



KWAZULU-NATAL LEGISLATURE

AN ACTIVIST PEOPLE-CENTRED LEGISLATURE

[No. 01/2021] SECOND SESSION, SIXTH LEGISLATURE

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ANNOUNCEMENTS AND TABLINGS

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TUESDAY, 02 FEBRUARY 2021

VIRTUAL SITTING: 13H00

1. PRAYER (Item 1 on the Order Paper)

Opportunity for Prayer or silent meditation

2. OBITUARIES (Item 2 on the Order Paper)

Honourable Members, let us take a moment to remember in our thoughts and prayers all those souls who have departed because of Covid-19 or through natural causes:

2.1 Our condolences go to all families who have suffered the loss of loved ones because of this virus. So many lives have been lost between the time when we took a break from our duties in December 2020 and today. I believe there is

not a single person who has not been affected and who has not had a person in their circle of family or friends who has not been infected by the virus;

We note the passing on of the following persons:

During the month of December 2020 –

- Attorney Rajesh Hiralall – a Durban well-known attorney who suffered a heart attack while being treated for Covid-19;
- Professor Kriben Pillay a stalwart at the Graduate School of Business and Leadership in University of KwaZulu Natal;
- The Mayor of Umlalazi Municipality, Cllr Thelumoya Bazil Zulu, died on 19 December 2020 following a short illness. He was a Mayor of Umlalazi since 2011;
- Mrs Sibiya, mother to hon NM Sibiya, Chairperson to Education passed on Sunday, 20 December 2020 and was laid to rest on Tuesday, 22 December 2020;
- Mr Jon Qwalane, a former South African Ambassador to Uganda in 2010, was a former Journalist;
- Mr Siphunzi, NUM Executive Member;
- Hon Dr Pumza Dyantyi; an MP;
- Hon Adv Loyiso Mpumlwana, an MP;
- Mrs Nomvuzo Shabalala, former eThekweni Deputy Mayor;
- Veteran Queeneth Magwaza, our Senior Citizen Provincial Chairperson;

- Veteran Mr Petros Peter Dlomo; and
- Hon SE Mfayela, an MP – NCOP Permanent Delegate.

During the month of January 2021 –

- Hon Nombulelo Hermans, an MP;
- Dr Bongumenzi Emmanuel Mpungose, CEO of the Pan South African Language Board and former Chief Director in the KZN Department of Arts and Culture;
- Ms DQ Khumalo (Dolly) [Nee Ngubane] – our Staff Member who served at the Legislature earlier as an Executive PA and later Co-ordinator of Chairpersons Committee;
- Mr Allen Thompson who was the President of National Teachers Union (NATU);
- MEC for Transport, Community Safety and Liaison, hon Bheki Ntuli, because of the pandemic;
- Former Ukhozi FM Station Manager and Radio Presenter Mr Welcome “Bhodloza” Nzimande;
- Former MPL, hon Ms Zanele Ludidi, who had served the Legislature in various capacities, who lost her life because of the pandemic;
- Advocate Kemp J Kemp – who was Former President Zuma’s advocate;
- Jonas Gwangwa, the Oscar-nominated South African jazz musician, trombonist, vocalist and composer who

became a leading artistic ambassador for the anti-apartheid resistance;

- Dr Sibongile Khumalo a world-renowned musician who received the Order of Ikhamanga in Silver, for her contribution to arts and culture in the musical fields of jazz and opera;
- Hon Jackson Mthembu, an MP, Minister in the Presidency;
- Former Deputy President of the Supreme Court of Appeal, Khayelihle Kenneth “KK” Mthiyane who died last week Thursday, the 28th of January 2021 just days after his wife;
- Mr Sibusiso Ncube, hon Ms N Dube-Ncube’s husband;
- Hon Tozama Mantashe, MP; and
- Hon Bridget Ntshangase who served as a Whip at the time of her untimely departure.

2.2 Due to the large number of persons who have lost their lives through the pandemic, I have chosen to group them in various categories and wish to simply say that our condolences go to the families of all those whom we have lost in the following sectors:

- Parliament and Legislatures;
- Municipal Councillors – throughout KZN
- Members from various political parties;
- Officials from various government departments;
- Members of the judiciary;
- Academics;
- Members of various NGOs/NPOs/FBOs and CBOs; and
- Media, artists and entertainment fraternity.

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

2.4 I wish also to take this opportunity, on behalf of our Legislature, to extend our gratitude for the great work that is being done by essential services workers, especially doctors, nurses and others in the health sector who continue to attend to people who have contracted the virus.

May I request Members of the Legislature to remember all those who have succumbed to the Covid-19 pandemic and to keep them in your thoughts and prayers.

Let us now observe a moment of silence.

3. ANNOUNCEMENTS (Item 3 on the Order Paper)

3.1 ANNOUNCEMENT REGARDING THE REASON FOR THE SPECIAL SITTING ON 02 FEBRUARY 2021 AND ABSENCE OF NOTICES OF BILLS OR MOTIONS ON THE ORDER PAPER

Honourable Members, thank you for joining this Virtual Special Sitting that has been called for today.

The Sitting is intended to fill the vacancy that came about after the untimely passing of one of our Permanent NCOP Delegates, hon Mr S E Mfayela, a Whip of the IFP in the NCOP, in December 2020.

According to the KwaZulu-Natal Legislature Standing Rules, Standing Rules 234 and 235 respectively, the appointment of NCOP Permanent Delegates must be appointed by way of resolution of the House. The appointment of Permanent Delegates is in accordance with

the Determination of Delegates (National Council of Provinces) Act No. 69 of 1998.

I trust that this is in order.

3.2 RULING ON VIRTUAL SITTING

Hon Members, you are reminded that this Virtual Sitting is being 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 is 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 wish to confirm that voting on the appointment of the IFP’s NCOP Permanent Delegate 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.

3.3 APOLOGIES:

3.3.1 Hon N Dube-Ncube, MEC for Finance – family bereavement;

3.3.2 Hon I Keeka – official engagement; and

3.3.3 Hon A V Khoza - organisational commitments.

3.4 BIRTHDAYS

I want to take this opportunity to wish a belated happy birthday to the following Members. We hope you all had a pleasant day:

1. Hon B M Zuma : 02 January
2. Hon V F Hlabisa : 04 January
3. Hon T P Mthethwa : 06 January
4. Hon R Viranna : 21 January
5. Hon N J Nkwanyana : 30 January

We also wish the following Members a happy birthday in advance:

1. Hon. V R Mlotshwa : 04 February
2. Hon. J S Nxumalo : 12 February
3. Hon. N M Sibiya : 12 February
4. Hon. N N Boyce : 19 February
5. Hon. M J Mazibuko : 20 February
6. Hon. S Moodley : 24 February

May I take this opportunity to extend our best wishes to all these Members for now and in the future.

3.5 DRIVE-BY VISIT TO THE LATE HON NTSHANGASE'S HOME

Members of the KwaZulu-Natal legislature are kindly advised that the institution will lead a drive-by procession to the home of the late Hon Bridget Ntshangase in Molweni, outside Hillcrest. This has been organized to afford Members who will not be able to attend the funeral (due to Level 3 lockdown regulations) the opportunity to bid farewell to their colleague.

Members are cordially reminded that only one member will alight a vehicle at a given time to leave a flower at the entrance of Hon Ntshangase's property as part of obeying Covid-19 regulations. Flowers have been arranged by the legislature and they will be provided by the legislature staff.

The procession will take place as follows:

Date : Wednesday, 03 February 2021

Time : 10h00 am

Meeting point: Molweni Primary School, outside Hillcrest

Members who wish to be part of the procession can contact the Manager in the Chief Whip's Office, Mrs Sindi Tembe on 0828026841.

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

Opportunity for Premier to make Announcements

5. TABLING (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 December 2020.

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 Appointment of IFP NCOP Permanent Delegate.