

THURSDAY, 23 NOVEMBER 2023

[No. 21/2023] FIFTH SESSION, SIXTH LEGISLATURE

KWAZULU-NATAL LEGISLATURE

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MINUTES OF PROCEEDINGS

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Thursday, 23 November 2023

The Hybrid House met at 09h08.

1. 09H09 Members were given an opportunity for silent prayers or meditation.
2. 09H10 The Speaker made announcements, including the passing away of the following persons:
 - 2.1 Mr Jini Patrick Khoza, husband to honourable Ms NM Khoza, MEC for Social Development. Mr Khoza was the Mayor of Sisonke District, which is now called Harry Gwala District Municipality, from December 2000 until March 2011;

- 2.2 Mr Bonginkosi Ntuli, a South African professional soccer player who started his career with Golden Arrows back in 2012 and, while he was on the books of Mamelodi Sundowns between 2014 and 2019, he spent much of that time on loan at other clubs and had been playing for AmaZulu Football Club as a striker;
- 2.3 Mr Marc Rantseli, a singer-songwriter and member of the legendary duo *MarcAlex*. Marc Alex gained popularity in the 1980s with their hit song “Quick Quick” which reached number 1 on the South African music charts. Marc also spent a few years working at the Southern African Music Rights Organisation (SAMRO), advocating for the rights of musicians in this country;
- 2.4 Mr Xolile Irvin “DJ Amen” Sihlophe, *Ukhozi FM* sports presenter. Mr Sihlophe worked in almost all departments at *Ukhozi FM*, including religious shows, sports and education. He worked for *Ukhozi* for more than 15 years, presenting a religious show called *Unkulunkulu Nomuntu Omusha*. He presented and produced many sports shows, among others. Mr Sihlophe was also an events director, known for organising the popular Uvukile Gospel Festival, together with his friend and business partner Pastor Mjosty;
- 2.5 Mr Vela Henry Shandu, headman (Induna) of the Mathonsi Traditional Council in Mandeni who was shot dead by an unknown gunman who came to his home, pretending to want to discuss land matters;
- 2.6 All victims of gender-based violence, femicide and hate crime;
- 2.7 All public servants and traditional leaders in KwaZulu-Natal and the country at large; and

2.8 All victims of road fatalities in our province during the recent past.

The Hybrid House observed a minute of silence.

3. 09H14 The Acting Speaker made further announcements.
4. 09H18 The Premier made announcements.
5. 09H23 The Speaker read into the record the tabling of the following documents:
 - 5.1 KwaZulu-Natal Legislature:
 - 5.1.1 KwaZulu-Natal Legislature: Budget Performance In-Year Monitoring Report [IYM] for the month of October 2023.
 - 5.2 Standing Committee on Public Accounts:
 - 5.2.1 Standing Committee on Public Accounts: Hearings on 2022/23 Reports of the Auditor-General.
 - 5.3 Portfolio Committee on Finance:
 - 5.3.1 Report of the Portfolio Committee on Finance: 2023/24 Mid-Year Budget Performance Hearings.
 - 5.4 Portfolio Committee on Agriculture and Rural Development:
 - 5.4.1 Portfolio Committee on Agriculture and Rural Development: Report on Study tour to Malawi, 3 to 7 July 2023.

5.5 Standing Committee on Quality of Life, Youth, Children, Women, Senior Citizens and People with Disabilities:

5.5.1 Report on Children's Parliament, 2023;

5.5.2 Report on Youth Parliament, 2023;

5.5.3 Report on Women's Parliament, 2023; and

5.5.4 Report on 16 Days of Activism, 2023.

6. 09h26 Ms NR Majola, ANC, delivered the following Member's Statement and concluded at 09h27:

The 21st of November 2023 was indeed an historic day when eight legislatures, having received their final mandate to support the National Health Insurance Bill, lent their support to the NCOP select committee. The DA-led Western Cape Legislature was the only legislature that did not support the National Health Insurance Bill, but they were always unlikely to support it in the first place.

We want to thank all progressive Members of Parliament and those in the other Legislatures who supported this vision of having a health system for all citizens of this country. This will go a long way to the top, being a report of the full House of the NCOP.

We are confident that, with our endorsement, the NHI will happen. Our support for the NHI complemented the support that was indicated by the National Assembly. Since both Houses supported the Bill, the President will now be mandated to sign this Bill into law.

Viva, NHI! Viva, universal health coverage! Viva, citizens of South Africa! Viva, progressive Members of Parliament and Members of Provincial Legislatures!

7. 09h27 Ms N Sibhidla, ANC, delivered the following Member's Statement and concluded at 09h28:

Somlomo umbutho weSizwe – Inqola emasondosouKhongolose ubonga kakhulu ku mhlonishwa u Zuma ongumphathiswa wezolimo ngomsebenzi awenzayo wokukhulula isitshalo Insangu emva kweminyaka eminingi sicindezekile nabanikazi baso bengakwazi ukuhweba ngokukhululekile, lokhu kwakwenziwe ngabom ukuze indlu emnyama iphile ngaphantsi kobubha nezifo ezingalapheka kalula nge Nsangu.

Isinqumo sika mhlonishwa sokulekelela abalimi ikakhulukazi abamnyama abasafufusa kulomkhakha ukuthi bathole ama permits khona bezokwazi ukuhweba nge hemp sisishayela ihlombe elikhulu ngoba lokhu kuzovula amathuba emisebenzi kosher ikati eziko.

Qhuba Nxamalala, qhuba Khongolose ukhulule iNsangu baphile abantu bakithi uKhongolose uyabonga.

[English translation follows:

Madam Speaker, the African National Congress wishes to thank hon Zuma, the MEC for Agriculture and Rural Development, for the work he is doing to free up the growing of and trading in cannabis after so many years of restrictions. This was done deliberately to keep black people trapped in poverty and disease, as we know that there are many diseases that can be cured by using cannabis.

The MEC's decision to support emerging black farmers in this industry, particularly by helping them to obtain permits to trade in hemp, is applauded as this will create job opportunities and will put food on the table.

We urge the MEC and the ANC to continue freeing up the cannabis industry so that sick people can be cured. We thank the African National Congress.]

8. 09h28 Ms LD Ngubane, ANC, delivered the following Member's Statement and concluded at 09h29.

Ngisukuma nokubongela u -ward 41, lapha eMsunduzi ngokuqinisekisa ukuba ukhongolose uye yedwa olithemba Labantu base Ningizimu Afika lapho ukuveze ngokusobala izolo ngokubuyisa u-Khongolose emandleni ngo 81% impela the ANC lives and the ANC leads!

Sifisa ukuthi Undunankulu asichazele ukuthi ngabe imaphi amapogrammes uhulumeni wesifundazwe oholwa u-khongolose onakekelayo anawo ekulweni nobubha, kanye nokushintsha izimpilo zabantu base Mgungundlovu kanye nesifundazwe.

[English translation follows:

I wish to congratulate Ward 41 in Msunduzi for reaffirming that the ANC is the only hope for the people of South Africa when they gave the ANC a clear mandate with an 80% landslide victory. The ANC lives and the ANC leads!

We want to ask the Premier to outline programmes that the caring ANC-led government has put in place to fight poverty and change the lives of the people of Umgungundlovu and the province.]

9. 09h29 Mr P Govender, IFP, delivered the following Member's Statement and concluded at 09h30:

I, on behalf of the Inkatha Freedom Party, want to raise awareness of the severe challenges faced by non-profit organisations (NPOs) in KwaZulu-Natal due to the ineptitude on the part of the Department of Social Development – a sorry situation that has been going on for many months on end.

Despite there being a service level agreement between the department and compliant NPOs, and despite

funding having been budgeted for, a number of NPOs have not received their funding regularly.

For months now the department has been making excuses, such as cashflow problems, non-receipt of funds from Provincial Treasury and IT problems. There was a commitment from the department that NPOs would receive three-month tranche payments commencing in October, but not all NPOs have received this funding.

NPOs depend on funding from the department to provide services to their communities. NPOs have monthly commitments, such as paying staff salaries, servicing utility bills, maintaining their buildings, and providing food for people living in institutions, such as children's homes, etc.

Staff at some NPOs have threatened not to report for duty since they do not have money to travel to work. Should these NPOs not receive the funding that is due to them, they will be forced to close, and the department would be forced to provide those services to our people. Communities across our province will face serious challenges should NPOs be forced to shut down.

The difficulties faced by NPOs must be placed squarely at the door of the KZN Department of Social Development. I was hopeful that this situation would be resolved when the new CFO assumed office, but this has not happened.

This situation cannot and must not be allowed to continue. This House needs to know what the problems are and when NPOs will be able to breathe easily again.

10. 09h30 Mr S Bhanprakash, IFP, delivered the following Member's Statement and concluded at 09h31:

The Inkatha Freedom Party is calling on Parliament to review and increase the budget allocation for human settlements in KwaZulu-Natal. The current budget is

insufficient and only serves to perpetuate poverty and inequality in the province.

We also urge the MECs for Human Settlements and Finance to explore additional funding options to address the housing crisis. It is imperative for the government to prioritise investments in human settlements to create sustainable and inclusive communities. By so doing, we will be able to address the critical need for decent housing and infrastructure, and work towards breaking the cycle of poverty and inequality.

We implore Parliament to take immediate action to rectify the low budget for human settlements in KwaZulu-Natal and to commit to the development of affordable housing and infrastructure for all residents.

11. 09h31 Mr HU de Boer, DA, delivered the following Member's Statement and concluded at 09h32:

Madam Speaker, I put it to this House that political bungling, administrative incompetence and bad budgeting have led to disastrous consequences for business and residents alike in eThekweni.

Large-scale power outages, coupled with crippling daily water cuts, have stripped eThekweni of its status as an investment destination. Sabotage of both water and electrical installations seems rampant and must be urgently investigated by both the province and eThekweni.

Jobs are being compromised as eThekweni Municipality consistently fails to maintain its infrastructure. However, its mayor and his executive are able to find money for lavish parties. Mayor Kaunda dances on *TikTok* while Rome is burning – this, as some suburbs like Phoenix, Newlands, Greenwood Park and North Durban have not even enjoyed two consecutive days of uninterrupted water supply for months.

The biggest city in KwaZulu-Natal is in crisis, and we call on the Premier and her Executive Council to intervene, both politically and administratively, in the ongoing debacle that erodes the rights of businesses and the ravaged ratepayers of eThekweni. Uppermost, eThekweni Head of Water and Sanitation, Mr Ednick Msweli, and Mayor Kaunda must go!

12. 09h32 Mr GF Mtshali, EFF, delivered the following Member's Statement and concluded at 09h33:

Njenge EFF sizwakalisa ukukhathazeka ngezinga eliphezulu lokubulawa kwabantu kulesiFundazwe, bebulawa ngezibhamu. Nakuba uMthethosivivinywa owaziwa nge-Firearms Control Act ukhona ukuqinisekisa ukuthi izibhamu azitholwa yinoma wubani kuleli, kuyacaca ukuthi lomthetho uwodwa awanele njengoba bebaningi abantu abanezibhamu ezingekho emthethweni kuleli.

Siyafisa ukwazi ukuthi uMnyango wezokuPhepha nokuXhumanisa uMphakathi ikakhulukazi esifundazweni sethu okuyilapho kudlange khona ukubulawa kwabantu ngezibhamu, yiziohi izinhlelo onazo ukuqinisekisa ukuthi leyomiphakathi evezwa ama statistics ukuthi kunezinga lobugebengu obuphezulu iyavakashelwa ukubheka ukuthi labo abangabanikazi bezibhamu banazo ngokusemthethweni yini?

[English translation follows:

The EFF wishes to express its concern about the high murder rate in this province, especially due to the use of guns. Although the Firearms Control Act is meant to ensure that not just anyone can own a gun in this country, it is clear that this Act alone is not enough of a deterrent as there are many people in this country who are in possession of illegal firearms.

We want to know from the Department of Community Safety and Liaison in this province, where gun-related

murders are rife, if they have any plans in place to ensure that the communities, which are reflected in the statistics as having the highest levels of crime, are visited to ensure that those who are in possession of firearms are licensed to carry them.]

13. 09h35 Mr M Zuma, MEC for Agriculture and Rural Development, responded to the statement by Ms NN Sibhidla and concluded at 09h37.
14. 09h37 Ms BN Sithole-Moloi, MEC for Co-operative Governance and Traditional Affairs, responded to the statement by Mr HU de Boer and concluded at 09h39.
15. 09h39 Ms N Simelane, MEC for Health, responded to the statements by Ms RN Majola and Ms GF Mtshali and concluded at 09h41.
16. 09h41 The Premier responded to the statement by Mr HU de Boer and concluded at 09h42.
17. 09h43 Questions Session commenced and Question Nos. 205, 206, 207, 208, 210, 211, 214, 305 and 384 were answered from Question Paper No. 02/2023. Question 285 was deferred to the next Question Session.

Question Session concluded at 10h49.
18. 10h50 Debate on Programmes aimed at Ending the Tragedy of Gender-Based Violence and Femicide in our Lifetime, as highlighted in the 2023 State of the Province Address, commenced and was concluded at 12h07.
19. 12h08 Debate on the Mid-Term Budget Performance Reviews commenced and was concluded at 14h11.

Question put:

That the Reports of both the Portfolio Committee on Finance and the Standing Committee on Oversight be adopted.

Question agreed to.

Results of the vote were as follows:

In favour = 57 Against = 0 Abstentions = 0

20. 14h12 The business of the House was suspended and resumed at 14h56.
21. 14h57 Debate on the Audit Findings and SCOPA Resolutions commenced and was concluded at 16h12.

Question put:

That the Report be adopted.

Question agreed to.

Results of the vote were as follows:

In favour = 56 Against = 0 Abstentions = 0

22. 16h13 The Acting Speaker made a ruling.
23. 16h15 The Acting Speaker announced the passing away of Mr Stanford Sonjica, father to hon Mr S Sonjica. The Acting Speaker extended heartfelt condolences to the Sonjica family on behalf of the House.
24. 16h17 The House was adjourned until Tuesday, 28 November 2023.