



KWAZULU-NATAL LEGISLATURE

AN ACTIVIST PEOPLE-CENTRED LEGISLATURE

[No. 15/2023] FIFTH SESSION, SIXTH LEGISLATURE

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ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

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THURSDAY, 19 OCTOBER 2023

HYBRID SITTING: 10H00

1. PRAYER (Item 1 on the Order Paper)

[Opportunity for Prayers or Silent Meditation.](#)

2. OBITUARIES (Item 2 on the Order Paper)

Honourable members, since the previous sitting, the Office of the Speaker has learnt of the passing away of the following persons:

- 2.1 Professor Hoosen Jerry Coovadia, struggle stalwart, anti-apartheid veteran, prolific scientist and champion for health equity in South Africa;

- 2.2 Professor Shadrack Gutto, internationally acclaimed scholar, constitutional law expert and lecturer of African Renaissance Studies at the University of South Africa (Unisa) who continued his intellectual work beyond retirement in 2016;
- 2.3 Honourable Christopher Mzwakhe Sibisi, a Member of Parliament representing the National Freedom Party. Mr Sibisi, a resident of the Alfred Duma Municipality under uThukela District in KwaZulu-Natal, passed on after a short illness;
- 2.4 All victims of gender-based violence, femicide and hate crime;
- 2.5 All public servants and traditional leaders in KwaZulu-Natal and the country at large; and
- 2.6 All victims of road fatalities in our province during the recent past.

Although these people have departed from our midst, they will live on in the hearts of their loved ones.

Honourable members, let us now observe a moment of silence.

May their souls rest in eternal peace.

3. ANNOUNCEMENTS BY THE SPEAKER (Item 3 on the Order Paper)

3.1 APOLOGIES

- 3.1.1 Honourable Mr S E Hlomuka, MEC for Transport, Community Safety and Liaison is in Beijing, China, attending the Belt and Road CEO Conference on behalf of the honourable Premier;

3.1.2 Honourable Mr M W Twala, honourable Ms T Nkosi, honourable Ms H P Chiliza and honourable Mr N N Ngubane have organisational engagements.

3.2 MEMBERS WHO ARE NOT WELL

3.2.1 Honourable Mr SM Sonjica;

3.2.2 Honourable Ms N Dlamini; and

3.2.3 Honourable Mr M E Phakathi.

3.3 BIRTHDAYS

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

- Hon Mr R T Mthembu, Deputy Speaker [5 October];
and
- Hon Ms C M Shinga [13 October].

I hope you had a pleasant day, and may your fondest 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 October:

- Hon Ms T J Gumede [22 October];
- Hon Mr L J de Klerk [26 October]; and
- Hon Mr M W Twala [27 October].

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

3.4 RESIGNATION

Honourable Mr VF Hlabisa resigned as a member of the KwaZulu-Natal Legislature on Tuesday, 17 October 2023. The IFP Caucus subsequently notified the Office of the Speaker that honourable Mr MB Gwala is now the Party Leader of the Official Opposition and honourable Ms TP Mthethwa the Chief Whip of the Official Opposition.

3.5 THANK YOU MESSAGE

The Office of the Speaker also received words of appreciation from honourable Ms NR Majola on behalf of the Mahlathi family, thanking honourable members for their support during the family's time of bereavement.

3.6 MEMBERS ATTENDANCE

Members are reminded that their attendance at Sittings and committee meetings is regulated by the Standing Rules. In this regard Rule 28(2) provides that a member's **leave of absence from the Legislature during a session, must be approved by the member's party.**

However, Rule 29 further provides that the period for which leave may be granted by the member's party, other than maternity leave and parental/ adoption leave as provided for in Schedule 2 to the Rules, **may not exceed 3 consecutive sitting days in a session.**

In terms of Rule 29(2), **any leave of absence in excess of 3 consecutive sitting days may be requested of the House by motion**, which must be requested "not later than by the close of the third consecutive sitting day of the member's absence."

Rule 30(1) further provides that any member who absents himself or herself for **3 or more consecutive sitting days without authorisation** as provided for in these Rules, **loses his or her membership of the Legislature** in accordance with section 106(3)(b) of the Constitution.

In line with the above, members are advised that legislature records reflect that there are some members who are at risk of being found to be in transgression of Rule 30(1);

All members are therefore urged to ensure that they comply with the relevant Rules pertaining to attendance.

3.7 DELAY IN SUBMISSION OF THE CONSOLIDATED STATEMENTS AND THE AUDITOR GENERAL'S AUDIT REPORT FOR THE 2022/23 FINANCIAL YEAR

Honourable members, the KwaZulu-Natal Provincial Legislature has been notified by the Provincial Treasury, in terms of section 19(5) of the Public Finance Management Act (PFMA), of the failure by the Provincial Treasury to submit the Consolidated Financial Statements and the Auditor General's Audit Report to the Provincial Legislature within seven months of the financial year-end, and the reasons for that.

The final audited financial statements were signed by the Auditor-General on:

- 22 August 2023 for public entities; and
- 31 July 2023 for departments.

It is at this stage a reliable set of consolidated financial statements that can be prepared for submission to the Auditor General for audit by 31 October 2023. In view of this, it is anticipated that the audited consolidated financial

statements will be submitted for tabling by 29 February 2024.

3.8 PROUD SOUTH AFRICAN MOMENT

Hon members, we recently witnessed history in the making. It was a proud moment for South Africa when Mr Nkosinathi Maphumulo, popularly known as Black Coffee, took South Africa's most precious export – music – to a global audience in a way that has not been seen in recent history. Black Coffee delivered the headline performance at the famed Madison Square Garden in New York City, United States.

Black Coffee's sold-out performance at Madison Square Garden has been labelled a historic moment for South African arts and music. From the streets of Umlazi and Mthatha to the world's most famous music arenas, and an inspiration to both young and old, Black Coffee took to New York's world-famous stage on 7 October, becoming the first South African DJ and producer to headline at The Garden.

The DJ joined a long list of legendary artists who have performed at the iconic venue, including Taylor Swift, Elvis Presley, John Lennon, The Rolling Stones, Bob Dylan, Madonna, Elton John, Stevie Wonder, and many others.

3.9 CONGRATULATIONS TO THE SPRINGBOKS

The extraordinary display of skill and determination by the Springboks at the World Rugby Cup in France has captivated our hearts and minds, and united our nation in celebration. South Africa stands firmly united behind the Springboks.

The Amabhokobhokos' hard-fought quarter final win of 29-28 against France in Paris has now secured their spot in the semi-finals where they are set to face off against England this coming Saturday, 21 October 2023.

3.10 DIWALI CELEBRATIONS

We wish all Hindus who will be celebrating Diwali on the 12th of November 2023 a happy Festival of Lights.

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

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

[Opportunity for the Premier to make Announcements.](#)

5. TABLING OF REPORTS OR PAPERS (Item 5 on the Order Paper)

5.1 Committee of Chairpersons

5.1.1 Multi-party Oversight Report, Ugu District, 20 & 21 June 2023.

5.2 Portfolio Committee on Education

5.2.1 School Functionality Monitoring Follow-up Programme, 2023.

- 5.3 Department of Economic Development, Tourism and Environmental Affairs**
 - 5.3.1 The KwaZulu-Natal Moses Kotane Research Institute Bill, 2023;
 - 5.3.2 The KwaZulu-Natal Growth Fund Agency Bill, 2023;
 - 5.3.3 The KwaZulu-Natal Economic Regulatory Authority Bill, 2023; and
 - 5.3.4 The KwaZulu-Natal Tourism & Audio-Visual Agency Bill, 2023.
- 5.4 Department of Co-operative Governance and Traditional Affairs**
 - 5.4.1 Consolidated Municipal Annual Performance Report for the 2021/22 Financial Year, in terms of section 47 of the Municipal Systems Act, Act No. 32 of 2000;
- 5.5 Public Service Commission**
 - 5.5.1 Report on Inspections conducted at facilities affected by the flood disaster in KwaZulu-Natal Province, September 2023; and
 - 5.5.2 Public Service Commission: 2022/23 Annual Report.
- 6. FORMAL MOTIONS OR NOTICES BY THE CHIEF WHIP (Item 6 on Order Paper)**

[Opportunity for the Chief Whip to present motions or notices.](#)

7. MEMBERS' STATEMENTS (Item 7 on the Order Paper)
8. QUESTIONS TO THE PREMIER ON MATTERS OF PROVINCIAL IMPORTANCE IN TERMS OF RULE 120 OF THE STANDING RULES OF THE KZN LEGISLATURE (Item 8 on the Order Paper)
9. ORDERS OF THE DAY (Item 8 on the Order Paper)
 - 9.1 Debate on Report on Unaudited Close-out Budget Performance Hearings, 2022/23;
 - 9.2 Debate on the Report on Resolutions of the Portfolio Committee on Cogta taken during the section 132 Hearings with Municipalities between July to October 2022, as tabled in the House on 30 March 2023;
 - 9.3 Debate on the Report on the Oversight Visit to King Cetshwayo Disposal Water Facility Site and Dolphin Coast Waste Management Site, as tabled in the House on 18 April 2023; and
 - 9.4 Report by the MEC for Finance on the Combined Report to the Legislature on Progress on the Rationalisation of Provincial Public Entities.

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