



KWAZULU-NATAL LEGISLATURE

AN ACTIVIST PEOPLE-CENTRED LEGISLATURE

[No. 19/2021] THIRD SESSION, SIXTH LEGISLATURE

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ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

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TUESDAY, 09 NOVEMBER 2021

VIRTUAL SITTING: 09H00

1. PRAYER (Item 1 on the Order Paper)

Opportunity for Prayer or Silent Meditation.

2. ANNOUNCEMENT REGARDING THE REASON FOR THE SPECIAL SITTING ON 09 NOVEMBER 2021

Honourable Members, thank you for making yourselves available for today's special Sitting that was called on such short notice. The Office of the Speaker has been advised to hold a special sitting for the purpose of complying with NCOP processes and so that the Legislature will be able to participate in the mandate required at the NCOP. Today's special sitting is

being held to deal with the Debate and Voting on the Conferral of Final Mandates on the –

- 2.1 Local Government: Municipal Systems Amendment Bill [B2D-2019] - 9 November 2021; and
- 2.2 National Forest Amendment Bill [B11D-2016] - 16 November 2021.

I trust that this is in order.

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

3.1 Honourable Members, it is with a heavy heart that I announce the passing on of some of our loved ones. I am aware that however kind, gentle and sweet my words may be, they will never take away your sense of loss or even begin to mend your heartache. Be that as it may, we still hope that our prayers and messages will provide some measure of comfort to you during your time of bereavement. We wish to honour the following persons who have passed away:

- Professor Hlengiwe Buhle Mkhize, ANC National Executive Committee (NEC) member and Deputy Minister in the Presidency looking after the interests of Women, Youth and Persons with Disabilities. She also served as Deputy Minister of Telecommunications and Postal Services between 26 May 2014 and 31 March 2017. From 31 March 2017 to 17 October 2017, Professor Mkhize was a Home Affairs Minister.

She was later moved to the position of Higher Education and Training between 17 October 2017 and 26 February 2018. She was the Treasurer-General of the ANC Women's League and served as

Ambassador to the Netherlands between 2005 and 2009. She was also the Chairperson of the June and Andrew Mlangeni Foundation;

- Former Legislature Member, honourable Inkosi Zibuse Mlaba. As a prominent member of the Ximba chieftaincy, Inkosi Mlaba was among the first generation of public representatives deployed by the African National Congress to the Legislature in 1994.

As a Member of the Provincial Legislature (MPL), he served with distinction in various portfolio committees. He was an exemplary leader and activist, as well as a life-long champion of service delivery. He was a fearless, selfless activist who fought in the struggle and made immeasurable sacrifices to help bring about the freedom that we enjoy today.

Honourable Mlaba was heavily involved in peace efforts to bring an end to tensions between the ANC and the Inkatha Freedom Party (IFP) in the province. We have indeed lost a pioneer, a peacemaker and a dedicated public servant who committed his life to serving the people of KwaZulu-Natal;

- Mr Jolidee Matongo, Executive Mayor of the City of Johannesburg;
- Mrs Kholiwe Matilda Memela, mother of Mr Zwelihle Memela, Executive Manager: Parliamentary Services (KZN Legislature);
- Commander of AmaZulu warriors, ubaba uZihogo Maguzumbela “Mgiliji” Nhleko;
- All victims of gender-based violence and hate crimes;

- All victims of political killings leading up to the 2021 local government elections;
- All victims of road fatalities in our province during the recent past; and
- All South Africans who have recently passed away as a result of Covid 19-related complications.

Honourable Members, let us observe a moment of silence in honour of all these departed souls.

May their souls rest in peace.

- 3.2** Honourable Members, I wish to remind you to continue to adhere to Covid-19 protocols at all times.

4. ANNOUNCEMENTS (Item 3 on the Order Paper)

4.1 RULING ON VIRTUAL SITTING AND VOTING

Honourable Members 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 is as provided for in the Constitution of the Republic of South Africa and the Standing Rules of the KZN Legislature. Standing Rule 44 of the Standing Rules provides that –

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

Rule 44(2) further states that a majority of the Members of the Legislature must be present before a vote may be taken on a Bill.

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.

Party voting

Rule 7(d) of the Rules for Virtual Sittings also states 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 voting on the Debate on the Conferral of Final Mandates on the Local Government: Municipal Systems Amendment Bill [B2D-2019] - 9 November 2021; and the National Forest Amendment Bill [B11D-2016] - 16 November 2021, will be done on a party-by-party basis.

A party vote is a collective vote on behalf of all the members of the party present at this Virtual Sitting, up to the total membership of that party in the sitting.

I will, however, allow an opportunity for any individual Members to vote differently from his/her party, or to abstain, if any Member wishes to do so.

4.2 NEW MEMBER

Honourable Members, I have pleasure in introducing a new Member who was sworn in on 13 October 2021 in the Speaker’s Office. The new Member is honourable Ms Cynthia Mbali Shinga who replaced Mr V R Mlotshwa.

4.3 2020/21 KZN PFMA AUDITOR-GENERAL ROADSHOW

Honourable Members are reminded to connect at 14h00 today, using the link for a meeting with the Auditor-General sent by Roslynd Barker to honourable members on Friday, 05 November 2021.

4.4 APOLOGIES

4.4.1 Honourable Mr S Zikalala, Premier of KwaZulu-Natal has stakeholder engagements;

4.4.2 Honourable Dr I Keeka is engaged in an Oversight Visit at uMkhanyakude;

4.4.3 Honourable Mr MW Twala has an organisational engagement; and

4.4.4 Honourable Mr ME Phakathi has an organisational engagement.

4.5 BIRTHDAYS

I want to take this opportunity to wish a belated happy birthday to:

- Hon Mr R T Mthembu [05 October];
- Hon Mr L G Seja [16 October];
- Hon Ms T J Gumede [22 October];
- Hon Mr L J de Klerk [26 October];
- Hon Mr M W Twala [27 October]; and
- Hon Ms H G S Mavimbela [02 November].

I hope all of you had a pleasant day. May your wishes be fulfilled, now and in the future.

I also wish to extend our congratulations in advance to the following Members who will celebrate their birthdays in the coming days of November:

- Hon Mr K I Mshengu [10 November];
- Hon Ms C Q Madlopha [11 November];
- Hon Ms G F Mtshali [11 November];
- Hon Ms S Thakur-Rajbansi [17 November];
- Hon Mr R R Pillay [18 November];
- Hon Ms P P Harricks [19 November];
- Hon Mr P Govender [21 November];
- Hon Ms N P F Mavuso [24 November]; and
- Hon Mr Z M Mncwango [27 November].

May I take this opportunity to wish you all the happiness and blessings this life can offer.

4.6 DIWALI CELEBRATIONS

We hope that all Hindus who celebrated Diwali on the 4th of November 2021 had a happy Diwali.

Diwali symbolises the spiritual victory of light over darkness, good over evil and knowledge over ignorance.

4.7 REMINDER TO MEMBERS TO EMAIL COPIES OF THEIR SPEECHES TO HANSARD

Honourable Members, it is very important for all Members who participate in debates to email electronic copies of their speeches to Hansard after delivery – preferably in Word format and not in PDF format. At times the quality of the acoustics during debates has proved to be challenging, and this is usually due to connectivity problems. This is not a problem which IT has any control over, and I therefore request all Whips to ensure that their party members who are scheduled to

speaking during a debate, email their speeches to Mr Allan Parrott (Control Editor: Hansard & Language Services: English) at parrotta@kznleg.gov.za. Alternatively, speeches may be sent to Ms Jacqueline Stone (Manager: Hansard & Language Services: English) at stonej@kznleg.gov.za. We expect Members to fully co-operate with this request and thank them in advance for their consideration.

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

Opportunity for the Premier to make announcements

6. TABLINGS (Item 5 on the Order Paper)

6.1 KwaZulu-Natal Legislature:

6.1.1 KwaZulu-Natal Legislature Annual Report 2020/21;

6.1.2 Budget Performance In-Year Monitoring Report [IYM] for the month of August 2021; and

6.1.3 Budget Performance In-Year Monitoring Report [IYM] for the month of September 2021.

6.2 Ad Hoc Committee on Investigations Report:

6.2.1 Fourth Quarterly (Close-Out) Report of the Ad-Hoc Committee on Investigations.

6.3 Cooperative and Traditional Affairs Portfolio Committee:

6.3.1 Committee Report on the Local Government: Municipal Systems Amendment Bill [B2D-2019]; and

6.3.2 Local Government: Municipal Systems Amendment Bill [B2D-2019].

6.4 Conservation and Environmental Affairs Portfolio Committee Report:

6.4.1 Committee Report the National Forest Amendment Bill [B11D-2016]; and

6.4.2 Conservation and Environmental Affairs Portfolio Committee Report on the National Forests Amendment Bill [B11D - 2016] in terms of Rule 243 of the Standing Rules.

6.5 Office of the Premier:

6.5.1 Office of the Premier Annual Report 2020/21.

6.6 Department of Transport:

6.6.1 Department of Transport Annual Report 2020/21.

6.7 Department of Economic Development, Tourism and Environmental Affairs:

6.7.1 Department of Economic Development, Tourism and Environmental Affairs Annual Report 2020/21; and

6.7.2 Ezemvelo/KZN Wildlife Annual Report 2020/21.

6.8 Department of Arts and Culture:

6.8.1 Department of Arts and Culture Annual Report 2020/21; and

6.8.2 Department of Arts and Culture Gaming and Betting Board Annual Report 2020/21.

6.9 Department of Education:

6.9.1 Department of Education Annual Report 2020/21; and

6.9.2 Revised Annual Performance Plan 2021/22.

6.10 Department of Cooperative Governance and Traditional Affairs:

6.10.1 Department of Cooperative Governance and Traditional Affairs Annual Report 2020/21; and

6.10.2 Traditional Levies and Trust Account Annual Report 2020/21.

6.11 Department of Public Works and Human Settlements:

6.11.1 Department of Public Works Annual Report 2020/21.

6.12 Public Service Commission:

6.12.1 Overview Report on Financial Misconduct for the 2020/21 Financial Year 2021.

7. Orders of the Day (Item 8 on the Order Paper)

7.1 Debate and Voting on the Conferral of Final Mandate on the Local Government: Municipal Systems Amendment Bill [B2D-2019]; and

7.2 Debate and Voting on the Conferral of Final Mandate on the National Forest Amendment Bill [B11D-2016].

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