted by the MDB where it needs the committee's support. The committee wants the MDB to improve its footprint at the ward level, because this is where it matters the most. The committee also encouraged the MDB to minimise the work it outsources to municipalities. 🌱

COGTA Committee Urges CRL Rights Commission and Municipal Demarcation Board to Continue on Clean Audit Path

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Committees draft their budget review and recommendations reports



BUDGET MATTERS: PBO Director Dr Dumisani Dyantjies.

Parliament's portfolio committees have been very busy recently meeting with their government departments to be briefed on the department's audit and annual reports. These meetings are preparation for the drafting of the portfolio committees' Budgetary Review and Recommendations Reports (BRRRs).

In explaining the whole process, the Director of Parliament's Budget Office, Dr Dumisani Dyantjies, said Parliament's budget process is made up of three phases – the budget proposal in February, the BRRR process and the Mid-Term Budget (including adjustment) in October. It is therefore important to understand that the BRRRs should be taken seriously by all stakeholder, as they have an important role to play and influence future budget allocation.

BRRRs produced by National Assembly (NA) committees cover all government's various functions, including education, health, the police and so on and must be tabled and adopted by the NA before the announcement of the Medium-Term Budget Financial Statement every financial year. The BRRRs are therefore one of Parliament's oversight mechanisms, where every year each portfolio committee assesses their government department's service delivery and the use of their budget allocation.

In doing the assessments, the committees rely on various mechanisms including departments' annual reports, the audit reports from the Auditor-General, oversight visits and any other relevant information. In the BRRRs, the committees are required to make recommendations

to the Minister for consideration and future budget allocation. The Minister of Finance responds to BRRRs every year during the budget review period in February, in Annexure A of the Budget Review.

In line with section 77 of the Constitution, Parliament passed the Money Bills Amendment Procedures and Related Matters Act (Money Bills Act) in 2009, as amended. The Act guides Parliament in how to process budgets and other money bills, including procedures to amend the budget. Section 5 of the Money Bills Act requires portfolio committees to annually submit BRRRs for each government department for tabling in the NA. 🇿🇦

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