

THURSDAY, 28 NOVEMBER 2019

[No. 21/2019] FIRST SESSION, SIXTH LEGISLATURE

KWAZULU-NATAL LEGISLATURE

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MINUTES OF PROCEEDINGS

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THURSDAY, 28 NOVEMBER 2019

The House met at 09h08.

1. 09h09 Members were given an opportunity for silent prayers or meditation.
2. 09h10 The Speaker made announcements.
3. 09h16 The Acting Premier, Ms N Dube-Ncube made announcements.
4. 09h22 The Speaker made further announcements.
5. 09h23 The Speaker read into the record the tabling of the following reports: -

5.1 Arts and Culture Portfolio Committee:

- Arts and Culture Portfolio Committee Oversight visit to Port Shepstone Mega Library, 25 October 2019.

5.2 Human Settlements Portfolio Committee:

- Committee Report on the 2019/20 First Quarter Performance of the Department of Human Settlements, 04 September 2019; and
- Human Settlements Portfolio Committee Report for the Committee Workshop, 03 – 04 September 2019.

6. 09h24 The following reports were tabled:
- 6.1 Mr N Ntombela tabled the report of the Standing Committee on Oversight on the 2019/20 budget adjustment for the Legislature; and
- 6.2 Mr S C Nkosi tabled the report of the Finance Portfolio Committee on the KZN Adjustments Appropriation Bill, 2019.

7. 09h26 The following Members gave notice of their intention to move motions on the next sitting day of the House:

7.1 Ms N Dube-Ncube, ANC:

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.

7.2 Bishop E V Dube, ANC, to move:

This House notes:

The intervention by the KwaZulu-Natal Department of Social Development which has availed funding for 150 Social Workers as a response to the scourge of Gender Based Violence. In addition, the National Government has also availed 30 Social Workers. These Social Workers will be deployed across all Districts in the Province.

This House therefore resolves:

To commend this intervention by our ANC government.

To support this move and ensure that our communities are informed about this intervention.

7.3 Mr M A Chiliza, ANC, to move:

This House notes:

With anger the practice by those cruel males who abuse, rape and kill women and children especially during this period of 16 days of activism, they use this period to show

that they can do it even during this time no matter how much society is against it.

Sithuke sonke siyisizwe sizwa ngokudlwengulwa nokubulawa komuntu wesifazane osemncane eSandton lapho owesilisa ongcolile odinga ukususwa emphakathini wangaphandle emgwaze amaxeba angamashumi amahlanu. Somlomo thina esingamadoda siyajivazeka.

LeNdlu inquma:

Ukuba baboshwe izandla nezinyawo abenza loku okubi kangaka.

7.4 Ms Z L I Cele, ANC, to move:

LeNdlu iyakuqaphela:

Ubudlelwane phakathi kwe Institute of Race Relations kanye neqembu le DA. Lokhu kubonakale ngokuthi bathathe umholi weqembu i-DA u-Hellen Zille bamqashe ngo 28 July 2019 abe i-Senior Policy Fellow, Writer and Analyst.

LeNdlu inquma kanje:

1. Le institute ayiziveze ukuthi iyi research wing ye DA futhi igamenxe yavela ngamadlebe ezindabeni zepolitiki.
2. Iyeke ukuzenza abantu abakhathalele abantu base South Africa ngoba phela bona bazibandakanye neqembu lezepolitiki elihambisa phambili ukucwaswa ngebala.
3. UHulumeni ayifakele izibuko lento yama NGOs agqoka izingubo zembu kanti athe ntshi ezindabeni zombuso kanye nepolitiki.

7.5 Ms N M Khoza, ANC, to move:

This House notes:

The move by the Mtshali family from Stanger which was forced to take the body of their loved one to Old Mutual Offices in order to prove that he is deceased. This stripped the family off their dignity when this should not have happened as they had a lawful claim.

This House therefore resolves:

To commend Social Development for providing necessary support to the family.

To commend the young women for their act of bravery which sent a message to Old Mutual – reminding us of women of 1956 who gathered in Union Building saying “enough is enough” “wathinta abafazi wathinta imbokodo”

7.6 Ms T J Gumede, IFP, to move:

This House notes:

1. The relationship between poverty and HIV;
2. KZN recording the highest HIV prevalence;
3. Incidence extending to girls between age 10 – 15;
4. Entry of foreign nationals into our country without stringent health screening, undermining all strides made in controlling diseases;
5. Funding agreements made between SA and US governments in May 2019;
6. Congratulate three Districts that reached the 90-90-90 target timeously.

This House resolves:

1. to urge that more Districts be monitored closely to achieve these targets.
2. That the issue of unemployment must be seriously addressed;
3. Revive the awareness campaigns to the level of the 90's, in-depth debate into this issue.

7.7 Mr M Khawula, IFP, to move:

LeNdlu:

Ikhathazekile ngesenzo sabathile ababonakala besebenzisa izinkundla zokuxhumana ukulutha abafundi bakamatikuletsheni ngokuthi bazobasiza ekutheni bathole izitiketi zikamatikuletsheni noma bengaphasanga. Lezitifiketi kuthiwa zibiza imali ephakathi kwenkulungwane namakhulu amahlanu amarandi kanye nezinkulungwane ezimbili namakhulu amahlanu amarandi.

LeNdlu inquma kanje:

1. ukunxusa uNgqongqoshe wezeMfundo KwaZulu-Natali uMhlonishwa u-Kwazi Mshengu kuba akalusukemele phezulu loludaba ngokuthi enze uphenyo ngalokhu.
2. Ukuqwashisa abafundi bakamatikuletsheni ukuba bangalinge bawele ogibeni lokuluthwa izinswelaboya ezibathembisa izulu nomhlaba ngokuthi zizobenzela izitifiketi nakuba bengaphasanga.
3. Ukunxusa uMnyango wezeMfundo KwaZulu-Natali ukuba uqalise umkhankaso wokuqwashisa abafundi kuzozonke izifunda ngobungozi bokuthenga izitifiketi ezingombombayi.
4. Ukunxusa abazali ukuba bangamoshi izimali zabo bethenga izitifiketi ezingombombayi egameni lezingane zabo.

7.8 Dr I Keeka, 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 98 (1) of the Standing Rules of the KwaZulu-Natal Legislature.

7.9 Mr C J Pappas, DA, to move:

This House notes that:

The Bluff in eThekweni has been awarded International Whale Heritage Site status – making South Africa the only Country on the Continent with the accreditation.

The work of the South Durban Basin Tourism Organisation (SODURBA), Wild Oceans and Cllr. Prinsloo were vital in achieving this status.

This House therefore resolves:

To officially congratulate SODURBA, Wild Oceans and Councillor J P Prinsloo for this achievement.

To work towards developing and supporting this tourism, environmental and heritage opportunity.

To appeal to the eThekweni Municipality to support the further development of this opportunity.

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

Noting:

Every November we commemorate the arrival of Indentured Indians to KZN. The Minority Front motioned the eThekweni Council in 2006 for monument funding, thereafter procured from the Premier's Department in 2014.

Further noting:

These encompassed the sugar-cane, railway, coal-miners and seinnetters contribution.

Calls on:

The honourable Premier to investigate what happened to the R 6 million of the R 10 million Rands allocated to eThekweni and that the returned R 4 million to the Premier's budget may need to be increased to accomplish the original monument themes.

7.11 Mr N B Mthethwa, ANC, to move:

Noting:

The recent natural disasters in the Province that has left hundreds of people injured and hundreds of families homeless.

Therefore, this House resolves to:

Applaud the immediate response by the donors and Provincial government in particular COGTA and Human Settlements for having ensured that all the victims have food, temporary shelter and all the support they need. Human Settlement has already started building houses with an aim of getting them completed before Christmas.

7.12 Mr T S Mtshali, ANC, to move:

In the month of October 2019, the honourable Premier of our Province awarded the beneficiaries of the KZN Business Youth Fund. This has been a ground-breaking achievement, but it also set out young people to be their own liberators, further to that they became employers and are now contributing to the economy of our Province.

This House therefore resolves:

That the government must improve efficiency of government led job creation programmes through promotion of SMMEs and entrepreneurial development through government buying power as well as ring fencing budget for youth and woman owned companies, including those youth owned companies who benefitted from the KZN Business Youth Fund.

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.

7.13 Ms L D Ngubane, ANC, to move:

LeNdlu iyayinaka:

Imikhankaso ye 16 Days of Activism eyenzeka ezweni lonke, wenziwa u-ANC, uHulumeni kanye nezinhlaka ezahlukahlukene, ekulweni nesifo esimbi esibhekene neZwe.

LeNdlu inquma kanje:

siwuKhongolose sifuna ukunxusa ukuba lemikhankaso iqhubeke yenzeke unyaka wonke, zinsuku zonke (365 days).

Sithi yonke iminyango ayihlele izinkundla zokucobelelana ezokwenzeka ezifundeni ngokwahlukana.

Ukuba abantu besilisa babonakale bebamba iqhaza elikhulu ekulweni nalesi sihlava, ayi ngokukhuluma nje kuphela kodwa ngezenzo zansuku zonke.

Ukuba abantu bakithi nawo wonke umuntu baqonde ukuba sikhuluma ngani masikhuluma nge GBV ukuze sonke

sihambisane siyisizwe kungabi sengathi sikhuluma ngabantu besilisa nabesifazane bodwa kodwa bazi nangezinhlaka zabantu abantu ababuye beyikhohlwe i-LGBTIQ+.

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

Noting:

The recent decision by the KZN Department of Education for expelling seven Educators after being found guilty of sexual offences.

This House therefore resolves:

To applaud the decisive move by the Department for demonstrating that our government does not tolerate any criminality taking place in our society. We also encourage more victims to come forward so that all perpetrators face the Law and parents must not protect offenders in exchange of money and material things.

7.15 Ms M P P Zungu, ANC, to move:

Noting that:

Mandeni or Isithebe has been plagued by community protests that affected human lives, property destroyed, and industries burnt down, which led to some businesses considering options of relocating elsewhere.

The violence waged by protestors in 2011, 2016 and 2019 left some factories, stores looted and burnt. Consequently, this resulted in job losses and increased unemployment in Mandeni or Isithebe and surrounding areas.

This House resolves that:

Government pays urgent attention in crating conducive environment for investment and political stability through inclusive stakeholders' engagement.

7.16 Ms P N Msimango, IFP, to move:

LeNdlu:

Ikushayela ihlombe okwenziwe abantu baseMntuba ukukhombisa uKhongolose ukuthi *****didekile ngokuvotela iNkatha.

Ubongela uKhansela u-Zulu ngokukhethwa kwakhe *****futhi

Uku*****

7.17 Ms E Rabe, DA, to move:

This House notes:

The front page of the Witness today is disturbing as it confirms that the HOD of the Department of Social Development, Ms Khanyile will be earning half a million rand for doing absolutely nothing until her contract expires at the end of March 2020.

This House therefore resolves:

That the MEC and Premier act responsibly and rectifies the situation where two people are being paid for doing the same job; and

That Ms Khanyile's contract is dealt with a matter of urgency so as not to waste taxpayer's money.

7.18 Mr N R Mthembu, ANC, to move:

There are opportunists, who want to destroy the legacy that has been made by Eskom. Though we acknowledge there are challenges.

I, therefore, table a motion that allows for members of the House to debate what it means to **UNBUNDLE ESKOM** so that we have a concrete position, and we allay fears of our people.

The ANC is based on the premise that we must not seek to entertain the view of propagandist, we must clarify our people on what the objectives of the ANC in this matter.

7.19 Ms N P F Mavuso, ANC, to move:

This House notes:

On the 19th of October 2019, the plight of a 64-year-old woman from Ezimbokodweni South of Durban was brought to the attention of the MEC for Social Development. She had been struggling with receiving the foster care grant of her grandchildren since 2017 following back and forth with employees.

She was assisted following interventions by the Team led by the MEC ensuring that by the 1st of November 2019 she is paid. An investigation has also been launched.

This House therefore resolves:

To commend the swift action taken by the MEC and her team and wish to further encourage employees of the Department to ensure that they put people first.

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.

7.20 Ms A G Mapena, ANC, to move:

The recent devastating disasters caused by extreme weather conditions in our Province was a rude awakening to the realities of climate change. We applaud COGTA and other stakeholders in working speedily in response to the effects of disasters.

Research and reports predict more extreme events are yet to hit SA. There is no argument or debate against climate change. It is already happening and according to government reports the effects will intensify.

This House therefore recommends:

COGTA explores the possibilities of establishing Section 79 Committees in Municipalities dedicated to climate change.

Climate change educational campaign be intensified especially in rural areas and informal settlements this includes exociation and dis***** **** identification.

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.

7.21 Ms N R Majola, ANC, to move:

This House notes:

The progressive stance on the national ARV programme. This has been shown by launching of the Introduction of One ARV pill taken once a day by honourable Minister Zweli Mkhize. This TLD is a highly effective ARV that is well tolerated.

T – Tenofovir
L – Lamivudine
D – Dolutegravir

It provides rapid suppression, high genetic barrier to resistance, fewer side effects, easy to take and improving lives of people living with HIV.

This House resolves:

To record this progress done by Research Unit by using reports from health facilities on how people react to different drugs recommended to be of positive response to HIV virus.

7.22 Ms V P Caluza, ANC, to move:

This House notes:

The continuous victimization, harassment and abuse attributed to sex workers, their lives are at risk daily as a result of sex work being illegal.

This House therefore resolves:

To applaud the office of the Speaker for taking the initiative of engaging this vulnerable group, sex workers as there are citizens of this country who deserve to be protected.

This House call upon:

A debate on the proposal made by the South African Law Reform Commission on the work towards decriminalization of the sex work.

8. 09h54 The Speaker made remarks.
9. 09h55 Debate on the KZN Adjustments Appropriation Bill, 2019 commenced and was concluded at 11h12.
10. 11h13 Voting on the KZN Adjustments Appropriation Bill, 2019 commenced and was concluded at 11h25.

Agreed to.

11. 11h26 Parties present made a declaration of vote in terms of Rule 83 and concluded at 11h37.
12. 11h38 Debate on the Report by the Premier on the progress made in the prevention of mother-to-child transmission of HIV and the plans by KZN Government on the aim to end the epidemic and what is being done on the 90-90-90 strategy in view of the coming World Aids Day Commemoration commenced and was concluded at 13h26.
13. 13h27 Parties present rendered festive season messages and concluded at 13h37.
14. 13h38 The Speaker made announcements and remarks.
15. 13h42 The House was adjourned *sine die*.