

THURSDAY, 22 SEPTEMBER 2016

[No. 20/2016] THIRD SESSION, FIFTH LEGISLATURE

KWAZULU-NATAL LEGISLATURE

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MINUTES OF PROCEEDINGS

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Thursday, 22 SEPTEMBER 2016

The House met at 10h05.

1. 10h06 Members were requested to conduct a silent prayer.
2. 10h07 The Speaker made announcements, including the passing away of the hon N J Nkwanyana's son.

The House observed a minute of silence.

3. 10h11 The Speaker read into the record the tabling of the following reports:

3.1 Department of Transport

3.1.1 Department of Transport: Annual Report 2015/16

3.2 Department of Economic Development, Tourism and Environmental Affairs

3.2.1 Department of Economic Development, Tourism and Environmental Affairs: Annual Report 2015/16

3.3 Department of Agriculture and Rural Development

5.3.1 Mjindi Farming (Makhathini): Annual Report 2015/16

4. 10H15 The Speaker made announcements.

5. 10h17 The following Members gave notice of their intention to move motions on the next sitting day of the House:

5.1 Ms L C Bebee, ANC, to move:

This House notes:

The successful election of office bearers at Jozini Municipality last week.

This House therefore resolves:

To reiterate the significance of a functional local government, as repeatedly emphasised by hon Nomusa Dube-Ncube, MEC for Cogta KZN, when she intervened in resolving the deadlock that had paralysed Jozini until last week; and

To congratulate the communities within the Jozini municipal area.

5.2 Ms G N Swartbooi-Ntombela, ANC, to move:

This House notes:

The recent torching of Mshwathi Municipality offices and six government vehicles by angry community members, causing damage of approximately R10 million.

This House therefore resolves:

To commend the police for their swift action in arresting the suspected arsonists; and

To reiterate the ANC-led government's call for members of the public to desist from this habit of venting their disgruntlement by destroying property that is built through hard-earned taxes paid for by the same members of the public.

5.3 Mr M A Zondi, ANC, to move:

This House notes:

The rampant and extensive theft of water meters which is slowly escalating in our communities, specifically around the Msunduzi municipal area.

This House therefore resolves:

To call on ward councilors to take the lead and play their rightful role in engaging with their communities by having public meetings to sensitise communities against this ill so as to help tighten the net around these culprits;

To commend the leadership of Msunduzi for speedily coming up with remedial action by replacing the current brass meters with plastic ones; and

To call on all other municipalities to consider this new alternative to deal with this scourge.

5.4 Ms V V Tambo, ANC, to move:

This House notes:

That people yearn to see the government providing them with material benefits that will improve their lives so that they, in turn, may guarantee a better future for their children; but

That the extreme inequality in income distribution contributes to high levels of social and economic distress within our communities.

This House therefore resolves:

To call for a socio-economic profile of households to be conducted so as to determine a poverty baseline in order to assist those who require help from government.

5.5 Mr S W Mchunu, DA, to move:

This House notes:

The much appreciated efforts and commitment by DA mayors to unburden ratepayers;

These mayors have opted to put an end to purchasing costly vehicles for mayors at ratepayers' expense.

This House therefore resolves:

To congratulate DA mayors for their caring and responsible actions; and

To urge the ANC to take a lesson from the DA by putting a stop to this kind of ludicrous expenditure and focusing municipal spending on improved service delivery instead.

5.6 Mr M B Gwala, IFP, to move:

This House notes:

The recent misguided comments by Vikizitha Mlotshwa, Chairperson of the NFP in KwaZulu-Natal, regarding the working relationship between the IFP, DA and EFF while he continues to use the NFP as a hide-out.

This House therefore resolves:

To remind him that the existing co-operation arrangement was not agreed on by turncoats and leaders who behave like sheep by day and wolves by night, but by leaders of integrity who seek to deliver services to our people.

Mr Mlotshwa should rather focus on the crumbling fortunes of the NFP.

5.7 Mr S J Mdakane, NFP, to move:

Le Ndlu:

Ichoma uphapse legwalagwala ubukhosi bukaZulu neSilo Samabandla njengoba siguba iminyaka engamashumi amane nanhlanu (45) sisesihlalweni uMdlokombane ebuse ngokukhulu ukuzithoba nokuzinikela, esebenzela uxolo nokuthula.

Le Ndlu iyakuqaphela futhi iyakuthokozela ukuthi sigubhe iminyaka engamakhulu amabili (200) yombuso kaZulu.

Le Ndlu iyonquma:

Ukuthi uMnyango Wezobuciko Namasiko, nowoHulumeni beZindawo, uhloniphe iSilo esiphethe nezinye ezakhothama ngokuba kususwe lezi zichuse zobandlululo noma zabamhlophe ezigcwele isiShayamthetho kufakwe umfanekiso weSilo, noweLembe kanye nesomNtwana uDingane.

[This House:

Congratulates the Zulu nation on the reign of His Majesty the King for the past 45 years, and on the fact that he has led with serenity and dedication and working tirelessly for peace.

Further notes that the Zulu nation is celebrating 200 years of its existence.

This House therefore resolves:

To call on the Departments of Arts and Culture, and Co-operative Governance and Traditional Affairs to honour the reigning King and others who have already passed on by replacing statutes that had been erected by white colonial rulers in the Legislature with statues of the reigning monarch, as well as King Shaka and King Dingane.]

5.8 Ms S Thakur-Rajbansi, MF, to move:

This House notes:

That abortions are being performed at hospitals and clinics at an average of between 2 500 and 3 000 per month; and

That some 155 642 abortions have been performed since abortions were legalised in South Africa.

This House therefore resolves:

To call on the hon MEC for Health to monitor whether abortion clinics are clinically safe and affordable and, secondly, to report back to this House.

5.9 Ms N R Majola, ANC, to move:

This House notes:

The strides taken by the ANC-led government in the institutionalisation of African traditional medicine within the Department of Health;

This transformation is evidenced by the implementation of the Traditional Health Practitioners Act, Act No 22 of 2007 and the extension of the interim National Traditional Health Practitioners Council to ensure the regulation of all activities concerning traditional health practitioners.

This House therefore resolves:

To congratulate the ANC-led government for recognising the existence of African traditional medicine.

5.10 Ms L F Shabalala, ANC, to move:

Ukuphawuleka komongo kwaloko esikushiyelwe abasunguli besizwe samaZulu okugxile esikweni, usikompilo, ulwimi, kanye nenkolo nokukhonza uMvelingqangi ngokwesintu.

Nokuthi indluzula yobandlululo ne-imperialism nendluzula ebulale yaphinde yafaka ngayo konke la magugu sabe sesinikezwa the imperialist media, propagated through television.

Le Ndlu inquma kanje:

Ukunxusa isizwe sonke, uNgqongqoshe, izakhiwo zobukhosi ukuvula isithangami ezikoleni ezimbizweni to mitigate the daily contradictory media feeds so that we can preserve our identity.

[This House notes:

The heritage bequeathed by the founders of the Zulu nation which is based on culture, our way of living, language and traditional African religion.

The apartheid and imperialist systems destroyed our heritage by using the imperialist media, propagated through

television.

This House therefore resolves:

To call on the nation at large, the MEC and traditional structures to have public interactions at school level and other societal engagements to mitigate the daily contradictory media feeds so that we can preserve our identity.]

5.11 Mr G Mari, DA, to move:

This House notes:

The recent resolution of the hung municipality of Jozini in electing its office bearers;

That the MEC for Cogta finally did her job after dragging her heels on the issue; and

That parties have accepted the outcome of the election process, with the ANC being ousted from power.

This House therefore resolves:

To congratulate the councilors in Jozini on resolving their issues and putting the community's interests first; and

To call on the new leadership to investigate the numerous incidents of fraud and corruption at that municipality.

5.12 Ms M C Frazer, ANC, to move:

This House notes:

That out of SA Airways' budget of R24 billion, only 2% was allocated to black business;

That Dudu Myeni discovered airline ticket sales by an international Brazil-based crime syndicate that was costing SAA millions each month; and

That because Dudu Myeni is seen to be challenging a white capitalist monopoly, she is being victimised.

This House therefore resolves:

To appeal to Treasury to consider Ms Myeni's proposal to start training black pilots; and

To call on SAA to seriously consider Ms Myeni's proposed new policies which will benefit black businesses.

5.13 Ms T P Mthethwa, IFP, to move:

Le Ndlu:

Iyadumala ngemibhikisho ekhungethe izwe lakithi edunga necekela phansi imfundo engumgogodla wentuthuko yezwe.

Sikuvuma ngaphandle kokuthandabuza ukuthi abafundi bami eqinisweni nxa benza inhlalaluhide bekhazela ukufumana imfundo yamahhala;

Iyavumelana nabo ngoba lesi yisinqumo esathathwa yinkomfa ye-ANC ebusayo eminyakeni ethi mayibe ngaphezu kwamashumi amabili eyedlulayo.

Kumele uhulumeni asifeze lesi sinqumo. Nxa ehluleka, akube nabaholi be-ANC abanonembeza abazoma phambi kwesizwe bavume izono zokunquma izinto abangasakwazi ukuzifeza baxolise kubafundi nakubazali ngalelo phutha bese bekhomba indlela ecacile eya phambili.

Nokho [le Ndlu] ikhathazekile ngemibiko yodlame ebonakala ihambisana neminye yale mibhikisho.

Le Ndlu inquma knaje:

Ukuthi ngaphandle kokuhlaziya ukuthi lolu dlame nokucekela phansi kwenziwa ngobani, izwakalisa ukuzichitha ngokungathandabuzi zonke izinhlobo zodlame, ukucekela phansi nokwesabisa okubonakala kukhungethe lezi zinkonondo.

[This House:

Is watching with dismay the Fees Must Fall protests around the country which are destroying our education system – one of the cornerstones of our development;

Agrees without question that students well within their rights to stage protests in their demand for free education;

Agrees with their cause because this decision was taken at a conference of the ANC-led government just over 20 years ago. Government should keep its word. If government fails to do so, we call on all ANC leaders of integrity to face the nation and admit to taking resolutions that they can no longer fulfil, and to apologise to students and parents for that mistake and come up with a clear way forward.

Nevertheless, [this House] is worried about reports of violence associated with some of these protests.

This House therefore resolves:

That without analysing who the instigators are, to unequivocally condemn any form of violence, destruction [of property] and intimidation that characterise these protests.]

5.14 Ms P Mbatha-Cele, ANC, to move:

This House notes:

The serious concern that young women face every month as a result of the natural phenomenon of menstruation;

This results in learners missing class which, in turn, negatively impacts on their academic performance.

This House therefore resolves:

To call for a zero-rate taxation on sanitary towels; and

To call for a co-ordinated way in which learners can access free sanitary towels at school as we strongly believe that, 22 years after democracy, no girl child should have to miss class due to the non-availability of sanitary towels.

5.15 Dr S M Dhlomo, ANC, to move:

This House notes:

That there is an increasing and noticeable disregard for ubuntu by some young leaders at our universities;

That it is un-African for a young person to call an adult person by his or her name, unlike the teachings of Western civilization where oBaba noMama bethu bebizwa ngo -John no-Doris [*our fathers and mothers are called by their first names, John and Doris*]

Nathi nje sibadala asibabizi ngamagama abakhwekazi.

[Even as adults, we do not call our mothers-in-law and fathers-in-law by their first names.]

Abaholi bezwe ngisho uMengameli wezwe, iSilo Samabandla babizwa sengathi laba baholi babafundi belusa nabo.

[These student leaders refer to our President and His Majesty the King as if they are their peers with whom they grew up.]

Le Ndlu:

Inxusa abafundi ukuthi bangabukeli indelelo eyenzeka ePhalamende elikhulu njengento engalandelwa.

[This House therefore resolves:

To call on students not to emulate the uncouth behaviour that is displayed at National Parliament], and

To call on all progressive youth formations to assist in leading positive dialogues about ubuntu among the youth.

5.16 Ms Z M Ludidi, ANC, to move:

This House notes:

A decline in rhino poaching nationally, but an increase in figures for KwaZulu-Natal; and

This increase [in rhino poaching] in KwaZulu-Natal could be due to the evil spirits of Queen Victoria's son who, in the 1800s, shot about 500 rhinos in six weeks.

This House therefore resolves:

To commend KZN Wildlife and all other stakeholders concerned; and

To support the department's programme on the protection of the rhino and other forms of biodiversity which will continue to attract tourists to our province, since tourism is key to the economic growth and upliftment of our communities.

5.17 Ms M Ntuli, DA, to move:

This motion was ruled out of order as it had exceeded the maximum length of 100 words, as laid down by Rule 94 (1) of the Standing Rules of the KwaZulu-Natal Legislature.

5.18 Ms P A T N Buthelezi, IFP, to move:

Le Ndlu:

Iyayemukela inhlabamkhosi yeSilo yokuba uZulu ube wuchibidolo enkundleni yezemidlalo i-Moses Mabhida ngolo Mqhibelo ukuzogubha iminyaka engamakhulu amabili lesi sizwe sabunjwa yiSilo uShaka kaSenzangakhona.

Lokhu kubuthana kukaZulu kuzobe kungukuzothokoza koNgabonwayo ngokusikhusela lesi sizwe esibatshazwa umhlaba wonke, nokuhalalisa kumbumbi wethu nokuthokoza kuzo zonke iZilo esezahola lesi sizwe kuze kube manje, nakuwo wonke amakhosi ayizinsika zalobu buKhosi.

Le Ndlu inquma:

Ukwenanela le nhlabamkhosi yokaNdaba ngokumemeza nayo igqugquzele wonke uZulu nama-Afrika athanda izwe ukuba basabele nxa ememeza okaNdaba

[This House:

Takes heed of the clarion call by His Majesty the King that all the Zulus should come out in numbers to the Moses Mabhida Stadium this Saturday to commemorate 200 years since this nation was founded by King Shaka, the son of Senzangakhona.

The gathering by the Zulu nation will be a way of showing gratitude to the Almighty for protecting this nation which is internationally respected, as well as to the nation's founder and thanking all the kings who led this nation to where it is today, including all traditional leaders who are the pillars of the kingdom.

This House therefore resolves:

To heed the clarion call by His Majesty the King and to call on all the Zulus and African patriots to heed His Majesty's call.]

5.19 Ms L X H Hlongwa, ANC, to move:

This motion was ruled out of order as it had exceeded the maximum length of 100 words, as laid down by Rule 94 (1) of the Standing Rules of the KwaZulu-Natal Legislature.

5.20 Ms N M Khoza, ANC, to move:

This House notes:

The important role played by women in our revolution and the importance of gender balance in all political party lists.

This House therefore resolves:

To call on all political parties to make gender representation on their party lists mandatory to ensure that women are part of decision making;

To have an intensive debate on gender balance; and

To call on the electoral commission to reject party lists that do not comply with this call.

5.21 Ms A M McDonnell, DA, to move:

This House notes:

That the rights of the child are absolute, and these include the right to education and food; and

That due to non-payment, a service provider at four schools in Nkandla failed to provide meals to children, leaving them hungry and unable to work.

This House therefore resolves:

To call for an urgent investigation to establish the reason behind the failure to provide meals, and to consider the consequences for those who are found liable.

5.22 Ms D D Dlamini, ANC, to move:

Le Ndlu iyakunaka:

Ukuthi abezindaba nabamaphepha bayingxenye yomkhankaso wokukhipha uHulumeni kaKhongolose emandleni ngokungekho emthethweni lokhu okubizwa nge-*regime change* esikubonayo kwenzeka nase-Venezuela kwenzekile nase-Libya nakwamanye amazwe.

Le Ndlu ikholelwa ukuthi icala elikhulu likaMengameli uZuma alenze kongxiwankulu abafana no-Rupert ukuthi uhole uKhongolose ngesikhathi uvumelana ngokuthi umzabalazo kumele ungene kwizinga lesibili lenkululeko yezomnotho nokuthi iqinise ubudlelwano namazwe afana no-Brazil, Russia, India kanye ne-China.

Le Ndlu inquma kanje:

Ukuthi kumele sibe nenkulumompikiswano ngale nto ye – *regime change* okungahambisani nomthethosisekelo wezwe. Amaqembu aphikisayo athi ayawuvikela kodwa futhi awubukela phansi.

[This House notes:

That media houses and newspapers are on a mission to effect a regime change in the ANC-led government. We have noticed regime changes occurring in Venezuela, Libya and other countries.

This House believes that the only crime committed by President Zuma against capitalists like Rupert has been to implement the second phase of economic transformation and to strengthen co-operation with Brazil, Russia, India and China.

This House therefore resolves:

To debate the regime change which is against the Constitution of this country. Opposition parties claim to be defending the Constitution while, in fact, they are disregarding it.]

5.23 Ms W P Zondi, ANC, to move:

Le Ndlu iyakunaka:

Ukuthi ezamaciko zingenza omkhulu umehluko ekuqiniseni

i-social cohesion.

Le Ndlu ikholelwa ukuthi uMandoza osishiye emhlabeni ngeledlule uyibekile induku ebandla kwezamaciko ngoba ngisho nabezizwe bebewuthanda umculo wakhe.

Le Ndlu ikholelwa ukuthi isifo somdlavuzwa siyinkinga enkulu kanti nakule Ndlu zikhona izisulu zaso.

Le Ndlu inquma kanje:

Ukuba kube nenkulumo mpikiswano mayelana neqhaza esingalibamba ukulwisana nalesi sihlava somdlavuzwa nokuthi singabaqwashisa kanjani ikakhulukazi abantu besimame abahlala ezindaweni zasemakhaya abamnyama.

[This House notes:

That arts can contribute significantly to the strengthening of social cohesion.

This House believes that Mandoza, who passed away last week, made an immense contribution to the music industry because his music was enjoyed by all races.

This House believes that cancer is a serious disease – there are even people in this House who suffer from cancer.

This House therefore resolves:

To debate the role it could play in fighting cancer and in creating awareness of the disease among rural women, especially among black women.]

5.24 Mr B V Hlengwa, ANC, to move:

This House notes:

That the Freedom Charter declares that “the people shall govern, that “there shall be peace and friendship” and that “there shall be ... security and comfort.”

This House therefore resolves:

To congratulate the ANC-led government in general, led by His Excellency President J G Zuma, as well as the Premier, hon T W Mchunu, and the MEC for Community Safety and

Liaison, hon Mxolisi Kaunda, for ensuring that stability has been restored to Glebelands; and

To call for a debate on strengthening the partnership between the people and the government in finding lasting solutions.

5.25 Dr I Keeka, DA, to move:

This House notes:

The mammography machine at Ngwelezane has been broken since July; the cancer machine at Grey's is broken and only one machine at Addington Hospital is working;

This points to oncology services collapsing – from early detection to treatment;

Curable cancers are becoming incurable, and suffering, disability and death under President Zuma's government are prevalent.

This House therefore resolves:

To call on the MEC for Health –

To ensure that equipment is urgently fixed;

To table an executive statement on the state of radium therapy and specialised radiology; and

To take full responsibility, along with his department, for condemning the most vulnerable and downtrodden to such suffering.

5.26 Ms N Simelane-Zulu, ANC, to move:

This House notes:

The 52nd congress of the International Society of City and Regional Planners (Isocarp) held in eThekweni last week;

The congress comprised professionals and delegates working in city and regional planning across the world.

This House therefore resolves:

To commend this democratic government for its continued ability to bring our province under the international spotlight through its capacity to successfully stage global events; and

To call on all stakeholders in the planning sector to consider the international best practices that were shared during the congress to try and undo the damage on our landscape caused by the skewed apartheid and colonial planning of the past.

5.27 Mr V Ndlovu, EFF, to move:

Le Ndlu:

Ishayela ihlombe umsebenzi omuhle owenziwa uMnyango Wezemfundo odabeni lukathisha waseNquthu namacala abhekene nawo okunukubeza.

Udaba lukathishanhloko obezama ukuvikela uzakwabo ecaleni lokunukubeza umfundi oselusukunyelwe nayilo Mnyango.

LeNdlu ayiqhubeke ixhase futhi igqugquzele uNgqongqoshe ukulwisana nezelelesi ezikoleni nokuboshwa kwazo.

I-SADTU ayihlukane nokupolitika nokuthengisa ama-post kuphela kodwa ibhekane ngqo nezinkinga ezibhekene nabafundi ezikoleni ezenziwa othisha bayo.

[This House:

Applauds the Department of Education for taking swift action against a teacher in Nqutu who now faces several charges of sexual abuse;

The matter regarding a principal who tried to protect his colleague for sexually abusing a learner has also been given priority by this department.

This House should continue to support and encourage the MEC in flushing out these criminals at our schools and ensuring that they get arrested.

This House calls on SADTU to desist from politicking and selling posts, but to face head-on pupils' challenges which are caused by their members.]

6. 10h58 Debate on the Commemoration of September as Heritage Month commenced and was suspended at 12h35.
7. 12h36 Ms N N Boyce tabled the Report of the Disciplinary Committee.
8. 12h37 Debate on the Commemoration of September as Heritage Month commenced and was concluded at 12h46.
9. 12h47 Debate on the second ANC motion for 2016/2017 commenced and was concluded at 14h20.
10. 14h21 Ms N N Boyce, Acting Chairperson of the Standing Committee on Discipline, delivered the report of the committee and concluded at 14h24.

Question put: That the report be adopted.

Agreed to.
11. 14h25 The MEC for Education delivered an Executive Statement on the State of Readiness in Preparation for 2016 Annual Examinations in the Province of KwaZulu-Natal and concluded at 14h45.
12. 14h46 Parties present responded to the Executive Statement and concluded at 15h06.
13. 15h07 The MEC for Education responded to comments by parties on the Executive Statement and concluded at 15h12.
14. 15h13 The Speaker made remarks and an announcement.
15. 15h15 The House was adjourned *sine die*.