

WEDNESDAY, 17 JULY 2019

[No. 08/2019] FIRST SESSION, SIXTH LEGISLATURE

KWAZULU-NATAL LEGISLATURE

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MINUTES OF PROCEEDINGS

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WEDNESDAY, 17 JULY 2019

The House met at 14h04.

1. 14h05 Members were given an opportunity for silent prayers or meditation.
2. 14h06 The Speaker made announcements, including the passing away of Mr Johnny Clegg.

The House observed a minute of silence.
3. 14h08 The Speaker introduced a new Member, Mr Themba Sibonelo Mtshali, who replaced Mr Mthandeni Dlungwana who had resigned.
4. 14h09 The Speaker read into the record the tabling of the following reports:
 - 4.1 Department of Education: Annual Performance Plan, 2019/2020.
 - 4.2 Department of Finance: Annual Performance Plan, 2019/2020.

5. 14h10 The Premier made announcements.
6. 14h13 The following reports were tabled:
- 6.1 Ms N Simelane-Zulu tabled the Department of Health's Annual Performance Plan 2019/2020.
- 6.2 Mr N M Sibiyi tabled the 2019/20 Budget Report of the Portfolio Committee on Education on Budget Vote 5 – Education.
- 6.3 Ms G N Swartbooi-Ntombela tabled the 2019/2020 Budget Report of the Portfolio Committee on Social Development on Budget Vote 13 – Social Development.

7. 14h14 The following Members gave notice of their intention to move motions on the next sitting day of the House:

7.1 Mr M A Chiliza, ANC, to move:

This House notes:

That the National School Nutrition Programme was introduced by the Department of Education, under the ANC-led government, which assists the majority of sons and daughters of the working class, making them alert and receptive during lessons; and

That such initiatives are a true reflection that the ANC government continues to take the interests of the poor to heart.

This House therefore resolves:

To express its gratitude for the work done by this department; and

To thank the ANC for its consistence in advocating for progressive policies which change the lives of the people for the better.

7.2 Ms M C Frazer, ANC, to move:

This House notes:

That young people are the most dominant group in South Africa;

That young people face the challenge of unemployment;

That job creation is one of the ANC's priorities; and

That opportunities, like those that were unpacked by the Department of Public Works in Ugu District, will empower, develop and enable young people to realise economic freedom in their lifetime.

This House therefore resolves:

To commend the Department of Public Works, under the leadership of MEC Peggy Nkonyeni, for hosting a successful *Youth in Construction and Property* summit.

7.3 Ms CQ Mdlopha, ANC, to move:

This House notes:

The increasing incidents of gender-based violence, specifically against women and children in our province.

This House therefore resolves:

To mandate the Department of Social Development to collaborate with different sectors to fight against the abuse of women and children.

7.4 Ms N R Majola, ANC, to move:

This House notes:

The high rate of road accidents which rob us of our loved ones; and

The accident that occurred in Betania in Ugu, when a taxi which was ferrying school children, failed to make it *kwi-bend kodwa uThixo ubahlengile abantwana kwangabikho kusweleka. [around a bend, but the Lord saved the children and there were no fatalities.]*

Ngakho-ke le Ndlu inquma kanje:

Kube nendlela yokuqinisekisa isimo sabaqhubi ngokunjalo nesimo sezithuthi ngaphambili kokungena emgaqweni.

[This House therefore resolves:

To call for measures to authenticate drivers and to inspect the roadworthiness of all vehicles before they may be used on our public roads.]

7.5 Mr M J Mazibuko, IFP, to move:

This House notes:

The shocking news of the passing away of Johnny Clegg, an icon who promoted the arts and an activist who fought for the eradication of apartheid; and

That history will remember how Johnny Clegg defied racial and cultural barriers, mingled with the downtrodden and immersed himself in the culture of the African people, thus exemplifying the true essence of multi-culturalism.

This House therefore resolves:

To salute this son of the soil for fighting the good fight for justice and multi-culturalism;

To express its heartfelt condolences to his family; and

To urge them to always remain proud of this hero.

7.6 Mr S Moodley, IFP, to move:

This House notes:

That the KwaZulu-Natal Department of Education is currently conducting a province-wide headcount at schools;

That ghost learners and educators are costing the department millions which could be better spent on improving quality teaching and learning;

That although SAMS is designed to be a true reflection of learner enrolment, a physical headcount needs to be conducted; and

That officials should disregard registers because these records can be manipulated.

This House therefore resolves:

To call on the department to ensure that figures are accurate, leaving no room for fraud; and

To support a physical headcount which is the only accurate means of ascertaining learner enrolment.

7.7 Ms S Hoosen, DA, to move:

This House notes:

That the country is mourning the death of Johnny Clegg, a renowned South African artist and musician, who used his status to vehemently oppose the apartheid government;

He managed to achieve social cohesion where many politicians have failed.

In light of his contribution to this country –

This House therefore resolves:

To recognise Johnny Clegg's achievements across all racial lines;

To recognise Johnny Clegg's contribution to social cohesion; and

To call on the Premier to communicate with the President to arrange for a state funeral.

7.8 Mr C J Pappas, DA, to move:

This House notes:

That communities across the country have become victims of gang violence, turf wars and drug-related organised crime;

That little has been done to stop this;

That the communities of Wentworth, Mariann Ridge, Sydenham and Newlands in eThekweni have been hit hard by an increase in gang-related crime; and

That the DA condemns the increase in gang-related crime, drug abuse and the breakdown of our communities due to the inadequate response by government.

This House therefore resolves:

To support the call to deploy anti-gang units to the communities of Wentworth, Mariann Ridge, Sydenham, Newlands and all other affected communities in eThekweni.

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

This House notes:

That the MEC for Community Safety outlined aspects of the District Crime Prevention Plan during his budget speech; and

That this department is the custodian of citizens' protection.

This House therefore resolves:

To call on the MEC to present an executive summary of his plan to the Legislature, and to use the EPWP grant to pay CPFs and registered community and neighbourhood safety formations as these brave men and women assist the police selflessly.

7.10 Mr M E Phakathi, ATM, to move:

This House notes:

The unfair and reckless treatment of patients at public hospitals;

This kind of treatment often results in patients dying at these hospitals before getting any form of medical treatment; and

Some patients are even turned away and sent home without having received any treatment at all.

This House therefore resolves:

To condemn this kind of behaviour by health practitioners at public hospitals; and

To call on MEC for Health to pay very close attention to this matter.

7.11 Mr T V Xulu, ANC, to move:

This House notes:

The very encouraging and speedy interventions by ANC MECs to the daily challenges in our society; and

The MEC for Education, hon K I Mshengu's intervention at Laduma High School, a poorly performing school in KwaMpumzu where the pass rate had dropped from 67% in 2017 to 47% in 2018, and where the matter of the non-functioning school governing body (SGB) was also highlighted.

This House therefore resolves:

To congratulate the MEC who has proved, once again, that the ANC leads.

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

Le Ndlu iyakunaka:

Ukuthi ama-*commercial banks* anikeza ngemali-mboleko ejonge inzuzo ngama-*interest rates*.

Baningi abantu asebethathelwe izindlu zidayiswe kwi-*auction* ngenxa yokuhluleka ukukhokha, sebhekhe iminyaka eminingi.

Ngakho-ke le Ndlu inquma kanje:

Ukuthi uhulumeni angenelele ngokuba kubekhona i-*policy*.

Ezo-*regulator* indlela ama-*banks* asebenza ngayo, ongxiwankulu bakhokhelisa ukuba bayanzanjeni inzuzo abanandaba nesimo sabantu abazithola bebhekene naso ngenxa yezikweletu.

Akufanele abantu baphucwe izindlu uma sebekhokhe more than five years khona lapho kube sekufanele baqhubeke nokukhokha imali ye bond noma besenganazo izindlu.

[This House notes:

That commercial banks are in the money-lending business because they expect to gain interest on loans;

That many people's houses have been repossessed and auctioned off because of a failure on their part to service their debt, after having paid towards their debt for many years.

This House therefore resolves:

To call on government to come up with policy interventions in this regard;

To call on government to regulate the way in which banks operate; capitalists believe in making profits and do not care about the dilemmas people may face because of debt.

People should not have to lose their homes once they have paid more than five years; people are expected to continue servicing their mortgage bonds, even after their houses have been repossessed.]

7.13 Mr S Sonjica, ANC, to move:

This House notes:

The sad, brutal and senseless killing of Pastor Sakhile Mhlonishwa Langa of eThekwini Community Church on Saturday, 13 July 2019;

That Pastor Langa was murdered while helping to apprehend an alleged robber; and

That he had died while performing an heroic act.

The House therefore resolves:

To send its condolences to Pastor Langa and the congregants of his church; and

To call on the police to leave no stone unturned in solving this case.

7.14 Ms N J Nkwanyana, IFP, to move:

This House notes:

The death of a 63-year-old patient who was beaten to death at Ngwelezane Hospital, eMpangeni, over the weekend;

It is alleged that the perpetrator was a fellow patient who is mentally disturbed.

This House therefore resolves:

To call on the Department of Health –

- To provide adequate security for patients who are admitted to psychiatric hospitals;
- To diagnose patients and group them accordingly in the various wards;
- To hold accountable any person found guilty of negligence, thereby causing the death of the aforementioned patient at Ngwelezane Hospital; and
- To build more hospitals and wards to address overcrowding at hospitals.

7.15 Mr B Singh, DA, to move:

This House notes:

That eThekweni Municipality recently held a municipal car auction in Umbilo;

According to media reports, residents from the minority Indian and coloured communities were chased away;

The DA will never accept or tolerate even the slightest hint of racism; and

This conduct, which has been exposed, indicates that the ANC is a racist organisation.

This House therefore resolves:

To call on hon Sihle Zikalala, Premier of KwaZulu-Natal -

- To issue a public apology to these minority communities;
- To condemn this type of behaviour as an act of racism; and
- To urgently investigate this incident for the sake of social cohesion in KwaZulu-Natal.

7.16 Mr M B Ntuli, ANC, to move:

This House notes:

The spate of violent public protests taking place in various parts of KwaZulu-Natal – Mtubatuba and Danny Dalton, for instance – scaring motorists and scaring away investment; and

That these protestors do not only break the law, but also cause damage to our roads.

This House therefore resolves:

To call for drastic steps to be taken against those who are found to be the ringleaders of these protests so that they can be held accountable for their deeds.

7.17 Mr N Ntombela, ANC, to move:

This House notes:

The tragic passing of former football player Marc Batchelor;

In this prime he was the only white player who played for Kaizer Chiefs, Moroka Swallows and Orlando Pirates;

He won the CAF Champions League in 1995 with the Buccaneers;

He had charisma and character, and was very much a team player; and

He became a prominent soccer analyst after his retirement.

This House therefore resolves:

To mourn this former Bafana Bafana player, a Buccaneer, a Khosi for life, iSwayiswayi [*Moroka Swallows*].

7.18 Mr N R Mthembu, ANC, to move:

This House notes:

The reaffirmation by the Minister of Mineral Resources, during his budget speech last week, that nuclear power remains part of our energy mix;

The progress made in finalising South Africa's Integrated Energy Resource Plan, which is currently awaiting comments by our social partners at Nedlac before it goes to Cabinet for approval; and

The draft Integrated Energy Resource Plan, which details our country's energy needs and which supports cleaner energy, with gas, nuclear, petroleum, hydro and renewables as part of the energy mix.

This House therefore resolves:

To welcome these developments.

7.19 Mr V R Mlotshwa, NFP, to move:

Le Ndlu iyakunaka:

Ukudutshulwa kwabashayeli bamatekisi laphaya eMlaza izolo ebusuku, ababulawe ngesihluku.

Lokhu sekuyinsakavukela umchilo wesidwaba lapha KwaZulu-Natali okumele kunqandwe;

Siyakuqalekisa siyi-NFP.

Ngakho-ke le Ndlu inquma kanje:

Ukuba uMhlonishwa u-Kaunda ahlele uphenyo oluphuthumayo ukuze kubanjwe lezi zigilamkhuba ezinganaluzwelo, ziboshwe zibolele ejele.

[This House notes:

The brutal and fatal shooting of taxi drivers in Umlazi township last night;

This has become a regular occurrence in KwaZulu-Natal and has to be stopped;

The NFP strongly condemns this scourge.

This House therefore resolves:

To call on hon MEC Kaunda to institute an urgent investigation so that these criminals can be apprehended, jailed and made to rot in jail.]

8. 14h43 The Speaker announced the following panel of Presiding Officers to assist during Committee Stage:
- 8.1 Mr S A Duma
 - 8.2 Ms M C Frazer
 - 8.3 Ms M Govender
 - 8.4 Mr J S Nxumalo
9. 14h44 The Speaker left the Chair.
10. 14h45 The House resolved itself into a Committee of Supply and the debate on Vote 5 – Education commenced and was concluded at 17h32.
11. 17h33 The debate on Vote 13 – Social Development commenced and was concluded at 19h50.
12. 19h51 The Speaker resumed the Chair.
13. 19h52 The Chairperson gave a report on the Committee of Supply and sought permission to sit again.
- Permission granted.*
14. 19h53 The Speaker made an announcement and remarks.
15. 19h54 The House was adjourned until Friday, 19 July 2019 at 09h00.