

**THURSDAY, 29 AUGUST 2019**

**[No. 14/2019] FIRST SESSION, SIXTH LEGISLATURE**

# **KWAZULU-NATAL LEGISLATURE**

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## **MINUTES OF PROCEEDINGS**

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**THURSDAY, 29 AUGUST 2019**

The House met at 10h08.

1. 10h09 Members were given an opportunity for silent prayers or meditation.
2. 10h10 The Speaker made announcements, including the passing away of the following persons:
  - 2.1 Dr Thandi Cynthia Ndlovu;
  - 2.2 Mr Makhubalo Africa Madlopha; and
  - 2.3 Mr Narend Singh.

The House observed a minute of silence.
3. 10h19 The Premier made announcements.
4. 10h24 The Speaker made an announcement and remarks.
5. 10h25 The Speaker read into the record the tabling of the following Reports:
  - 5.1 **KwaZulu-Natal Legislature:**
    - 5.1.1 First Quarter Performance Report (April - June 2019); and

**5.1.2 In-Year Monitoring Report (IYM), August 2019.**

**5.2 Department of Finance:**

**5.2.1 Re-Tabling: Guardian of the Public Purse / Umqaphi wezimali zomphakathi: Annual Performance Plan, 2019/20.**

6. 14h14 The following Members gave notice of their intention to move motions on the next sitting day of the House:

**6.1 Ms P H Mbatha-Cele, ANC, to move:**

**Le Ndlu iyakunaka:**

Ukubambisana kwabantu besifazane baKwaZulu-Natali abakhona esiShayamthetho kunye nezinhlangano zabo ekulweni nokuthi izimpilo zabantu besifazane zibe ngcono ngale kokubheka ukuthi umuntu wesifazane ukuyiphi inhlangothi yezepolitiki;

Ukuthi lokhu sikubonile kwenzeka ngesikhathi sePhalamende Labesifazane ebelisoSizweni e-Newcastle;

Ukuthi abantu besifazane ngokwezinhlangano abaphuma kuzo bahlanganise imali engango-R35 500 ukwelekelela ugogo Mndebele wakwa-Ward 11 Osizweni bamthengela i-wendy house engu-3 room ne-fridge kunye negrosa ngesikhathi esalinde ukuthi uMnyango umlekelele ekutholeni itayitela lobunini bomuzi ukuze uhulumeni oholwa uKhongolose akwazi ukumakhela.

**Ngakho-ke le Ndlu inquma kanje:**

Ubumbano lwabantu besifazane liqhubekela phambili lungabe lusabheka emuva;

Ukunxenxa nalabo abangakaboni kahle ukuthi nabo basondele njenge-DA ne-EFF abangakwazanga ukufaka isandla kodwa bethembisile.

**[This House notes:**

*The co-operation and unity among female members from various political parties in the Legislature who collected an*

*amount of R35 500 to assist an old lady, Mrs Mndebele of Ward 11 in Osizweni, Newcastle, in buying a three-roomed wendy house, a fridge and some groceries while she is still waiting for the department and the ANC-led government to build her a house with a title deed.*

***This House therefore resolves:***

*To call for this kind of unity among women to continue and for them not to look back; and*

*To urge political parties such as the DA and the EFF, which did not contribute even after they had promised to and which have not yet become part of this unity, to join us.]*

**6.2 Bishop E V Dube, ANC, to move:**

**This House notes:**

That the police have launched a stabilisation operation, entailing the deployment of 500 police officers from various specialised units, to crime hot-spots in the province;

This operation is yielding positive results as police recover illegal firearms and drugs in our communities on a daily basis; and

This operation is cracking down on syndicates involved in cross-border crime, evidenced by police recovering three stolen vehicles in Manguzi last week Friday.

**This House therefore resolves:**

To applaud the police for launching this operation, and to encourage members of the community to work with the police so that it will continue to yield positive results.

**6.3 Ms N M Khoza, ANC, to move:**

**Le Ndlu iyanaka:**

Ukwanda kwezigigaba zokhlukomezeka kwabantu besifazane ezinjengalezi.

Isigameko saseMpembeni lapho ubaba ngokuxabana nomama wabantwana ekhethe ukulengisa abantwana bakhe ababili (ono-8 years nona-4 years).

Izigameko lapho abantwana beshiywa abazali unattended bafele endlini beshiswa umlilo – New Hanover and eThekwini.

**Ngakho-ke le Ndlu inquma kanje:**

Ukudlulisa ukuzwelana nemindeni ethintekayo ngezehlo.

Ukukhuthaza ingalo yomthetho ukuba idlale indawo yayo lapho kufanele kuqine isandla nesijeziso siqine sithumele umlayezo nakulabo abasahlela ukwenza.

**[This House notes:**

*The growing incidents of violence against women, such as the following:*

*An incident in Mpembeni when a father, following an argument with the mother of his children, decided to hang and kill their two children – one aged 8 years and the other aged 4 years;*

*Two separate incidents in New Hanover and Durban where kids were left unattended by their parents and died when their homes were set on fire.*

**This House therefore resolves:**

*To pass our condolences to the families who were affected by these incidents; and*

*To urge law-enforcement agencies to play their role – they should be tough and mete out harsher sentences to send a strong message to those who are planning to commit these crimes.]*

**6.4 Mr L J de Klerk, IFP, to move:**

**This House notes:**

That the latest Corruption Watch Report has shed some light on issues of corruption within the education sector;

It indicated employment irregularities, embezzlement of funds, theft of resources and jobs-for-pals scandals.

**This House therefore resolves:**

To call on the KZN MEC for Education, hon Kwazi Mshengu, to act decisively against those who are found guilty of any scandalous wrongdoing; and

To urge the Department of Education to tighten safeguards and increase transparency and consequence management measures to ensure that those who intend to steal and engage in corruption are unable to do so.

**6.5 Mr M B Gwala, IFP, to move:**

**This House notes:**

That the IFP has held its long-awaited conference where its new leadership was unanimously elected this past weekend.

**This House therefore resolves:**

To officially congratulate hon V F Hlabisa on having been elected as the new President of the IFP; we wish him all of the best for his new momentous role of taking the party to new heights; and

To congratulate the IFP for making a smooth, peaceful and seamless transition into its next chapter, and we wish the party all the best at the beginning of its new season.

**6.6 Mr M Khawula, IFP:**

***This motion was ruled out of order as it had exceeded the maximum length of 100 words, as laid down by Rule 98 (1) of the Standing Rules of the KwaZulu-Natal Legislature.***

**6.7 Ms M Ntuli, DA:**

***This motion was ruled out of order as it had exceeded the maximum length of 100 words, as laid down by Rule 98 (1) of the Standing Rules of the KwaZulu-Natal Legislature.***

**6.8 Mr C J Pappas, DA, to move:**

**This House notes:**

That nationally the country has missed out on creating 43 700 job opportunities over the past four years due to insufficient investment into research, development and innovation in the agricultural sector; and

That research has the potential to make the agricultural sector in KwaZulu-Natal more competitive, more resilient and more efficient.

**This House therefore resolves:**

To increase our provincial focus on research and development into the agricultural sector, as a strategic area, in line with the move towards the 4<sup>th</sup> industrial revolution and implementation of President Ramaphosa's economic recovery plan.

**6.9 Mr B Singh, DA, to move:**

**This House notes:**

That the DA is concerned that the KZN Athletics Academy in Newcastle is possibly in the process of collapsing following a new administration that is mismanaging funds.

**This House therefore resolves:**

To call on the Department of Sport and Recreation to conduct an urgent inspection of the KZN Athletics Academy in Newcastle and attend to the administrative glitches that have left staff without pay and children without funding.

**6.10 Ms S Thakur-Rajbansi, MF, to move:**

**This House notes:**

Recent media reports that Westville Prison officials have provided inmates with weapons for gang warfare, as well as allegations of open illegal drug use; and

That serious offenders, notably Ashen Vishnudath, had escaped from Westville Prison around mid-August 2019.

**This House therefore resolves:**

To call on the MEC for Safety and Security to report on steps that have been taken to investigate and implement preventative plans to stop such activities and to discipline the offending officials.

**6.11 Mr V R Mlotshwa, NFP, to move:**

**Le Ndlu:**

Ibongela inhlango ye-NFP ngokudla umhlangano wokhetho lokuchibiyela eMvoti Ward 7;

Inaka ukuthi i-NFP yanqoba ngamalengiso noma bekungahlanganiswa wonke amavoti amaqembu ase-KZN abengenele lolu khetho, ayengeke ayifice i-NFP.

Iphinde ibongele abavoti base-FS (Maluti-Apofong) ngokuba bavotele ama-Independent (asejoyine athatha ubulungu be-NFP) adla umhlangano awina ama-Ward awu-9.

**Ngakho-ke le Ndlu inquma kanje:**

Ukuchoma uphapse lwegwalagwala ibongela u-Cllr P G Mavundla okhethwe ngo-elethu ku-Ward 7 eMvoti;

Ukubongela ukukhula kwentando yeningi ne-NFP ngamakhansela angu-9 e-FS awine ama-Ward awu-9.

**[This House:**

*Congratulates the NFP on its victory in the by-election in Ward 7 of Umvoti Municipality;*

*Notes that the NFP won a landslide victory to such an extent that, even if all votes cast in favour of other political parties that contested that ward were to be combined, the NFP would still have won that by-election;*

*Further congratulates the Free State voters (in Maluti-Apofong Municipality) for voting for nine independent candidates (who have since joined the NFP) and were victorious in nine wards.*

***This House therefore resolves:***

*To salute Cllr P G Mavundla who was elected following a landslide victory in Ward 7 of Umvoti Municipality; and*

*To acknowledge the maturity of our democracy following the NFP's gaining of nine seats in nine wards in the Free State.]*

**6.12 Mr M J Mazibuko, IFP, to move:**

**This House notes:**

That on Tuesday, 13 August, there was an oil leak from storage tanks at the Willowton Group's oil factory which polluted uMsunduzi River, causing death to fish and people's livestock; and

That on Friday, 16 August, there was a leak at Safripol's Mobeni factory when noxious fumes were emitted into the air at Wentworth-Mobeni and surrounding areas which left communities with health problems

**This House therefore resolves:**

To call on all industries to abide by prescribed safety standards; and

To urge the Department of Cogta to ensure that municipalities effectively execute their mandate of monitoring industries and to penalise those who contravene regulations.

**6.13 Mr S Moodley, IFP:**

***This motion was ruled out of order as it had exceeded the maximum length of 100 words, as laid down by Rule 98(1) of the Standing Rules of the KwaZulu-Natal Legislature.***

**6.14 Mr P N Msimango, IFP, to move:**

**This House notes:**

That the IFP held its general conference in Ulundi over the weekend where its founder, Prince Mangosuthu Buthelezi,



was honoured with the status of President Emeritus of the IFP.

**This House therefore resolves:**

To salute His Royal Highness, Prince Mangosuthu Buthelezi, for his contribution and service to the nation;

To encourage the government of South Africa to utilise Prince Mangosuthu Buthelezi's reservoir of knowledge to further serve this nation; and t

To urge the government to use his knowledge in solving issues around the Ingonyama Trust, land and the outstanding matter of reconciliation between the IFP and the ANC.

**6.15 Ms N J Nkwanyana, IFP, to move:**

**Le Ndlu iyakunaka:**

Ukuthi nakuba bekhona abasebenzi bezempilo abangaziphathi ngendlela efanele ezibhedlela nasemitholampilo abahlukumeza iziguli kodwa basekhona abanye abanozwelo lokuphatha kahle iziguli;

Phakathi kwabo esingabala uDokotela Kekana wasesibhedlela sase-Estcourt onozwelo nothando lokubona iziguli ziphathwa ngendlela efanele futhi enesithunzi;

Lokhu sekuholele ekutheni aphakamise ukuthi abahlengikazi esibhedlela sase-Estcourt kumele bafundiswe kabusha ngendlela yokuziphatha i-Batho Pele.

**Ngakho-ke le Ndlu inquma kanje:**

Ukushayela ihlombe udokotela Kekana ngokuzimisela kwakhe emsebenzini.

Ukunxusa uMnyango weZempilo ukuthi uweseke umbono kaDokotela Kekana wokuthi abasebenzi bezempilo bafundiswe kabusha ngeBatho Pele.

Ukunxusa nabanye abasebenzi bezempilo ukuthi babe nozwelo, kanye nenhlonipho uma besiza iziguli.

**[This House notes:**

*That although there are healthcare workers who ill-treat and abuse patients in hospitals and clinics, there are still those who care for and treat patients with dignity;*

*That among those is Dr Kekana of Escourt Hospital who treats his patients with empathy and consideration, and who wants to see them being treated appropriately and with care; and*

*That Dr Kekana has even proposed that nurses at Escourt Hospital undergo retraining in Batho Pele principles.*

**This House therefore resolves:**

*To applaud Dr Kekana for his commitment to his job;*

*To call on the Department of Health to support Dr Kekana's proposal for nurses to be retrained in Batho Pele principles; and*

*To call on other healthcare professionals to show the same level of respect and empathy when attending to their patients.]*

**6.16 Ms C Q Madlopha, ANC, to move:**

**This House notes:**

That hundreds of women in law enforcement have initiated a number of multi-disciplinary law enforcement operations to mark Women's Month in the province to curb crime on the road and in communities;

That during operations conducted in Vryheid and Pietermaritzburg, the women in uniform stopped 750 vehicles, charged 48 drivers for various offences and 23 drivers for drinking and driving; and

That these operations will continue until Friday.

**This House therefore resolves:**

To commend the women in law enforcement for this initiative and to encourage them to be tough on reckless drivers, particularly those who drink and drive.

**6.17 Ms H G S Mavimbela, ANC, to move:**

**Le Ndlu iyakunaka:**

Ukuthi ohulumeni basekhaya bawuhulumeni oseduze kakhulu nemiphakathi badinga njalo ukunakwa balekelelwe kungenelelwa lapha izidingo zemiphakathi zibambezeleka khona.

**Ngakho-ke le Ndlu inquma kanje:**

Ukushayela ihlombe uKhongolose ngokungenelela kwakhe eMkhandlwini waseThekwini noMsunduzi.

Ukubeka phambili ukuyiswa kwezidingo emphakathini kunalokhu kobungani.

**[*This House notes:***

*That local government is the closest to the public and needs to be monitored closely and supported through interventions where there are service delivery bottlenecks.*

***This House therefore resolves:***

*To applaud the ANC for intervening in eThekwini and Msunduzi councils; and*

*To call for people [in local government] to prioritise service delivery over friendship when it comes to the public.]*

**6.18 Mr N M Sibiya, ANC, to move:**

**Le Ndlu inaka:**

Ukuthi ukuzimisela kwe-ANC ukulwa nobugebengu kuyabonakala manje;

Ukuthi uNgqongqoshe uMxolisi Kaunda usenze umsebenzi omkhulu wokuhlisa izinga lobugebengu eMbali ebambisene namaphoyisa aseMbali;

Ukuthi amaqhinga awasebenzisayo nezindlela azisebenzisayo zokulwa nobugebengu kuyazithela izithelo manje.

### **Ngakho-ke le Ndlu inquma kanje:**

Indlela uNgqongqoshe u-Kaunda ukuba lamaqhinga awanabisele kuzona zonke izindawo,

Ukumkhuthaza nokuthi angapheli amandla asebenze ngokubambisana neKomidi lesiShayamthetho eliholwa ubaba uBheki Ntuli.

#### **[This House notes:**

*That the ANC's commitment to fight crime is beginning to bear fruit;*

*That MEC Mxolisi Kaunda has made huge strides in lowering the crime rate in Imbali township by working with local police [in Imbali]; and*

*That crime fighting strategies and mechanisms that the MEC is using are beginning to show positive results.*

#### **This House therefore resolves:**

*To call on MEC Kaunda to apply and extend these strategies to all areas; and*

*To encourage him not to give up and to work closely with the Portfolio Committee on Community Safety and Liaison, under the leadership of hon Bheki Ntuli.]*

### **6.19 Mr S A Duma, ANC, to move:**

#### **The House notes:**

The violence that has erupted in Pretoria over the past two days, caused by a Nigerian foreign national – an alleged drug dealer – who shot a South African taxi driver who had witnessed this scene;

That we are mindful that the African agenda should be retained at all material times; but

That we should also be emphatic that [members of the] SA Police Service should arrest all those who are hellbent on committing crime.

**The House therefore resolves:**

To continue finding permanent solutions on how to deal with border management issues in South Africa.

7. 10h53 The Speaker made announcements.
8. 10h55 The Question Session commenced and Question No 55/2019 was answered from Question Paper 01/2019. Questions 2, 19 and 26 were deferred to the next Question Session.  
  
The Question Session concluded at 11h08.
9. 11h09 The Speaker made remarks.
10. 11h10 The debate on the Women's Day Commemoration commenced and was concluded at 12h46.
11. 12h47 The Speaker made announcements.
12. 12h48 The debate on the first ANC motion for 2019/20 commenced and was concluded at 13h53.
13. 13h54 The Acting Speaker made an announcement.
14. 13h55 The House was adjourned until Thursday, 5 September 2019 at 10h00.