



# KWAZULU-NATAL LEGISLATURE

AN ACTIVIST, PEOPLE-CENTRED LEGISLATURE



**BUDGET VOTE SPEECH**  
5 JUNE 2020

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**Honourable Ms Nontembeko Nothemba Boyce**

Speaker of the KwaZulu-Natal Legislature



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## BUDGET VOTE SPEECH

BY THE SPEAKER OF THE KWAZULU-NATAL LEGISLATURE  
HONOURABLE NONTEMBEKO NOTHEMBA BOYCE MPL

HONOURABLE DEPUTY SPEAKER

HONOURABLE PREMIER

MEMBERS OF THE EXECUTIVE COUNCIL

MEMBERS OF THE PROVINCIAL LEGISLATURE

SECRETARY TO THE LEGISLATURE

SENIOR MANAGEMENT OF THE LEGISLATURE

SENIOR MANAGERS OF THE GOVERNMENT DEPARTMENTS

INVITED GUESTS

LADIES AND GENTLEMEN



# 1. INTRODUCTION

**Honourable Chairperson, it gives me enormous pleasure to rise before this august House today to present the 2020/2021 Budget Vote for the KwaZulu-Natal Legislature.**

We meet at a trying period in the life of our country and indeed the international community at large. We are at an epoch which, to paraphrase the English poet William Butler Yeats, threatens to undermine the very centre of our convictions and hopes, and loosen anarchy upon the world.

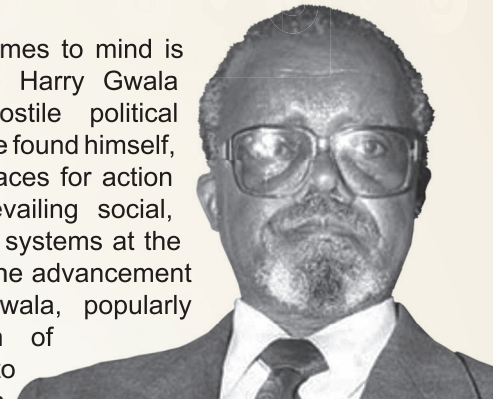
Honourable Members, there is no denying the devastation wrought by the deadly Covid-19 epidemic which has aptly been dubbed as the invisible enemy. However, for all its invisibility, the evidence of its presence is stark for all to see across cities, towns, villages and entire countries where the pandemic has left behind a trail of obliteration on people's lives and the economy.

The virus has slowed our already sluggish economy to a crawl with some businesses having closed for good resulting in massive unemployment. There is no doubt that the complexity and duration of the despair we face today will continue to depend on many factors, including the public health responses, state interventions as well as strong oversight and public involvement.

But despite it all, or perhaps because of it, we owe it to ourselves and generations to follow after we have shaken off this mortal coil to not capitulate to despair in this battle against the Covid-19 pandemic. As we implement interventions to emancipate our beloved country from the economic doldrums and, above all else, preserve the lives of hundreds of thousands of our people, we must draw lessons and strength from our forebears who, through far-sightedness and determination were able to conquer an enemy far more sinister and barbaric in the form of colonialism and apartheid.

Honourable Members – now is not the time for scepticism! Over the past 72 years since the introduction of apartheid, South Africa has been a standing rebuke to such scepticism. Indeed, few would have thought that when apartheid was first introduced in 1948, the Black majority would one day ascend to power and mould a democratic dispensation in 1994. But it was never easy, and it took blood, sweat, tears and thousands of mostly Black lives before we could achieve triumph.

A name that easily comes to mind is that of Thembeyakhe Harry Gwala who despite the hostile political environment in which he found himself, was able to create spaces for action and take use of prevailing social, economic and political systems at the time as a catalyst for the advancement of social change. Gwala, popularly known as the Lion of Midlands, would rise to become the first African National Congress (ANC) Chief Whip in the KwaZulu-Natal Provincial Legislature following our democratic breakthrough in 1994.



HARRY GWALA

Dr Mxolisi Dlamuka, one of South Africa's respected historians, describes Gwala as a leader that was always determined to find solutions to challenges faced by the people. These abilities, Dr Dlamuka postulates, enabled the late Hon Gwala to turn his imprisonment at Robben Island into a site of political struggle. Therefore Honourable members – in posthumously celebrating the Lion of the Midland's centenary birthday this year, but also because of the need to invoke the fighting spirit of this gallant revolutionary as we wage the war against the Covid-19 pandemic – we have taken a decision to dedicate this year's budget speech to the first Chief Whip of the Opposition of this House, the late ubab' uGwala.

As part of celebrating the life of this gallant hero, we have commissioned a journal, that will serve as a historic consolidated record that will document all those men and women who have selflessly served the interests of democracy and the principles of our cherished Constitution since the dawn of democracy. It will become part of our history and legacy for the youth and others to find local role models from within this House as we build a capable state.

To further ensure a resounding celebration of the centenary year for the Lion of Midlands, we are hard at work on plans for the Harry Gwala Memorial Lecture to be delivered on the 31st July, which is his birthday. Honourable Members will be kept in the loop regarding logistical preparations.

## 2. CONSTITUTIONAL MANDATE

**Turning to our constitutional mandate as the Legislature, Honourable Chair, I will remind this august House that in his several addresses to the nation on Covid-19, our President, His Excellency, Cyril Ramaphosa has consistently indicated that we are awakening into what he has called “a new reality”. Sometimes we call this new reality a “new normal”.**

As oversight and law-making bodies, the Legislative sector should familiarise itself with this “new normal” because it is this “new reality” that has begun to dictate how we are to execute our constitutional mandate. We should, therefore, find it wise to spend time unpacking what this new reality is, what drives it and most importantly, how our current operating models need to be re-engineered for this future that is already on us.

While we remain focused and faithful to the implementation of the National Development Plan (NDP) through our Provincial Growth and Development Plan (PGDP), our law-making priorities and approaches are now faced with an urgent need to adapt to the dictates of this fast encroaching new reality which, amongst many other factors, as the President indicated, is influenced by:-

- (i) The fact that experts predict that the Covid-19 virus is likely to remain a threat to global public health for some time. This compels us all to be prepared for a rather long fight not only against Covid-19 but also against its negative aftermath.
- (ii) Our level of compliance to lockdown and health protocols especially changes we need to make at a level of behaviour particularly in public spaces. Acquiring and correctly using personal protective equipment and clothing cannot be overemphasised.
- (iii) Global and national economic strain as a result of the necessary lockdown protocols. This necessitates urgent economic recovery strategies without exposing our people to health risks.

As a Legislature, we appreciate that this new reality, requires all of us to prioritise the revamping of protocols at :-

- (i) workplaces;
- (ii) schools/colleges/universities;
- (iii) public spaces such as malls and our shopping habits;
- (iv) public transport health precautions are to be enhanced as well as;
- (v) review public health service delivery models and strategies.

We further appreciate that our communities will also need to be assisted in adapting into new and safer ways of worshipping, socialising, exercising and holding community meetings to minimise chances of Covid-19 infection and spread thereof.

All of this, Honourable Members, suggests that we are potentially faced with a need for :-

- (i) new or amended laws;
- (ii) new oversight focus points; and
- (iii) innovative public participation and involvement modalities.

Last year, Honourable Chairperson, we talked of a paperless agenda for the Legislature. We indicated that in the face of slow economic growth and dwindling public resources, to employ efficiency tools in the context of the fourth industrial revolution is a viable option. Although the process in this direction started at a slow pace, as I will indicate later, there was in the last three months an accelerated rate towards digital platforms. I stand here today, with some level of comfort that digitalisation is an agenda within reach.

In the past weeks, we have not only begun to hold virtual Committee meetings, House Sitings and public participation programmes, we have also attained a significant level of paperless Committee and House operations. Looking back to twelve

months ago, we might as well conclude that we were not only prophetic but that our prophecy is being fulfilled as we speak. We are not only becoming paperless, we are also making savings as we continue to seek to reach more through digital platforms.

I must commend Members of this august house, the staff of the Legislature, Departments and all our stakeholders for adapting and making it possible that today, we are amongst the leading Legislatures in the country in running paperless operations on virtual platforms especially on safely live-streaming our programmes.

It is important that we state that we will continue to rely on your support as we now focus on perfecting our competencies in the utilisation of our newly acquired digital capabilities. This will require us to make ourselves available for training on basic computer literacy to advanced utilisation of smartphones, tablets and laptops. Our ICT and Human Resource Development programmes have a radical capacity building programme to roll out during the 2020/21 financial year. I must also hasten to say Honourable Chairperson, that we have entered a technology terrain that has been traversed by other countries both in Africa and overseas. There is a lot to be learnt out there and if need be, we are prepared to engage on high-powered benchmarking and empowerment programmes in this regard.

While digitalisation is currently benefiting the core business of the Legislature, the administration wing is to swiftly follow suit. The Legislature as a whole is strategically set to be a smart institution and this is an objective we are committed to achieve sooner than later. Pressure is already on our corporate services to also adapt their business operations and processes onto digital platforms. As we move in this positive trajectory, we are obliged to relook at our policy infrastructure to facilitate digitalisation. This will cover a whole spectrum of administrative processes starting from work execution to supervision and management systems.

This time next year, we should be celebrating other milestones on our digitalisation journey. One of the next milestones is the rolling out of a Legislature APP aimed at making it easy for Members, Legislature staff and our stakeholders to both access and share required Legislature information at a press of a button.

### ***PressReader***

In keeping up with technology and strengthening oversight through access to information, the Legislature has subscribed to *PressReader* for all members so they can access, read and utilize newspapers online using their smart phones and gadgets.

### ***Efficiency Oversight***

Let me also remind Honourable Members that as we stated last year, our target on digitalisation is not only focussed on the Legislature, it also seeks to demonstrate that even Departments can look into this agenda in their quest to enhance government efficiencies. Other internal successes in this regard are also laying a foundation on which we will develop and roll out a methodology on conducting oversight on the efficiencies of government's service delivery processes. We are aware of frameworks developed by the Department of Public Service and Administration on issues such as Operations Management and Service Delivery Models. Such frameworks have an objective of enhancing service delivery and cutting costs. Our oversight eyes are therefore turning in that direction especially because of possible further budget constraints due to the emerging Covid-19 expenditure.

### ***Learning From Crisis***

With due respect and heartfelt condolences to families for the many lives lost and affected by Covid-19 in the province, the country and globally, the wise and the alert, will always draw valuable lessons from every crisis. In the past three or so months, Covid-19 showed us that if we as a people put our minds onto an objective, as long as we remain united and focussed, even the impossibilities, become areas of new opportunities.

Without downplaying the many unfortunate social ills and administrative challenges that have, for an example, given rise to some heavily littered communities and dirty cities, we have in the past weeks of the lockdown seen cleaner cities emerging. This begs us to ask questions such as:-

- (i) what new laws are required or which laws need to be better enforced to keep our communities and cities clean post Covid-19? How can the Green Good Deeds programme be better equipped to help us achieve safer and healthier environments for our people?

- (ii) what laws and what type of oversight is required to keep street kids and related crimes at bay? what legislative work is required to facilitate the healing of broken and malfunctioning families that produce street kids and people that are prone to crime?
- (iii) what better public and civic education strategies on alcohol and drug abuse are required to maintain and enhance responsible alcohol-drinking to keep drunken driving and traffic accidents low as well as keep a low workload in our hospital casualty wards and other health facilities?
- (iv) how can oversight, law-making and public involvement be utilised to take advantage of Covid-19 screening and testing programmes to promote early dictation and treatment of deadly diseases such as sugar diabetes, cancer, TB etc. Promoting healthy living should significantly lower pressure on our already burdened health facilities?
- (v) how should the Legislature use its mandate to facilitate a fast recovery of lost economic ground during this lockdown period? How can our businesses, especially the youth, be

assisted to explore the many opportunities in the fast-growing digital economy? How can we innovatively use our mandate to assist government to prepare our people and businesses for an effective radical but responsible economic transformation?

- (vi) How can we creatively take advantage of this crisis to deepen our democracy?
- (vii) We acknowledge the timely turn-around delivery by government on many issues ranging from tackling crime related cases to provision of basic services such as water and its communal tanks and many other services delivered during the Covid-19 lockdown pandemic. This indicates that there is a potential to do more and within a short space of time to ensure better quality of life for all.

Honourable Chairperson, it should suffice to state that the list is not exhaustive, we are merely giving a few pointers in the direction of areas we are to embrace going forward.



June 5 2020 at 12:00 • A Cleaner Pietermaritzburg City Centre During Lockdown Level 3

# 3. OVERSIGHT

On oversight Honourable Members, we have not deviated from the implementation of provincial priorities in the context of the National Development Plan (NDP) and also espoused in the Provincial Growth Development Plan (PGDP). For this sixth Legislature, and in terms of our strategic plan, we have adopted an oversight strategic objective of providing an efficiency and research-driven oversight.

### **Committee Researchers**

Honourable Members will recall that having acknowledged the central role of research and financial analysis in our oversight duties, we committed to continue to find means and resources to provide all Committees with at least one dedicated researcher and avail Budget Analysts to all Committees. I am happy to state that to date, an additional four Committees have since been provided with dedicated Researchers. While these Researchers are already servicing Committees, they are still undergoing training and development and will be continuously supported and exposed to SOM prescripts.

While processes are still underway to secure more Researchers for the remaining Committees, we are also focussed on buttressing management capabilities in the Research unit to improve quality of research rendered to Committees.

As part of strengthening our research work and oversight work, Researchers, Budget & Content Advisors as well as Cluster Managers received a refresher course work on SOM mechanism with an emphasis on how best to implement Budget Information Matrix and zoomed on tools of analysis for SOM. This week-long training programme included as well the following areas:-

- (i) Training by the Department of Planning, Monitoring and Evaluation (DPME) on the NDP and the new planning framework. Although such a framework was for Departments, it was important for our Committee support teams to be exposed to the framework so they could provide better analysis of draft departmental APPs, draft Budget, and quarterly and annual reports as required by the Sector Oversight Model (SOM).
- (ii) Training by the Office of the Premier and the Planning Commission Secretariat on PDGP and on how Provincial Departmental planning is coordinated to ensure that NDP/PGDP outcomes and targets are expressed in Departmental strategic and annual performance plans.

I must remind Honourable Members that when our Committees in the fifth Legislature began to draw up their Annual Oversight Plan priorities from the NDP, this caused some Departments to review their APP targeting. It is therefore encouraging to note that the Office of the Premier has since then continued to perfect its coordination of mainstreaming the NDP/PGDP into Departmental APPs.

This move by the Office of the Premier should be viewed as an oversight success story for the Legislature. We are happy to provide this positive feedback to the Premier, our MECs and other stakeholders that indeed, APPs in the Province have progressively embraced the NDP/PGDP. Going forward, our oversight agenda is now to be on monitoring service delivery baseline



Committee Meetings



information on PGDP outcomes and targets as well as the work of Action Working Groups (AWGs). We will be overseeing departments and ensuring that they report progress on their performance against the PGDP on a quarterly basis.

### **Chapter 9 & 10 Institutions**

To augment our internal research capacity, as we stated last year, we have maintained our relationship with Chapter 9 & 10 institutions. The Chairpersons' Committee has had STASSA providing valuable presentations and briefings in its meetings. While the Commission for Gender Equality (GCE), has been presenting in our Sector Parliaments, through our Research, Committees and Organisational Performance units, we are seeking to officialise our partnership with CGE. In the last quarter of 2019/20, our units met CGE to start drafting terms of reference for the anticipated form of partnership. We are looking at concluding on this matter within the second quarter of the ensuing year. Follow-ups on the same with the Human Rights Commission are also underway.

### **Committee Work Audits and Submission of Departmental Quarterly Reports**

Honourable Chairperson, in the context of monitoring the implementation of PGDP through quarterly and annual performance reports, Members will recall that last year we raised a concern on late submission of reports by Departments. I must say that in the past year, we saw major improvements in this area. There are, however, still some Departments that have not as yet pulled up their socks in this area. Chairpersons and Portfolio Committees are actively engaging the affected MECs on this matter as a first step to redeem the situation.

The second approach introduced to improve on this matter is that, the analysis of Departmental quarterly reports have in our 2020/21 APP, been elevated into a quarterly reporting regime in terms of FMPLA. This means late submissions of quarterly reports will be reported as part of the Legislature's quarterly performance reports that get tabled in the House and to Stacov. These reports are subject to audit by both the internal auditors and the Auditor-General.

- (iii) Our Researchers were also trained by the Office of the Auditor-General during the week-long workshop that was held at Dube Trade Port. While the training covered the AG's general role and responsibilities, it focussed on the legislative amendments in the auditing arena. This was important for our Committee support staff to understand and ensure good governance at a Committee level.

Honourable Members will recall that last year we shared with this august House that the audit of Committee work through SOM has moved to centre stage. It is for this reason that the AG was requested to interact with Committee support staff.

In this context, Honourable Members, we cannot over-emphasise the need to adequately focus on good governance and clean administration in pursuit of good audit outcomes. There is a need to continue to seek and implement means of eradicating non-compliance and corruption within government and the Legislature itself.

### **Covid-19 Expenditure and Oversight**

It is important at this juncture that I should talk about audits and corruption issues especially because the President recently made an announcement that the state has planned a R500 Billion Covid-19 expenditure to cushion businesses and social grant beneficiaries. This on its own, calls for vigilant oversight to ensure that such monies are fully accounted for and that they get to the correct beneficiaries without any flouting of procurement regulations. Our oversight Committees are committed to ensuring that risk and fraud prevention plans by state Departments and entities are effectively implemented.

While oversight should cover all budget programmes in our departments, it is advisable to prioritise programmes that consume large chunks of departmental budgets. We should also keep a sharp eye on poor audit outcomes, service delivery and fraud issues raised by the public and media because such matters may be precursors of wasted state resources that may lead to service delivery protests.

Whilst on the issue of Covid 19 and oversight, Honourable Chairperson allow me to commend the good work and interventions done by all Committee Chairpersons in their constituency areas. They intervened when our people were ill-treated during this lock down period, when regulations were not followed by retail owners, when crime related activities were taking place and when many cases were reported and they ensured MECs intervened and acted accordingly. These were even shared and discussed in the whatsapp platform for chairpersons. Success stories of interventions by MECs were also reported in the print media by various government departments, but they emanated as observed by chairpersons on the ground. Our people were also reporting their issues and concerns to them for championing.

**Resolution tracking**

The tracking of resolutions and oversight visits remain constant targets in our APPs and expressed in Committee Oversight Plans. While Committees continued to make follow up on implementation of applicable resolutions, in this year, we will be tabling quarterly reports on the status of resolutions taken. This will also be one of the features in the planned Legislature APP. This will include as well, the status of questions directed at MECs by Members.

**Oversight visits & Functionality Programme**

As part of ensuring robust oversight especially on projects by the executive, SOM requires that oversight visits be conducted to verify reported performance. While this remains an effective tool, it is a tool that needs to be executed with costs in mind. It is for this reason that last year we indicated that a mechanism would be put in place to ensure cost effectiveness in this regard. Indeed, through the Office of the Chairperson of Committees, controls were effected and Honourable Members are here to attest to this.

In our current state of lockdown, this is one of those mechanisms that yearns for innovation and creative thinking. The functionality oversight programme is another type of oversight visits wherein the health facilities, schools, war-rooms, community policing fora, etc across the Province are physically visited by Members to validate by direct observation the level of functionality and performance of government facilities.

While we remain resolute on continuing with these programmes, we are weighing options and invite Members to consider innovative approaches. How can we best utilise technology and or comply with lockdown protocols of physical distancing and wearing of personal protective equipment in conducting oversight visits? Where there is a will, there will be a way.

**Focussed Intervention Studies (FIS)**

Honourable Members, we will recall that since the inception of SOM, almost ten years ago,

our Committees have been producing through our Research unit, FIS reports. These reports have valuable recommendations. While we will continue producing new studies (FISes) in terms of our Committee AOPs, we have come to a point where we should be pushing for the implementation of these recommendations by government departments and give us action reports (progress) on a quarterly basis.

In the year 2020/21, our Knowledge Management unit will compile, bind and produce annual volumes of these FIS reports. These volumes will be made available through our Library. Committees are encouraged to ensure that FIS topics are adopted early, preferably before the close of the second quarter. This will allow adequate time for research and processing of reports as well as implementation of applicable recommendations.

Honourable Members, we are all aware of the District Delivery Model that was introduced to enhance service delivery. We have an obligation of ensuring that we not only familiarise ourselves with it but of conducting oversight on its implementation. An FIS for the Committee of Chairpersons on this matter may appropriate to develop an oversight approach on the implementation of this model.

**International Empowerment Programme**

Last year, Honourable Members, we committed to review the policy on what we used to call International Study Tour. We also committed to ensure that early plans for traveling be made to ensure that in 2020/21, Committee engage on their empowerment programmes without delays.

We have, Honourable Chairperson, amended and approved the policy as promised. However, while we had also approved an implementation plan, Committees have not been able to embark on the programme in light of Covid-19 lockdowns. This will is anticipated to be the status until the country has lifted the travel ban and the host countries have given the go ahead in respect of receiving travellers from other countries.



MPLs visit Northdale Hospital

# 4. LAW-MAKING

## **Impact of Bills**

Honourable Members, this Sixth Legislature will pursue a law-making strategic objective of providing an impact and consultative law-making process. On this note, Honourable Chairperson, we indicated last year that during this term, we will, amongst other laws, look at scrapping of unconstitutional prescripts from the apartheid era and assess impact of laws passed by this democratic era especially Provincial ones. It is during this year, that this process will begin and next year we shall give an account on this matter.

## **Political Party Funding Act**

Honourable, Chairperson, Members will recall that last year we indicated that National Parliament passed a National Political Party Funding Act, a state of affairs that has implications on the implementation of the KwaZulu-Natal Funding of Represented Political Party Funding Act 07 of 2008.

In an effort to ensure that the Legislature is compliant with the upcoming National Act, our Legal team began a consultative process with the Provincial Treasury's legal team on the future of our Provincial Act. Consultations were also made with the Independent Electoral Commission (IEC) in the Province on this matter. It is clear that to remain compliant with the National Act, our Provincial Act has to be repealed. A suitable funding mechanism needs to be developed and be put in place in time before the National Act comes into effect. This is therefore one of the strategic deliverables for the 2020/21. Appropriate consultations with political parties represented in the House is in our priority list.

## **Bills: Subordinate Legislation**

While the Legislature is constitutionally empowered to pass and oversee implementation of Provincial laws, there is, however, a gap regarding the oversight over subordinate legislation. The Legislature is yet to get into this space of playing a more central role in the development and amendment of regulations for Provincial Legislation. We therefore look forward to entering conversations at appropriate and strategic levels on this matter.

## **Provincial Act to allow amendment of money Bills**

Related to the matter on subordinate legislation that I have just talked on, Honourable Chairperson, there is another gap. While the legislature may amend any Bill that is referred to the legislature prior to adopting it, the Legislature's law-making power is severely curtailed by its inability to amend money bills. This is in view of the fact that section 120(3) of the Constitution provides that a provincial act must provide for a procedure by which the province's legislature may amend money Bills. There is therefore a need to pass such a provincial Act.

## **Standing Rules Amendments**

In the context of digitalisation as already discussed, we had to move fast to amend our Standing Rules. This was to ensure that while the Legislature moves to employ concepts of virtual conferencing in its business, we remain within the provisions of the Rules of the House. We remain thankful to Members of this august house, especially the Rules Committee for the contributions made to get us to legally utilise technology at this level.

I am sure that as we continue to innovate, we will identify other areas in our rules that will need a review to allow innovation to up our game.

## **High Level Panel Report**

Honourable Members will recall that during the Fifth Legislature, the National Speakers' Forum of South Africa appointed an independent advisory body (High Level Panel – HLP) to assess the effectiveness and rate of acceleration of change and transformation in the country since 1994. The report of this advisory body had recommendations for each Province. We indicated last year that in this term, we will act on this matter.

This being a high-level report, there needs to be strategic approach on this matter. We are therefore looking into rolling out a political process of managing such an important issue.

# 5. PUBLIC PARTICIPATION

## **Breaking New Grounds**

Public participation is the heart of our democracy. This is a mandate that we seek to pursue honestly. Our strategic objective is to continuously establish formidable and strategic partnerships with citizens, communities and civil society organisations. We stated last year that vulnerable groups including but not limited to victims of gender-based violence, sex workers, the LGBTQI+ communities, street vendors will be targeted.

We are happy Honourable Members, to report to you that while we were successful in holding our standing public participation programmes, we were able to reach out to new society groupings within our Province. We know that at least Gauteng Legislature has been engaging with such groups in their Province. We intend having more interactions with them and explore other ways of engagements.

Through annual symposiums, we will continue to cement our working relations with marginalised and vulnerable sectors such as Sex Workers, LGBTQI+ and the youth, particularly young women. We want to also highlight, Honourable Members, that June is not only a youth month, it is also a pride month for the LGBTQI+ community. We therefore seek to ensure that the month of June does not pass silently.

## **Social Media**

Having acknowledged that a growing number of our youth is fast moving onto a digital economy and communication platforms, we indicated that our operations as a Legislature will need to adapt

in a manner that will include those that have moved onto fourth industrial revolution platforms. We must say that today, we have begun a journey to reach out to more people and the youth that are on digital platforms.

However, to enhance our effectiveness on these platforms, our Public Participation Practitioners will continue exploring innovative thinking and ideas to develop appropriate programmes and activities for digital platforms. This is another new terrain for us and as such, there is still a lot to learn and to adapt to. We now need skills and type of jobs that specialise in facilitating public education and involvement through on-line platforms.

As we have indicated earlier, through technology, we are now able to invite more people into our House and Committee meetings as required by both our Rules and SOM. Honourable Members, we are in a fast-track mode towards what we would call a modern public participation modality.

## **Public Education**

As we move onto public education, we are once again reminded of uMphaphethwa, the Lion of Midlands who became known for his teachings at Robben Island. He was a great “political teacher” who taught generation after generation of struggle. This work of teaching led many to refer to him as “Our University”. Many of today’s leaders drank from his deep well of wisdom. It is in this spirit of teaching that we also want to drive our public and civic education programmes.



*Speaker's Social Responsibility Programme engages Gender and LGBTQI+ leadership*

Honourable Chairperson, we want to remind your House that in our last year's commitments, we planned to run a minimum of 20 public education workshops. These workshops provide the public with information on Legislature's mandate, its House and Committee activities, petitions as well as general government processes. While amongst other groupings, we had originally targeted the youth in secondary schools, an overwhelming request for primary school tailor-made workshops were received. Our success in responding to this request led us to conduct well over 40 workshops.

Going into 2020/21, we will also be emphasising voter-education in these workshops. As an activist legislature, public participation is to be used to contribute towards finding solutions to violent protests, social ills and other community destabilising issues.

As we approach our next Local Government Elections, we will draw lessons from the voter education programme we ran ahead of the 2019 general elections to improve and run another voter education programme. This will be a programme that will run beyond the Local Government Election as we believe that voter education should be a perpetual process and not a once off event.

### **Constituency Offices**

In our continued bid to get closer to our people, Constituency Weeks continued to be used by our Members to reach out to the needs of our communities. In the recent weeks since the lockdown, we saw many of our Members working

on the ground in their constituencies. This as we indicated last year, is part of ensuring that the Legislature, through the constituencies becomes more visible in the communities.

This lockdown period has given us an opportunity of looking at how best should our Constituency Offices be better capacitated as springboards for Members to do their constituency work and how communities may make inputs into the work of the Legislature. The Office of the Chief Whip will continue to work with political parties on this matter to ensure that our communities have easy access to their constituency offices.

Importantly, Honourable Chairperson, through our constituency offices, we will be exploring opportunities to strategically partner with Ward Committees, Community Policing Forums, School Governing Bodies, Clinic Boards etc. We hope that such partnerships will effectively assist in introducing Community-based Oversight within the Province.

### **Provincial Speakers' Forum**

Honourable Chairperson, we have not reneged on our commitment to revive the Provincial Speakers' Forum. Our consultation process with strategic stakeholders such as SALGA and Cogta should see us get started during the course of the year. We need to do this as our contribution to assist oversight and law-making at local government levels.



*Member of the public making inputs during public engagements*

# 6. LEADERSHIP AND GOVERNANCE

## **Governance**

We remain resolute in our commitment to achieving and maintaining a clean administration. On this note we continue to make ourselves available to scrutiny by and to account to the Standing Committee on Oversight (Stacov). We believe that inputs from Stacov are strategic in strengthening our controls, efficiencies and improving the operations of the Legislature at a systems level.

## **Qualified Audit Opinion**

It is, however, unfortunate that the Legislature received a qualified audit opinion for the year 2018/19 emanating from identified weaknesses in asset management. This is a sour wound in our bag of experiences which we are working flat out to heal as we work closely with Stacov.

## **Speaker's Social Responsibility Programme**

Through the Speaker's Social Responsibility Programme, the Legislature continued to make interventions where it was morally justifiable to do so. This programme is by design a partnership between the Speakers' Office and private sector donors. It is one other means by which the Legislature becomes visible in the communities and strategically becomes responsive to day to day challenges of needy individuals, families and civil society organisations.

Beneficiaries included the following:-

- i. Vumanisabelo Protective Workshop at Amajuba District Municipality. This is a women-driven NPO that runs empowerment programs for women that have children with disabilities. The organization received sewing material; sewing and embroidery machines; a refrigerator; a jojo tank as well as seedlings and gardening implements.
- ii. Care Centers, namely, Thuthukani Day Care Centre, Go Women and the Shakaskraal Association for the Aged within the Ilembe District Municipality. These Senior Citizens Day Care Centers were provided with food parcels for their soup kitchens and luncheons; paint; cleaning material and gardening implements for their establishments as well as blankets and walking sticks.

- iii. Mount Currie Disabled Women's Organisation received donations of necessities such as microwave; sewing machines; learning material for the early childhood development center and wheel-chairs.
- iv. In commemorating the 16 Days of Activism, various initiatives were implemented including two intense consultative meetings with the marginalized sectors (i.e. the LGBTQI+ and Sex Workers). The young women in these sectors, drawn from across the province gave perspective for a way forward in fighting gender based violence.
- v. Under the theme Back to School 2020, needy students in eight (8) schools (Clairwood Secondary and Durban South Primary Schools; Rietvlei Junior Secondary; Izwelibanzi Junior Secondary School; Ibisi Senior Secondary School; Hafuleni High School; Mkhandi Primary School and Mbambuya Primary School) received laptops, sporting kits, school uniforms, shoes, school bags and sanitary towels.
- vi. The programme also responded to several letters requesting temporary relief intervention to needy families across the province. New and needy University entrants were assisted with basic needs required as they started their higher education journey.

While these interventions were made to only a few individuals, they went a long way to alleviate challenges facing ordinary citizens in the Province.

## **New Government Precinct**

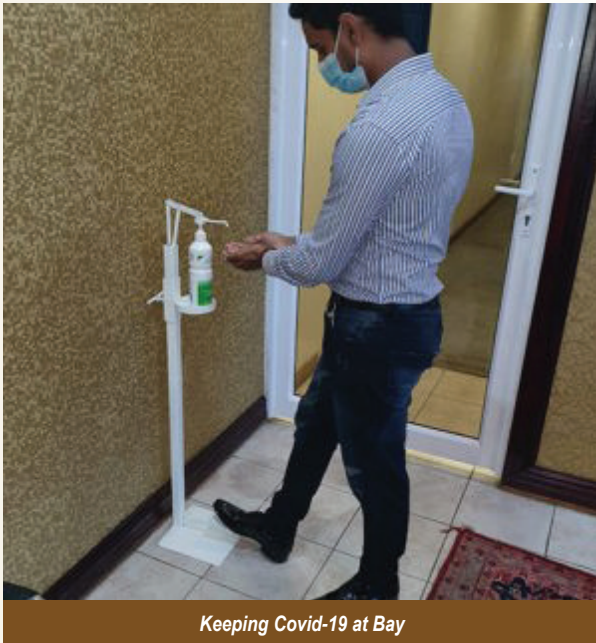
Regarding our office requirements, Honourable Members will recall that the Hon Premier, in his 2019 State of the Province address announced that plans were afoot for the building of a government precinct. To this end, our MEC for Public Works, Honourable Peggy Nkonyeni received inputs from this Speakership on the concept and in turn gave us, the Deputy Speaker and myself, feedback in a form of presentation of a draft concept developed. I must state that this project

is being led professional resources within our own Department of Public Works. We are proud to say that the Department in a close partnership with young Architects from our own University of KwaZulu-Natal. In terms of the project plan, the Legislature part of this government precinct is top in the priority list. The site is already secured at the Town Hill near the Grace Hospital.

I must also say, Honourable Chairperson that these are very early days of this project, consultations are ongoing and we will get to a point where inputs will also be requested from this House as we approach the final designs.

### **Covid-19 and Workplace Safety**

Honourable Chairperson, the Legislature is operating during the Covi-19 lockdown and as such, we are compelled to comply with its protocols. To ensure that we effectively ensure safety, we have since passed and begun to implement a Covid-19 policy.



*Keeping Covid-19 at Bay*

Part of our safety measures include but not limited to:-

- (i) Weekly risk assessments of our offices and places where Legislature activities are scheduled to take place. Non-compliance is being reported immediately and acted upon. This is done also in compliance with Occupational Health Safety procedures.

- (ii) All Members, staff, visitors and service providers entering and leaving the KZN Legislature buildings and sites undergo compulsory screening which includes temperature testing, questionnaire, hand sanitizing and wearing masks. Failure to comply will result in action being taken against the defiant individual. The isolation rooms in each building are accessible if someone shows any symptoms of Corona Virus.
- (iii) The KZN Legislature buildings and State vehicles are being Fog Sanitized and Disinfected. Continuous disinfecting devices for passages, offices, boardrooms, kitchens, toilets and chamber area are being researched to ensure an environmentally friendly workplace.
- (iv) Biometric readers are being deactivated, and card reader sections activated. This is done to limit any touching of surfaces which may result in possible viral contamination.
- (v) Protocols on social distancing with regards to shared office space, use of lifts to ensure a minimum 2m distancing are being implemented.
- (vi) All Service providers now undergo compulsory induction on the KZN Legislature Covid-19 procedures before starting any work. Any non-compliance will result in access being denied immediately.
- (vii) Sanitizing and disinfecting of boardrooms, entrances, door handles, toilets, kitchens and communal areas continue to be done on an hourly basis.
- (viii) We are in a process of installing eyes and skin friendly sanitising tunnels at entrance and exit areas to enhance safety.
- (ix) Plans are underway to provide all Members & Staff with personal protective equipment (PPE). It is now compulsory for all within the KZN Legislature to wear masks when interacting with others and when moving around the buildings.
- (x) Protocols are in place to quickly respond to Covid-19 outbreak at the KZN Legislature. The NICD will be contacted immediately to assess and advise on the way forward.

# 7. LEGISLATIVE SECTOR

## **Legislative Sector Bill**

The Legislative Sector Bill is a national Bill whose aim amongst other matters is to reaffirm the Legislative Sector as a distinct arm of government, and to provide for governance of the Sector. The Bill is a national Bill that will need to be taken through the national parliamentary process with provinces being consulted. Provinces have thus far been active in providing input into the Bill to facilitate the finalisation of a practical and implementable Bill. While the draft Bill is in place, the province is waiting for the national parliamentary process to commence in order for the Bill to be approved and finalised. The province will provide the necessary mandate when called upon to do so.

## **Regulations: Financial Management of Parliament and Provincial Legislatures Act (FMPPLA)**

As we all know, Honourable Members that our sector, amongst other Legislations, is regulated by the FMPPLA. Since its promulgations, the applicable regulations are still outstanding. A process of developing the regulations had been rolled out by the fifth Legislature but was not completed. It is now in the hands of the new sector leadership to pick this process up and complete the task to ensure uniform interpretation of the Act and enhance our compliance levels.

It is however, important to state that the FMPPLA is a national Act, and as such, the development of the regulations is largely driven at a national level by the Speaker of Parliament. At a level of the National Speakers' Forum, and SALSA, our Legal teams have been active in providing the necessary inputs into the current draft that is still being considered by the National Parliament. As KwaZulu-Natal Legislature, we will at both SALSA and National Speakers' Forum keep raising the matter to expedite the finalisation of the regulations.

In doing this, our legal team will be looking at the PFMA, MFMA and FMPPLA with a view of exploring their level of alignment and how complementary they are.

## **Sector Bargaining Council**

Last year Honourable Members, we indicated that although the Legislative Sector Bill was not yet enacted, the sector collective bargaining initiative was concluded and set to come into effect as from 2020/21. I am happy to report to this House that during the sector's Inter-Legislature Games in November 2019, the collective bargaining initiative was officially signed by sector principals. The House will be updated accordingly, on the operations of this platform.

## **Inter-Legislature Games**

The Legislature hosted the National Inter-Legislature Sector Games from the 28<sup>th</sup> to the 30<sup>th</sup> November in 2019 in Durban. We see the Inter-Legislature Games as a platform for promoting healthy lifestyle for our Members and Staff within the sector. I am happy to say that KwaZulu-Natal Legislature performed exceptionally well during these games. We bagged most of the trophies and yes, we came out tops. Our heartfelt gratitude goes to our Organising team, management and political leadership for effectively coordinating and delivering the games. We, in a special way want to recognise that great dedication was demonstrated on the field by our teams in all sporting codes that we took part in.



*KZN Legislature Soccer Team at the 2019 Inter-Legislature Games*

We also want to thank all the Members that attended these games and invite them to join and participate as players in some of the sporting codes. Honourable Members, the sector views these games seriously as especially because they offer an opportunity of fostering unity and cooperation within the sector in as much as they have a wellness benefit to those that participate.



Apart from sporting activities, sector offers opportunities : -

- (i) Providing a forum for collective decision making on key issues;
- (ii) Providing a basis to share experiences, best practice and advice on common issues;
- (iii) Co-ordinating programmes and projects of common interest;
- (iv) Providing a framework for communication and information sharing;
- (v) Sharing information and to improve standards of service within the Sector;
- (vi) Encouraging and co-ordinate programmes for skills transfer and capacity building within the Sector. On this note, I must encourage Members to take advantage of the Capacity Building programme to academically improve ourselves.
- (vii) Providing a bench-marking standard to achieve service excellence;
- (viii) Providing institutional support for transformation through evaluation of progress on projects, including joint projects;
- (ix) Co-ordinating conditions of service and benefits within the Sector;
- (x) Facilitating career - pathing within the Sector.

**Commonwealth Parliamentary Association (CPA)**

As a signatory of the CPA, the Legislature continues to participate in the activities of this association. In the past financial year, we attended the CPA Africa Region Conference in Tanzania held at the beginning of September 2019. We were also in Uganda later that month to attend the CPC Conference. The thematic areas covered by both conferences covered some of the following:-

- (i) Climate change: Achievements, challenges and efficiency of Parliament interventions
- (ii) Innovation in Parliament: The impact of science and how technology works today

- (iii) Strategies to deal with youth unemployment
- (iv) Combatting rapid urbanisation and rural decline a challenge for Commonwealth
- (v) The role of Parliaments in facilitating persons with disabilities, as electors, candidates and Legislators
- (vi) Mentoring Sessions: Fostering a culture of respect, fairness and dignity: Sexual Harassment has no place in Legislatures
- (vii) Role of Parliament in the doctrine of separation of powers : Enhancing transparency and accountability

Honourable Members, another important topic that was raised by Ghana and seconded by South Africa through Gauteng was

*“Enhancing the ICT use in providing life changing solutions in rural communities”*

The general sentiment was that Africa lost out in the third industrial revolution and should not allow a situation that it is also left behind in the fourth and fifth industrial revolution. We were therefore challenged to ensure that the continent must significantly invest in Broadband and that Parliamentary processes of law-making, oversight and public participation must be underpinned by ICT infrastructure. In seconding this topic, Gauteng highlighted that 46.9 million South Africans have access to smartphones and thus puts us as a country in a better position to employ E-Parliament concepts. On a related topic, raised by Nigeria and seconded by Eswatini, was the issue of taking advantage of ICT in providing life changing solutions for rural communities.

However, it was also highlighted that, in the context of embracing digital and knowledge-based economy, African Parliaments will need to play a strategic role in the fight against misinformation, false news and cyber crimes that often comes with social media without destroying freedom of speech in our countries.

To fully embrace and take advantage of ICT, the question of access to affordable data and electrification were raised as barriers that need urgent attention.

# 8. THE 2020/21 BUDGET

Chairperson, I now present the 2020/21 budget of the Legislature which is as follows:-

Administration	R 231 276 Million
Parliamentary Business	R 325 121 Million
Members` Remuneration	R 96 705 Million
<b>Total</b>	<b>R 653 102 Million</b>

### Allocation by Economic Classification

Compensation of employees	R 260 877 Million
Members` remuneration	R 96 705 Million
Goods and services	R 171 583 Million
Transfers and subsidies	R113 752 Million
Payments for capital assets	R10 185 Million
<b>Total</b>	<b>R 653 102 Million</b>

Honourable Members, we will always remember that we were elected and entrusted by the people of KwaZulu-Natal to come here and champion their aspirations of a better life in a non-discriminatory, equal and peaceful society. These resource that we are requesting are to be used for the betterment of our people. As we said last year, Honourable Members, if we are to be known for anything at all, this ANC led Legislature shall be known for having put first our role as Public Representatives before any other interests. The spirits of our departed and still alive heroes and heroines of our struggle, share this common goal with us.

As we come to the end of our Vote 2 Budget Speech, Honourable Chairperson, let me take this opportunity to thank and appreciate the support from Deputy Speaker, Hon Ndobe, the Secretary of our Legislature, Ms N Naidoo, and her management team. This leadership greatly appreciates the work of the entire administration and leadership structures of the Legislature without them, our work would have been an insurmountable task.

In a very special way, we want to thank leaders of political parties in this august House for the cooperation that has seen our Legislature sail through yet another year with the decorum of our House safely intact. We have used our divergent views in our debates for the good of our Province.

We will not forget Honourable Chairperson, to always thank the people of this beautiful Province for entrusting us with their aspirations as well as their participation in our processes. Indeed, their participation makes our democracy visible and vibrant.

Lastly but not least, we thank the leadership of the ANC and all its alliance partners. Their support and guidance continues to enable us to serve and play a leadership role in this august House. Since 1994, the country and the Province begun a long walk to prosperity, we have had successes and yet, the road ahead is still long. Together we can do more and better.

I thank you.





Swearing-In of Members of the Provincial Legislature



Women Sector Parliament

# KWAZULU-NATAL LEGISLATURE

AN ACTIVIST, PEOPLE-CENTRED LEGISLATURE

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