

TUESDAY, 09 APRIL 2024

[No. 09/2024] FIFTH SESSION, SIXTH LEGISLATURE

KWAZULU-NATAL LEGISLATURE

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MINUTES OF PROCEEDINGS

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Tuesday, 09 April 2024

The Hybrid House met at 09h06.

1. 09h07 Members were given an opportunity for silent prayers or meditation.
2. 09h08 The Deputy Speaker made announcements, including the passing away of the following persons:
 - 2.1 Mrs Ntombifuthi Dlungwana, the mother of honourable Mr ME Dlungwana;
 - 2.2 Mrs Nxumalo, the wife of Archbishop Sam Nxumalo, a former cluster manager in the Committees Directorate of the Legislature who

retired in December 2023, passed away on Wednesday, 03 April 2024;

- 2.3 Mrs Kuhlekonke Pearl Ntuli, spouse of Mr Thabang Ngcobo, our service officer, passed away on Friday, 05 April 2024;
- 2.4 Mrs Lindiwe Mthembu, a former PR councillor in Ward 90, eThekweni Municipality, a position she had held since 2016. She was also a former eThekweni ANCWL Regional Chairperson amongst many other prestigious positions she had occupied;
- 2.5 Dr Zamambo Mkhize, a paediatrician at Harry Gwala Regional Hospital in Edendale. Dr Mkhize's body was found in the boot of her car. She had suffered a gunshot wound to her head and abrasions on her face;
- 2.6 Sergeant Sibongiseni Khoza who was killed on duty by a gunman in Sundumbili;
- 2.7 Forty-five people who passed away when the bus transporting them from Botswana to Moria crashed at the Mmamatlakala Bridge on the R518 in Limpopo on Thursday, 28 March 2024;
- 2.8 Durban Metro Police Constable Yolanda Khuzwayo who was stabbed to death by her boyfriend who was also her colleague. Constable Khuzwayo was pregnant at the time of her death;
- 2.9 Mr Luke Fleurs, *Kaizer Chiefs* defender, who passed away following a hijacking in Johannesburg. The 24-year-old is understood to have been fatally shot during an attempt by criminals to take his vehicle while at a petrol station in Roodepoort;

- 2.10 Comrade Michael Kitso Dingake, former Leader of the Opposition and founding President of the Botswana Congress Party (BCP), died after a short illness at the age of 96. His legacy as an internationalist, who wholeheartedly embraced the struggle for freedom in South Africa and across the continent, will forever be remembered;
- 2.11 All victims of gender-based violence, femicide and hate crimes;
- 2.12 All public servants and traditional leaders of this province and the country at large; and
- 2.13 All victims of road fatalities in our province during the recent past.

The Hybrid House observed a minute of silence.

- 3. 09h13 The Deputy Speaker made further announcements.
- 4. 09h24 The Premier made announcements.
- 5. 09h35 The Deputy Speaker read the tabling of the following reports into the record:

5.1 KwaZulu-Natal Legislature

5.1.1 KwaZulu-Natal Legislature: Budget Performance In-Year Monitoring Reports [IYM] for the month of February 2024.

5.2 Portfolio Committee on Education

5.2.1 Report on 2024 School Functionality Monitoring Programme: Early Childhood Development.

5.3 Portfolio Committee on Economic Development, Tourism and Environmental Affairs

5.3.1 Portfolio Committee on Economic Development and Tourism Report on the KwaZulu-Natal Economic Regulatory Authority Bill, 2023, in terms of Rule 223 of the Standing Rules;

5.3.2 Portfolio Committee on Economic Development and Tourism Report on the KwaZulu-Natal Tourism and Film Authority Bill, 2023, in terms of Rule 223 of the Standing Rules;

5.3.3 Portfolio Committee on Economic Development and Tourism Report on the KwaZulu-Natal Moses Kotane Research Institute Bill, 2023, in terms of Rule 223 of the Standing Rules; and

5.3.4 Portfolio Committee on Economic Development and Tourism Report on the KwaZulu-Natal Growth Fund Agency Bill, 2023, in terms of Rule 223 of the Standing Rules.

5.4 Office of the Premier

5.4.1 Department of the Premier: Annual Performance Plan for 2024/25.

5.5 Department of Education

5.5.1 Department of Education: Annual Performance Plan for 2024/25.

5.6 Department of Agriculture and Rural Development

5.6.1 Department of Agriculture and Rural Development: Annual Performance Plan for 2024/25; and

5.6.2 Agri-Business Development Agency: Annual Performance Plan for 2024/25.

5.7 Department of Sport, Arts and Culture

5.7.1 Department of Sport, Arts and Culture: Annual Performance Plan for 2024/25.

5.8 Department of Co-operative Governance and Traditional Affairs

5.8.1 Department of Co-operative Governance and Traditional Affairs: Annual Performance Plan for 2024/25;

5.8.2 eThekweni Municipality's 2022/23 Financial Year Oversight Report and Final 2022/23 Annual Report;

5.8.3 Ugu District Municipality: Oversight Report 2022/23 Financial Year and Council Resolution;

5.8.4 Nongoma Local Municipality: 2022/23 Financial Year Oversight Report and 2022/23 Annual Report;

5.8.5 Umgungundlovu District Municipality: 2022/23 Financial Year Oversight Report and 2022/23 Annual Report;

5.8.6 2022/23 Oversight Report on the 2022/2023 Annual Report;

5.8.7 Umlalazi Municipality: 2022/23 Financial Year Oversight Report and 2022/23 Annual Report Annual Report; and

5.8.8 Big 5 Hlabisa Municipality: 2022/23 Financial Year Oversight Report and 2022/23 Annual Report Annual Report.

5.9 Department of Transport, Community Safety and Liaison

5.9.1 Department of Community Safety and Liaison: Annual Performance Plan for 2024/25; and

5.9.2 Department of Transport: Annual Performance Plan for 2024/25.

5.10 Department of Public Works and Human Settlements

5.10.1 Department of Human Settlements: Annual Performance Plan for 2024/25; and

5.10.2 Department of Public Works: Annual Performance Plan for 2024/25.

5.11 Department of Social Development

5.11.1 Department of Social Development: Annual Performance Plan for 2024/25.

5.12 Department of Finance

5.12.1 Department of Finance (Treasury): Annual Performance Plan for 2024/25.

5.13 Department of Health

5.13.1 Department of Health: Annual Performance Plan for 2024/25.

6. 09h41 Mr JS Nxumalo moved a motion without notice in terms of Rule 105(1)(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 under Standing Rule 103(2) as follows:

Noting that:

That the Sixth Electoral Term of the KZN Legislature is coming to an end;

That the commencement of the term the Legislature had adopted a five-year Strategic Plan to guide its operations;

That the attached Sixth Legislature: End-of-term Institutional Legacy Report of the KZN Legislature covers a wide range of relevant topics for consideration by the incoming political administration to ensure a smooth transition between legislative terms; and

That the Institutional Legacy Report has been completed and there is a need for the approval thereof by the House.

This House therefore resolves to:

Approve the Sixth Legislature: End-of-term Institutional Legacy Report of the KZN Legislature.

Question put:

That the motion be adopted.

Question agreed to.

Results of the vote were as follows:

In favour = 68 Against = 10 Abstentions = 0

7. 09h52 Debate and Voting on the KwaZulu-Natal Economic Regulatory Authority Bill, 2023, commenced and was concluded at 10h37.

Question put:

That the KwaZulu-Natal Economic Regulatory Authority Bill, 2023, be adopted.

Question agreed to.

Results of the vote were as follows:

In favour = 70 Against = 0 Abstentions = 0

8. 10h38 Debate and Voting on the KwaZulu-Natal Tourism and Film Authority Bill, 2023, commenced and was concluded at 11h20.

That the KwaZulu-Natal Tourism and Film Authority Bill, 2023, be adopted.

Question agreed to.

Results of the vote were as follows:

In favour = 66 Against = 0 Abstentions = 0

9. 11h23 Debate and Voting on the KwaZulu-Natal Moses Kotane Research Institute Bill, 2023. commenced and was concluded at 12h08.

Question put:

That the KwaZulu-Natal Moses Kotane Research Institute Bill, 2023. be adopted.

Question agreed to.

Results of the vote were as follows:

In favour = 68 Against = 0 Abstentions = 0

10. 12h09 Debate and Voting on the KwaZulu-Natal Growth Fund Agency Bill, 2023 commenced and was concluded at 12h55.

Question put:

That the Bill be adopted.

Question agreed to.

Results of the vote were as follows:

In favour = 58 Against = 0 Abstentions = 0

11. 12h56 Debate and Voting on the Conferral of a Mandate on the National Small Enterprise Amendment Bill [B16B-2023] commenced and was concluded at 13h37.

Question put:

That the KwaZulu-Natal provincial delegation to the National Council of Provinces vote in support of the National Small Business Enterprise Amendment Bill [B16B-2023] at the relevant NCOP select committee; and

That the head of the provincial delegation to the NCOP or a delegate designated by the head of delegation, cast a vote in favour of the National Small Business Enterprise Amendment Bill [B16B-2023] at the NCOP plenary.

Question agreed to.

Results of the vote were as follows:

In favour = 56 Against = 0 Abstentions = 0

12. 13h38 Party leaders rendered farewell speeches at the end of the Sixth Term Legislature Session and concluded at 13h59.
13. 14h00 The Speaker made an announcement and remarks.
14. 14h05 The House was adjourned until Tuesday, 16 April 2024.