

# Insession



## October 2024 FOCUS on Oversight



## Reflections from the 149th IPU Assembly and related meetings

*The 149th Inter-Parliamentary Union (IPU) Assembly, held from 13 to 17 October 2024 in Geneva, Switzerland, proved invaluable for South Africa's parliamentary delegation, writes Dr Annelie Lotriet, MP and Deputy Speaker of the National Assembly.*

Led by Ms Refilwe Mtshweni-Tsipane, Chairperson of the National Council of Provinces, Parliament's delegation actively contributed to the work of the Standing Committees and General Assembly, including the general debate that focused on the overall theme of "Harnessing science, technology and innovation (STI) for a more peaceful and sustainable future". These engagements underscored our Parliament's commitment to representing our constituents at the international level, shaping global policy-making through parliamentary

diplomacy, promoting South Africa's national interests on a global stage, and contributing to the development and evolution of parliaments. During the Assembly, my focus was exemplified in participating in The Forum of Women Parliamentarians and the Standing Committee on Sustainable Development.

### Contributing gender perspectives

The discussions of The Forum of Women Parliamentarians provided vital insights into gender equality. Delegates had the opportunity to propose gender-related amendments for inclusion in the Standing Committee on Democracy and Human Rights' draft resolution titled "The impact of artificial intelligence on democracy, human rights and the rule of law", to be adopted by the Assembly.

Notably, Ms Mtshweni-Tsipane stressed the significance of legislative action to prioritise the prevention, elimination and response to all forms of technology-facilitated gender-based violence and discrimination stemming from the evidence that digital technology enables new and intensified forms of gender-based violence.

This underscores the urgent need to safeguard and uphold women's rights in the digital age. The resolution's final text can be accessed at this link: <https://www.ipu.org/event/149th-ipu-assembly-and-related-meetings#event-sub-page-33825/>.

Furthermore, the Forum hosted a panel discussion on "Sustaining peace and providing justice to women and girls", which allowed for a crucial exchange of experiences and good practices in promoting women and girls' access to essential services, education and healthcare, specifically in conflict and post-conflict situations. Delegates

heard about the practice of international courts and tribunals, including how they have dealt with crimes committed against women during armed conflicts in the past and today.

The discussions also touched on how gender-responsive national legislation and judicial systems are crucial to women's access to justice in conflict and post-conflict situations, including women's meaningful participation in transitional justice to restore peace. Our delegation highlighted the need for compliance with international humanitarian and human rights laws to protect women in conflict, ensuring

access to vital necessities. In my intervention, I urged parliaments to ensure that their countries' laws align with international humanitarian law, including that it clearly reflects the standards set by treaties and conventions related to the elimination of discrimination against women during conflicts, in post-conflict times as well as in times of peace.

### Corporate Tax Avoidance and Sustainable Development

In the Standing Committee on Sustainable Development, I participated in the panel debate on a crucial topic – "Towards a fair global financial system: The role of parliaments in preventing corporate tax avoidance and achieving sustainable development." In this engagement, parliamentarians interacted with key non-parliamentary resource persons from the OECD Centre for Tax Policy and Administration, the Tax Inspectors Without Borders Initiative and the UNDP Tax for SDGs Initiative.

The topic is paramount for developing countries like South Africa, where corporate tax avoidance directly impacts our ability to address critical issues such as unemployment, poverty and inequality. I stressed the necessity of actively combating profit shifting by multinational corporations and wealthy individuals, proposing concrete



interventions to mitigate these losses.

These interventions include entering into agreements with countries to prevent tax avoidance and evasion, as South Africa has done with over 70 countries. Such agreements assist in closing tax loopholes and strengthening enforcement mechanisms through facilitating access to information from partner countries' financial institutions and individuals and providing for the exchange of any relevant information. In this light, I encourage our finance committees to consider reviewing South Africa's existing agreements and the efficacy of their implementation.

#### Closing Thoughts – Parliaments and Digital Knowledge

Participating in the 149th IPU Assembly was a privilege, offering an

indispensable platform for global collaboration on issues of common concern to parliamentarians worldwide. The Assembly's outcome document, the Geneva Declaration: Harnessing Science, Technology and Innovation (STI) for a more peaceful and sustainable future can be accessed online at <https://www.ipu.org/event/149th-ipu-assembly-and-related-meetings> for a high-level overview of the Assembly's work and the current global parliamentary narrative on STI.

In this context, I wish to highlight the IPU's endeavours to strengthen national parliaments, particularly through releasing resource documents for parliamentarians and parliamentary staff that are freely available on the IPU website. The most recent of these pertains to the use of digital technologies in parliaments, a core area within my mandate. The

World e-Parliament Report 2024 (<https://www.ipu.org/resources/publications/reports/2024-10/world-e-parliament-report-2024>) and the Using Generative AI in Parliaments Issue Brief (<https://www.ipu.org/resources/publications/issue-briefs/2024-04/using-generative-ai-in-parliaments>) are valuable resources that offer insights into how parliaments are embracing technology worldwide. I also invite Members and staff to consider attending the following virtual IPU events:

- Presentation of the World e-Parliament Report 2024: On Wednesday, 6 November 2024, the IPU will hold a virtual session to present the findings of the World e-Parliament Report 2024, from the rise of artificial intelligence and cloud computing to the pervasiveness of social media. Those interested in attending can register at <https://us06web.zoom>.

[us/meeting/register/tZUscOyuqDwrH9ZEhk7dWfEqpmaRHNZoxMb#/registration](https://www.us06web.zoom.us/meeting/register/tZUscOyuqDwrH9ZEhk7dWfEqpmaRHNZoxMb#/registration).

- Launch of the IPU Guidelines for AI in Parliaments: On Tuesday, 3 December 2024, the IPU will launch the Guidelines that offer strategic advice and practical insights to help legislative bodies harness the power of AI responsibly and effectively. Those interested in attending can register at: <https://us06web.zoom.us/meeting/register/tZEvdU6rrTksG9DSXvYoTafKLi2uxelJG94N#/registration>

In closing, I invite all parliamentarians to visit the IPU website (<https://www.ipu.org>) regularly. It contains valuable information and resources that will assist Members in executing their mandates and staying up to date on global parliamentary affairs. 🌐

## Parliamentary Budget Office Convenes Multidimensional Poverty Peer Network Roundtable



*In response to the complexity of poverty-related issues around the globe, the Parliamentary Budget Office (PBO) held a Multidimensional Poverty Peer Network Roundtable to enhance the capacity among Members of Parliament to use the Multidimensional Poverty Index for oversight purposes. Abel Mputing reports.*

How do we legislate to eradicate poverty? This question has perhaps seized the African continent more than any other geopolitical sphere in the world. It is a pressing question in South Africa,

given that the country has been classified as one of the most unequal societies in the world. Indeed, the impact, depth and magnitude of socio-economic poverty in South Africa are alarming. The PBO invited experts,

statisticians, activists, and academics to share their insights in the roundtable discussion. The goal was to identify forward-looking and solution-driven models that will enable legislators to legislate and conduct

effective oversight over money appropriated from the fiscus to arrest this scourge.

#### Definitions of poverty

In his presentation, Dr Asghar Adelzadeh, Director and



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#### OUR IDEALS

##### Vision

An activist and responsive people's Parliament that improves the quality of life of South Africans and ensures enduring equality in our society.

##### Strategic Objectives

- Strengthening oversight and accountability;
- enhancing public involvement; deepening engagement in international fora;
- strengthening cooperative government;
- strengthening legislative capacity.

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Chief Economic Modeller at Applied Development Research Solutions (ADRS), reminded those in attendance that the South African Human Development Index does not represent bare statistical probabilities but rather measures deprivation. He characterised poverty as deprivation across several dimensions of a person's life, such as the number of years spent in education, the distance one must travel to access healthcare, whether one has any assets (including domestic appliances), access to proper sanitation and water, and gainful employment.

The ADRS's research has shown that policy and legislative processes aimed at eradicating poverty and the finding mechanisms to oversee these processes,

and their effects are often at cross-purposes with evidence-based scientific models, Dr Adelzadeh said. The ADRS uses that model that highlights the macro and micro effects of poverty, which are usually not included in the deliberations of legislators or policymakers when they consider ways to reduce poverty. This model provides a complex matrix of ways to detect the root causes of poverty and can be used to trace its impact over time. The model can also measure the impact on economic growth and its effects on South African livelihoods.

Dr Adelzadeh claimed that their approach to studying poverty is unique in that it takes cognisance of the inherent association between the determinant factors of poverty and the

socio-economic factors that perpetuate it. In his view, various policy frameworks and legislation meant to address poverty have not considered its multidimensional element.

Through the ADRS's longitudinal methodology of linking macro and micro models of poverty, they can now measure the rate and effects of poverty based on race, gender, region and age. This model captures the econometrics that can contribute to perpetuating or eradicating poverty.

Such econometrics include government policies related to, among other things, taxation, economic growth, private sector investment, public sector employment figures, interest rate, labour laws, employment rate and

disbursement of social grants. If these economic variables are responded to correctly, they can reduce poverty but will perpetuate it if they are not dealt with effectively, Dr Adelzadeh said.

#### Model solutions

Dr Adelzadeh's presentation advanced policy and legislative solutions to the problem. He suggested that policymakers and legislators should consider various interrelated scenarios. These include things such as the baseline assessment of the impact of poverty and a fiscal policy scenario to ensure that government debt and expenditure patterns are kept in check or are biased towards economic growth.

As for monetary policy scenarios, these should ensure

that taxation and rates are aligned to inflation and contribute to household expenditure. In private sector investment scenarios, these should be monitored to ensure that the private sector becomes an employer and drives economic growth.

Meanwhile, employment scenarios should be primed to expand employment and production, enabling the government to extract more taxes to fund social welfare projects. In his view, these are the econometrics that legislators have not considered, which could, in the future, assist them in strengthening their law-making processes and finding effective appropriation models and oversight mechanisms to reduce poverty. 🇿🇦

## Good Governance is Essential for Eradicating Poverty in Africa



Dr Dumisani Jantjies, Director of the PBO

*The Parliamentary Budget Office (PBO), in collaboration with the Multidimensional Poverty Peer Network (MPPN), hosted a two-day hybrid roundtable to share knowledge and build capacity among Members of Parliament (MPs) in using the Multidimensional Poverty Index (MPI) that will help MPs in their oversight efforts. Abel Mputing reports.*

Speaking during the roundtable discussion, Dr Pali Lehohla, the former Statistician-General of South Africa, supported using macro and micro instruments

to detect the determinant factors at the root of poverty. However, he cautioned that without political will to implement and mainstream them in policy formulation,

law-making and oversight processes, poverty will continue to haunt its citizens.

#### The youth unemployment crisis

He went further to say that the government had missed an opportunity to make policy and legislate against the effects and impact of population growth on the

youth, which has prevented the youth from entering the world of gainful employment. Sadly, it is black and coloured youth who constitute 90% of those young people who are

at the receiving end of this neglect, which has manifested itself in our current youth unemployment crisis, he noted.

Dr Lehohla also noted that education could overturn this trajectory of deprivation among the youth, but politicians have not prioritised this. "Often politicians don't use education as their campaign ticket, although it's central to eradicating multidimensional poverty. We currently have a problem of youth unemployment, and education is central to it, but the government doesn't prioritise education as a means to address this issue," he said.

He added: "In 1994, education was free, but the throughput of the 90% of South Africa's population, which constitutes black and coloured youth who passed matric and completed their degree, dropped considerably compared to their white counterparts, which doubled because of their progressively high education

uptake."

English is also a factor in these racially skewed education statistics, he said, as non-English-speaking youth do not finish their degrees due to their lack of competency in English. As such, English continues to be the determinant factor for the success or failure of the non-English-speaking youth in attaining quality education that could enable them to be employable and escape deprivation, he said.

However, Dr Lehohla was hopeful that the new method of modelling multidimensional poverty devised by Applied Development Research Solutions (ADRS) will contribute to new and improved policy frameworks and legislation that can address the multidimensional nature of poverty and its effects.

#### **Poverty and human rights**

This new optimism is critical because, as the Regional

Advisor of the Office of the United Nations Commissioner for Human Rights in Southern Africa, Dr Shanelle van der Berg, observed in her presentation to the roundtable discussion, poverty is a human rights violation. This is because it violates a person's innate right to food. She said this is one of the inherent rights foregrounded in the South African Constitution and is also at the heart of the UN's Social Development Goals.

In other words, poverty is a breach of the rule of law and South African sovereignty. Dr van der Berg also observed that poverty continues to be feminised because it is female-headed households that continue to be the face of poverty in South Africa and on the continent. Poverty has also been exacerbated by racially skewed colonial and apartheid land-ownership disparities.

She also called for South Africa's economic model to be interrogated. "Is it meant to enable the corporate to flourish or to curb poverty?"

she asked. According to her, this is a critical question because, statistically, South Africa is the most economically unequal society in the world. "Is its economic model not a contributing factor to that?" she asked rhetorically.

Ms Sara Hamouda, representing the African Peer Review Mechanism (APRM), explained how the Multidimensional Poverty Index can be aligned to the African Union (AU) Agenda 2063. She singled out good governance: the rule of law, regulatory quality, political stability, and the absence of violent conflicts (one of the pillars of AU Agenda 2063) as prerequisites for poverty eradication in Africa. She said this could entrench democracy, good political and economic governance and management, and increased social-economic development. This, in turn, will lead to the development of states that are resilient to the shocks and disasters that often lead to the entrenchment of poverty in

Africa.

Sadly, however, the UN's first 10-year evaluation of good governance in member states has shown that not much has been achieved in this regard, Ms Hamouda said. As a result, the AU and the APRM have collaborated to set up mechanisms to foster, monitor and evaluate good governance in member states to reduce the effects of poverty on the continent.

The Director of PBO, Dr Dumisani Jantjies, said that the PBO will, in due course, produce a preliminary report on the roundtable discussions, which will aid Parliament's oversight model on the multidimensional aspects of poverty. He commended the participants for providing deep insight into the subject matter, saying that the best practices and models shared will enable the PBO to advise Parliament more effectively on budgeting, appropriation, policy positions, and legislation to eradicate the effects and impact of poverty in South Africa. 🌍



**Dr Pali Lehohla, former Statistician-General of South Africa**



# National Assembly Calls for Stricter Enforcement of Laws to Stop Sale of Expired and Fake Food Products

***The National Assembly held a debate on the recent outbreak of food poisoning that led to mass hospitalisations and the deaths of children after allegedly eating food products bought from shops owned by foreign nationals. Sakhile Mokoena reports.***

Mr Nhlanhla Hadebe of the Inkatha Freedom Party (IFP) proposed the debate topic: "The need for urgent intervention through nationwide inspections to protect vulnerable children from expired and poisonous foods sold from unregulated and foreign-owned spaza shops."

Mr Hadebe began by outlining the importance of spaza shops in communities, especially in residential areas with limited access to transport services and traditional retail services. He said the informal sector, where spaza shops trade, contributes about 30 to 40% to national food expenditure, and such shops generate employment, offer credit to customers, and foster economic activity in areas with limited opportunities.

"However, in recent times, spaza shops have become sites of violence and tragedy, with reports of mass deaths and hospitalisation of children due to unsafe products. This is nothing short of a national tragedy," Mr Hadebe said.

"The continued sale of expired and counterfeit goods poses a serious threat to the health and safety of our communities, particularly vulnerable children. These incidents are not isolated, underscoring the IFP's call for a comprehensive national intervention," he said.

According to the IFP MP, the food poisoning incidents highlight the urgent need for intervention and stricter enforcement of food safety regulations to prevent further

harm. "A major concern remains the lack of regulation in this R13 billion industry, which presents a serious risk to consumers.

There is an urgent need for strict enforcement of by-laws to protect citizens from harmful products and to enhance public health and safety. Law enforcement agencies must act swiftly to ensure compliance. Regular health inspections are essential to ensure food safety," he proposed.

Also participating in the debate, the Minister of Small Business Development, Ms Stella Ndabeni-Abrahams, told the National Assembly miniplenary that her department has implemented various

policies and measures to regulate small enterprises, including spaza shops and other small businesses.

She went on to list several laws governing the sale of food products by formal and informal businesses. These include the Business Act of 1991, the Counterfeit Goods Act of 1997, the National Consumer Protection Act of 2008, the Foodstuffs, Cosmetics and Disinfectant Act of 1972 and the National Health Act.

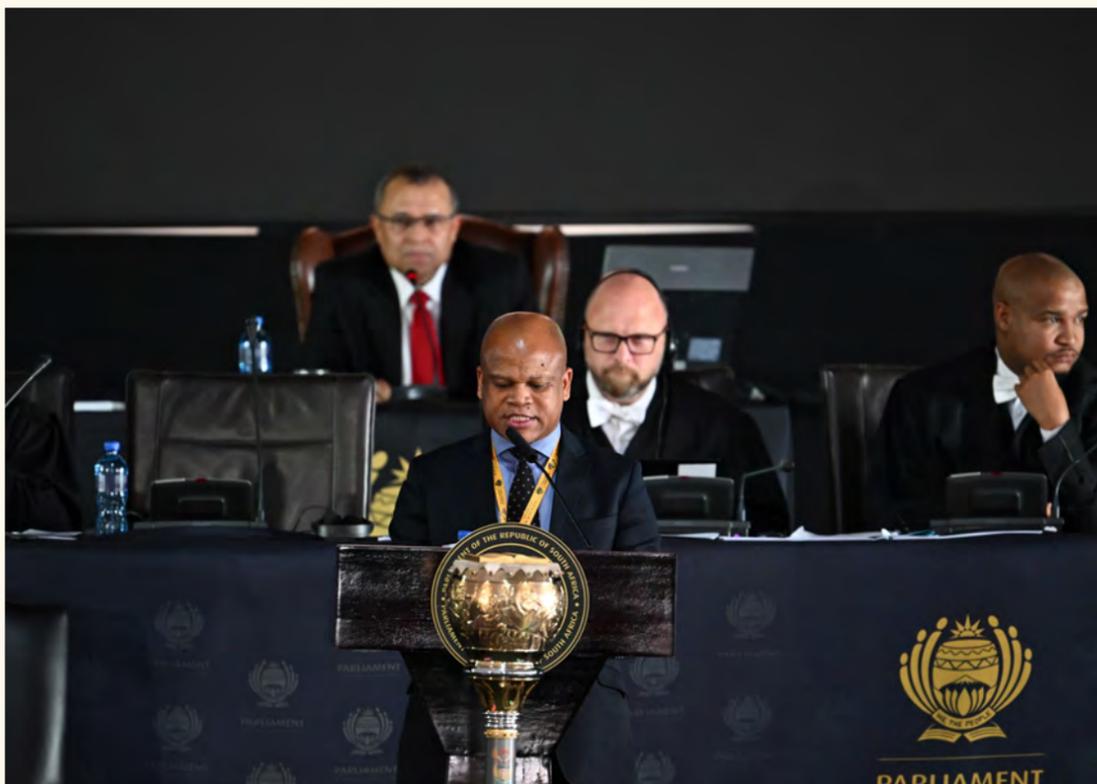
"Our policy and legislative interventions emphasise the necessity of establishing a robust regime of business licensing for categories that fall within SMMEs. Without appropriate licencing it

becomes challenging to identify and monitor the business activities occurring in townships and rural areas," Ms Ndabeni-Abrahams said.

"Furthermore, we are committed to providing financial and non-financial support in the sector. Our aim is to equip those operating at this level with essential knowledge regarding business management, sustainability practices and profitability. This support includes training to ensure compliance with all relevant legislation, from municipal by-laws, provincial business zoning and adherence to food security standards," said the Minister.

She also reminded the MPs that while enforcing compliance with legislation does not fall within her mandate, the department is committed to collaborating with all levels of government, including the departments of Cooperative Governance and Traditional Affairs, Home Affairs, Labour, Police, and Health, as well as with the Small Enterprise Development Agency for the registration of small businesses.

Minister Ndabeni-Abrahams said the department has also identified 29 pieces of legislation for repeal or amendment and will also



**Mr Nhlanhla Hadebe, Member of the National Assembly**

work to strengthen efforts to stop counterfeit goods. Mr Nhlanhla Gcwabaza of uMkhonto weSizwe Party blamed the food poisoning incidents on weak enforcement of laws and a lack of environmental health inspections. "This is not a simple case of negligence but a product of unregulated foreign-owned informal businesses, lawlessness and the failure to prioritise the wellbeing of our black Africans," he said.

Mr Gcwabaza also alleged that many of these shops are operated by individuals who entered the country illegally

or posed as asylum seekers, who continue to defy the law and who bring in counterfeit, expired goods that are dangerous for consumption.

"This is the consequence of allowing individuals to operate outside the law, unchecked and unregulated. The MK Party demands the immediate closure of all foreign-owned shops until health inspectors have thoroughly evaluated and granted permission for the continuation of the operation."

He also called on the Department of Home Affairs to investigate the immigration status of the foreign shop

owners and said that those found to be in the country illegally should be deported and their businesses shut down.

The Democratic Alliance's Ms Eleanore Spies also raised concerns about the lack of enforcement of environmental health and safety laws and food safety standards. "At the core of this is the lack of collaborative action from the various stakeholders.

We need to ensure that food sold to children is safe for consumption, and this can be achieved through regular and targeted inspections and bringing informal SMMEs into

the regulatory space," she said.

Ms Spies also suggested regular inspections by environmental health officers to ensure food safety, regulations and standards and educate business owners and communities on food safety practices.

Ms Paulnita Marais of the Economic Freedom Fighters said the food poisoning incidents result from a complete failure of law enforcement at various levels. "But more fundamentally, it speaks about the failure of the post-1994 regime to reimagine

townships away from what they were created for, which was for cheap labour," Ms Marais said. "By its nature, an apartheid township makes it almost impossible to regulate. The state does not know the identity of the people who run these spaza shops. There are no regulations and food safety standards applied to these shops. The state does not have the means to guarantee the safety of over 11 million people who use spaza shops."

All participants in the debate generally supported the call to register all spaza shops selling food and enforce municipal by-laws and safety standards. 🇿🇦

## We Will Leave No Stone Unturned in Uncovering and Punishing SASSA Fraud, says Minister

*The endemic graft, corruption and fraud in disbursing social grants at the South African Social Security Agency (SASSA) has come under the spotlight in a debate in the National Assembly. This followed a briefing by two Stellenbosch University students earlier to the Portfolio Committee on Social Development about the ease with which SASSA's security system and means test could be circumvented by non-qualifying beneficiaries. Abel Mputing reports.*

A member of the Portfolio Committee on Social Development and Shadow Minister of Social Development for the Democratic Alliance,



Ms Alexandra Abrahams, raised the issue for debate in the National Assembly. She was unequivocal in her condemnation of SASSA, saying it is "synonymous with fraud and corruption". She talked about the extent of the rot that has engulfed the agency.

Unauthorised deductions, payments to deceased people and government employees, confusion about the status of various forms and the colours of the cards the agency issues, and system glitches that double-pay some beneficiaries are some of the agency's

failures, Ms Abrahams noted.

She also noted that the system failures highlighted by the Stellenbosch students had been supported by 150 emails on the corruption that has enveloped the issuing of Social Relief of Distress grants. She also condemned the lack of consequences for these failures, particularly the system administrators, who cover up the corruption at the expense of deserving beneficiaries. "Nothing has been done to prevent this from occurring again. Worst of all, the two students who uncovered this

fraud were unlawfully locked out from receiving the grant, even though they qualify," Ms Abrahams said.

SASSA falls under the remit of the Department of Social Development, and the Minister, Ms Nokuzola Tolashe, was quick to condemn the revelations. "We take these anomalies seriously, and we are determined to restore the integrity of our social security system. We will ensure that these revelations are addressed with vigour," she said. She also made a firm commitment that the

department would ensure that any corruption uncovered at SASSA would be dealt with decisively.

She explained how that would be achieved. "We have implemented stringent measures to detect and prevent corruption activities and have enhanced its oversight mechanisms to ensure that SASSA's payment system is transparent and would be able to hold accountable those who abuse their position of power and authority within the agency," she said.

"We have invested in data analytics to detect fraudulent activities and would work with the justice system - the National Financial Intelligence Centre, National Prosecution Authority and the Special Investigation Unit to act swiftly against fraud and corruption at the agency," she said.

uMkhonto weSizwe Party's Mr Nhlamulo Ndhelea was shocked to hear that SASSA is "engulfed by fraud", considering that there are advanced technological tools and systems available "to do a means test or develop cross-referencing data with Home Affairs public sector's salary payment system, SARS, and registers for owners and

directors of companies to prevent inmates, deceased persons and non-eligible beneficiaries from getting social grants," Mr Ndhelea said.

"What we are really dealing with are syndicates that work with the grant administrators who enlist illegal identities and illegal recipients to SASSA's payment system. These administrators are the true enablers of fraud and corruption that we find ourselves in today."

What is even more shocking, he added, is that the Department of Social Development is still talking about a fraud and corruption

prevention strategy when these anomalies had infiltrated SASSA's system from its inception. He called for SASSA's system to be overhauled and measures to be put in place to proactively identify fraudulent applications.

Meanwhile, the Portfolio Committee on Social Development Chairperson, Ms Bridget Masango, said the situation is an indictment on the department and the minister. "I say this because I had the honour of serving on this committee, and we have been raising fraud and corruption allegations endemic at SASSA for a long time.

And we have even offered

solutions, yet such allegations continue to rear their heads." The latest allegations of fraud and corruption make her particularly concerned about whether the department can manage its quarter of a trillion rand budget each year. "With such a massive budget, the department should ensure that its services reach those it is intended for," she said.

Furthermore, she said, the Office of the Auditor-General has flagged the department's poor financial management and irregular expenditure in successive annual financial reports. However, Ms Masango said the situation has persisted because of a lack of consequences for the

perpetrators.

Ms Noluvuyo Tafeni from the Economic Freedom Fighters echoed these sentiments, saying that despite these allegations' historical nature, successive social development ministers have failed to arrest the graft. "To this day, the system remains so weak that fraudsters slip through the agency's payment system without being caught, leading to the department losing money at a horrendous rate," she said. At fault, Ms Tafeni alleged, "are those who run the apparatus of SASSA and are bent on enriching the politically connected". 🇿🇦

## NCOP House Chairperson for Committees and Oversight commends successful Oversight Week



Mr Dennis Ryder, Chairperson of the House for Committees and Oversight in the NCOP

***The House Chairperson for Committees and Oversight in the National Council of Provinces (NCOP), Mr Dennis Ryder, commended the excellent and successful oversight visits undertaken by the NCOP Select Committees during Oversight Week.***

The Oversight Week, which took place from 21 to 25 October 2024, is an annual feature of the NCOP programme and a critical mechanism for Select Committees to conduct physical visits to government departments, entities, and services. The NCOP Select Committees undertook oversight visits to five provinces to, amongst others, monitor service delivery progress at various care facilities for older people across the Western Cape; attend to a

petition to declare areas with sinkholes as national disaster zones; to observe the work of the Border Management Agency at the Beit Bridge border post; and visit various municipalities in KwaZulu-Natal.

"Committees remain the engine room of the NCOP, and physical oversight allows for better interrogation and understanding of issues than presentations given in a committee room. Oversight visits create a far more

personal engagement with the realities on the ground, empowering Members of Parliament to hold the executive to account and assist the executive in identifying challenges and providing evidence-based solutions," said House Chairperson Ryder.

During Oversight Week, the Select Committee on Security and Justice visited the newly constituted Border Management Agency at the country's Beitbridge Border in Limpopo. It concluded with

visits to the Thohoyandou Magistrates Court and police station.

In the neighbouring province of Gauteng, the Select Committee on Petitions and Executive Undertakings visited Carletonville on the West Rand to ascertain the impact and devastation caused by sinkholes. This visit stems from a petition submitted to the NCOP by a resident.

The Select Committee on

Education, Sciences and Creative Industries was also in Gauteng to conduct oversight over six schools. This preceded a presentation and interactive engagement with the provincial department of education on various challenges, including the infrastructure backlog, impending budget cuts, sanitation and eradication of pit latrines, and the status of the National School Nutrition Programme.

In the Cape Winelands and Cape Metro districts in the Western Cape, the Select Committee on Social Services visited various care facilities for older people. This programme comes at a crucial time when the Older Persons Amendment

Bill, a piece of legislation geared towards improving the monitoring and evaluation of all services to older persons, as well as tightening up current implementation and compliance measures, is currently with all nine provincial legislatures who are conducting public participation sessions on the Bill.

The Select Committees on Agriculture, Land Reform and Mineral Resources, and Economic Development and Trade held a joint oversight week programme across the Free State province, which explored the support received by Communal Property Associations from various national government departments. The joint visit also conducted oversight on

SanParks, a Special Economic Zone in Maluti-a-Phofung municipality, the Post Office in Bethlehem, and the Department of Employment and Labour. The committee heard, amongst others, that the park has become a corridor for highly organised criminal syndicates involved in the transportation of stolen cattle and horses from neighbouring commercial farms into Lesotho. This issue extends beyond the park's boundaries, adversely impacting local communities and agricultural operations.

Another joint oversight programme was conducted by the Select Committees on Public Works and Infrastructure and the Minister in the Presidency, and Cooperative Governance and Public

Administration, which included engagements with internal and external stakeholders on the constitutional, procedural and substantive process of section 139 interventions in the Zululand District and Umzumbe Local municipalities, as well as assessed the capacity of national, provincial and local governments on social, economic and transport infrastructure in the Ugu District, Umzumbe Local, Umdoni Local, and the eThekweni Metro municipalities. "These oversight visits are critical to the overall functioning of the NCOP in fulfilling its mandate of elevating provincial and local government issues to the national sphere of government. Members have now seen for themselves the realities facing South Africans," said House

Chairperson Ryder.

"The NCOP remains a unique institution envisaged in our constitution, where it brings together local, provincial and national governments in a cooperative manner to identify intergovernmental challenges and carve the way for solutions, embodying the provisions of chapter three of the Constitution, and working towards a government that operates seamlessly, with all functions working in tandem. "The findings of each visit will be recorded to direct and inform the committee's work going forward. This will ensure the visits result in meaningful discussions and resolutions on challenges," he said. 🇿🇦

## SCOPA Notes Improvements at ESKOM and PRASA



PHOTOS: Prasa Communications

*During recent oversight visits, the Standing Committee on Public Accounts (SCOPA) noted the progress ESKOM and the Passenger Rail Agency of South Africa (PRASA) have made in improving their fortunes. South Africa has now gone nearly 200 days without unplanned electricity outages, writes Faith Ndenze.*

The Chairperson of SCOPA, Mr Songezo Zibi, said SCOPA's recent visit to ESKOM was to assess progress made in the power utility's operational and financial recovery, improvements to the governance and control

environment, and the extent of consequences for suppliers and employees engaged in misconduct and corruption. The oversight visit continues the work conducted by the 6th Parliament's SCOPA, which monitored ESKOM, specifically

the Medupi power station matter and other Eskom-related issues.

"We appreciate that turning around an institution such as ESKOM takes time, and we appreciate the progress

made in reducing the projected annual losses, improving governance and control systems, and eliminating loadshedding for most of this current year. However, we remain concerned about ESKOM's financial viability, growing municipal debt

expected to be nearly R100 billion by March next year, the time it takes to remove rogue suppliers and the slow pace of vetting staff in critical positions," said Mr Zibi.

Furthermore, the committee

sought to engage with ESKOM about the withdrawals to the R254 billion debt relief from the government and the power utility's ability to comply with all the conditions set by Parliament in its debt relief arrangements.

SCOPA wants a solution to recover the R85 billion owed to the power utility by municipalities. "ESKOM expects the municipal debt to increase to R128 billion by March 2026 if municipalities continue to receive electricity supply without repayment of the outstanding debt. We want the municipal debt owed to ESKOM serviced without putting further financial strain on ordinary South Africans through electricity tariff increases," said Mr Zibi.

The committee will engage with the Minister of Electricity on the "take or pay" agreements with independent power producers (IPPs), which place a financial burden on

ESKOM when its coal fleet performance can produce the required power. Members of Parliament urged ESKOM to urgently find a solution to the 14 million tonnes of coal stockpiled at Medupi Power Station, a legacy of the delays in completing the building project.

"In terms of the agreement, EXXARO supplies ESKOM with an average of R14.6 million tonnes of power-station-grade coal to Medupi per annum for a term of 49 years. ESKOM cannot burn all the coal supplied by EXXARO due to the ongoing challenges at Medupi, leading to huge coal stockpiles. In 2023, ESKOM paid R9.7 billion to EXXARO in penalties for not taking coal from the mine that year. ESKOM continues to incur further 'take or pay' penalties if Medupi does not burn the minimum contractual volumes," the Chairperson said.

As for PRASA, SCOPA is

cautiously optimistic that PRASA can recover if legacy and ongoing challenges are overcome. The committee's visit aimed to observe PRASA's progress in its recovery plans, particularly in restoring new rail corridors and other infrastructure, security, financial sustainability, and leadership performance. "The introduction of the new stock of trains and the recovery of some of the vandalised rail corridors have allowed commuters to travel in more affordable, safe and comfortable trains," said Mr Zibi.

As part of its oversight visit, the committee caught a train from Naledi train station in Soweto to Park Station in Johannesburg at a cost of R8.50 for a single trip. Members of the committee spoke to some commuters during the train ride to understand their daily experiences. Mr Zibi said commuters identified some of the remaining challenges. "They wanted more and

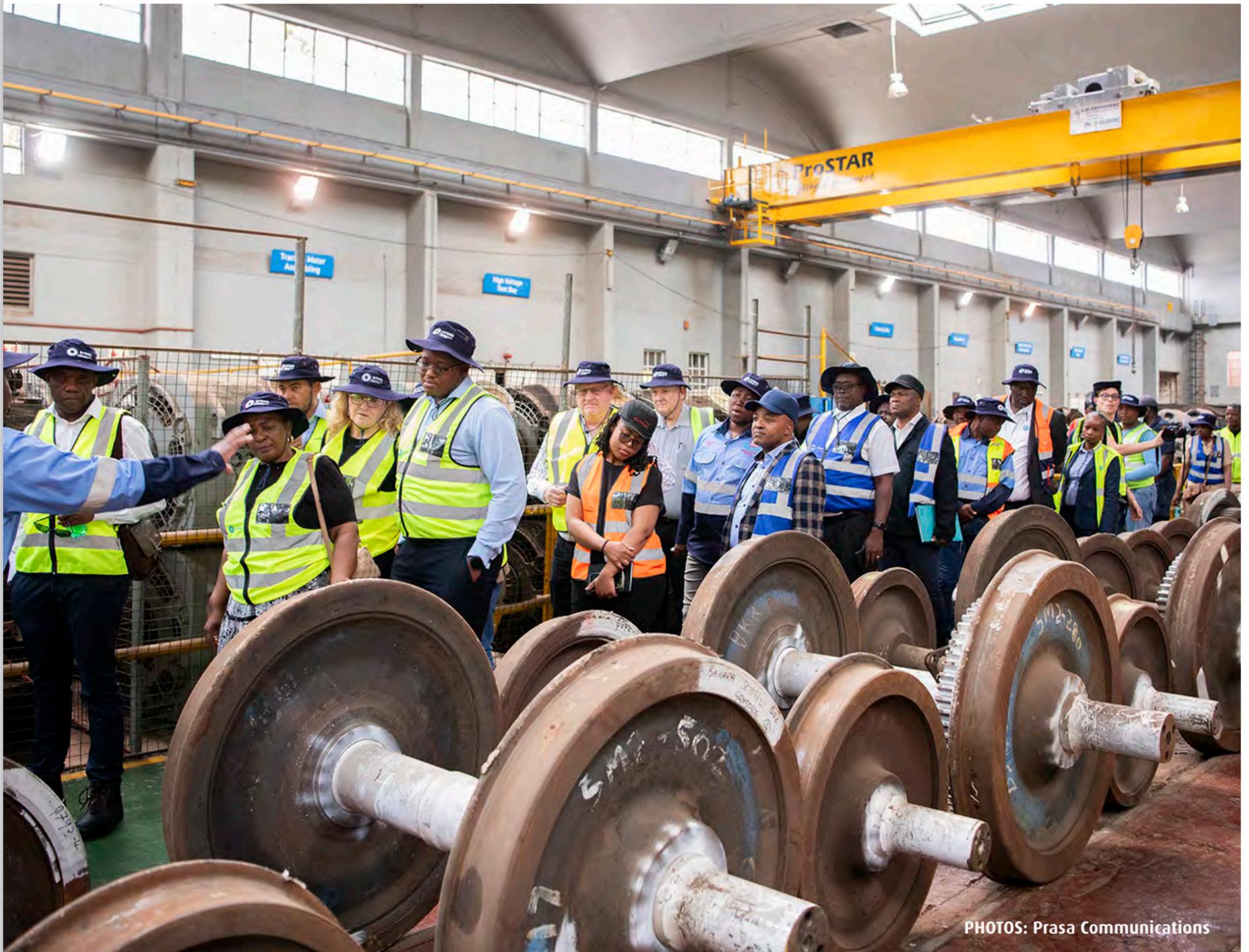
faster trains. The lack of an electronic signalling system prevents more trains from running faster and safely. For instance, new signalling equipment will cut the travelling time from Naledi to Park station by almost 50%," he said.

Commuters said peak-time service is constrained, forcing them to resort to taxis, which are many times more expensive. Some routes remain closed due to a lack of infrastructure due to PRASA's financial constraints, notwithstanding current infrastructure grants from the National Treasury.

Challenges noted by the committee for follow-up discussions with PRASA and the Minister of Transport include but are not limited to how PRASA will achieve a clean audit without undue delay. In addition, the committee noted the filling of several executive vacancies

and the vetting of all executive and supply-chain personnel. Furthermore, the committee will follow up on PRASA's IT recovery plan, following adverse findings by the Auditor-General and the need for a robust business model for PRASA, given its continued over-reliance on government subsidies. The committee will also discuss PRASA's capital requirements to meet its public mandate.

"What is a win is that there is now an infrastructure recovery programme. There are new trains and new stations, security is improving, and the passenger experience is improving. But it is not happening fast enough. The trains are still not enough and too slow, the signalling equipment is not in place, and the platforms are not necessarily compatible with the new trains. Further infrastructure funding is needed, and it is unclear if the government can provide all of it given current fiscal constraints," said Mr Zibi. 🇿🇦



PHOTOS: Prasa Communications



# Challenges Facing Emergency Housing Fund Require Urgent Attention

*The time it takes to access the Emergency Housing Fund is a major concern in KwaZulu-Natal (KZN) following the catastrophic weather-related incidents in the recent past, which left many residents without a roof over their heads. Since 2023, the fund has been administered by the national Department of Human Settlements, but provincial governments and municipalities have complained about the fund's inflexibility and delays in accessing its services, writes Malatswa Molepo.*

During a recent oversight

visit to KZN, the Portfolio Committee on Human Settlements found tangible proof of these accessibility problems. Previously, the committee had been informed that in the 2023/24 financial year, the department spent only 5% of its R476 million Emergency Housing Fund. The department attributed the under-expenditure to various things, from incomplete and delayed beneficiary lists resulting in procurement delays to the lack of a standard operating procedure for emergency housing, scattered projects, and steep and inaccessible terrain.

In June 2023, a storm wreaked havoc in various townships in the eThekweni Metropolitan Municipality, but the 1 821 beneficiaries of the Emergency Housing Fund are only now having their houses assessed by the National Home Builders Registration Council, while the residents of Inkosi Langalibalele Local Municipality whose houses were damaged by strong winds in September 2023 are only now undergoing verification.

The committee, therefore, urged the department to develop a functional mechanism to ensure that the fund is responsive to the

needs of people affected by disasters, as the current scheme is unworkable. "As we enter the rainy season in the country, we shudder to think of what will happen in cases of disaster. Speed and flexibility should be at the centre of the response, and currently neither is visible," said Mr Nocks Seabi, the Chairperson of the committee.

The committee also noted that the current emergency housing regime appears to be ineffective and inflexible to the needs on the ground. The nature of a disaster requires speed and flexibility to ensure that people are protected. Still, the fact that the fund is administered at the national level exposes it to inefficiencies and bottlenecks that directly impact people's lives.

Meanwhile, the committee observed a mixed bag of housing construction in the province, with some municipalities delivering quality houses while others delivered unacceptable ones. "We are extremely disappointed with the quality of houses at the Qadi Rural Housing Projects in Maphumulo Local Municipality. Beneficiaries deserve the best, and what we have seen at the Qadi site is

inappropriate and intolerable," said Mr Seabi.

The shortcomings are even more worrying considering that the provincial Department of Human Settlements informed the committee that it has a quality assurance inspector tasked with monitoring the delivery of quality houses. The committee called for the department to ensure housing construction is standardised, as municipalities such as eThekweni Metropolitan build better-quality houses at a lower cost than houses in KwaMaphululo.

Meanwhile, in a heart-wrenching moment, Ms Nobuhle Qhayiso of Banana City, just outside Durban, detailed her daily struggles with the lack of basic services such as water and quality sanitation on a project site that is being prepared to build houses. "We are about 700 people in this area, and we are forced to use only two toilets. You must see the queue to the toilet in the morning. This is unacceptable because I must think of my dignity and constitutional rights. The reality is that this project has not taken into consideration our dignity. Water and sanitation are our constitutional rights," Ms Qhayiso said.

The committee was informed that Ms Qhayiso and another family are refusing to move from the site, which is impeding the progress of the construction of housing units, as the contractor cannot install bulk services before the top structures. Officials from the municipality also informed the committee that they had instituted legal proceedings to force Ms Qhayiso from the site and move her to a transit camp adjacent to the project site.

However, Ms Qhayiso had some questions for the committee she wanted answers to. "We have asked three simple questions that have not been answered. The first question we asked was how long we would stay in the transit camp. We also asked that we be provided with adequate sanitation because currently, the people who have moved to the transit camp only use two toilets. The last thing we asked was for water, which we don't have," she said.

The heavily pregnant woman said she was happy that she would receive a house because her four-bedroomed shack is dilapidated. But before she moved to the transit camp, she had to be reassured by the satisfactory answers to the questions she had raised. She

said that the lack of suitable living conditions has forced her to send her three-year-old daughter to her mother because she fears for her daughter's safety on the construction site.

Members of the portfolio

committee assured Ms Qhayiso that her concerns would be addressed even though it may take a bit of time to answer some of them. "The points you raise are legitimate because access to water and sanitation is a constitutional right, and the municipality

must make sure that they provide such services. We will give you an opportunity, as well as the national and provincial departments of Human Settlements and the municipality, to engage and find solutions to the challenges raised here. We are convinced

that solutions are possible.

We just need to listen to each other and meet each other halfway, because the project must be implemented to ensure that all the people in this area benefit by receiving quality houses," said Mr Seabi.

The committee has asked the joint task team to present a comprehensive report to the committee within seven days on how the spheres of government intend to assist Ms Qhayiso and other residents in the transit camp with water and sanitation. 🌍

## COGTA Committee Interrogates KZN Municipalities' Performance During Oversight Week



Dr Zweli Mkhize, Chairperson of the Portfolio Committee on COGTA

**The Portfolio Committee on Cooperative Governance and Traditional Affairs (COGTA) visited several municipalities in KwaZulu-Natal in October to discuss governance and service-delivery issues, among other things. The committee also met with communities on their challenges in accessing water, writes Alicestine October.**

Committee Chairperson Dr Zweli Mkhize said the oversight visit was one of several planned for dysfunctional municipalities

with poor audit outcomes across the country. In the 2022/23 audit outcomes for municipalities, the Auditor-General (AG) found that out of the 257 municipalities in South Africa, only 34 obtained clean audits, 110 obtained unqualified audits with findings, six obtained adverse audits, and 14 had disclaimed audits. There was some improvement in 45 municipalities, while 36 municipalities regressed.

"Among the challenges many of the municipalities face," said Dr Mkhize, "are asset management, basic disciplines of financial reporting, non-compliance with supply-chain and procurement regulations, inadequate skills in infrastructure management, poor management of cash flow, over-reliance on consultants for production of the annual financial statements, and inadequate consequence management for transgressors. Against

this backdrop, the committee resolved to conduct oversight of dysfunctional municipalities to assess the challenges and how these municipalities can improve with the help of relevant stakeholders," he said, adding that these issues had serious implications for service delivery.

The committee prioritised the eThekweni Metro, Msunduzi Local Municipality (Pietermaritzburg), Ugu District Municipality (Port Shepstone), and the uMhlathuze Local Municipality (Richards Bay).

### Day 1: eThekweni

The committee met with eThekweni's leadership, representatives from the Office of the AG, the Presidential Working Group and a delegation from the Department of Water and Sanitation to assess the progress in governance and financial sustainability, water and sanitation provision, safety and security, tourism

revitalisation, disaster response, and communication and stakeholder management. The committee also met with residents and stakeholders (ratepayer associations, traditional leadership, business, and labour unions).

The committee noted some good and some less encouraging developments. First, the committee noted the positive developments, such as the metro having no outstanding debt to Eskom or the water boards. Committee members also noted the metro's 93% revenue collection rate but was concerned that this may hit hard at people already living in poverty.

The committee also sought to understand why the President Cyril Ramaphosa had sent a team to eThekweni. "Clearly, there was a serious deterioration in the city's impact on the region's economy with a loss in

business confidence, declining tourism numbers and people no longer visiting Durban beaches. The committee believes that it is important for this work to be done in a way that encourages the city to ensure that when the [Presidential Working] team exits, it leaves capacity for the city not to deteriorate again," Dr Mkhize said.

During the meeting, the committee also wanted to understand the provincial Department of COGTA's intervention in eThekweni, since the municipality's communication with the public about this has not been good. The committee felt that it is important to clear the relationship between COGTA and the municipality so that there is support and not contestation. Committee members were encouraged by the mayor's assurance that much work has been done to remove tensions at the political level.

Another concern for the committee was the high vacancy rate for senior management positions. The committee noted that the approval of organograms is taking too long due to technical and bureaucratic delays and urged the municipality to work quickly to address this. It was also noted that recovery efforts after the flood disaster were prolonged, and the committee urged the municipality to address these issues. Members undertook to keep monitoring the situation.



“Overall, we got the impression that eThekweni is on a path to recovery, and we get the sense that the interventions and support are helping it recover,” said Dr Mkhize. “What is important in the end is to give attention to issues facing communities on a daily basis.”

The committee also had a robust community meeting with residents in Umlazi. One resident told the committee that Umlazi’s population is increasing, but services are not. Some residents said that they feel “sabotaged” by officials because when they report problems, they get reference numbers, but nothing happens after that.

Among the big issues raised were sewerage leaks and water challenges. Some residents said there are persistent sewer blockages, especially in houses built during the apartheid era. In other areas, pipes are installed, but no water is available, and when water leaks are reported, they are not attended to. One resident asked that the six-kilolitre limit on free water be removed and instead proposed a R5 flat rate, regardless of where people live. Another issue flagged was unemployment, with some young residents telling the committee that they want job not soup kitchens, so they do not have to depend on the

government for food. Billing issues were another concern.

“We encouraged the executive council to do everything possible to assist communities,” said the Chairperson. “The committee also raised the issue regarding high bills with the municipality and asked that every individual case be addressed and dealt with in terms of indigent policies.”

**Day 2: Msunduzi Local Municipality**

At the Msunduzi municipality, the committee met with the municipal leadership to discuss governance issues, including the functionality of municipal public accounts committees and ward committees. Other issues for discussion include financial management relating to billing and revenue collection, the state and maintenance of bulk infrastructure and non-revenue water losses, as well as service delivery issues pertaining to water and electricity, among other things.

The second day of the oversight visit was dominated by a community engagement with frustrated residents and ratepayers’ associations of Msunduzi. Listening to residents in the meeting, the committee noted a significant divergence in the perspectives of the municipal administration and the communities it serves. Among

the residents’ grievances were inaccurate billing and poor service delivery in providing water, sewerage, electricity, roads and refuse removal. The committee noted that the municipality provides emergency measures such as water tanks in areas with water shortages, but this is often not at regular intervals. The committee also received a report from the municipal leadership on what the municipality is doing to address these issues.

Said Dr Mkhize: “The MEC and the municipality tell us that there is progress, but the community feels that there are a lot of gaps, and the municipality is not serving them. We need to close that gap to make people feel that even if there are not enough resources, the municipality is still responsive, and there is an effort by the municipality to address their issues – that there is a sense of empathy with the community.” The committee undertook to make continuous follow-ups to close this gap so that people receive services and to monitor all the infrastructure upgrades that are underway.

**Day 3: uMhlatuze Local Municipality and Ugu District Municipality**

The committee concluded its oversight visit with visits to the Ugu District Municipality in Port Shepstone and the uMhlatuze Local Municipality in Richards Bay. At the uMhlatuze Local Municipality, the committee met with the

MEC for COGTA in KZN, Rev Thulasizwe Buthelezi, as well as amakhosi, representatives of traditional councils, business and community stakeholders, and Richards Bay Minerals (RBM). The meeting, which spanned the whole day, followed a request for the committee to intervene in the impasse between RBM and communities in the area over mining activities and community beneficiation. This follows many mediation attempts by the provincial government over the years, culminating in the Minister of Mineral Resources appointing a task team to help resolve the matter.

Explaining the committee’s role, the Chairperson said the committee is not a court that makes judgments over issues but rather a parliamentary committee responsible for overseeing the implementation of government policies and the care of communities. “We received a letter concerning the difficult working relationship between RBM and the community. So, we contacted traditional leaders and said we need to understand further, and, through the MEC, we secured this meeting,” he explained.

The committee undertook to draft a report to be submitted to the relevant ministers and to brief the Portfolio Committee on Mineral Resources. Meanwhile, the committee urged the MEC and provincial government

to assist with mediation initiatives that earlier derailed, help diffuse tensions and restore working relations between the community and RBM. This mediation initiative must discuss disagreements such as the procurement agreement and the trust reforms, safety and security, consultation with communities, satisfactory participation by local businesses, and how funds will flow to the communities.

In Ugu, the committee met with the municipal leadership to assess the municipality’s progress in addressing water challenges in the district since its last visit, which was on 23 October 2023. At that time, the committee resolved to continue monitoring and reporting on the progress of securing a reliable water supply, particularly in areas hard hit by the floods of 2022.

During the visit, the committee again highlighted challenges relating to financial viability and identified the need for a revenue-enhancing strategy and a financial recovery plan. However, the committee noted a slight improvement in service delivery. On staffing, the committee noted that the municipality still does not have a permanent municipal manager and that there are vacancies in other critical areas, such as one for a general manager for water services. The committee urged the municipality to fill the vacancies. 🌍





## Basic Education Committee Visits Schools in the Northern & Western Cape

*When it recently conducted an oversight visit to the Northern Cape and the Western Cape, the Portfolio Committee on Basic Education was confronted with challenges such as language policies that indirectly exclude learners from specific schools, infrastructure challenges, and budget cuts that resulted in fewer educators, writes Rajaa Azzakani.*

Committee Chairperson Ms Joy Maimela said the primary purpose of the oversight visit was to assess the state of schooling and readiness for the upcoming National Senior Certificate (NSC) Examinations 2024. The committee also monitored curriculum support and intervention by subject advisory services to improve learners' performance in Science, Technology, Engineering, and Mathematics (STEM) subjects.

The committee also focused on infrastructure (pit latrines, access to water, unsafe structures, and ICT integration), assessed progress with the Grade R / ECD sites as per the migration shift of 2022 and monitored the delivery of Learner Teacher Support Material to school. Other areas the committee focused on include school nutrition, learner transport, special schools support and inclusive education, safety and security measures, and an update on teaching assistants and general assistants (Youth Employment Initiative).

In the Northern Cape, the committee visited schools in the Namaqua education district in Springbok and the Z F Mgcawu education district in Upington. The committee also visited schools in the Cape Metro, Cape Winelands and Metro East education districts in the Western Cape.

During day one in Springbok, the committee observed challenges with the quintile system of schools serving poor communities in ord. These schools struggled with a lack of resources, including functioning laboratories and computer rooms. Committee member Ms Reneiloe Mashabela raised questions about the language policy at schools where Afrikaans were the medium of

instruction. The committee was informed that Afrikaans was used in most schools where it is the medium of instruction. The committee said there must be a plan to accommodate a learner who cannot speak Afrikaans to ensure that Afrikaans do not make schools inaccessible to certain children.

Ms Maimela said quintile systems in some schools should also be reassessed. "You cannot have a quintile four or quintile five school in poor communities as that disqualifies schools for subsidies that they should get. No child should be disadvantaged because of poverty," said Ms Maimela.

Committee member Ms Delmain Christians highlighted that many of the schools' challenges are due to the resource allocation they receive from the Northern Cape Department of Education. "They receive a cut from the conditional grants. If they are underfunded, it's because of funds that they receive."

Another committee member, Ms Pretty Xaba-Ntshaba, raised concerns about the allocation for the school nutrition programme for this quarter, which has not reached the schools yet. "What are the learners eating?" she asked. "These are poor communities."

feel disrespected that these senior officials and accounting officers did not attend. We resolved to call the (provincial) minister and the HOD (Head of Department). We are extremely unhappy with their absence."

Duineveld Hoërskool in Upington, which made the news last month when a video went viral on social media of a learner repeatedly using the K-word, was also on the list of schools visited. Ms Maimela said the committee felt the sanctions of the disciplinary hearing were too light. "We are shocked that the learner demographics at this school do not speak to the demographics of Upington. The area has more coloured and black inhabitants, yet most learners in this school are white. How is it possible?"

Committee member Mr Sedukanelo Louw also took issue with the fact that when the school eventually issued a media statement regarding the incident, it was just in Afrikaans. "How is this possible? It was a further insult to our people. The person and people that were



**Ms Joy Maimela, Chairperson of Portfolio Committee on Basic Education**

offended and humiliated are not Afrikaans speaking. Yet the school issued a media statement only in a language they don't understand."

Ms Xaba-Ntshaba, another committee member, said it is concerning that a learner as young as 17 years old and born in a democratic South Africa still uses such language.

The committee then moved its oversight visit to the Western Cape and visited,

among others, Walter Teka Primary in Nyanga-East, Joe Slovo High in Khayelitsha, Rosendaal High in Delft, Batavia Special Needs School, Lansdowne and Witsand Primary in Atlantis, Morrisdale Primary in Ceres, and Brackenfell High School. The committee noted with grave concern the planned cutting of 2 400 teaching posts for the 2025 academic year and the late placement of learners. The committee requested a detailed breakdown of the

geographical areas where these teacher posts will be cut, the subjects that will be affected and the impact they will have.

The committee also raised serious concerns about the information it received on the late placement of some learners. The committee heard from a school principal in Nyanga-East that 170 Grade 8 learners in the Metro-East education district were only placed in schools in July of this

year. "We were outraged when we heard this. How could our learners be denied education like this in a democratic South Africa?" Ms Maimela asked. The committee also had strong words for the management at Brackenfell High School about its claims relating to its diversity.

A few years ago, the school was in the spotlight when parents organised a matric ball for white learners only. "When we got the school

demographics, it was about 90% white learners at the school." the Chairperson said. "How is that diverse? How is that possible unless you tell me that the population of Cape Town is 90% white and Afrikaans?" The committee will further engage both provincial education departments on its observations during the oversight visit, as many questions were left unanswered because the senior officials did not attend. 🌟

## Mine Health and Safety the Focus for Committee on Mine Oversight Visits



PHOTO: Impala Platinum Mines

**Health and safety at the Impala Platinum mine in North West and Sibanye-Stillwater and Harmony mines in Gauteng were the focus of the Portfolio Committee on Mineral and Petroleum Resources' particular attention during a week-long oversight visit to the mines in October, writes Justice Molafo.**

Committee Chairperson Ms As part of its oversight programme, the committee first met with the regional

office of the Department of Mineral and Petroleum Resources in Rustenburg, where it was briefed on the state of illegal mining and preventative measures in the North West. The committee also met with organised labour, represented by the Association of Mineworkers and Construction Union (AMCU), the United Association of South Africa (UASA) and Solidarity. The unions unanimously raised concerns about issues related to compensation for injuries and occupational diseases. The committee then visited Impala Platinum, Sibanye-Stillwater and Harmony Gold mines to assess their health and safety and the measures they have put in place to prevent fatal incidents. Noting the mines' presentations, the committee's assessment was that the three mines demonstrated a commitment

to achieving zero harm. The mines said that a substantial portion of their capital expenditure is invested in strengthening operational efficiency and prioritising employees' health and safety. The committee also welcomed concerted efforts by Impala Platinum, Sibanye-Stillwater and Harmony Gold to independently implement measures to source renewable energy. The committee believes these initiatives will ameliorate pressure on the national grid and contribute greatly to the government's Just Energy Transition programme. The committee also heard that energy consumption and security are the two biggest cost drivers in mining operations.

On the final day of the oversight visit, committee members were shocked to see the extent of illegal

mining at the Van Ryan area in Ekurhuleni, Gauteng, which they said appeared to be at the centre of illegal mining in South Africa. On a normal day, the area is said to be occupied by over 6 000 people who conduct illegal mining and illicit business activities there. These people were all dispersed before the committee arrived in a joint operation between the South African Police Service (SAPS), the South African National Defence Force (SANDF) and MI7 National Group private security. The committee was deeply concerned to witness what looked like a fully flagged settlement, with structures that are believed to provide shelter during the processing of ore to extract gold remnants, house illegal shebeens and restaurants, and provide accommodation. Furthermore, the committee was dismayed to learn that

since the core business of the area is illegal mining, those people operating secondary businesses, such as catering, shebeens, accommodation, and sex work, pay rent to unknown kingpins. Another secondary illicit business taking place there is the provision of security.

Against this backdrop, the committee called for sustainable measures to be put in place to prevent illegal activities permanently. Such measures have been put in place before at other sites, such as the Benoni Driving Range Racetrack, which used to be a hotspot for illegal mining. The committee will develop an oversight report for adoption by the National Assembly, recommending sustainable measures to be put in place to address the scourge of illegal mining permanently, amongst others. 🌟

# sarah baartmann

## centre of remembrance

## After 10 Years, Sarah Baartman Remembrance Centre Construction is Only 37% Complete

*In October, the Portfolio Committee on Sports, Arts & Culture visited the Eastern Cape with high expectations of the programmes rolled out in the sector. The committee's expectations were met, but there were challenges. It was the proverbial mixed bag of results, writes Sibongile Maputi.*

Committee Chairperson Mr Joe McGluwa said the oversight week had been "an eye-opener" and would allow committee members to conduct their oversight roles meaningfully.

Part of the oversight was a visit to the Amazwi South African Museum of Literature. "This project constitutes the invaluable national rich treasure that we have as South Africans when it comes to the collection of literature.

It promotes literature in various official languages. The museum also holds a remarkable collection of voices of various literary forms. It cultivated a vibrant literature culture and expresses various stories," Mr McGluwa said.

Other project visits included a project in Hankey that has experienced various problems and the Sarah Baartman Remembrance Centre, where the committee witnessed poor service delivery. This project took over 10 years and remains 37% complete at a staggering cost of R247 million. "The committee is perturbed by the length of time it has taken for this project. It is a shame that this project is still under construction." The Chairperson observed that contractors have habitually left the site without delivering on contractual obligations.

Mr McGluwa said the committee wants to see the project finalised with clear deadlines and achievables. "This particular project lacked serious stringent project management timeframes." He said there was no credible explanation for this despite budget and variances being

used. "The committee will recommend in its report that the Minister of Sports, Arts and Culture as well as the Minister of Public Works meet and come up with a plan to get the project to its final implementation stage," he said.

Meanwhile, the committee was impressed with the South African Library for the Blind in Makhanda. "The library has become the place of hope for the visually impaired, and we are happy that it has a footprint in all nine provinces," Mr McGluwa said. He also

noted that the library performs a crucial role in society and needs funding and support. "Producing quality Braille is expensive. We are pleased that they are using local labour to do the repair work. We have to ensure that funds reach entities that implement projects on time," he said. However, the committee also found that transferring funds from provinces is sometimes late. "This project needs strategic partnerships on the continent," the Chairperson observed. The committee also visited new sports facilities in the

area and welcomed the closeness of the facilities to communities. "The municipalities need to devise maintenance plans for these facilities. These are ideal to keep children away from crime; as they say – a child in sport is a child out of court."

The committee concluded its week-long oversight with a visit to the Nelson Mandela Bay Theatre complex, which the Department of Sports, Arts and Culture funds. 🇿🇦



**Mr Joe McGluwa, Chairperson of the Portfolio Committee on Sports, Arts & Culture**

# Agriculture Committee Visits Onderstepoort and Agri Research Council



*The Portfolio Committee on Agriculture conducted a successful week-long oversight visit to Onderstepoort Biological Products (OBP) and the Agricultural Research Council (ARC) in Tshwane. Both visits aimed to assess progress in OBP's work to modernise a vaccine manufacturing plant and ARC's construction of the foot and mouth disease facility reports Nolizwi Magwagwa.*

The visit also allowed the committee to enrich its work through interactions with scientists and researchers at both entities. The committee started its visit at OBP, where it heard that the entity had achieved only 16 (53%) out of 30 annual targets for the 2023/2024 financial year, a disastrous performance compared to previous years.

The committee was also concerned about the audit outcomes, which, among other things, revealed misstatements in the annual performance report submitted for auditing. These material misstatements were in the reported

performance information on developing, manufacturing and distributing animal vaccines to the market through advanced and innovative technological solutions.

Members of the committee remarked that it was unacceptable for an entity of this nature to be found wanting in procurement and contract management. The audit outcomes indicate that some of the goods, works and services were not procured in a fair, equitable, transparent, and competitive process, as required by section 51 of the Public Finance Management Act. The committee was

also concerned about delays in implementing the good manufacturing practices project, which involves refurbishing OBP's vaccine manufacturing facility. OBP received R492 million in funding from the National Treasury during the 2012/13 financial year for the refurbishment of the facility to address ageing infrastructure and frequent equipment breakdowns.

The committee heard that the refurbishment focuses on modernising the facility to ensure that it meets good standards for manufacturing practices. The project started in

2014 with the appointment of the principal agent to manage the project's design and implementation.

The committee learnt that a forensic investigation was initiated in 2019 to investigate alleged tender and contract irregularities. A report was released in 2021 noting that the principal agent was irregularly appointed, and legal disputes ensued. The contractor suspended activities due to a lack of architectural, process design and engineering services.

The committee urged the new OBP board, appointed on 1

November 2023, to ensure the project gets underway. OBP's CEO, Dr Bethuel Nthangeni, assured the committee that recommendations had been submitted to the board for consideration for the appointment of a specialist advisory service provider.

The committee heard at ARC that South Africa lost its capacity to produce the Foot and Mouth Disease vaccine in 2005 due to the deterioration of the facility at ARC. South Africa's vaccines are now imported from Botswana. However, the Botswana manufacturer is not producing enough vaccines for export

purposes, leaving millions of animals in South Africa and the Southern Africa Development Community region vulnerable to this disease.

ARC proposed that a new facility be built, which was approved by ARC's Board and the Minister of Agriculture in 2010. National Treasury allocated a budget of R214 million in the 2011/2012 financial year for a factory to be built that could manufacture vaccines at commercial scale.

The committee heard that additional allocations would be made when required, based on progress achieved. Since the initial allocation, an additional R400 million was allocated in the 2019/2022 financial year, when the project was restarted. ARC indicated that approximately R450 million remains from 2011/2012 and 2019/2022 allocations, with a required amount of R1.2 billion to build the factory.

ARC told the committee that it was ready to proceed with the construction and that all the plans were in place. However, the budget remains a challenge. The committee was informed that ARC had submitted numerous applications for additional funding from the National Treasury with no favourable response. ARC appealed to the committee for assistance on this matter.

Regarding ARC's qualified audit opinion for the 2023/2024 financial year, the committee was dissatisfied with key issues emanating from the Auditor-General's findings, primarily related to ARC management's long-standing inability to account properly for property, plant and equipment. The committee requested the entity to indicate how these audit findings will be addressed. The committee further requested ARC to indicate if any consequence management has been implemented, given the audit outcomes and investigations on irregular expenditure for the period under review.

Challenges also remain within the management of the asset register. This is another repeat finding. The qualified finding is based on property, plant and equipment not properly accounted for, depreciation and amortisation of property, plant, and equipment materially misstated and impaired, and loss of property, plant and equipment materially misstated.

ARC-Plant Health and Protection (ARC-PHP) provides specialist knowledge on organisms that threaten agricultural crops in the natural environment. It focuses on protecting arable land, water resources, natural biodiversity, and food security by promoting economic and environmentally acceptable management strategies for pests, plant diseases, weeds, and invasive plants.

As part of its walkabouts at AC-PHP, the committee was taken to an upgraded, fully operational plant pathogen facility and an interactive exhibition showcasing some of the products produced by both ARC-PHP and ARC-Vegetable, Industrial and Medicinal Plants.

Committee Chairperson Ms Dina Pule said, "The visit provided us with an opportunity to understand better the challenges experienced by both entities. And it also provided us with an opportunity to share some insights with them to take them to new heights," she said.

Ms Pule said the committee is committed to playing its role and called on all other roleplayers to ensure that these entities meet the objectives they were created for and add meaningful value to the broader ecosystem of the South African economy. She said agriculture is one of the major sources of the South African economy, and based on that reality, all its components must be fully activated and used to their fullest potential. 🌾





Ms Carol Mokgadi Phiri, Chairperson of the Portfolio Committee on Public Works and Infrastructure

## Committee Calls for Ethical and Decisive Custodianship of Government Property

*The Department of Public Works and Infrastructure is grappling with deeply rooted systemic issues that severely undermine its ability to fulfil its mandate. To reverse this trend, a multifaceted approach is required, starting with a rigorous crackdown on corruption, which has plagued the department for years, writes Jabulani Majozi.*

Strengthening project management practices is equally crucial, as inefficiencies and mismanagement have led to delays and cost overruns on key infrastructure projects. To address these challenges, Members of the Portfolio Committee on Public Works and Infrastructure undertook a successful three-day capacity-building workshop at the Sheraton Hotel in Pretoria.

The committee also conducted two days of oversight visits to public works facilities, including Telkom Towers and the Salvokop government precinct. The committee invited some legal, governance, communications, and academic experts to

gain valuable insights and perspectives on the public works portfolio.

The capacity-building workshop was held in partnership with the National School of Government (NSG), represented by Dr Casius Lubisi, Wits University's School of Construction Economics and Management and the University of Stellenbosch's Professor Thuli Madonsela.

One of the keynote speakers, Dr Ron Watermeyer from the Wits School of Construction Economics and Management, said the crucial role of public infrastructure in driving economic growth as it enables the economy to

grow faster and become more competitive and productive. Public infrastructure also lowers the cost of doing business, creates jobs for low-skilled people, promotes spatial inclusivity, contributes to eliminating poverty, and reduces unemployment and inequality.

Public infrastructure also provides opportunities for broad-based black economic empowerment. However, poorly planned, procured, delivered and managed infrastructure can be an impediment rather than an enabler of economic growth and further undermines black economic empowerment.

Professor Thuli Madonsela from Stellenbosch University spoke

about managing conflicts of interest and other ethical dilemmas in public office. She said that a Member of Parliament may risk violating their duties if their actions are not aligned with respect and public interest. In addition, it is important to note that Members of Parliament are sometimes accused of providing misleading information.

Prof Madonsela said, "Parliament must ensure that it verifies whether individuals are telling the truth or not, and no one is allowed to misuse their position for personal gain. Public officials should be held personally accountable if they abuse the trust placed in them for

personal benefit.” Ms Phumla Williams, retired Director-General of Government Communication and Information Services, applauded the work done by the Parliamentary Communications Services to highlight the work of committees.

In addition, Ms Williams said there is a need for active engagement with community-based media, as there is an over-reliance on mainstream media, who tend to pick and choose what they cover.

Ms Williams also encouraged the committee, especially

committee chairpersons, to embrace the media rather than trying to avoid it. However, she advised MPs to avoid press conferences if there is nothing substantive to say or you are underprepared.

Committee members agreed that decisive leadership is imperative to drive reforms in the public works sector. Without robust and ethical leadership, efforts to combat corruption and inefficiency may falter. Presenters at the capacity-building workshop told the committee that successful reform would restore public trust and ensure that critical infrastructure

projects – essential to South Africa’s growth and development – are completed on time, within budget and to the highest standards of quality.

After the conclusion of the workshop, the committee began its two-day oversight visit to the Department of Public Works and Infrastructure (DPWI) and its entities. The committee held fruitful and enlightening engagements with the board members and management of the Council for the Built Environment (CBE), Agrément South Africa, and the Construction Industry

Development Board (CIDB) on their annual reports. The last entity to be visited was Infrastructure South Africa to discuss its work as a key entity preparing mega-infrastructure projects, which lies at the core of the Economic Recovery and Reconstruction Plan.

During engagements, the CBE told the committee that it is crucial to ensure that it regulates the professional registration of built-environment professionals. This holds built-environment professionals accountable and prevents incidents like the structural failure

at a building site in George in May 2023. The committee expressed its intention to visit the site soon. The committee also applauded the creation of a national logbook – a comprehensive electronic database that tracks and monitors built-environment professionals, artisans and candidates.

The committee further commended the CBE’s annual report, which reflected the entity’s focus on transformation through a consistent focus on women and youth empowerment and the CBE’s clean audit. 🏆





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