

THURSDAY, 25 MARCH 2021

[No.05/2021] THIRD SESSION, SIXTH LEGISLATURE

KWAZULU-NATAL LEGISLATURE

=====

MINUTES OF PROCEEDINGS

=====

Thursday, 25 March 2021

The Hybrid House met at 10h08.

1. 10h09 Members were given an opportunity for silent prayers or meditation.
2. 10h10 The Deputy Speaker made announcements, including the passing away of the following persons:
 - 2.1 His Majesty, King Goodwill Zwelithini KaBhekuzulu;
 - 2.2 Mr Mthokozisi Ntumba;
 - 2.3 Mr Menzi Ngubane;
 - 2.4 Miss Noxolo Maqashalala;

- 2.5 Mr Pathasarvasvaran Samotharan Govender;
 - 2.6 All Councillors of our Province who have recently passed away;
 - 2.7 Amakhosi and Izinduna who have recently passed away;
 - 2.8 Casualties of road fatalities in the province; and
 - 2.9 All Public Servants of this province, as well as the country at large, who have passed away in recent times.
3. 10h21 Ms N Dube-Ncube, on behalf of the Premier, made remarks and announcements.
 4. 10h23 The Deputy Speaker read into the record the tabling of the following reports:
 - 4.1 **KwaZulu-Natal Legislature:**
 - 4.1.1 **Rules Committee:**
 - 4.1.1.1 Report of the Rules Committee on the KwaZulu-Natal Funding of Represented Political Parties Act Repeal Bill, 2021, in terms of Standing Rule 210;
 - 4.1.2 Budget Performance In-Year Monitoring Report [IYM] for the month of February 2021; and
 - 4.1.3 Third Quarter & Consolidated Institutional Performance Report and 2020/21 amended Indicator Protocol Reference Sheets (IPRS) & Table 7.2.3 of the 2020/21 Annual Performance Plan (APP).

4.2 Standing Committee on Public Participation and Petitions:

4.2.1 Stakeholder Engagement Report, 2020; and

4.2.2 Resolutions of the Workers' Parliament, 2020.

4.3 Standing Committee on Quality of Life:

4.3.1 Report on Senior Citizens, 2020;

4.3.2 Report on Quality of Life Stakeholder Engagement, Dumbe; and

4.3.3 Report on Mzimkhulu Public Engagement.

4.4 Portfolio Committee on Health:

4.4.1 Oversight Report on St Mary's Hospital, KwaMagwaza;

4.4.2 Oversight Report on Zululand District and Vryheid Hospital;

4.4.3 Oversight Report on Ladysmith Regional Hospital;

4.4.4 Oversight Report on General Justice Gizenga Memorial Field Hospital; and

4.4.5 Oversight Report on Clairwood Field Hospital.

4.5 Department of Arts and Culture:

4.5.1 KwaZulu-Natal Film Commission: Amended Annual Performance Plan, 2020/21.

4.6 Department of Economic Development, Tourism and Environmental Affairs:

4.6.1 Department of Economic Development, Tourism and Environmental Affairs: Annual Report, 2019/2020.

5. 10h26 The MEC for Finance tabled the KwaZulu-Natal Third Adjustments Appropriation Bill, 2021, and concluded at 10h46.
6. 10h47 The Deputy Speaker referred the KwaZulu-Natal Third Adjustments Appropriation Bill, 2021, to the Portfolio Committee on Finance.
7. 10h48 The MEC for Finance tabled the KwaZulu-Natal Unauthorised Expenditure Authorisation Bill, 2021, and concluded at 10h48.
8. 10h49 The Deputy Speaker referred the KwaZulu-Natal Unauthorised Expenditure Authorisation Bill, 2021, to the Standing Committee on Public Accounts.
9. 10h59 Mr B M Zuma moved the following motion without notice under Standing Rule 97(g) with the unanimous concurrence of all Members present in the House and requested the Presiding Officer to put the motion to the vote for approval as a resolution of the House in terms of Standing Rule 95(2) as follows:

This House notes that:

- [1] The Political Parties Funding Act, 2018, (the national Act) comes into operation on the 1st April 2021;
- [2] One of the implications of the commencement of the national Act is that the existing KZN Funding of Represented Political Parties must be repealed by the 1st of April 2021;

- [3] The Rules Committee of the Legislature has processed the KwaZulu-Natal Funding of Represented Political Parties Act Repeal Bill, 2021, and has unanimously expressed its support for the Bill;
- [4] The Bill has been introduced in the House on the 9th of March 2021 in terms of Rule 203, and is intended to be placed on the Order Paper for debate and approval at the sitting of the 26th of March 2021;
- [5] Rule 204 requires that the Secretary must, upon the introduction of a Bill, publish in the provincial *Gazette* the Bill, the explanatory memorandum and a notice inviting written submissions within a period which must be at least 15 working days from the date of publication;
- [6] Compliance with the processes required by Rule 204 will, however, mean that the Bill will not be ready for approval by the 26th of March 2021;
- [7] Rule 3 provides that any provision of these Rules relating to the business of the House or of a committee may be suspended by resolution of the House;
- [8] The Bill has already been extensively published in the media for written comment so the public involvement requirement in relation to the Bill has been substantively complied with; and
- [9] It is therefore required that Rule 204 be suspended in order that the Bill may be approved prior to the 1st of April 2021.

This House therefore resolves:

To suspend Rule 204 for purposes of the KwaZulu-Natal Funding of Represented Political Parties Act Repeal Bill, 2021.

Motion not carried as the EFF abstained from voting.

10. 11h08 Parties paid tributes to Members of the Legislature who had passed away and concluded at 11h21.
11. 11h22 The business of the House was suspended and resumed at 12h38.
12. 12h39 Debate on the Third Adjustments Appropriation Bill, 2021, commenced and was concluded at 13h03.

Question put:

That the Third Adjustments Appropriation Bill, 2021, be adopted.

Agreed to.

Results of the vote were as follows:

For = 64 Against = 0 Abstain = 0

13. 13h11 Mr E V Khoza indicated that the EFF had reviewed its original stance to abstain from voting on the motion without notice, as moved by Mr B M Zuma in terms of Standing Rule 97(g), after which the Presiding Officer again put the motion to the vote for approval as a resolution of the House in terms of Standing Rule 95(2):

Question put:

That the motion be adopted.

Agreed to.

14. 13h12 Debate on the KwaZulu-Natal Funding of Represented Political Parties Act Repeal Bill, 2021 commenced and was concluded at 13h49.

Question put:

That the KwaZulu-Natal Funding of Represented Political Parties Act Repeal Bill, 2021, be adopted.

Agreed to.

Results of the vote were as follows:

For = 64

Against = 0

Abstain = 0

15. 13h52 The House was adjourned until Friday, 26 March 2021 at 10h00.