



# KWAZULU-NATAL LEGISLATURE

AN ACTIVIST PEOPLE-CENTRED LEGISLATURE

[No. 08/2020] SECOND SESSION, SIXTH LEGISLATURE

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## **ANNOUNCEMENTS AND TABLINGS**

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**TUESDAY, 25 AUGUST 2020**

**VIRTUAL SITTING: 08H30**

**1. PRAYER (Item 1 on the Order Paper)**

Opportunity for Prayer or silent meditation

**2. OBITUARIES (Item 2 on the Order Paper)**

Honourable Members, it is with profound sadness that we formally note the passing away of:

**2.1** Members of the Senior Citizen's Forum and also Members of the Senior Citizens' Parliament. They are –

- Ms G Magwaza, Chairperson – Ulundi Municipality and Zululand District;

- Ms M N Mthimkhulu, Former Chairperson – Ndumeni Municipality and Mzinyathi District;
- Ms Z Zulu, Co-ordinator – Mtubatuba Municipality;
- Mr T Mgobhozi, Chairperson – Ilembe District;
- Ms N Makhoba, Former Chairperson – Nquthu Municipality;
- Mr Kheswa, Chairperson – Mtubatuba Municipality;
- Ms H Ntuli, Chairperson – Alfred Duma Municipality;
- Mr P Nene, Deputy Chairperson – Ugu District and Chairperson – Umzumbe Municipality; and
- Ms Ntombizonke Phindile Muriel Mthabela, representing the NFP.

**2.2** Inkosi Nkanyiso Mncube of Mbokodwebomvu Traditional Council. Inkosi Mncube was killed with his uncle in a hail of bullets when gunmen opened fire on the vehicle they were travelling on the R68 in Babanango;

**2.3** Mr Mbulaheni David Malada, African National Congress (ANC) and uMkhonto we Sizwe (MK) veteran, passed away at his home in Makonde village outside Thohoyandou in Limpopo at the age of 67.

Mr Malada, who was affectionately called “Peter Dambuza”, took part in various battles, including the SA Defence Force Matola raid in Maputo in 1981 and the Sibasa operation, also in 1981. Malada was a member of the mayoral committee in the Vhembe District Municipality. He was also the head of the portfolio committee for planning;

- 2.4 Mr Wilmoth Sibisi, father of Mrs Nomusa Gina (KZN Legislature Procedural Services) and Mr Bongani Sibisi (Former Chief Operations Officer of the Legislature) who was laid to rest on Saturday, 22 August 2020;
- 2.5 Asithandile “Kwasa” Zozo, a 19-year-old student of the University of Witwatersrand who was allegedly stabbed to death by her boyfriend for refusing to be with him;
- 2.6 Constable Thandekile Promise Sikhakhane (35) who was gunned down in Themba lethu Road, Ezakheni B-Section, on Tuesday evening (August 18);
- 2.7 Mr Sibusiso Joseph Mchunu, the Richmond Local Municipality Mayor, who passed away on 13 August and was laid to rest on 18 August 2020;
- 2.8 Six young women from the South Coast in uMthwalume who were allegedly murdered by a serial killer;
- 2.9 Mr Mack Jack, Northern Cape MEC for Education, who passed away on 12 August 2020 and was laid to rest on 16 August 2020;
- 2.10 Struggle stalwart Mr John Nkadimeng who died at the age of 93. This selfless and courageous stalwart made an immense contribution to South Africa's democracy.

He was bestowed with the honour of Isithwalandwe at his home in Kew last year. Mr Nkadimeng had been among the 156 congress activists who were detained during the defiance campaign in 1952 and charged with treason in the 1956 treason trial. He went into exile, taking refuge in numerous neighbouring countries;

- 2.11 Anti-apartheid activist Mr Devadass Paul David who died of natural causes at his home in KwaDukuza. He was 79 years old. Mr David was a hero, struggle veteran, icon, legend and the last surviving member of the Consulate Six;

**2.12** Prince Mandla Zulu, a half-brother of King Goodwill Zwelithini, who passed away late on Wednesday, 5 August 2020. Prince Mandla, the son of King Solomon (eYibindini Royal House), was also a national executive member of the IFP.

The prince's death comes at a time when the monarch was still in mourning after two princesses, Nobuhle and Busi, who lived at Mbelebeleni Royal Residence in KwaMashu, Durban, passed away in quick succession;

**2.13** Our condolences go to the families of road fatality victims in the Province of KwaZulu-Natal in the recent past; and

**2.14** On behalf of the Legislature, I wish to request Members of the Legislature to remember all those that have succumbed to the Covid-19 pandemic in your thoughts and prayers.

Let's not forget to salute and thank all our health practitioners and related fraternities for their continued dedication and diligence towards their work, despite the challenges that their disciplines bring. They are indeed our true heroes and heroines.

In the same breath, let's also put our Members, staff and their families in our prayers, and all those affected and infected by the Covid-19 pandemic. As Members we must continue to encourage people in the spaces around us to observe and strictly adhere to Level 2 Disaster Regulations applicable to South Africans. The Covid-19 pandemic is still very much with us.

Let us observe a moment of silence.

### 3. ANNOUNCEMENTS (Item 3 on the Order Paper)

#### 3.1 RULING ON VIRTUAL SITTING

Hon Members, you are reminded that this Virtual Sitting will be conducted in terms of the Rules for Virtual Meetings, read with our existing Standing Rules.

In terms of Rule 6 of the Rules for Virtual Meetings, the quorum requirement for Virtual Sittings of the House are provided for in the Constitution and the Standing Rules of the KZN Legislature. Standing Rule 44 of the Standing Rules provides as follows:

*“At least one third of all the members of the Legislature must be present to constitute a plenary meeting of the Legislature ...”*

The Rules for Virtual Meetings also define “present” as follows:

*“**present**” means the attendance of a Member in a virtual meeting by electronic means in a manner that allows the Member to join and participate in the meeting.*

The Secretary has confirmed that we have the required one-third of Members present in order to commence with the Virtual Sitting. The Sitting is therefore properly constituted.

#### *Party voting*

Rule 7(d) of the Rules for Virtual Sittings also state that-

*“The presiding officer must, before or at the start of the discussion on the matter, expressly inform Members if a party vote will be taken.”*

In line with the above, I confirm that the **Debate on the National Gambling Amendment Bill [B27B-2018]** and the voting thereon will be done on a party-by-party basis. A party vote is a collective vote on behalf of all the members of a Party present at this virtual Sitting, up to the total membership of that party in the sitting.

However, I will allow an opportunity for any individual Member to vote differently from his/her party, or to abstain, if any Member wishes to do so. We will now proceed with the rest of the matters on the Order Paper.

### **3.2 APOLOGIES:**

**3.2.1** Honourable Mr N Ntombela - urgent commitment;  
and

**3.2.2** Honourable Ms M Govender – family bereavement.

### **3.3. MEMBERS WHO ARE NOT WELL**

**3.3.1** Honourable Mr SE Manqele; and

**3.3.2** Honourable Mr ME Phakathi.

### **3.4 NEWLY SWORN-IN MEMBER**

I would like to welcome a new member to the House. She is Ms Zandile Ruth Thelma Gumede who will be representing the ANC. Honourable Gumede was sworn in on 19 August 2020 in the Office of the Speaker.

## **4. ANNOUNCEMENTS OR REPORTS BY THE PREMIER (Item 4 on the Order Paper)**

**Opportunity for Premier to make Announcements**  
**5. TABLINGS (Item 5 on the Order Paper)**

**5.1 KwaZulu-Natal Legislature:**

**5.1.1** Budget Performance In-Year Monitoring Report [IYM] for the month of July 2020.

**5.2 Office of the Premier:**

**5.2.1** Office of the Premier Amended Annual Performance Plan 2020/21.

**5.3 Department of Economic Development, Tourism and Environmental Affairs:**

**5.3.1** Department of Economic Development, Tourism and Environmental Affairs Amended Annual Performance Plan 2020/21;

**5.3.2** KZN Film Commission Amended Annual Performance Plan 2020/21;

**5.3.3** Moses Kotane Institute Amended Annual Performance Plan 2020/21;

**5.3.4** Trade and Investment KwaZulu-Natal Amended Annual Performance Plan 2020/21;

**5.3.5** KwaZulu-Natal Sharks Board Amended Annual Performance Plan 2020/21;

**5.3.6** Dube Trade Port Amended Annual Performance Plan 2020/21;

**5.3.7** La Mercy Joint Venture Property Investments Amended Annual Performance Plan 2020/21;

**5.3.8** Richards Bay Industrial Development Zone Company Amended Annual Performance Plan 2020/21;

**5.3.9** Gaming and Betting Board Amended Annual Performance Plan 2020/21 and Strategic Plan 2020/25;

**5.3.10** KwaZulu-Natal Liquor Authority Amended Annual Performance Plan 2020/21;

**5.3.11** Ezemvelo KwaZulu-Natal Wild Life Amended Annual Performance Plan 2020/21;

**5.3.12** Tourism KwaZulu-Natal Amended Annual Performance Plan 2020/21;

**5.3.13** KwaZulu-Natal Growth Fund Trust Amended Annual Performance Plan 2020/21; and

**5.3.14** Ithala Development Finance Corporation Limited Amended Annual Performance Plan.

**5.4 Department of Cooperative Governance and Traditional Affairs:**

**5.4.1** Department of Cooperative Governance and Traditional Affairs Amended Annual Performance Plan 2020/21 and Strategic Plan 2020/25.

**5.5 Department of Education:**

**5.5.1** Department of Education Amended Annual Performance Plan 2020/21 and Strategic Plan 2020/25.



**5.6 Department of Transport, Community Safety and Liaison:**

**5.6.1** Department of Transport Amended Annual Performance Plan 2020/21 and Strategic Plan 2020/25.

**5.6.2** KZN Community Safety and Liaison Amended Annual Performance Plan 2020/21 and Strategic Plan 2020/25.

**5.7 Department of Sports and Recreation:**

**5.7.1** Department of Sports and Recreation Amended Annual Performance Plan 2020/21 and Strategic Plan 2020/25.

**5.8 Department of Agriculture and Rural Development:**

**5.8.1** Agribusiness Development Agency Annual Performance Plan 2020/21 and Strategic Plan 2020/24.

**5.9 Department of Treasury:**

**5.9.1** Department of Treasury Revised Annual Performance Plan 2020/21.

**5.10 Department of Public Works and Human Settlements:**

**5.10.1** Department of Human Settlements Annual Performance Plan 2020/21-2022/23;

**5.10.2** Revised Strategic Plan 2020/21 to 2024/25; and

**5.10.3** Department of Public Works Amended Annual Performance Plan 2020/21.

- 5.11 Department of Social Development:**
  - 5.11.1 Department of Social Development Revised Annual Performance Plan 2020/21.**
- 6. Formal Motions or Notices by the Chief Whip (Item 6 on Order Paper)**
- 7. Orders of the Day (Item 7 on the Order Paper)**
  - 7.1 Debate and Voting on the National Gambling Amendment Bill [B27B-2018].**