



KWAZULU-NATAL LEGISLATURE

AN ACTIVIST PEOPLE-CENTRED LEGISLATURE

[No. 10/2021] THIRD SESSION, SIXTH LEGISLATURE

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ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

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FRIDAY, 14 MAY 2021

HYBRID SITTING: 09H30

COMMON VIRTUAL LINK

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 from us, either due to Covid-19 or as a result of natural and unnatural causes. We note the passing of the following persons -

- 2.1 - Her Majesty Queen Shiyiwe Mantfombi Dlamini Zulu, regent of the Zulu nation;
- Mr Malusi Shazi, the nephew of the Deputy Speaker, honourable Mr R T Mthembu;
 - Mr Richman Simelane, the uncle to MEC for Health, honourable Ms N Simelane;
 - Ms Yondela Nyongo the niece of honourable Ms N R Majola;
 - Mr Nhlonipho Zulu, the nephew of honourable Ms R Z P Zulu;
 - Mr Bhekuyise Majola, the brother of honourable Ms Z R T Gumede;
 - Mr Zithulele Mvelase, the father of honourable Ms Z L I Cele;
 - All Councillors of our Province who have recently passed away;
 - Amakhosi and Izinduna who have recently passed away;
 - Casualties of road accidents in the province, and
 - All Public Servants of this province and the country at large who have passed away in recent times.

2.2 May I take this opportunity on behalf of the Legislature community and borrow the words from an unnamed author which go as follows: *“Many words go unspoken; many thoughts go unheard; but no good deed ever goes unnoticed”*.

These words are particularly applicable to our healthcare workers and all other workers who serve humanity in various fields. Some of them have sacrificed their own lives in trying to save and protect ours. We will be indebted to them forever.

Honourable Members, let us now observe a moment of silence to honour all those who have departed from the physical world. May they live in our hearts and our memories for as long as we draw breath.

3. ANNOUNCEMENTS (Item 3 on the Order Paper)

3.1 ANNOUNCEMENT REGARDING THE REASON FOR THE SITTING ON 14 MAY 2021

Hon members, today's sitting is intended to deal with the General Budget Debate which will pave way for the work of the Committee of the Whole House.

3.2 RULING ON VIRTUAL SITTINGS

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 Reports of the Portfolio Committee on Finance and the Standing Committee on Oversight 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 Honourable Dr I Keeka is attending *Eid al-Fitr*, also known as “The Feast of Breaking the Fast”;

3.3.2 Honourable Mr A V Khoza has organisational work; and

3.3.3 Honourable Mr V R Mlotshwa and honourable Mr M E Phakathi have commitments.

3.4 BIRTHDAYS:

I am delighted to take this opportunity to wish a belated happy birthday to the following Members:

1. Honourable S W Mshengu (1 May);
2. Honourable T S Mtshali (2 May);
3. Honourable N B Mthethwa (5 May);
4. Honourable M P P Zungu (8 May);
5. Honourable G N Swartbooi-Ntombela (8 May); and
6. Honourable B N Sithole-Moloi (10 May).

I hope all of you had memorable birthday celebrations. We wish you only the very best for the future. May all your wishes be fulfilled and may all your dearest dreams come true.

3.5 EID AL-FITR

Honourable Members, we would like to wish the Muslim community who are celebrating *Eid al-Fitr* today, 14 May 2021, a most joyous celebration.

3.6 VOTER EDUCATION

Members are requested to remain behind immediately after the adjournment for lunch so that they can be briefed on how the programme on voter education will unfold on Saturday, 15 May 2021 in Umkhanyakude District.

3.7 REMINDER FOR SUBMISSION OF DISCLOSURE OF FINANCIAL INTEREST FORMS

Members are urged to submit their Disclosure of Financial Interest Forms. The deadline for submission was 30 April 2021. For any assistance in this regard, please liaise with Mr Nishan Sukraj (Manager: Legal Services) at 082 255 7716 or 083 627 8070. His e-mail address is SUKRAJR@kznleg.gov.za.

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

Opportunity for the Premier to make Announcements

5. TABLINGS (Item 5 on the Order Paper)

5.1 KwaZulu-Natal Legislature:

5.1.1 Fourth Quarter and Annual Institutional Performance and Budget Reports for 2020/21.

5.2 Portfolio Committee on the Premier:

5.2.1 Report by Portfolio Committee on the Premier on the 2021/22 Budget Report.

5.3 Portfolio Committee on Finance:

5.3.1 2021/22 General Budget Report and Resolutions of the Portfolio Committee on Finance on KZN's 2021/22 MTEF Budget;

5.3.2 2021/22 MTEF Budget Report for Vote 6: Provincial Treasury;

5.3.3 Report by the Portfolio Committee on Finance on the KZN Appropriation Bill, 2021;

5.3.4 Report by the Portfolio Committee on Finance on the Division of Revenue Bill [B3-2021]; and

5.3.5 Negotiating Mandate on the Division of Revenue Bill [B3-2021].

5.4 Standing Committee on Oversight:

5.4.1 Report by the Standing Committee on Oversight on the 2021/22 Budget Report.

5.5 Portfolio Committee on Education:

5.5.1 Report by the Portfolio Committee on Education on the 2021/22 Budget Report.

5.6 Portfolio Committee on Health:

5.6.1 Report by the Portfolio Committee on Health on the 2021/22 Budget Report.

5.7 Portfolio Committee on Community Safety and Liaison:

5.7.1 Report by the Portfolio Committee on Community Safety and Liaison on the 2021/22 Budget Report.

5.8 Portfolio Committee on Arts and Culture:

5.8.1 Report by the Portfolio Committee on Arts and Culture on the 2021/22 Budget Report; and

5.8.2 Arts and Culture Portfolio Committee 2020/21 Focus Intervention Study.

5.9 Portfolio Committee on Co-operative Governance and Traditional Affairs:

5.9.1 Report by Portfolio Committee on Co-operative Governance and Traditional Affairs on 2021/22 Budget Report.

5.10 Office of the Premier:

5.10.1 Office of the Premier: Annual Performance Plan 2021/2022.

5.11 Department of Co-operative Governance and Traditional Affairs:

5.11.1 Department of Co-operative Governance and Traditional Affairs: Annual Performance Plan for 2021/22.

5.12 Department of Public Works and Human Settlements:

5.12.1 Department of Public Works: Annual Performance Plan for 2021/22; and

5.12.2 Department of Human Settlements: Annual Performance Plan for 2021/22 – 2023/24.

5.13 Department of Finance:

5.13.1 KwaZulu-Natal Treasury: Annual Performance Plan for 2021/22;

5.13.2 KwaZulu-Natal Consolidated Financial Statements for the Province for the year ended 31 March 2020; and

5.13.3 KwaZulu-Natal Consolidated Financial Statements for Public Entities for the year ended 31 March 2020.

5.14 Department of Transport, Community Safety and Liaison:

5.14.1 Department of Transport: Annual Performance Plan for 2021/22.

5.15 Department of Economic Development, Tourism and Environmental Affairs and Entities:

5.15.1 Department of Economic Development, Tourism and Environmental Affairs: Annual Performance Plan for 2021/22;

- 5.15.2 Gaming and Betting: Annual Performance Plan for 2021/22;
- 5.15.3 KZN Liquor Licensing: Annual Performance Plan for 2021/22;
- 5.15.4 Ithala Development Finance: Annual Performance Plan for 2021/22;
- 5.15.5 KZN Growth Fund: Annual Performance Plan for 2021/22;
- 5.15.6 Richards Bay Industrial Development Zone: Annual Performance Plan for 2021/22;
- 5.15.7 KZN Trade and Investment: Annual Performance Plan for 2021/22;
- 5.15.8 Moses Kotane Institute: Annual Performance Plan for 2021/22;
- 5.15.9 Dube Trade Port: Annual Performance Plan for 2021/22;
- 5.15.10 KZN Film Commission: Annual Performance Plan for 2021/22;
- 5.15.11 KZN Sharks Board: Annual Performance Plan for 2021/22; and
- 5.15.12 KZN Tourism Authority: Annual Performance Plan for 2021/22.

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 General Budget Debate and Voting on the Reports of the Portfolio Committee on Finance and the Standing Committee on Oversight; and

7.2 Committee Stage on the following Votes:

7.2.1 Vote 1: Office of the Premier; and

7.2.2 Vote 6: Finance.

8. VOTING PROCEDURE

Speaker

Thank you, hon Members. We have come to the end of the General Budget debate. The House now needs to vote on the Reports by the Portfolio Committee on Finance and the Standing Committee on Oversight.

We will deal with both in turn, starting with the Report by the Portfolio Committee on Finance.

1. As per the request of the Portfolio Committee on Finance, I now put the question to the House which is as follows:

That the KwaZulu-Natal Legislature agrees to adopt the Report of the Portfolio Committee on Finance.

As I indicated prior to the start of the debate, I will now go Party by Party to obtain the vote and thereafter ascertain if any Member wishes to record an individual vote.

The Speaker will then go Party by Party.

IFP, then the DA, EFF, NFP, MF, ACDP, ATM and the ANC

Members, I have the votes of all Parties. Is there any Member who wishes to express an individual vote that is different from their Party vote or who wishes to abstain?

If there is none, Secretary, can I ask for a tally of the votes?

Secretary

Madam Speaker, the voting results are as follows

Votes in favour -

Votes against -

Abstentions -

Speaker

Honourable Members, I formally declare the result of the vote as follows-

Votes in favour -

Votes against -

Abstentions -

The “Ayes” have it.

I will now move to voting on the Report by the Standing Committee on Oversight.

2. As per the request of Stacov, I now put the question to the House which is as follows:

That the KwaZulu-Natal Legislature agrees to adopt the Report of the Standing Committee on Oversight.

As I indicated prior to the start of the debate, I will now go Party by Party to obtain the vote and thereafter ascertain if any Member wishes to record an individual vote.

The Speaker will then go Party by Party

IFP, then the DA, EFF, NFP, MF, ACDP, ATM and the ANC

Members, I have the votes of all Parties. Is there any Member who wishes to express an individual vote that is different from their Party vote or who wishes to abstain?

If there is none, Secretary, can I ask for a tally of the votes?

Secretary

Madam Speaker, the voting results are as follows

Votes in favour -

Votes against -

Abstentions -

Speaker

Honourable Members, I formally declare the result of the vote as follows-

Votes in favour -

Votes against -

Abstentions -

The “Ayes” have it.

Thereafter the Item on the Order Paper concerning the General Budget debate is concluded.

Speaker

Honourable Members, we have come to the end of the General Budget debate. This afternoon, at 1 pm, all Members are required to reconnect to the Virtual Session through the same link that you used for this morning’s session, but this afternoon the session will be in the format of a Committee of the Whole House.

The first debate will be on Vote 1: Office of the Premier, which will be chaired by hon This will be followed by a debate on Vote 6: Finance....., which will be chaired by hon Members must please note that this afternoon's sessions are not split and will start at 1pm and is scheduled to finish at 17h30.

At 09h00 on Thursday, 20 May 2021, Members will be required, as per the programme issued by the Whips Forum, to connect to the Extended Committees of the House. Two separate debates will be taking place at the same time and Members must connect to the debate in which they are participating or to whose cluster they belong. These debates will continue and end with Budget Vote 2: KZN Legislature on Tuesday, the 25th of May, after which the House will resume its business to vote on the KwaZulu-Natal Appropriation Bill, 2021.

Members are kindly requested to join the link for the debate in which they will be participating.

The House is therefore adjourned until Tuesday, the 25th of May at 9am.

Sergeant at Arms

Order, Madam Speaker!