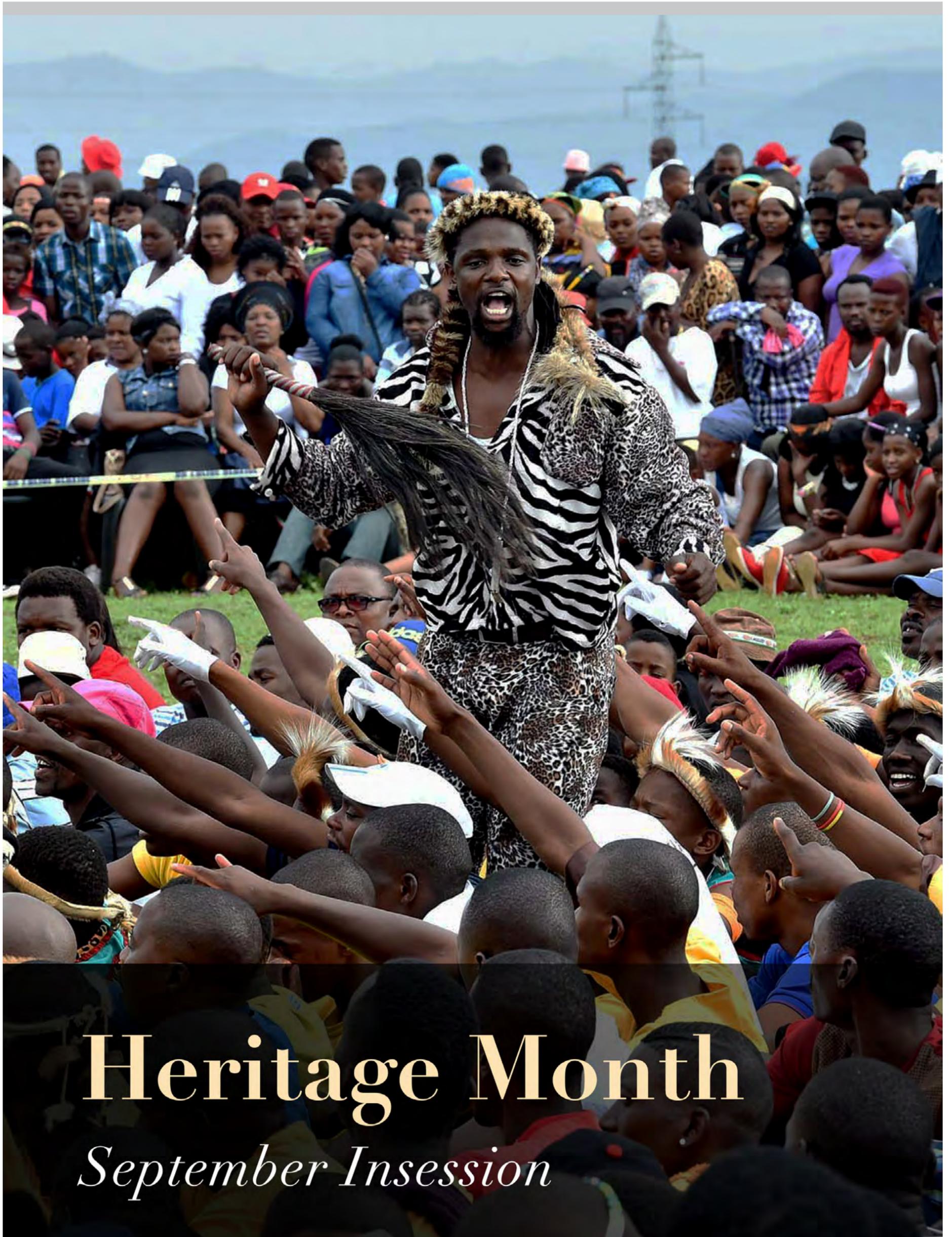


InSession



Heritage Month

September InSession



Heritage Day – Taking Pride in What Unites Us

The Presiding Officers of Parliament, Ms Thoko Didiza, Speaker of the National Assembly, and Ms Refilwe Mtshweni-Tsipane, Chairperson of the National Council of Provinces, joined the country in commemorating Heritage Day on 24 September.

Strength in diversity

On that day, the Presiding Officers said: “Today, as a country, we draw inspiration from the words on our national coat of arms, !ke e: /xarra //ke, written in the Khoisan language of the /Xam people, meaning diverse people unite. Ours is a diverse nation woven by various cultures, customs, and languages that make us

unique. These are constant reminders that our unity, even in our diversity, is our strength as a country.”

The Presiding Officers also noted that Heritage Day is also a time to remember and take pride in what unites the nation – its Constitution. The Bill of Rights, which is the cornerstone of the South African democracy, states that no person may be discriminated against based on their ethnicity, belief, culture, language, or birth.

In a time when many countries are often divided by culture, ethnicity and language, we have continued to show resilience and embrace our differences as a country. The last 30 years of democracy are also testament to the significant progress in developing our shared heritage as a country.

Parliament’s role in preserving our heritage
South Africa’s democratic Parliament has, said the

Presiding Officers, “committed a considerable amount of time to pass laws as redress to the harm caused by the Western and colonial culture, which dismissed indigenous African heritage as primitive and having no cultural significance.”

To transform South Africa’s heritage landscape, the democratic government and the democratic Parliament, in particular, focused on developing laws that enabled policy change and created institutions that would address colonialism’s effects on social justice and nation-building.

The Presiding Officers said the 2024 Heritage Day took place at a time when significant progress is being made in rebuilding the damaged Parliament buildings. This crucial project will preserve and promote the nation’s diverse heritage while recognising the National Assembly chamber’s historical value in reflecting the country’s aesthetic and

cultural legacy. The new design incorporates modern engineering while respecting the building’s original significance, with features like a raised structure that allows the public to connect with the land beneath.

This project exemplifies the principles of the National Heritage Resources Act, which emphasises that heritage is unique, precious and central to shaping our cultural identity. The restoration not only safeguards the National Assembly’s historical and architectural integrity but also serves as a powerful symbol of unity in diversity. By blending historical value, indigenous knowledge and modern innovation, the new National Assembly chamber will continue to affirm South Africa’s rich heritage and inspire future generations to uphold the values of democracy and cultural unity.

New World Heritage Site

Recently, the United Nations Educational, Scientific and

Cultural Organisation (UNESCO) has recognised South Africa’s investment in the promotion and preservation of heritage by declaring the Pleistocene Occupation Sites of South Africa and the inscription of sites termed Human Rights, Liberation and Reconciliation: Nelson Mandela Legacy Sites as World Heritage sites. The addition of these two sites means South Africa is now home to 12 of the 1 223 sites on the World Heritage List.

They said: “Today, let us celebrate our unity in diversity, unique cultures, related artefacts, music and variety of food. Those who came before us left us with a proud heritage, and our current generation is responsible for celebrating and preserving it. Let us continue strengthening our commitment to preserving our living heritage and work collectively towards a brighter, more inclusive future for South Africa.” 🌍



Ms Refilwe Mtshweni-Tsipane, Chairperson of the NCOP

NCOP Must Reassert its Authority to Ensure Effective Service Delivery

The Chairperson of the National Council of Provinces (NCOP), Ms Refilwe Mtshweni-Tsipane, has called on the NCOP to find outcomes centred on the idea of an activist, proactive and outcomes-based institution that makes a material impact on the lives of the country's people, writes Malatswa Molepo.

The Chairperson made these remarks during the NCOP's first strategic planning session of the 7th Parliament at the Capital Empire Hotel in Sandton, Johannesburg. The goal of the session was to provide a platform for the NCOP's presiding officers, office bearers and permanent delegates to determine policy priorities for the seventh term

of office, which will guide and direct the development of the strategic plan for the term. Other participants in the session included chairpersons of committees, the Chief Whip of the NCOP, provincial whips, party whips and party representatives.

"[One] of the emerging themes evident is the requirement for a paradigm shift in oversight that reviews our procedures and processes in ways that can strengthen our committees' effectiveness. We must also create ways that improve the trust and confidence levels of the public in their institutions by ensuring transparency, accountability, and effective communication on key issues," Ms Mtshweni-Tsipane said.

To achieve this, the Chairperson called on those present in the session to assess the NCOP's past, present and future to find new ways for the NCOP to conduct its business. One of the critical aspects of this shift will concern the ways in which the NCOP conducts its public participation processes, one that is alive and flexible

enough to adapt to various changes.

"We need to foster a broader and more plural decision-making process by actively engaging with stakeholders and seeking input on key bills and policies geared to strengthen the legitimacy and effectiveness of our legislative efforts. Also, we must better promote public education on the functioning of Parliament to bridge the social and knowledge gap between government institutions and the public," Ms Mtshweni-Tsipane said.

Ms Mtshweni-Tsipane also called for the NCOP to use its distinctive power to ensure greater cooperation between the various spheres of government for the benefit of all South Africans. "This session must find new answers on how we strengthen intergovernmental relations and cooperative governance and, where necessary, find ways where the NCOP can make policy interventions where there are impediments. Also, the NCOP must intervene in conflicts between the spheres of government,

protecting and safeguarding each sphere's powers and ensuring interventions are within the confines of the Constitution," Ms Mtshweni-Tsipane said.

Supporting the Chairperson's views, Mr Bhekizizwe Radebe, House Chairperson for Members Support and International Relations, said that the session provides the NCOP with the opportunity to reassert its authority. "We must use the distinct interface that the NCOP has with the national, provincial and local sphere of government to help improve services to the people. The NCOP must rise to the occasion and utilise its power and authority for the benefit of the people," Mr Radebe said.

In closing, Ms Mtshweni-Tsipane called for a strategic plan that emphasises consistency between what Members of Parliament say, what they think and what they do. "Through this, the NCOP and all other state organs can become better instruments for genuine and real change," she said. 🌟



PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

Editor
Brent Simons

Production editor
Mava Lukani

Design and layout
Mind Trix Digital

Copy editors
Jane Henshall, Alicestine October

Writers
Justice Molafo, Malatswa Molepo,
Yoliswa Landu, Rajaa Azzakani,
Alicestine October, Mlindi Mpindi

Photography
Phandulwazi Jikelo,
Zwelethemba Kostile

Distribution & subscriptions
Jacqueline Zils

Publisher
Parliament of the Republic of
South Africa

Acting Section Manager
Mado Sefora

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EDITORIAL ENQUIRIES
Telephone 021 403 8738
Fax 021 403 8096

E-mail
insession@parliament.gov.za

Subscriptions
jzils@parliament.gov.za

Post
PO Box 15, Cape Town, 8000

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Parliament Budget Cuts Impact on Effectiveness of Oversight

There was a unanimous agreement during the National Council of Provinces Strategic Planning Session that the cuts to Parliament's budget negatively impact the institution's ability to implement its oversight mandate, writes Malatswa Molepo.

NCOP delegates attending the session agreed that the NCOP must support the institution's accounting and executive authority in deliberating with the National Treasury on augmenting the budget so that Parliament can better achieve its goals.

The NCOP strategic planning session formed part of the Parliament's efforts to comply with the Financial Management of Parliament

and Provincial Legislatures Act of 2009, which states that after general elections, Parliament must start planning processes to develop policy priorities, a strategic plan and annual performance plans. Section 14 of the Act requires that Parliament tables a strategic plan within six months of the elections. Parliament must, therefore, table the strategic plan by 29 November 2024.

Speaking during a presentation on Parliament's strategic planning and process, the Secretary to Parliament, Mr Xolile George, said that the session must find ways to circumvent the challenges necessitated by the budget cuts. Currently, the national legislature is operating with a deficit of R1.5 billion, representing funding for about 60% of Parliament's priorities. "The budget cuts have directly impacted how Parliament can afford meaningful support for Members of Parliament to do their job. For example, the budget allocation for a committee for a year is now R300 000 but undertaking one oversight visit will cost more

than the annual allocation," Mr George said.

The NCOP Chairperson, Ms Refilwe Mtshweni-Tsipane, agreed that the strategic planning session was an opportunity to reflect on how the legislature can proceed with its work while engaging with the National Treasury on the budget cuts. "We should also review budget and resource allocation for Parliament, from the standardised format, to ensure it better speaks to our unique environment and broad mandate of NCOP for institutional effectiveness," Ms Mtshweni-Tsipane said.

Mr Mzamo Billy, the KwaZulu-Natal Provincial Whip, said that budget cuts directly impacted Parliament's critical functions, including public participation. He called for a reflection on adopting technology to enhance engagements with the public. "The concern should be that the budget for effective oversight remains an impediment that requires urgent action. This gathering should agree that Parliament

needs a proper budget to do its work effectively," Mr Billy stressed.

Mr Bhekizwe Radebe, House Chairperson for Members Support and International Relations, also argued that the nature of democracy requires adequate funding to be effective, hence the need for additional funds.

"If we don't resource Parliament adequately, then we will be in trouble, and the oversight responsibility will suffer. We must support the Secretary to Parliament and the executive authority in their engagements with the National Treasury on the issue of increased budget allocation," Mr Radebe said. 🇿🇦



Mr Xolile George, Secretary to Parliament



COGTA Committee Calls for Legislative Amendments to Prevent Initiation Deaths

The Portfolio Committee on Cooperative Governance and Traditional Affairs (COGTA) recently met with the Department of Traditional Affairs and various stakeholders to interrogate initiation deaths following this year's winter initiation season. Alicestine October reports.

Among the participating stakeholders were a delegation from the Eastern Cape Department of COGTA; amakhosi and members of the Provincial House of Traditional Leaders, who are also leaders of the Eastern Cape Provincial Initiation Coordinating Committee; members of the National House of Traditional Leaders and members of the National Initiation Oversight Committee.

Alarming numbers

Presenting the outcomes of the winter customary initiation season, Ms Shoky Mogaladi, responsible for Research Policy and Legislation in the Department of Traditional Affairs, told the committee that 32 initiation deaths were recorded in legal and illegal

initiation schools throughout the country during this winter season. "The highest number of deaths (44%) are from the Eastern Cape with 14 deaths. Nine deaths were recorded in illegal and five in legal initiation schools," she explained.

The committee meeting followed an earlier induction workshop in August this year on the outcomes of the winter customary initiation season. At the time, the committee said that there was a need for deeper interrogation of the persistent deaths of initiates and other complications associated with male customary initiation by looking at, among other things, the role of cultural attitudes and the effectiveness of the Customary Initiation Act of

2021. The committee sought to assess the impact of the legislation and whether it is responding adequately to the challenges experienced with male customary initiation.

The figures presented to the committee showed that 224 initiates were hospitalised during the season, with the highest number (113) in the Eastern Cape, and 89 cases were opened with the police. "When compared to the 199 illegal schools, 32 deaths and three amputations, there is a low rate of reporting and opening cases related to initiation," said Ms Mogaladi.

Despite the 89 cases opened, only 46 arrests were made, indicating a low rate of arrests (just over 50% arrest rate). The committee heard that

more arrests and successful prosecutions could serve as an effective deterrent to perpetrators.

Grief and losses

The committee heard that parents and caregivers who do not cooperate with officials are among the reasons for the low number of arrests and successful prosecutions following botched customary initiations. This was flagged as a significant challenge, especially in the Eastern Cape, where initiation "is supposed to be a family issue."

Criminal cases tend to collapse in courts because families are reluctant to cooperate and provide evidence, as the initiation practices are conducted

with the participation of relatives. Communities tend to discourage cooperation with criminal investigations, and such cooperation has a negative stigma. Because the initiation custom is deeply respected, communities face the grief without challenging the tragic losses.

This inadequate community involvement in ensuring compliance with the Act and insufficient resources were flagged as undermining the support for Provincial Initiation Coordinating Committees, and thus, they hinder the effective management of initiation schools in many provinces.

The law and changing mindsets

The portfolio committee Chairperson, Dr Zweli Mkhize, noted this as a concern and stressed that it is vital to see if the legislation is working and, if it is, why deaths are still being recorded. "The primary issue here," the Chairperson said, "is that no death of any initiate must be accepted under any circumstances. It is the right of communities to practice this age-old custom."

Judging from the reported causes of death, they are all avoidable results of negligence that must be stopped, the committee noted. Government, traditional and community leaders need to ensure that the legislation has an effect at the grassroots level. The law must assist all stakeholders – locals, traditional leaders, families, initiates and communities to use their influence to change the mindset by curbing misinformation and eliminating social stigma so that the deaths are not accepted as part of the custom but seen as an unacceptable distortion of the custom that can and should always be practised safely.

The committee noted the comments of the traditional leadership, including the Deputy Minister, that no powers are assigned to traditional leadership to

enable them to enforce safety provisions in the conduct of the custom. As such, traditional leaders cannot prevail sufficiently over transgressing community members. The Chairperson said this is why the committee's focus must be on the amendment of this Act to provide a more robust mechanism of local community peer review under the strong guidance of traditional leadership.

Vital role of traditional leaders

Acknowledging the vital role that traditional leaders can play in improving and changing the lived reality at the grassroots, the Chairperson said that the envisaged amendments need to assign responsibility and powers to the local and other levels of traditional leadership (amakhosi and izinduna). "This is so we do not have a token committee that complies with the law as it stands but has no impact on changing the attitudes and conduct on the ground to bring a stop to the deaths. Traditional structures must be used to deal with this custom because that is where the authority resides, as they are custodians of customs and traditions," Dr Mkhize said.

The committee stated that the amended legislation, bolstered with adequate resources, will empower a grassroots campaign of government, traditional leadership and civil society through schools, churches and social groupings to save the initiates. In this regard, the committee commended the role of the Department of Health and the non-governmental organisations working to save the lives of initiates.

The committee resolved to engage with the Minister and the Premier of the Eastern Cape to reexamine necessary amendments in the legislation and propose that the campaign be reinvigorated. The traditional leaders must initiate the amendments so that the existing gaps are closed, the criminal justice

system can work effectively, and the negligence that results in initiation deaths is addressed.

Stronger accountability

Given the health and safety risks, the committee stressed that responsibility must be assigned to all those involved in the chain of customary practice and that ways must be found to hold the traditional practitioners to account, irrespective of the cooperation of the parents and community. The committee also stated that customary practitioners should be adequately supervised so that they can take responsibility for their actions and lack of action. "Ordinarily, in any medical setting, whether the community or the patient

complains or cooperates, the law can enforce that no one who has not undergone the necessary training is allowed to practice. That is done to ensure the safety of those patients. This principle must be applied in this situation," said Dr Mkhize.

The committee noted that the envisaged amendments, to be steered by traditional leaders, will go a long way to improving their oversight capacity. The committee also acknowledged the complexities surrounding the different initiation customs across different regions. While certain aspects of the custom may be possible to standardise in the legislation, it was noted that standardised English interpretation terms, such as "initiation school"

in the legislation, mean different things to different communities and may sometimes be confusing.

It was thus recommended that such diversity might be served by avoiding standardised English terms but instead using the vernacular words (such as *ingoma*, *ibhoma*, etc) in the legislation to preserve nuances that underlie the deeper meaning and cultural variation of the same custom as practised in each community.

The committee reiterated its commitment to respecting cultural diversity and ensuring safe customary initiations with the necessary cultural sensitivities. 🌍



Dr Zweli Mkhize, Chairperson of the Portfolio Committee



Health Committee Learns KZN and EC Have Highest Numbers of Unclaimed Bodies in Mortuaries

The Portfolio Committee on Health heard that KwaZulu-Natal (KZN) and the Eastern Cape have a high number of unclaimed and unidentified bodies in state mortuaries. Yoliswa Landu reports.

As of August 2024, 3 186 bodies remain unclaimed nationwide, with KZN accounting for 1 527 cases, while the Eastern Cape has 526 cases. The committee heard that many of the bodies are unclaimed, not because of a lack of identity documents but because relatives have not come forward to identify or retrieve them.

The committee recently received a briefing from the Department of Health on the status of unclaimed bodies in state mortuaries and a response from the department on the Health Market Inquiry Report.

The department told the committee that various factors contribute to the high number of unclaimed bodies. These include community-related

factors and municipal and provincial-related challenges. The department also highlighted delays in collecting DNA samples, insufficient burial sites, and difficulties in identifying foreign nationals. Committee members expressed concern over the statistics and the implications of unclaimed bodies for public health and the safety of personnel at the state mortuaries. Some committee members stressed the need for transparency regarding investigations into alleged corruption in mortuaries where families are reportedly charged excessive fees to claim bodies. During engagements, committee members raised several questions about the identification processes for bodies, specifically the efficiency of current DNA collection and testing

protocols. The committee questioned the reasons behind the high number of unclaimed and unidentified remains. It sought clarification on how the department plans to address the backlog that hinders the identification of deceased individuals.

Some committee members expressed apprehension about the lack of follow-up on identified bodies and suggested establishing a tracking system for families of missing persons to facilitate communication and retrieval of remains. Some committee members called for better coordination among local municipalities to address burial site shortages and recommended that private mortuaries share best practices for managing unclaimed bodies.

In response, the department informed the committee that it started efforts to establish a task team to ensure accountability and transparency in managing unclaimed bodies. It confirmed that a backlog at forensic laboratories currently hinders DNA sample processing.

It told the committee that efforts are underway to expedite testing through enhanced collaboration with the South African Police Service and improved resource allocation. The department said it is also engaging with provincial governments and municipalities to develop a comprehensive plan to address the shortage of burial sites, including exploring partnerships with private cemeteries and considering alternative burial methods.

The department told the committee that it acknowledged the need for a robust tracking system for unidentified bodies and committed to exploring the establishment of a centralised database accessible to families and relevant authorities.

Deputy Minister Dr Joe Phaahla told the committee that the department will provide a comprehensive overview of progress in addressing unclaimed bodies in state mortuaries in October. He said the report will include detailed information on actions taken by the newly established National Forensic Pathology Service Committee, updates on the backlog of DNA testing, and efforts to streamline identification processes. 🌟



COGTA Chairperson Welcomes Municipal Wage Agreement as Step to Stabilising Municipalities

The Chairperson of the Select Committee on Cooperative Governance and Public Administration (Traditional Affairs, Human Settlements and Water and Sanitation), Mr Mxolisi Kaunda, has hailed the five-year wage agreement between the South African Local Government Association (SALGA) and labour unions within the local sphere of government and hopes that it will lead to stability. Malatswa Molepo reports.

“Now that the wage agreement issue has been put to bed, it is essential that workers contribute to stabilising the local sphere of government to ensure that municipalities are functional and deliver quality services.

It is imperative that municipalities work for the benefit of the residents as mandated by the Constitution,” Mr Kaunda emphasised. According to the Chairperson, the dire state of many municipalities requires

passionate and dedicated personnel committed to providing quality services to residents. Signing a long-term agreement should ensure the stability needed to improve municipal efficiency and effectiveness.

The Chairperson noted that the agreement was reached with due consideration of municipalities’ constrained finances. “By improving services, the workers will positively contribute to municipalities’ ability to bill for services to ensure a positive

cash flow for municipalities. With the salary increase issue now history, it is important that workers eliminate the nonchalant attitude to service delivery,” Mr Kaunda said. The Chairperson stressed that one contributory factor to the low collection of municipal levies and taxes is the poor quality of services residents receive, which impacts their willingness to pay for services rendered.

Mr Kaunda noted the agreement’s intention to meaningfully address the

problem municipal workers have in accessing housing.

He welcomed the fact that in terms of the agreement, employees earning R22 000 per month or less who do not receive any housing allowance will benefit from a once-off payment of R2 000 in the first year of the agreement. Following that, an investigation, to be concluded by March 2025, will explore ways in which housing conditions for South Africa’s municipal workers can be significantly improved, which

must also be commended.

The Chairperson also welcomed the commitment from labour unions to find methods to optimise productivity within the sector. “It is only through collaboration that municipalities can be strengthened and services improved. This should be an era of effective service delivery to our people; they expect nothing less, and we dare not fail,” Mr Kaunda concluded. 🇿🇦



Intergovernmental Collaboration Helps Resolve Hammanskraal Water Challenges

The Portfolio Committee on Water and Sanitation recently welcomed the commendable progress made with the Rooiwal Wastewater Treatment Works refurbishment and upgrade project and the construction of the drinking water package of the drinking water treatment works. This will help resolve the water quality challenges in Hammanskraal, writes Malatswa Molepo.

The committee highlighted the importance of collaboration between the various spheres of government in resolving these service delivery challenges. While the committee welcomed the assurance that the project is ahead of its projected timelines, it highlighted that proper planning and maintenance will prevent further emergency projects, which are often costly.

“The progress is commendable and will ensure that the people of Hammanskraal receive quality drinking water in line with quality guidelines outlined by the South African Bureau of Standards. But it remains important that better project planning in line with projected population and economic activity growth is undertaken to prevent emergency interventions,” said Mr Leon Basson, the committee Chairperson.

The City of Tshwane and the Department of Water and Sanitation informed the committee that general works at the Rooiwal Wastewater Treatment Works are 73%

complete, while mechanical engineering works are 65% complete, meaning that overall the project is 58% complete.

Upgrading for future growth is key

Meanwhile, the committee remains concerned that municipalities around the country are not upgrading their water treatment works to cope with population growth and increased economic activity. The committee encouraged municipalities to develop water master and funding plans to ensure that projects are planned and implemented on time.

In addition, the committee is concerned that the City of Tshwane highlighted that the expansion of phase 2 and phase 3 of the Rooiwal project requires an additional R3.2 billion, a shortfall the city is currently unable to cover. However, the committee welcomes the assurance that the city is considering various models to fund the project considering the project’s importance in expanding

economic activity in the area and serving local communities. The committee is concerned that revenue from trading services such as water is not reinvested into building infrastructure within the water and sanitation value chain.

The committee considers maintaining existing infrastructure a crucial part of reducing leaks and believes it will contribute to increased revenue collection. In addition, municipalities must ensure that revenue is collected for services rendered to ensure resources are available to reinvest in infrastructure maintenance and to extend capacity. The committee also committed to visit the Rooiwal project to assess progress.

Emfuleni intervention bears fruit

Meanwhile, the committee also welcomed the substantial progress made from 2021 to the present in Section 63 of the Water Services Act intervention in Emfuleni Local Municipality. The reported progress includes unblocking

sewer lines, replacing collapsed sewer pipelines, refurbishing pump stations and existing wastewater treatment works, and assisting the municipality with tools of the trade, including vehicles, tools, and security.

The committee welcomes the assurance that the intervention is bearing fruit and that the number of effluent spillages has decreased significantly since 2021. Nonetheless, the committee remains concerned that the Vaal River continues to be polluted by sewage spillages. According to the committee, the only way this will be resolved is to enhance the performance and capacity of wastewater treatment works along the length of the river.

The committee also welcomed the assurance that Rand Water is assisting Emfuleni Local Municipality with skills transfer and the procurement of critical tools of trade to improve operations. The committee considers municipal capacity central to an efficient water and sanitation value chain. In line with this, the committee welcomes the intention to establish a special purpose vehicle (SPV) between Rand Water and Emfuleni to ensure the intervention is sustainable. The committee considers interventions such as the proposed SPV as critical and an innovative idea to deal with capacity challenges within municipalities.

In addition, the committee welcomes the assurance that the ministry is developing a polluter register to ensure that the department is aware of municipalities polluting South Africa’s river systems, which will help enforce regulations. The committee criticised the time it takes to censure those who violate anti-pollution regulations. “It is important to interact with the Minister of Justice and Constitutional Development on the viability of establishing special courts to deal with those that pollute our water resources,” Mr Basson stressed. 🙏

Slow Resolution of Problems at KZN Municipalities Under Administration a Concern for the Committee



The Select Committee on Cooperative Governance and Public Administration (Traditional Affairs, Human Settlements, and Water and Sanitation) is concerned about the minimal progress achieved in municipalities under Section 139 (1) in KwaZulu-Natal (KZN), reports Malatswa Molepo.

The ineffectiveness of the interventions has a direct negative impact on essential services that those municipalities must render to the people. Currently, there are 10 Section 139 interventions in municipalities in KZN. Eight municipalities are under

Section 139(1)(b), namely Mpofana Local Municipality, uThukela District Municipality, Inkosi Langalibalele Local Municipality, uMzinyathi District Municipality, uMkhanyakude District Municipality, Mtubatuba Local Municipality, Umzambe Local Municipality and Zululand District Municipality; and two have directives in terms of Section 139(1)(a), namely uMhlathuze Local Municipality and Msunduzi Local Municipality.

Are Section 139 interventions effective?

“Sections 152 and 153 of the Constitution spell out the objects and developmental duties of municipalities,” said Mr Mxolisi Kaunda, the committee’s Chairperson. “The current state of the intervention doesn’t instil hope that instituting these interventions is bearing fruit and that residents of these municipalities are better off now than when the interventions were instituted.

The lack of tangible progress

feeds into the perception that section 139 interventions are generally ineffective,” he said. The committee noted that the inability to resolve matters such as non-payment of suppliers, inadequate council oversight over management, growing debtors’ books, low cash reserves, and lack of adequate skills will continue to hamper effective service delivery if not resolved. Furthermore, the committee considers some of the challenges patently unacceptable as they undermine the trust given to elected representatives by the citizens.

“It is also concerning that some of these interventions have been in place for a long time, with uMzinyathi District Municipality’s intervention having started in 2016, while Mpofana Local Municipality and Inkosi Langalibalele Local Municipality’s interventions started in December 2017.

While the committee acknowledged the need for the interventions, it is imperative

that they yield results,” Mr Kaunda stressed.

Mpofana Local Municipality

The committee welcomed the appointment of senior management in the municipality and is hopeful that they will drive the implementation of the municipality’s objectives and resolve poor audit outcomes. Despite this, the committee remains concerned that the ballooning Eskom debt has not been resolved, which will lead to further debt for the municipality.

The committee also urged the KZN executive council to expedite its decision to consider the municipality for Section 139 (5), which would impose a financial recovery plan to ensure its good financial position.

Uthukela District Municipality

The committee raised concerns that most of the identified inefficiencies have not been resolved, including the

underspending on capital budgets, lack of capacity to undertake water and sanitation functions, low collection rates, weak financial management controls, and poor state of infrastructure.

“It will be difficult to achieve the objects of the municipality without adequate financial management controls and inadequate skills base. Also, the inadequate spending on infrastructure maintenance will further deteriorate public infrastructure necessary to drive service delivery and economic development,” Mr Kaunda said.

The committee called for consequence management against officials for misconduct and dereliction of duty to regain adequate governance standards.

Inkosi Langalibalele Local Municipality

The committee welcomed the commendable progress in resolving the numerous challenges that led to the

intervention. It also welcomed the assurance that the municipality is now operating with a funded budget and that all senior management positions have been filled. Furthermore, the committee welcomed the assurance that the municipality has reviewed its organogram and that a completed staff establishment will be submitted at the end of September. The committee has called on the administrator to speedily work towards resolving the remaining areas that have been partially achieved.

Umzinyathi District Municipality

The committee considers it unfortunate and unacceptable that the municipality has refused to consent for the ministerial representative to access the municipality's

primary banking facility. While this matter has now been resolved by appointing a new ministerial representative, it delays implementing corrective measures to ensure the intervention succeeds. Despite this, the committee has called for the administrator to urgently prioritise investigations into allegations of maladministration, fraud and corruption to ensure they are resolved.

The committee noted the legal procedure to challenge the intervention into Zululand District Municipality and uMhlathuze Local Municipality and will await the court's judgement. Although the Constitution allows for any dispute to be ventilated in the courts, the same Constitution puts a premium on cooperative governance between all spheres of government. "It is

thus unfortunate that spheres of government have resorted to spending resources that could be used for service delivery to fight court cases," Mr Kaunda said.

Meanwhile, the committee will expeditiously consider Section 139(1)(b) intervention at Umzumbe Local Municipality and will make a determination as mandated by the Constitution. The committee will also await the comprehensive update report once it serves before the KZN executive committee before the end of October 2024.

"What is important for the committee is to ensure that all municipalities are functional and offer efficient and quality services to the people," Mr Kaunda said. 🙏



Land Invasions and Disasters Impede Delivery of Infrastructure Projects in the Western Cape

The National Council of Provinces' (NCOP) Western Cape Provincial Whip, Mr Rikus Badenhorst, singled out land invasions and disasters as key impediments to the timely delivery of infrastructure projects in the province. He was speaking at the start of the NCOP Provincial Week oversight programme at the Western Cape Provincial Legislature recently, Mlindi Mpindi reports

Mr Badenhorst said the delegation used its time during the 2024 Provincial Week programme to interrogate how various problems related to land invasions and the effects of disasters could be resolved to expedite service delivery

to communities.
Land invasions

The delegation began its programme for the week with a briefing on unlawful occupation of land in various regions of the City of Cape

Town from members of the provincial executive. The delegation heard that since March 2020, at the beginning of the Covid-19 national lockdown, at least 186 new settlements have been established in various areas, posing a risk to biodiversity;

and the integrity of floodplains, landfills, rail networks, and power and water infrastructure. The affected areas include hotspots such as Du Noon and Baden Powell in the north; Khayelitsha, Mfuleni and Strand; and others in the south of the City.

The delegation visited Du Noon, where five new informal settlements with a combined total of 5 237 structures have been erected on government and private land since 2020. The delegation observed that

some of the structures are built along railway lines and wetlands, which poses the risk of loss of life and damage to property.

The delegation also visited the Baden Powell area where land invasions are reportedly on the rise. The department briefed the delegates on-site and reported that in 2018 only the Monwabisi Park township existed in the Baden Powell area, which had no informal

settlements at the time. But by 2023, following the Covid-19 lockdown, new extensions had mushroomed, with at least 6 236 additional informal structures built.

Cost of land invasions

The delegation heard that the impact and cost of land invasions on communities is estimated at R1.3 billion in terms of loss of housing development sites. Planned

and funded projects are negatively impacted, impeding service delivery and depriving residents of critical infrastructure upgrades. A total of 1 570 housing opportunities are reportedly affected in Khayelitsha alone to the value of R77 million.

The delegates asked tough questions about the measures provincial and local authorities have taken to prevent unlawful land invasions and to achieve

lawful evictions.

Members of the executive and officials pointed to lockdown regulations, the Disaster Management Act of 2002 and related regulation as key impediments to their efforts.

They said various regulations took precedence over eviction orders during the Covid-19 lockdown period, which prevented enforcement. Post

lockdown, the city struggles with a backlog of eviction court cases, while new cases emerge.

Provincial officials said some provisions of the Prevention of Illegal Eviction and Unlawful Occupation of Land Act (PIE Act), such as the requirement to provide alternative accommodation, makes it difficult for provincial and local governments to enforce lawful evictions. 🇿🇦



Law Reforms Necessary to Prevent Fraudulent Medico-Legal Claims

The Portfolio Committee on Health, the Standing Committee on Appropriations, and the Standing Committee on Public Accounts said law reforms are necessary to close gaps in legislation that expose government systems to fraudulent medico-legal claims, writes Yoliswa Landu.

The committees met jointly for a briefing from the Health Minister, Dr Aaron Motsoaledi, on the interventions the Department of Health is making to address the burden of fraudulent medico-legal claims arising from collusion between medical professionals and lawyers.

Representatives from the Office of the Auditor-General (AG) also briefed the committees on the audit outcomes of the Department of Health. The audit shows that poor record-keeping on the part of hospitals and clinics contributes to the problems associated with medico-legal claims. The pre-audited financial statements for provinces reveal that the nine provincial health departments have paid

R1.5 billion in the 2023/24 financial year for medico-legal claims, with contingent liabilities sitting at R63.5 billion.

The committees were informed that the doctors targeted most by fraudulent lawyers are obstetricians, gynaecologists, neurosurgeons, and spinal, and orthopaedic surgeons. This means that these specialists must pay hefty amounts in medical indemnity insurance to protect themselves from such claims, which increases the cost of their services for their patients. Fraudulent and valid medico-legal cases are kept on the court roll for a prolonged period, which also negatively impacts victims.

The Minister wants to set up

a system that will allow a panel of experts comprising retired judges, retired senior medical and nursing staff, lawyers, social workers, and other relevant professionals to assess all the medico-legal claims to determine fair compensation for those who have experienced medical injuries. This assessment will prevent the backlog of medico-legal cases in court.

This system is currently implemented in other parts of the world, including Scandinavian countries. Legislative reform is necessary for this model to be successful, and the various committees in the meeting supported the proposal to introduce such legislation.

Meanwhile, the committees noted the consequence management measures taken by the Department of Health to refer all the medical professionals, legal practitioners and healthcare workers implicated in such fraudulent schemes to the National Prosecuting Authority and the Lawyers Practice Council for criminal prosecution and professional misconduct proceedings.

In addition, the department has reported all the implicated healthcare workers to various statutory bodies. Members present in the joint committee meeting noted that maintaining health standards is equally important to ensure safe measures for health practitioners. 🇿🇦



Mineral Resources Committee Welcomes Department's Efforts to Recover Missing Lily Mine Employees

The Portfolio Committee on Mineral and Petroleum Resources welcomed efforts by the Department of Mineral and Petroleum Resources to ensure that the mission to recover three missing employees at Lily Mine resumes and the mine is re-opened, writes Justice Molafo.

After the department approved the Vantage Goldfields' section 11

application in April this year, Vantage Goldfields had until the end of July to arrange funding to re-open Lily Mine. Briefing the committee recently, the department said that Vantage Goldfields' financier had requested additional time to secure funds by the end of September 2024.

The committee was encouraged by Vantage Goldfields' commitment to recovering the three missing employees as part of its 10-week project plan to re-open the mine. The mine is also committed to paying outstanding salaries to employees and re-employing former employees who are currently unemployed.

"We are encouraged by the department's and Vantage Goldfields' relentless efforts, which gives hope that the families of the three missing employees will get closure, and the mine will be re-

opened. We implore the department to spare no effort in ensuring that Lily Mine doesn't experience acts of illegal mining," said the committee's Chairperson, Mr Mikateko Mahlaule. He further said that the committee will continue to monitor Lily Mine's progress and the department's implementation of the recommendations arising from the 2017 inquiry into mining activities.

Meanwhile, the committee told the department that Optimum Mine should not be the exception in being made to comply with statutory requirements. Optimum Mine is currently operating at a minimal scale, pending the transfer of the mining rights from Templar Capital to Liberty Coal. Templar Capital acquired the mine as a going concern from Tegeta Exploration and Resources in 2018.

From 2017/2018 to date,

Optimum Mine has been contravening section 24(P) (3)(a) and (b), as well as section 24(Q) of the National Environmental Management Act of 1998. The former section obliges the company to review its financial provisions, and the latter obliges it to submit a performance assessment for

the approved environmental management programme report. The committee called for the amicable removal of the hurdles delaying the transfer of mining rights to Liberty Coal so that the mine can operate optimally for everyone's benefit. 🇿🇦





Plans Afoot to Remedy Drop in Tourist Numbers, SA Tourism Tells Committee

Briefing the Portfolio Committee on Tourism recently, the leadership of South African Tourism (SAT) assured the Portfolio Committee on Tourism that plans are underway to arrest the drop in international arrivals in the country, writes Alicestine October.

The SAT briefed the committee on its performance for the fourth quarter of the 2023/2024 and the first quarter of the 2024/2025 financial year. Presenting the figures, SAT CEO Ms Nombulelo Guliwe said that international tourist arrivals in 2023 fell 17% below the 2019 arrival figures and 12% below the global average.

This prompted several committee members to

ask what is being done to mitigate this, what the plans are to increase flights to South Africa, and how the entity will further boost domestic tourism numbers.

Responding to the committee's concern over the decline in international arrivals, Ms Guliwe said the key reasons for the decline are problems with ease of access and concerns about safety and security. "Airlift is a material issue when it comes to conversions to arrivals in South Africa, and that is why it is being addressed at the highest levels," she explained. In addition, SAT, led by the Minister of Tourism, Ms Patricia de Lille, and the Deputy Minister, Ms Maggie Sotyu, is engaging with airlines on the matter.

Ms Guliwe also told the committee that safety and security challenges are receiving attention, with significant investments in tourism safety monitors. "We are aware that we do not have full coverage yet, but we will increase numbers in major tourist attractions, subject to funding," she explained.

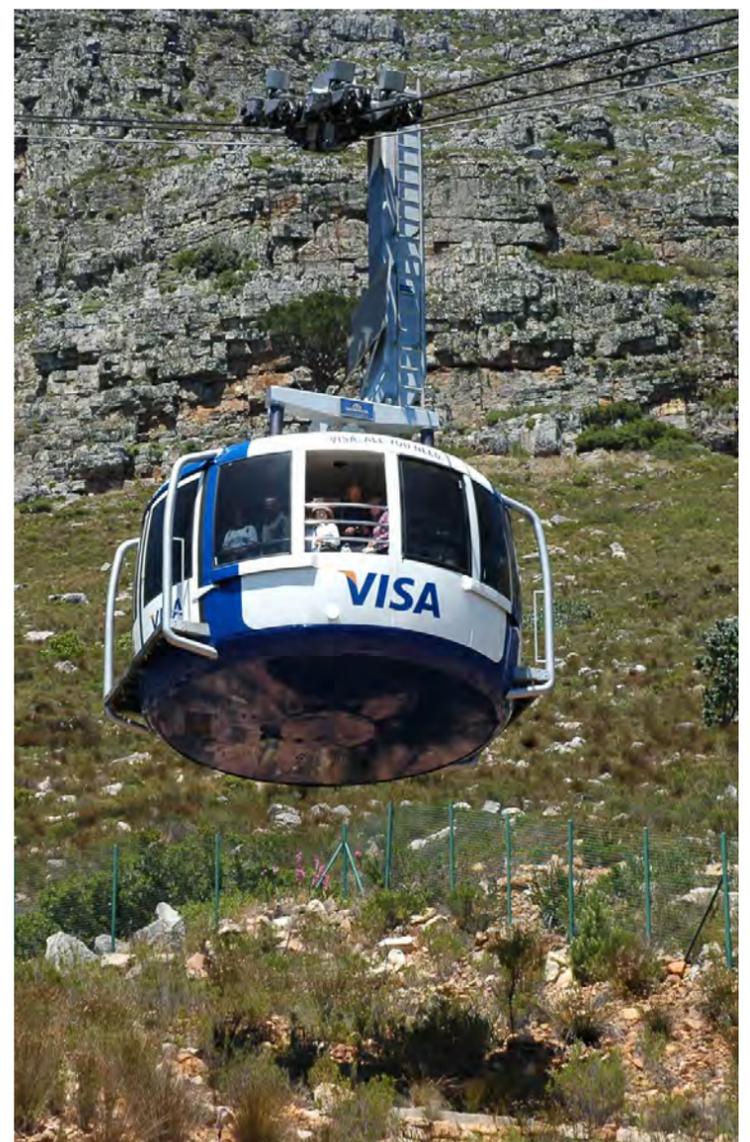
According to SAT figures for 2023, total foreign tourist direct spending exceeded 2019 levels by 17.3%, reaching R95 billion compared to R81 billion in 2019. Africa was the top-performing region with R38 billion spent, followed by Europe with R32 billion, Ms Guliwe said. The figures presented also showed a resurgence in domestic tourism consumption. In 2023, South African residents took 38 million domestic overnight trips, an increase of 11.3% over the 2022 overnight trips, which stood at 34%. Bed nights, or the number of nights domestic tourists spent away from home in 2023, stood at 133 million, 12.1% over the previous year's performance, the figures showed.

Committee members asked for more detail on the economic impact and contribution of tourism and tourism revenue to job creation and how townships and disadvantaged areas benefit and are included in SAT programmes. Members also asked if SAT had measured the successes of the Sho't Left campaign and if it was money well spent. Ms

Guliwe undertook to provide the committee with a more comprehensive report on these matters.

The Chairperson of the committee, Ms Lungi Mnganga-Gcabashe, thanked the delegation for the presentation and input. "Let

us all be tourists in our own country whenever we can and explore the natural beauty of Mzansi's villages, townships and small dorpias in support of the work done by South African Tourism, the entity of the Department of Tourism," she said. 🇿🇦





OUR SOUTH AFRICA – THE SUN

The sun heals the divisions of the past, improves the quality of life of all South Africans, frees the potential of each person and builds a united and democratic South Africa, taking its rightful place as a sovereign state in the family of nations.



OUR PEOPLE – THE PROTEA LEAVES

Our people, building on the foundation of a democratic and open society, freely elect representatives, acting as a voice of the people and providing a national forum for public consideration of issues.



OUR PARLIAMENT – THE DRUM

The drum calls the people's Parliament, the National Assembly and the National Council of Provinces, to consider national and provincial issues, ensuring government by the people under the Constitution.



OUR CONSTITUTION – THE BOOK

Our Constitution lays the foundation for a democratic and open society based on democratic values, social justice and fundamental human rights. It is the supreme law of our country, and ensures government by the people.