

TUESDAY, 09 JULY 2024

[No. 02/2024] FIRST SESSION, SEVENTH LEGISLATURE

KWAZULU-NATAL LEGISLATURE

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MINUTES OF PROCEEDINGS

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Tuesday, 09 July 2024

The House met at 09h05.

1. 09h06 Members were given an opportunity for silent prayers or meditation.
2. 09h08 The Speaker made announcements, including the passing away of the following persons:
 - 2.1 Mr Amos Zakhele Manqayi, Deputy Director General in the Office of the Premier;
 - 2.2 Ms Cynthia Gugu Dube, Assistant Director: CDWP, Department of Co-operative Governance and Traditional Affairs;

- 2.3 Mr Nkosinathi Philani Mavundla, son of Mr PG Mavundla, President of Abantu Batho Congress;
- 2.4 Ms Duduzile “Dudu” Cynthia Myeni, businesswoman, former Chairperson of *South African Airways Soc Limited* and Executive Chairperson of the Jacob Zuma Foundation;
- 2.5 Six women and children who were fatally shot in eZakheni, Ladysmith. The youngest victims were two years and five years old, respectively. Twelve people were travelling in a bakkie on the Helpmekaar Road at the time, when occupants in another vehicle opened fire on them;
- 2.6 Mr Simo Zulu, Deputy Director: Monitoring and Evaluation at the KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs;
- 2.7 Mr Nkosiyabo Boyce, nephew of Ms NN Boyce, Speaker of the KZN Legislature, who passed away on 01 July 2024. He will be buried on 13 July 2023 in the Winnie Madikizela Mandela Local Municipality;
- 2.8 All victims of gender-based violence, femicide and hate crimes;
- 2.9 All public servants and traditional leaders of this province and the country at large; and
- 2.10 All victims of road fatalities in our province during the recent past.

The House observed a minute of silence.

- 3. 09h13 The Speaker made further announcements and rulings.
- 4. 10h05 The Speaker tabled the Speaker’s Report in terms of Rule 14.

6. 10h08 Voting on Mandate in respect of NCOP Deputy Chairperson commenced and the following Question was put to the House:

Noting that:

In accordance with section 64(1) of the Constitution of the Republic of South Africa, 1996, the National Council of Provinces (NCOP) must elect a Chairperson and two Deputy Chairpersons from among the provincial delegates;

In accordance with section 64(2) of the Constitution, the Chairperson and one Deputy Chairperson are elected for a term of five years;

In accordance with section 64(3) of the Constitution, the other Deputy Chairperson is elected for a term of one year and is succeeded by a delegate from another province; and

In accordance with the prescribed procedure set out in item 3(2)(b) and 6(a) and (b) of Part A of Schedule 3 to the Constitution –

- the nomination forms must be signed on behalf of two provincial delegations;
- if more than one candidate is nominated, a vote must be taken by secret ballot; and
- each province represented at the meeting may cast one vote.

This House therefore resolves:

To mandate the KwaZulu-Natal provincial delegation to the National Council of Provinces (NCOP) to –

- Nominate Mr Poobalan Govender as Deputy Chairperson in terms of section 64(2) of the Constitution, and
- Vote for Mr Poobalan Govender in their respective capacities at a meeting of the NCOP, if voting is required.

Question put:

That the KwaZulu-Natal provincial delegation to the National Council of Provinces (NCOP) –

- Nominate Mr Poobalan Govender as Deputy Chairperson in terms of section 64(2) of the Constitution, and
- Vote for Mr Poobalan Govender in their respective capacities at a meeting of the NCOP, if voting is required.

Question agreed to.

Results of the vote were as follows:

In favour: 41
Against: 0
Abstentions: 0

Voting concluded at 10h13.

7. 10h14 Establishment of Committees in terms of Rule 195 commenced and the following Question was put to the House:

Noting that:

That the Standing Rules of the KwaZulu-Natal Legislature were adopted on Friday, 14 June 2024;

Rule 139(1) of the Standing Rules states that the Legislature has management committees, standing committees and portfolio committees;

Management committees and standing committees have been automatically established with the adoption of the Standing Rules;

It is required that portfolio committees be established by the House;

Rule 195 of the Standing Rules states that:

The House may by resolution –

(a) establish or disestablish a range of portfolio committees within 7 days of the election of the Speaker and the Deputy Speaker after an election of the legislature;

(b) assign a portfolio, or part thereof, of government affairs to each committee; and

(c) determine a name for each committee.

This House therefore resolves:

To establish the following portfolio committees:

1. Premier, Community Safety and Liaison
2. Agriculture and Rural Development
3. Economic Development and Tourism
4. Environmental Affairs
5. Education
6. Finance
7. Health
8. Human Settlements
9. Sport, Arts and Culture
10. Co-operative Governance and Traditional Affairs
11. Transport

12.Social Development
13.Public Works

Question put:

That the establishment of Committees be approved.

Question agreed to.

Results of the vote were as follows:

In favour: 41
Against: 0
Abstentions: 0

Voting concluded at 10h22.

9. 10h23 Election of the Chairperson of Committees commenced.

Mr OB Kunene nominated Dr NNG Mahlaba as Chairperson of Committees, and the nomination was seconded by Mr BM Zuma.

Question put:

That Dr NNG Mahlaba be appointed as Chairperson of Committees.

Question agreed to.

Results of the vote were as follows:

In favour: 41
Against: 0
Abstentions: 0

Dr NNG Mahlaba was declared Chairperson of Committees as a result of a single nomination.

Voting concluded at 10h27.

10. 10h28 Election of the Deputy Chairperson of Committees commenced.

Mr BM Zuma nominated Mr OB Kunene as Deputy Chairperson of Committees, and the nomination was seconded by Mr FA Rodgers.

Question put:

That Mr OB Kunene be appointed as Deputy Chairperson of Committees.

Question agreed to.

Results of the vote were as follows:

In favour: 41
Against: 0
Abstentions: 0

Mr OB Kunene was declared Deputy Chairperson of Committees as a result of a single nomination.

Voting concluded at 10h29.

11. 10h30 The Deputy Speaker delivered the Report of the Speaker in terms of Rule 14 and concluded at 10h48.

Question put:

That the Report be adopted.

Question agreed to.

Results of the vote were as follows:

In favour: 40
Against: 0
Abstentions: 0

12. 10h52 Mr BM Zuma moved for an amendment to the Order Paper in terms of Rule 51 to include an item on the election of Chairpersons of Committees.

Question put:

That the Order Paper be amended to include the item on the election of Chairpersons of Committees.

Question agreed to.

Results of the vote were as follows:

In favour: 40
Against: 0
Abstentions: 0

Voting concluded at 10h54.

13. 10h57 Determination of salary of the Premier as reflected below commenced and was concluded at 11h00.

Grade	Pay Level	Position	1 April 2023	1 April 2024
LA	1	Premier	2 470 010	2 531 760

Question put:

That the salary of the Premier be approved.

Question agreed to.

Results of the vote were as follows:

In favour: 40
Against: 0
Abstentions: 0

14. 11h03 Appointment of Trustee and Alternate Trustee of the

Political Office Bearers Pension Fund commenced.

14.1 Mr MB Gwala nominated Ms M Tembe as Trustee of the Political Office Bearers Pension Fund, and the nomination was seconded by Ms CM Shinga.

14.2 Mr MB Gwala nominated Mr S Bhanprakash as Alternate Trustee of the Political Office Bearers Pension Fund, and the nomination was seconded by Ms MC Frazer.

Question put:

That Ms M Tembe be appointed as Trustee of the Political Office Bearers Pension Fund and Mr S Bhanprakash as Alternate Trustee of the Political Office Bearers Pension Fund.

Question agreed to.

Results of the vote were as follows:

In favour: 40
Against: 0
Abstentions: 0

Voting concluded at 11h09.

15. 11h10 Election of Chairpersons of Committees commenced.

15.1 Election of Chairpersons of Portfolio Committees

15.1.1 Portfolio Committee on the Premier, Community Safety and Liaison

Ms CQ Madlopha nominated Ms MC Frazer as Chairperson of the Portfolio Committee on the Premier, Community Safety and Liaison, and the nomination was seconded by Ms N Simelane.

Ms MC Fazer was declared Chairperson of the Portfolio Committee on the Premier, Community Safety and Liaison as the result of a single nomination.

15.1.2 Portfolio Committee on Agriculture

Ms FA Masiko nominated Mr BM Zuma as Chairperson of the Portfolio Committee on Agriculture, and the nomination was seconded by Ms SMM Mkhize.

Mr BM Zuma was declared Chairperson of the Portfolio Committee on Agriculture as the result of a single nomination.

15.1.3 Portfolio Committee on Economic Development

Ms BN Sithole-Moloi nominated Mr M Mndebele as Chairperson of the Portfolio Committee on Economic Development, and the nomination was seconded by Dr NNG Mahlaba.

Mr M Mndebele was declared Chairperson of the Portfolio Committee on Economic Development as the result of a single nomination.

15.1.4 Portfolio Committee on Environmental Affairs

Ms HGS Mavimbela nominated Ms BN Sithole-Moloi as Chairperson of the Portfolio Committee on Environmental Affairs, and the nomination was seconded by Ms MC Frazer.

Ms BN Sithole-Moloi was declared Chairperson of the Portfolio Committee on Environmental Affairs as the result of a single nomination.

15.1.5 Portfolio Committee on Education

Mr MB Gwala nominated Ms PATN Buthelezi as Chairperson of the Portfolio Committee on Education, and the nomination was seconded by Ms NP Dlamini.

Ms PATN Buthelezi was declared Chairperson of the Portfolio Committee on Education as the result of a single nomination.

15.1.6 Portfolio Committee on Finance

Ms MC Frazer nominated Mr ME Dlungwana as Chairperson of the Portfolio Committee on Finance, and the nomination was seconded by Ms CQ Madlopha.

Mr ME Dlungwana was declared Chairperson of the Portfolio Committee on Finance as the result of a single nomination.

15.1.7 Portfolio Committee on Health

Ms HS Lidgett nominated Dr I Keeka as Chairperson of the Portfolio Committee on Health, and the nomination seconded by Mr S Mngadi.

Dr I Keeka was declared Chairperson of the Portfolio Committee on Health as the result of a single nomination.

15.1.8 Portfolio Committee on Human Settlements

Mr OB Kunene nominated Dr AC Biyela as Chairperson of the Portfolio Committee on Human Settlements, and the nomination was seconded by Ms NJ Nkwanyana.

Dr AC Biyela was declared Chairperson of the Portfolio Committee on Human Settlements as the result of a single nomination.

15.9 Portfolio Committee on Sport, Arts and Culture

Ms FA Masiko nominated Ms SMM Mkhize as Chairperson of the Portfolio Committee on Sport, Arts and Culture, and the nomination was seconded by Dr AC Biyela.

Ms SMM Mkhize was declared Chairperson of the Portfolio Committee on Sport, Arts and Culture as the result of a single nomination.

15.1.10 Portfolio Committee on Co-operative Governance and Traditional Affairs

Dr I Keeka nominated Ms M Nair as Chairperson of the Portfolio Committee on Co-operative Governance and Traditional Affairs, and the nomination was seconded by Mr S Mngadi.

Ms M Nair was declared Chairperson of the Portfolio Committee on Co-operative Governance and Traditional Affairs as the result of a single nomination.

15.1.11 Portfolio Committee on Transport

Mr OB Kunene nominated Mr MC Maphisa as Chairperson of the Portfolio Committee on Transport, and the nomination was seconded by Ms NP Ngubane.

Mr MC Maphisa was declared Chairperson of the Portfolio Committee on Transport as the result of a single nomination.

15.1.12 Portfolio Committee on Social Development

Mr MB Gwala nominated Ms NP Ngubane as Chairperson of the Portfolio Committee on Social Development, and the nomination was seconded by Mr MB Khawula.

Ms NP Ngubane was declared Chairperson of the Portfolio Committee on Social Development as the result of a single nomination.

15.1.13 Portfolio Committee on Public Works

Mr MB Gwala nominated Mr PN Msimango as Chairperson of the Portfolio Committee on Public Works, and the nomination was seconded by Mr MC Maphisa.

Mr PN Msimango was declared Chairperson of the Portfolio Committee on Public Works as the result of a single nomination.

Question put:

That the appointment of Chairpersons of Portfolio Committees be approved.

Question agreed to.

Results of the vote were as follows:

In favour: 40

Against: 0

Abstentions: 0

15.2 Election of Chairpersons of Standing Committees

15.2.1 Standing Committee on Public Participation and Petitions

Mr MB Gwala nominated Ms NJ Nkwanyana as Chairperson of the Standing Committee on Public Participation and Petitions, and the nomination was seconded by Mr PN Msimango.

Ms NJ Nkwanyana was declared Chairperson of the Standing Committee Public Participation and Petitions as the result of a single nomination.

15.2.2 Standing Committee on Quality of Life and Status of Women, Children, Youth and Disabled Persons.

Ms HGS Mavimbela nominated Ms FA Masiko as Chairperson of the Standing Committee on Quality of Life and Status of Women, Children, Youth and Disabled Persons, and the nomination was seconded by Mr PN Msimango.

Ms FA Masiko was declared Chairperson of the Standing Committee on Youth, Children, Women, Senior Citizens and People with Disabilities as the result of a single nomination.

15.2.3 Standing Committee on Public Accounts

Ms HS Lidgett nominated Mr T J Brauteseth as Chairperson of the Standing Committee on Public Accounts, and the nomination was seconded by Dr I Keeka.

Mr T J Brauteseth was declared Chairperson of the Standing Committee on Public Accounts as the result of a single nomination.

15.2.4 The election of Chairpersons of the Standing Committees on Oversight, Women's Caucus and Committee on Scrutiny of Subordinate Legislation was put in abeyance.

Question put:

That the appointment of Chairpersons of Standing Committees be approved.

Question agreed to.

Results of the vote were as follows:

In favour: 40
Against: 0
Abstentions: 0

Elections concluded at 11h55.

16. 11h56 The Premier made an announcement.
17. 11h58 The Speaker made remarks.
18. 11h59 The House was adjourned *sine die*.