

Monthly magazine of the Parliament of the Republic of South Africa

in session



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Lighting a torch

16 Days of Activism for no violence
against Women and Children





PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA



Mace of National Assembly

Vision Statement

To build an effective people's Parliament that is responsive to the needs of the people and that is driven by the ideal of realising a better quality of life for all the people of South Africa.

Mission Statement

As the freely elected representatives of the people of South Africa, our Mission is to represent, and to act as a voice of the people, in fulfilling our Constitutional functions of passing laws and overseeing executive action.

Strategic Objectives

1. Strengthen oversight
2. Build a People's Parliament
3. Strengthen co-operative government
4. Improve international participation
5. Build an effective and efficient institution



Black Rod of National Council of Provinces

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OUR IDEALS


VISION To build an effective people's Parliament that is responsive to the needs of the people and that is driven by the ideal of realising a better quality of life for all the people of South Africa.

MISSION

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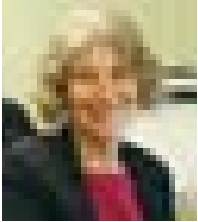
We remember Tata Madiba

18 July 1918 – 5 December 2013



A year since his death,
Parliament honours
his legacy

editor's note



This issue of *InSession* brings production of Parliament's flagship magazine to an end for the year and what a year it has been, marked by the mid-year transition from the fourth to the fifth Parliament.

All of this year's parliamentary activities have been underpinned by the theme of "20 Years of a Democratic Parliament". The end of two decades of democracy is a good time to take stock.

The May election brought a large contingent of new political parties and new Members into Parliament, and with them came new ideas and demands. They introduced debate and difference of opinion, which are the hallmarks of a healthy democracy. It has not been a simple transition process, but change never is. The third decade of democracy in our country promises to put our transition to the test, and Parliament is determined to pass with flying colours.

A team of parliamentary leaders are supporting the Presiding Officers in their task of drawing up Parliament's Strategic Plan for the term. This process aims for a fifth Parliament that is ready to meet new challenges.

But the end of the year is not only a time to look forward. It is also a time to look back and remember 2014 as the year in which Secretary to Parliament, Mr Michael Coetzee, passed away, after a long battle with cancer. The unanimous message at Parliament's memorial service was that he "died with his boots on", still serving Parliament by swearing in the new MPs of the fifth Parliament only days before his death.

On 5 December, we remember our beloved Madiba, a year after his passing. Parliament remains bound to the Madiba legacy – his bust holds pride of place in the precinct. No one can enter the National Assembly without first encountering it.

InSession this month focuses on the deliberations of some of the National Council of Provinces' Select Committees as they exercised oversight in remote parts of the country. Pages 22 to 23 focus on underperforming health centres and schools in the Eastern Cape's OR Tambo region. The Select Committee on Social Services conducted a four-day oversight visit to monitor the pilot implementation of the National Health Insurance Plan while the Select Committee on Education and Recreation checked up on underperforming schools and further education and training colleges.

The Select Committee on Land and Mineral Resources wants assurances that hydraulic fracking will not create more environmental problems than it can solve. We read about its public hearing on page 26.

On page 27 we review the visit by the Select Committee on Economic Development and the Select Committee on Trade and International Relations to monitor small-scale farming in the Northern Cape, where they learned that one of the most serious challenges was posed by stiff competition from commercial farmers.

After the October presentation by the new Finance Minister, Mr Nhlanhla Nene, of the Medium Term Budget Policy Statement, Parliament's magazine examines its implications. On pages 10 and 11, *InSession* considers how provincial population numbers are used to determine budget allocations for provinces, while pages 12 and 13 focus on the responses of the experts who appeared before the Select and Standing Committees of Finance.

Your Parliament's rationale to forge a people-centred, developmental state is explained on pages 28 to 29, where Mr Jeff Radebe, Minister of Planning, Monitoring and Evaluation, describes the parliamentary tool that aims to "create a seamless value chain between planning, monitoring and evaluation". It is the product of a 2010 decision to ensure that a results-driven government is firmly in place.

With that thought for the future, we close publishing *InSession* for 2014, but we will keep publishing stories on Parliament's website and you can follow us on Twitter and Facebook. We would like to hear your comments and views, as this is your Parliament and *InSession* is your magazine. Email us at insession@parliament.gov.za or write to us at P O Box 15, Cape Town 8000. 🌍

Happy reading

Moira Levy
Editor



Speaker of the National Assembly, Ms Baleka Mbete

MESSAGE FROM THE

national assembly

The South African Parliament welcomes the debate on the nexus between gender equality and ending violence against women. This year, South Africa marked the 60th anniversary of the Women's Charter, a document that made a key contribution to the Freedom Charter. We also celebrate 20 years of our free, non-racial and non-sexist South Africa.

The strong representation of women in our Parliament and in Cabinet is a result of sustained activism by women and bold action by the ruling party, the African National Congress, to introduce a 50/50 quota system. As South African women, we have been acutely aware of the necessity to change the content of institutions rather than merely gaining admittance into them.

At all times, the end result of increasing women's participation in politics must make a qualitative difference and help make our country a better society to live in. Responding to the needs of the poor is to deal with women's needs as they are the majority of the poor. Women's involvement in community development, including at leadership levels, produces new ways of relating in society generally. While the community's trust in women is raised, the confidence of women in themselves is also raised.

It was through the efforts of women parliamentarians that Parliament passed a package of progressive laws: most notably in labour, equality and domestic violence. Our government further developed the requisite institutional mechanisms such as a Women's Ministry, which enjoys prominence in the Presidency. In addition, supplementary watchdog institutions such as the Human Rights Commission, the Public Protector and the Commission on Gender Equality, to name a few, were also established.

South Africa has not been immune to alarming levels of gender-based violence. Our government has invested significant resources into researching the causes of gender-based violence so that our strategies match causality. The research shows that femicide – the killing of women by their intimate partners – is the leading cause of female homicide in South Africa. Studies have also found that the high prevalence of rape is embedded in ideas about South African manhood.

In this regard, our government has undertaken a number of initiatives to change the paradigm of masculinity that allows for the resolution of conflict through violence. We have pursued strategies that engage men – policy makers, parents and young boys – in discourse about the dynamics and consequences of violence. Ours is a society emerging from a very violent past. We have no illusion about how long it will take for us to change this.

Our government has also undertaken major projects to improve the justice system, through re-engineering state legal services, implementing new legislation, opening high courts, sexual offences courts, maintaining a national register for sexual offenders and accelerating access to justice services. We have introduced one-stop centres, called Thuthuzela Care Centres, which provide survivors with access to a range of different services.

As Parliamentarians we must promote an understanding of differential circumstances of women and men in society and facilitate and monitor capacity building and skills development for women to participate meaningfully in all areas of the economy. We simply have no choice but to occupy the spaces in which we find ourselves more meaningful and valued, so that all in society enjoy a better life.

The Speaker of the National Assembly, Ms Baleka Mbete, gave this address when she led a multiparty delegation of Members from both Houses of Parliament to the 131st Inter Parliamentary Union Assembly in Geneva, Switzerland. The main theme of the Assembly was "Achieving gender equality, ending violence against women". 🌍

i put the question

The Deputy President of the country, Mr Cyril Ramaphosa, answered questions in the National Council of Provinces (NCOP) recently.



Mr Dumisani Ximbi (ANC)

Mr Dumisani Ximbi (ANC-WC) asked the Deputy President whether the government has looked at the social, economic and psychological impact of the trauma of the persistent violent crime to social cohesion in our communities?

The Deputy President answered: The government has undertaken various studies on crime, its causes and its effects. However, no study has directly explored the link between crime and social cohesion. Still, it is common cause that crime has a negative impact on social cohesion. At the same time, a lack of social cohesion contributes to high rates of crime, as we know that criminal activity is able to flourish where bonds of social solidarity are weak and a sense of community becomes deficient.

We are therefore called upon both to fight crime and promote greater social cohesion. If we embrace a sense of mutual obligation and accept responsibility for our actions, then we will have more co-operative communities.

Mr Lennox Gaehler (UDM-EC) asked the Deputy President to explain South Africa's plan to ensure that democracy prevails in Swaziland.

The Deputy President replied: South Africa is committed to the promotion of human rights and democracy in our region, our continent and across the world. As a country, South Africa respects the sovereignty of all countries

and only intervenes under the auspices of multinational institutions like the Southern African Development Community, the African Union or indeed the United Nations.

In the case of Swaziland, our government does engage the government of Swaziland on a number of bilateral issues, including issues of political freedom. Bilateral relations between South Africa and Swaziland are cordial and are informed by historical bonds, cultural affinities, economic interests and geographical proximity.

Structured bilateral relations between the two countries are conducted under the framework of the Joint Bilateral Commission of Co-operation. This framework, signed in Swaziland on 20 December 2004, seeks to promote political, economic and social co-operation between South Africa and Swaziland. As a consequence, the two countries have concluded, over the years, bilateral agreements and memoranda of understanding to enhance sectoral co-operation between the two countries.

Ms Leigh-Ann Mathys (EFF-Gauteng) asked the Deputy President what actions the government had taken on private sector corruption with regard to tax evasion, base erosion and price fixing.

The Deputy President responded: Tax evasion, base erosion and price fixing are three different concepts, but

they have the same consequence – reduction, deferment or elimination of a tax liability. Government, through the National Treasury, the SA Reserve Bank (SARB), and the SA Revenue Service (SARS), works continuously to ensure that the South African tax base is protected. Over the past year, the National Treasury introduced several proposals to counter base erosion across a multitude of tax types. As part of their routine activities, SARS and SARB continually assess taxpayers and significant financial transactions to ensure compliance with their relevant laws.

The Reserve Bank and SARS work closely together to monitor capital flow movements. Ongoing interaction between the two institutions means that attempts by noncompliant taxpayers to move capital offshore is reduced. SARS, as the administrator of tax and customs laws, works towards driving compliance through intense audit activity. In working around audit capacity constraints, SARS has adopted a risk-based targeted approach to auditing large corporations.

On transfer pricing specifically, the tax laws currently provide for rules to adjust the taxable income of a taxpayer where the commissioner is satisfied that a transaction between connected parties was not done on an arm's length basis. At a more strategic level, the National Treasury and SARS are also working closely with the Davis Commission to ensure a thorough review of the current tax policy and legislative framework. 🌐

highlights from the committee rooms



Every month Parliament's Committees exercise their law-making and oversight functions. *Cedric Mboya* compiled this summary of a selection of Committees' deliberations.

* **The Joint Committee on Ethics and Members' Interests** cleared National Assembly Speaker, Ms Baleka Mbete, of any breach of the Code of Conduct for Assembly and Council Members regarding her acquisition of shares in Gold Fields. The Committee resolved this after considering a complaint submitted by Mr Bantubonke Holomisa on 22 October 2014. In his complaint, Mr Holomisa requested that the Committee consider allegations that the Speaker may have improperly acquired shares in Gold Fields. Mr Holomisa also asked for clarity on whether the Speaker received two salaries.

In determining whether the acquisition of shares was improper, the Committee pointed out that the Code of Conduct specifically applied to Members of Parliament. Ms Mbete was not a Member of Parliament when she acquired the shares in 2010. The Committee also confirmed that the Speaker disclosed her financial interests in Rich Cove Investment as required in terms of the Joint Rules. On the matter of receiving two salaries, the Committee was satisfied that the Speaker confirmed in writing that she received one salary.

* **The Select Committee on Appropriations** held public hearings on the proposed division of revenue and conditional grant allocation of provinces and local government. The Committee invited three stakeholders, the South African Local Government Association (Salga), the Development Bank of Southern Africa (DBSA) and the Municipal Infrastructure Support Agent (Misa). The stakeholders briefed the

Committee on the support that they provide to municipalities.

In its presentation, Misa stated that according to its mandate it provides technical capacity support and assists municipalities to build their internal capacity for improved management of infrastructure and service provision. Misa's programmes focus on supporting mainly low and medium capacity municipalities that struggle with the development and maintenance of infrastructure and service provision.

Salga indicated the need for increased local government funding and stated that in the 2015/16 budget the entity will invest more in monitoring the performance and capacity of municipal oversight structures.

The DBSA approach to municipalities is to strengthen the capacity of under-resourced municipalities in areas such as project planning and to increase its focus on areas with the biggest unfunded gap through project origination initiatives.

The Chairperson of the Committee, Mr Seiso Mohai, welcomed the presentations. "We are here to solicit the views of the stakeholders because the Act requires that the Committee conducts hearings following the Minister of Finance's Mid-Term Budget Policy Statement. We value the contribution and views expressed to us by Salga, DBSA and Misa and we take note of issues raised as these will be important in compiling a report which will be tabled before the National Council of Provinces," Mr Mohai said.

* **The Portfolio Committee on Justice and Correctional Services** has been given an assurance that no prisoners receive preferential treatment.

Committee Chairperson Dr Mathole Motshekga said he was grateful for the commitment made by the Department of Justice and Correctional Services. He urged senior management of Correctional Services to act in a swift manner once these issues were brought to their attention because it was not always possible to be aware of such incidents all the time.

The issue of preferential treatment was highlighted by some Committee members who wanted to know if the convicted paralympian, Mr Oscar Pistorius, was being given preferential treatment by being placed in a special section of the prison.

The acting National Commissioner indicated that it was not proper to comment on the matter as it was still on appeal. The department stated that the White Paper on Corrections was clear that people with disabilities were to be treated differently. "He has a disability, so we need to treat him differently. It, however, does not boil down to preferential treatment."

The Department of Justice and Correctional Services briefed the Committee on its strategy to manage overcrowding, the impact of the overcrowding strategy on population level and the impact of overcrowding on security.

The Committee further heard that overcrowding in prisons is on the decline. In 2002/3 the prisons were 164% full, which in 2013/14 decreased to 130%. 📊

Government called to account

The last quarter of the programme for every year is marked by the appearance before the parliamentary Committees of all government departments and their entities to account for the monies allocated to them at the beginning of the financial year, writes *Mava Lukani*.

Such appearances happen within the context of the constitutional mandate of the Parliament of the Republic of South Africa, which includes making the executive account to the public through Parliament.

At the beginning of the financial year, government departments and their entities appear before Parliament through parliamentary Committees to present their strategic and annual performance plans. Based on those presentations, Parliament recommends the allocation of the resources they need from the National Treasury to ensure the translation of their plans into the delivery of services to the people.

The parliamentary programme dedicates the last term for the appearance of government departments and their entities to appear before the parliamentary Committees to report on the state of the implementation of their strategic and annual performance plans.

There are Acts of Parliament that govern the appearance of government departments and their entities before parliamentary Committees. The Money Bills Amendment Procedure and Related Matters Act is among these Acts, as is the Public Finance Management Act. The Money Bills

Amendment Procedure and Related Matters Act's Section 5 requires the National Assembly, through its Committees, to annually assess the performance of each national department and its entities, with reference to the following:

- * The medium term estimates of expenditure of a department including its strategic priorities and measurable objectives.
- * The departments' strategic plans and annual performance plans.
- * The expenditure report of departments published by the National Treasury in terms of Section 32 of the Public Finance Management Act.
- * The departments' annual reports and financial statements.
- * The Committee on Public Accounts' reports relating to a department.
- * Any other information that may be requested by or presented to Parliament.

According to the Act, the Committee must submit a report of its assessment, known as a Budgetary Review and Recommendations Report (BRRR), for tabling in the National Assembly. The BRRR must provide an assessment of the respective department's service delivery performance given available resources and the effectiveness and efficiency of the department's use of available resources.

Furthermore, the report may also include recommendations for the department's use of resources. The Act stipulates that a Committee should, in compiling its report, consider departmental performance for the previous, completed financial year, beginning with the budget and strategic plan and ending with the annual report – which should be available before the Committee has completed its work. While the Committee should focus on the previous year, the performance of the department for the current year, at least up to the second financial quarter, should not be overlooked.

The report must be submitted after the main Appropriation Bill has been passed and prior to the adoption of the reports on the Medium Term Budget Policy Statement. Once the National Assembly has adopted a Committee's report it must be submitted to the Minister of Finance and the minister of the relevant department. The Minister of Finance must report to the House when the next Budget is tabled in February, explaining how the Budget gives effect to, or the reasons for not taking into account, the recommendations contained in the reports.

As the fourth quarter of the programme for the year was dedicated to BRRRs in the Committees, they invited the departments and their entities to come and account before them for what they have done so far in their translation of their strategic and performance plans. At the time of writing, the National Assembly was preparing to debate the reports, most of which have requests for additional funds. 🌐



MONEY MATTERS: Minister of Finance Mr Nhlamhla Nene delivers the Medium Term Budget Policy Statement in the National Assembly.

Spotlight on budget allocations to provinces

The *use of provincial population numbers to determine budget allocations for provinces continues to be a topic for debate in Parliament. Some members are calling for a review of the practice on the grounds that it slows progress in less developed provinces with smaller populations, writes Sakhile Mokoena.*

Following his presentation of the Medium Term Budget Policy Statement (MTBPS) in the National Assembly, Finance Minister Mr

Nhlamhla Nene had a briefing with the Select and Standing Committees on Finance, as well as the Standing Committee on Appropriations and the

Select Committee on Appropriations. Mr CJ van Rooyen from the Free State Provincial Legislature and a Special Delegate of the National Council of Provinces (NCOP), asked the minister if the government would consider reviewing the practice of using population numbers to determine allocations rather than linking budgets to actual needs. "Some of our under-developed provinces are losing out because of declining population numbers due to migration to the economically vibrant cities in pursuit of better opportunities," he said.

The Chairperson of the Select Committee on Appropriations in

the NCOP, Mr Seiso Mohai, said the formula for budget allocations has always been contentious. "We need to find ways of linking budget allocations to long-term plans and actual development needs. It is an issue that the Committee will follow up on during this parliamentary term," he said.

During the NCOP Provincial Week in September, the Chairperson of the Provincial House of Traditional Leaders in Mpumalanga, Kgoshi Mathupa Mokoena, urged the NCOP to revisit the budget allocation model to provinces. He said the allocations of budgets to provinces based on population numbers was adversely affecting poor provinces with low population numbers.

Members of Parliament from the finance and appropriations Committees told the minister that budget allocations should be linked to output and called on the government not to continue financing failure.

Over the Medium Term Expenditure Framework (MTEF), provinces will be allocated R1.39 trillion, of which 81.6% will take the form of unconditional transfers through the provincial equitable share and 18.4% will be paid through conditional grants transferred by national departments.

"Over the next three years, greater emphasis will be placed on achieving efficiencies in goods and services budgets. Provinces should be able to identify areas where efficiency can be improved from expenditure reviews undertaken by national and provincial treasuries, as well as reforms driven by the Office of the Chief Procurement Officer," Mr Nene said.

He told the Committees that the budget policy framework for the next three years was designed to ensure fiscal sustainability while shifting towards government priorities as set out in the National Development Plan. "South Africa's weaker-than-expected economic performance and outlook pose new fiscal challenges; the favourable conditions that supported high-expenditure growth rates are no longer present. Provinces will begin to receive performance-based allocations for health and education infrastructure, incentivising improved performance," he said.

Mr Nene said provinces need to ensure that all non-discretionary obligations, such as personnel, goods and services, were adequately provided for and he announced a new grant for three years to fund administrative costs related to municipal mergers due to take effect in 2016.

According to the MTBPS, South Africa's economic performance has deteriorated over the past years. Gross domestic product (GDP) growth has fallen from 3.6% in 2011 to 1.4% in 2014. Mr Nene said GDP growth was expected to improve over the medium-term as infrastructure constraints ease, private investment recovers and exports grow. "The improved outlook is supported by investments in energy and transport, a gradual pick-up in global growth, rising exports to the African continent and a recovery in private investment. The global re-balancing of trade provides opportunities for South Africa to broaden exports beyond its reliance on minerals, metals and agricultural exports," he said.

According to the MTBPS, from 2015/2016 three functions performed

by provinces (further education and training, adult education and training, and the port health function) will be transferred to the national government, with funds shifted from the provincial equitable share and the further education and training colleges grant.

Changes to provincial equitable share grants in the period ahead include the prioritisation of funds out of the provincial roads maintenance grant to the South African Roads Agency Limited for the upgrading of the R573 (Moloto Road) in Mpumalanga. It also includes funds moved out of the human settlements development grant to fund the planning and developing of housing projects, now to be undertaken by the Housing Development Agency.

"Funding for the immediate costs of disaster response is made available to provinces and municipalities through special conditional grants that remain unallocated until they are disbursed. In recent years, the amounts assigned to these grants have exceeded actual needs," Mr Nene said in the MTBPS.

Mr Nene also spoke strongly against corruption, saying the country must focus more on closing the gaps and collecting money lost through corruption. He said efforts to increase the value of each rand spent will include improved measures to identify, prevent and fight corruption in both the public and private sectors.

"Financial accounting and control systems are being strengthened, resulting in improved reporting of unauthorised, irregular or wasteful spending. Effective responses will distinguish between technical infractions and illegal activity," he said. 🇿🇦



Steady economic growth needed

Budget challenges

Experts *on the South African economy expressed encouraging and interesting views on the state of the South African economy and highlighted the prevailing challenges during the public hearings on the revised fiscal framework conducted by the Select and Standing Committees on Finance in Parliament, writes Mzingewzi Plum.*

The experts who appeared before the Committees included representatives from the Financial and Fiscal Commission (FFC), the South African Reserve Bank (SARB) and the Parliamentary Budget Office (PBO). The FFC and the SARB are required, according to the Money Bills Amendment Procedure and

Related Matters Act (2009), to make recommendations to parliamentary Committees on finance when the Committees deal with money bills and related matters.

Presenting its recommendations to the Committees, the FFC Chief Executive Officer, Mr Mbongeni

Khumalo, told Committee members that the FFC welcomes the main themes highlighted in the 2014 Medium Term Budget Policy Statement (MTBPS) and said they resonate well with the FFC's submission for the Division of Revenue 2015/16, which was tabled in Parliament in May this year.

The FFC argued that: "South Africa faces fiscal challenges that are more severe than many people realise." The challenges include potentially unsustainable public debt, and high levels of poverty and inequality. Mr Khumalo told members that preventing public debt unsustainability will require fiscal discipline that does not jeopardise short-term economic growth, but rather enhances long-term economic growth and employment prospects.

On the high levels of poverty and inequality, he said this was a pressing economic problem that requires bold policies, new partnerships and



a continuing commitment to social programmes that help the country's most vulnerable citizens.

As the government has set a clear course of comprehensive economic and social reforms, most notably in the National Development Plan (NDP), Mr Khumalo said that to finance the socio-economic programmes envisaged in the NDP, the government needs steady and dependable revenue growth.

"This means having an economy that is growing fast enough to provide the revenue necessary for these programmes. Ensuring that public spending has a greater impact through efficient and effective delivery of public services will also stimulate growth," he said.

He said given the economic climate, a combination of enhanced fiscal consolidation and investment is warranted for future economic growth. "The poor and vulnerable

must be cushioned through maintaining effective and efficient use of social expenditure. This can contribute directly to growth and jobs, especially when taken in tandem with interventions devoted to job-friendly growth," Mr Khumalo said.

The FFC fully endorsed government's intention to intensify initiatives to combat waste, inefficiency and corruption. "While the enhanced fiscal consolidation approach, supplemented by cost-containment measures, will have an influence on improved resource management, on their own these measures are not enough to yield efficiencies within the work of the state and public goods and service delivery. More effort regarding inputs required to build a capable state, is required.

"In this regard the ongoing FFC work for the 2016 Division of Revenue places emphasis on urbanisation and accelerated economic growth and the pressures of infrastructure expansion relative to maintenance within the fiscal consolidation space. Thus for South Africa to aspire to an economic growth rate that makes a meaningful dent in unemployment and uplifts the poor, much more needs to be done to implement the tenets of the NDP and the Medium Term Strategic Framework," Mr Khumalo said.

In its presentation, the Director of the PBO, Prof Mohamed Jahed, told members that the PBO is required to support the Committees in amending money bills by providing advice, analysis and research. He said he appeared before the Committees to identify and analyse key issues in the MTBPS and the revised fiscal framework. He said spending plans have been adjusted in line with lower-than-expected economic

growth and a need to ensure debt sustainability.

On revenue collections for 2014/15, Prof Jahed said additional revenue will be raised by enhancing the progressive character of the fiscal system, improving tax efficiency and realising a structural improvement in revenue. He said that could be done by, among other things, increasing VAT, wealth tax and corporate tax rates, and closing tax loopholes.

The Chairperson of the Standing Committee on Finance, Mr Yunus Carrim, told the experts that part of their mandate is to provide recommendations to the Committees to mitigate the risks in the economy.

Committee members told the entities to provide them with information to take informed policy decisions on South Africa's economic and fiscal framework. The Chairperson of the Standing Committee on Appropriations, Mr Paul Mashatile, asked the experts to explain how South Africa could address its economic challenges. Prof Jahed responded by saying that South Africa needs to think strategically to find solutions to its economic challenges.

Mr Mashatile said he was concerned about tertiary education and training expenditure projections of 4.71% for 2014/2015, which is far lower than the social protection expenditure projections at 12.66% for 2017/2018. He said he doubted whether the economy will benefit from this plan. "Tertiary education and training have long-lasting benefits for our country's development and economic growth, and members should exercise their power and authority to change the country's fiscal direction," Mr Mashatile said. 🌐



ACHIEVEMENT: President Jacob Zuma addresses the National Council of Provinces as the Chairperson, Ms Thandi Modise, presides.

In the vanguard of provincial interests

President addresses the NCOP

Every year, the President makes a mandatory appearance before the National Council of Provinces (NCOP) to address it on how the executive intends to resolve issues and challenges affecting provinces. This year, the President's address came at a time when there has been much debate about the relevance and effectiveness of the NCOP in South Africa's legislative sector, writes *Abel Mputing*.

The President took the opportunity to urge members of the NCOP not to lose sight of the NCOP's unique oversight role in ensuring that there is effective cooperative governance within the three spheres of government. "This House brings together the three spheres of government and this makes it a very important House, as it deals with matters that affect our people directly."

The President emphasised the important role the NCOP plays in promoting the interests of provinces, which was

summarised in the theme of his address: "Celebrating 20 years of a democratic Parliament – together moving the NCOP forward as a vanguard of the interests of provinces".

"The NCOP has played its role efficiently over the years as the vanguard of the interests of provinces," he said. "It has provided a platform for the provinces to shape legislation and our country's national agenda. The NCOP has also diligently processed many transformative laws falling within its

oversight, particularly the Section 76 Bills, which affect provinces. It is through our effectively functioning institutions, such as the NCOP, that we are able to celebrate 20 years of democracy with pride and a strong sense of satisfaction and achievement."

The leader of the Democratic Alliance in the NCOP, Ms Elza van Lingen, seemed unmoved by the President's assurances. "As the NCOP, we are in a privileged position to influence and monitor national legislation that often finds unique effect in each of our provinces. And now, after 17 years in this role, the time has come to ask ourselves whether this House is living up to its constitutional mandate.

"Is this House working for the people of South Africa, or are we a destitute family, living in crumbling infrastructure with no head of the House to lead by example? Given the truly deplorable state of the NCOP, it cannot be described as a vanguard of the interests of provinces. It lacks both the authority and the credibility of that title," Ms van Lingen said.

The NCOP Deputy Chairperson, Mr



Raseriti Tau, had a different view when he claimed that the NCOP's greatest achievement is its realisation of one of the resolutions of the Freedom Charter – the people shall govern. "Over the past 17 years of the NCOP's life cycle, we have taken concerted efforts to ensure that the historic echo of the Freedom Charter, which states that the people shall govern, reverberates in our legislative processes. To this end, we cannot celebrate 20 years of a democratic Parliament without acknowledging the legislative milestones achieved by this institution, notably through its Taking Parliament to the People programme," Mr Tau said.

Most of all, according to Mr Tau, the NCOP is of the view that the President's annual address to the NCOP lends validity to the constitutional legitimacy of the NCOP and weakens any attempt to delegitimize it as a critical role player in the legislative landscape. "Despite the regressive rhetoric that often attempts to reduce the legitimacy of this institution, it is an undisputed fact that we remain a constitutionally mandated and relevant institution. It is through the democratic sacraments practised on the

NCOP institutional platform that we will achieve our goals of radical economic transformation in our lifetime," Mr Tau added.

The Premier of KwaZulu-Natal, Mr Senzo Mchunu, affirmed the effectiveness of the NCOP in instilling a culture of accountability in the provinces. "Since the visit by the NCOP in September, members of the Provincial Executive Council (MECs) visited Ugu and Umzinyathi district municipalities as part of Operation Sukuma Sakhe Cabinet Day. All MECs have been assigned to act as champions of service delivery in various district municipalities across the province under this campaign. We are giving ordinary members of society the opportunity to monitor the speed of service delivery. We want community members to be part of all efforts to find solutions to local challenges," Mr Mchunu said.

The South African Local Government Association representative, Mr Mpho Nawa, said: "Over the past few years we can proudly boast that the NCOP has become the bedrock for local government's interests in the law-

making and oversight process. The hosting of an annual Local Government Week in this House for the past two years is testament to the seriousness with which the NCOP has executed its mandate. We are happy that the Local Government Week is already scheduled in the parliamentary programme for 2015 and we would like to extend an invitation to the President to participate in this event," Mr Nawa said.

The Premier of Limpopo, Mr Chupu Mathabatha, proclaimed that the NCOP's decision to put the province under administration as a means to curb maladministration and corruption has yielded positive results. "Today, Limpopo is in a much better financial and administrative position. Just over a month ago, we hosted some of the members of this august House, during a week-long NCOP visit to our province. The honourable members left Limpopo with a clear sense of the state of service delivery in our province. These interactions have affirmed the central role of the NCOP in matters of interest to provinces and this cannot be said to be deplorable," he concluded, referring to Ms van Lingen's remarks. 🌟



FINANCIAL ACCOUNTABILITY: The Auditor-General, Mr Thembekile Makwetu.

Plan to address challenges in municipalities

The Auditor-General (A-G), Mr Thembekile Makwetu, presented a wide ranging report to the National Council of Provinces (NCOP) on the financial and performance management of local, provincial and national departments, writes Abel Mputing.

His appearance before the NCOP forms part of the strategic partnership between the two entities and serves to familiarise members of the NCOP with audit trends, findings and perspectives so that they can have a better sense of the realities of financial and performance management in various municipalities and departments across all spheres of governance.

The main purpose of the presentation was to provide the NCOP with a clear picture of operational and management issues affecting various municipalities and departments. This helps to inform its oversight role in ensuring that there is effective and efficient governance and accountability for service delivery within the three spheres of government.

In her opening address, the Chairperson of the NCOP, Ms Thandi Modise, told NCOP members that they must interrogate the A-G report to find out what it is that municipalities and government departments are getting wrong in financial and performance management and the remedial actions the NCOP can undertake to correct the errors.

She said that perhaps the NCOP needs to redefine its role in this regard and change the way it does things. "Perhaps we have to re-look at our mandate. We should not be seen as a House that only passes laws, but also as one that makes and interprets them. If we pitch ourselves within that context, we will be able to find out why that which we consistently seek to address does not improve."

One thing standing in the way of the oversight efforts of legislatures is their tendency to listen to the executive more than the people, Ms Modise said. "My sense is that sometimes the legislative sector gives more time and ear to the executive than to the people. Sometimes, to get things right, we need to get out of our party lines for the sake of the country. We need to ensure that everyone, irrespective of political affiliation, has a duty to account, to follow the straight and narrow. And for that to happen we need to put South Africa first, above our party political allegiances."

The A-G reported that there were improvements in provincial and national departments, but municipalities are worse off. "Of the 319 auditees reported on, 30 municipalities received unqualified audit outcomes with no findings. One-hundred and thirty eight of them received unqualified audit outcomes with findings, 84 got qualified outcome audits with findings and 67 had adverse disclaimers with findings. There are 16 outstanding audits and three of them remain outstanding from the 2011/12 financial year," Mr Makwetu said.

The A-G is particularly concerned that 90% of municipalities did not comply with legislation. "The areas of non-compliance relate to the quality of statements submitted for auditing and the lack of proper financial controls in supply-chain management, which led to unauthorised and irregular and/or fruitless and wasteful expenditure. The other areas of concern relate to ineffective management of strategic planning and performance, and preparation and control of budget, which is a result of inefficient audit committees and internal audit in many municipalities."

Making things worse in municipalities is that many key vacancies are either not yet filled or those who occupy them have no minimum competencies. This, Mr Makwetu said, is the root cause of many disclaimers and qualified audit outcomes in municipalities. "For instance, 73 municipal managers and chief executive officers, 77 chief financial officers (CFOs) and 78 heads of supply-chain management have not achieved minimum competencies for the positions they occupy," he said.

The A-G said the role of the accounting officers is critical in ensuring timely and credible information about municipalities

and also that there is accountability, transparency and effective service delivery.

To reverse financial non-compliance and lack of performance in many municipalities, the A-G proposed: "Municipal managers need to introduce basic accounting and daily control disciplines. They must enforce compliance with all legislation and ensure that they employ staff in accounting and financial management positions with the required level of technical competence and experience. They should allow the CFOs to be in charge of the financial records and report thereon to the municipal manager. And the municipal manager must review management accounts with the CFO every month."

A representative of the South African Local Government Association (Salga), Mr Mpho Nawa, said Salga has instituted the Municipal Audit Support Plan (Masp) as a response to the A-G's findings. "Salga's Masp follows a multidisciplinary approach that is based on effective and efficient institutional capacity, financial management, leadership and governance. We believe that all four pillars in a municipality need to be strong and functioning effectively in order for a municipality to obtain and sustain unqualified audits and good service delivery."

The A-G outlined his office's recommendations on Parliament's oversight role in alleviating the financial and performance mismanagement of many municipalities. "The role of the NCOP in this regard would be to review and monitor quarterly progress on the implementation of action plans to address deficiencies. The public accounts committee must exercise specific oversight on a regular basis on any report which it may deem necessary." 🌐

Communities call on MPs for assistance

Members of Parliament visited constituencies in KwaZulu-Natal and Eastern Cape recently and found communities struggling with a range of challenges. *InSession* went with them.

In KwaZulu-Natal, writes **Cedric Mboyisa**, members of a community in Ntuzuma near Durban told the Reverend Kenneth Meshoe, leader of the African Christian Democratic Party (ACDP), that the church is facing an uncertain future. They have heard from the eThekweni Metropolitan Municipality that the site on which the church stands is now for sale.

“Even the apartheid government never did this to us – trying to force us off our land. People are very angry about this,” said the church’s pastor, Mr Barnabas Khumalo.

Rev Meshoe undertook to fight the sale on behalf of the church. The ACDP’s Ms Jo-Ann Downs, who accompanied Rev Meshoe, said there was no justification for the sale, as the church had occupied the site for more than four decades. “This is not a *mjondolo* (a shack). It is a permanent structure,” Ms Downs said. Mr Khumalo said Mr Meshoe was his last hope as other parties “did not care about churches”. Mr Meshoe vowed to bring the matter to the attention of Parliament.

In the neighbouring township of Inanda, residents raised many issues, one of which was the youth unemployment rate. “Nobody is interested in helping the youth. There are no opportunities after

matric or after they complete their tertiary studies,” said community member Ms Mbali Mtshali, who is involved in a number of initiatives aimed at helping young people.

Ms Downs said they had tried to help the youth through a project called “Let us work”, aimed at equipping young people with business skills, but the programme is struggling due to a lack of funding. Ms Mtshali was one of the beneficiaries of the programme and is now using her skills to give the youth a voice through her community newspaper and magazines targeting learners and the community at large.

Crime is another major problem in the area and cable theft is said to be rife. Many young people are drug addicts and the community accuse the local police of not executing their duties properly. They also say that their electricity supply is unreliable. “It could go off today and only be back the following day. This happens with no prior notice,” Ms Mtshali said.

Mzingezwi Plum went with the leader of the African Independent Congress (AIC), Mr Mandlenkosi Galo, to a constituency that is the whole of Matatiele in the Eastern Cape, although he prioritised poverty-stricken areas such as the villages of Mzongwana.

“The legacy of many decades of oppression and underdevelopment is glaringly written in the faces of Mzongwana community members. Hence we prioritise them for visits during each and every constituency period,” Mr Galo told *InSession*.

Mr Galo explained that he uses the constituency programme as a tool to accelerate service delivery and try to boost the trust of the people in the government. However, he said the people lost their hope and trust in government long ago.

One of the issues bothering the Mzongwana community is an ongoing dispute with a nearby farmer, who the community claims occupies land that belongs to it. “The farmer fears for his life, as some members of the community intimidate him. People have stolen the fence that protects the farm, which makes it vulnerable to theft,” a community member explained.

Although the community meeting couldn’t resolve the matter, Mr Galo said he would not rest until there is a good relationship between the farmer and the community.

Mr Galo also visited the Magadla Clinic, which offers services to eight villages spread across the western part of Matatiele. Community members told Mr Galo that the clinic is under-resourced and in an appalling condition. One community member, Ms Nonceba Dlamini, told Mr Galo that the clinic is the second busiest



COMMUNITY ISSUES: The ACDP's Rev Kenneth Meshoe and Ms Jo-Ann Downs meet pastor Mr Barnabas Khumalo.

in the Alfred Nzo District Municipality and people are referred to Magadla when Matatiele Clinic is unable to cope with the number of patients.

She appealed to Mr Galo to ensure that capacity improves at the clinic. "The clinic requires the services of a doctor. It does not have clean water and it cannot perform emergency medical procedures due to a lack of electricity. It is always short of medicine and as a result patients with

chronic illnesses are forced to wait for months before their medication is delivered. The clinic has no security fence and theft is adding to the already shameful conditions at the clinic," Ms Dlamini explained.

Mr Galo also visited Magadla Senior Secondary School, where the principal of the school, Mr Zolile Mnu kwa, told him that it does not have science teachers or laboratories. "What makes it a school are just nine small

classrooms that must accommodate 769 learners and only 23 educators," Mr Mnu kwa said.

Mr Galo assured Mr Mnu kwa and the members of the school's governing body that he would take the problem to President Jacob Zuma directly.

"Let me assure you that I'll take the condition of the school straight to President Zuma, given the urgency with which it must be addressed," Mr Galo promised. 🙏



Service delivery is non-negotiable

Local municipalities can't ignore constitutional obligation

Political *instability appeared to be the main reason why some local municipalities are placed under administration and such political battles tend to have dire consequences for service delivery, writes Temba Gubula.*

Political infighting was one of the reasons why three local municipalities in KwaZulu-Natal (KZN) – Abaqulusi, Imbabazane and Umvoti – failed to fulfil their constitutional obligations to provide services and were placed under mandatory provincial

intervention in terms of Section 139 (1) (b) of the Constitution after they received disclaimer audit opinions in 2011/12.

The Select Committee on Cooperative Governance and Traditional Affairs

(CoGTA) visited the municipalities to check, among other things, on progress made since the intervention. The Committee also wanted to determine whether it was necessary to agree to the request by the KZN CoGTA MEC, Ms Nomusa Dube-Ncube, to have the mandatory provincial intervention extended. It was due to lapse in September 2014.

According to the Select Committee Chairperson, Mr Jihad Mohapi, all three municipal reports showed an improvement since the provincial intervention. However, he said the reports also revealed outstanding matters that these municipalities needed to address before the mandatory intervention could be lifted.



MUNICIPALITIES: Service delivery at the municipal level of government is a contentious issue in many areas of the country.

Mr Mohapi said the Committee will, on its own, consider the reports received from all municipalities and all relevant information in order to decide on the MEC's request.

An administrator appointed for Abaqulusi local municipality, Mr Thandolwethu Manda, said the municipality was able to improve its audit performance from a disclaimer in 2011/12 to a qualified audit opinion in the 2012/13 financial year. He also said the municipality achieved 28 out of the 41 targets set out in the turnaround strategy, emanating from the Section 139 (1) (b) intervention. Mr Manda said granting an extension to the mandatory provincial intervention would help stabilise the municipality.

An administrator appointed for Imbabazane local municipality, Mr Zamile Sikhundle, said the municipality had put in place mechanisms to address disciplinary issues, which had crippled the functioning of the municipal council. Council meetings were always disrupted and could not take decisions like filling senior management vacancies, adopting programmes to ensure proper procurement processes and mitigating service delivery challenges.

Imbabazane has since adopted a code of ethical conduct to address disciplinary issues. It has also begun the processes of filling the positions of 56 managers, including that of a chief financial officer. Mr Sikhundle said these processes would continue to unfold if the extension was granted.

The Umvoti local municipality on the other hand, said the need for the extension of mandatory provincial intervention in its municipality

would cease as soon as a mayor and deputy mayor were appointed. The municipality experienced operational challenges due to the lack of these office bearers, and this affected the functioning of the executive council. Councillors in this municipality also have discipline issues, which affected how the municipality operated.

Mr Martin Sithole, the Umvoti administrator, said they were making progress and have improved from a disclaimer audit opinion to a qualified one.

While members of the Select Committee on CoGTA acknowledged the progress as reported, they were concerned that these municipalities neglected to report on how they rendered basic services such as water and sanitation. The Committee wanted these municipalities to put in place programmes that will stimulate job creation, particularly for women and youth.

"The provision of sustainable basic services is a constitutional obligation of every municipality and making our people wait for a social assistance policy before they can receive their rightful services is not right," Mr Mohapi said.

The Committee further wanted the municipalities to improve public participation by holding more mayoral *izimbizos* and ward committee meetings. Mr Mohapi said the requirement for meaningful public participation initiatives helps guide any municipality towards the provision of services that speak to the needs of the community. He urged the municipalities to prioritise public participation.

The Select Committee has since met and decided to extend the mandatory provincial intervention until March 2015. 🌍

"Administrators appointed by the MEC to stabilise these municipalities tabled reports indicating progress, including the outstanding matters that still need to be addressed. These reports were also corroborated by a representative from the provincial CoGTA, Mr Lionel Pienaar," Mr Mohapi said.

Mr Pienaar asked the Select Committee to grant the extension, as it would help to improve the running of the municipality and increase the rate at which people receive municipal services. "We have already seen the intervention helping the municipalities out of the disclaimer to qualified audit opinions. Granting the extension would have far-reaching consequences," Mr Pienaar said.

Checking up on education and health

The *Select Committee on Education and Recreation, and the Select Committee on Social Services conducted a four-day oversight visit to hospitals and schools in the Eastern Cape, writes Yoliswa Landu.*

The Committees visited the OR Tambo District Municipality in Mthatha. The focus of the Education Committee was on underperforming schools and FET colleges while the Social Services Committee visited health centres within the district to monitor the progress on the implementation of the National Health Insurance (NHI), as the OR Tambo district is a pilot project for the NHI.

The Select Committee on Social Services visited the following hospitals: Nelson Mandela Academic Hospital, Mthatha General, St Barnabas, Nessie Knight and Bambisana. The Chairperson of the Select Committee, Ms Cathy Dlamini, said their main objective was to check on service delivery. At St Barnabas Hospital, the Committee received a briefing from the Chief Executive Officer, Ms Zukiswa Mabandla, who said the hospital has a problem with infrastructure, a high staff turnover and was unable to attract skilled workers, mainly because remuneration packages are not attractive.

The Committee commended the clean state of the hospital, but expressed concerns about the budget allocation. "You cannot spend approximately R86m to pay staff on an allocation of R100m for the hospital. That is why the hospital does not have

basic services," Ms Dlamini said. The Committee called on the provincial Department of Health to respond to the infrastructure challenges at the hospital.

At Nessie Knight Hospital, the Chief Executive Officer, Mr Mluleki Duna, said the hospital had been built by missionaries in 1927 and nothing had been done to upgrade the facility. However, Committee members were told that a new hospital is being built and contractors are already on site. An estimated R330m has been budgeted for the construction of the hospital and it will take three years to build.

At Bambisana Hospital, the Committee was greeted by a group of protesters who demanded the dismissal of the hospital's chief executive officer. They also wanted people from Bambisana to be employed as paramedic drivers. Ms Dlamini said the Health MEC made a commitment to visit the hospital and intervene. The Committee noted all challenges reported and made a commitment that issues raised would be monitored with regular feedback on a quarterly basis.

Ms Dlamini said the challenges reported at all the hospitals were similar – it was difficult to attract good staff members and infrastructure was dilapidated. Procurement processes

are another common problem as are information technology issues. The Committee appealed to the provincial Department of Health to look into the problems. Ms Dlamini welcomed the commitment from the Department of Health to build new hospitals at Bambisana and Nessie Knight.

Turning to the high schools visited by the Select Committee on Education and Recreation, the Committee welcomed the initiatives employed by the Nozuko and Ngangelizwe High Schools to address their challenges, which ranged from the lack of parent involvement, to drug abuse and teenage pregnancy.

The Chairperson of the Select Committee, Ms Lungelwa Zwane, said: "The social problems, such as drugs, alcohol abuse and pregnancy, need a collaborative approach. The two schools are well managed, but they are not performing as well as they should be. An integrated approach that is interdepartmental and intergovernmental is needed to resolve the problems," Ms Zwane said.

On the way to Mditshwa High School at 9am, Committee members were greeted by learners on their way to school. During an interaction with teachers, learners and parents, a learner told the Committee: "We hardly attend classes because teachers are not in classes. We spend our time in the toilets." Learners complained about the lack of accounting, geography and maths teachers and



HEALTH SERVICE: The Select Committee on Social Services visited the OR Tambo district to check on progress with the National Health Insurance pilot project.

said the year's syllabus was still not completed. They also complained about the quality of teaching.

An educator at the school said: "We are demotivated. The school is managed like someone's house, not like an educational institution." She also said the school has a problem with discipline and that some learners are over-age. "Learners fight with knives at school and we don't get assistance."

Ms Zwane said Mditshwa High School needed immediate attention. "Let us be committed to saving the future of our children, and therefore the future of the country," she said. She also said leadership at the school is

poor and she criticised provincial and district officials for the slow pace in implementing a turnaround strategy for the school.

At the King Sabatha Dalindyebo Further Education and Training College, the Committee cautioned that the college had just come out of an administration phase so it should have a proper turnaround strategy for administration. The Committee was concerned about the high student dropout rate, which was caused by the late payment of National Student Financial Aid Scheme (NSFAS) funds, and said the Department of Higher Education was creating a burden for institutions with the late deposits of NSFAS funds.

Another problem is the low number of students who actually graduate and the number of staff that are still employed as temporary lecturers, despite arrangements made about 17 months ago to make these posts permanent. The Committee welcomed the announcement by the Department of Higher Education that funds of R43m had been set aside to complete a student hostel.

Ms Zwane said the Committee had taken a resolution that the National Council of Provinces (NCOP) will make every effort to monitor progress on the improvement at the institutions. A report will be formulated and tabled in the NCOP, which will be handed over to the relevant ministries. 🌟



Progress made in post-school education and training

OVERSIGHT: The Chairperson of the Portfolio Committee on Higher Education and Training, Ms Yvonne Phosa.

Financial *challenges relating to the migration process of the Technical and Vocational Education and Training (TVET) colleges and the Adult Education and Training (AET) centres were among the concerns that came to the fore at a recent meeting of the Portfolio Committee on Higher Education and Training, writes **Elijah Moholola**.*

Administration of TVET colleges and AET centres was moved from the provincial departments of education

to the then newly formed national Department of Higher Education and Training (DHET), following President

Jacob Zuma's announcement in 2009 of the new department.

The DHET provided a briefing on progress made to the Committee, highlighting some of the challenges in the process, which is set to end on 1 April 2015. One of the challenges is that the process has taken longer than expected and there have been budgetary limitations, underscored by the fact that the department has

received only R10m of the envisaged R81m that was to be transferred from provincial governments for the migration process.

Committee Chairperson Ms Yvonne Phosa said: "The robust engagements with the department enabled Members of Parliament to know exactly how much progress had been made and the challenges going forward. The presentations by stakeholders also brought deeper insight on the migration processes. The Committee will look into all of these inputs and use them to make informed recommendations to the House," Ms Phosa said.

The Minister of Higher Education and Training, Dr Blade Nzimande, mentioned some of the challenges facing his department, in particular the budget for running the AET centres and TVET colleges. He said frankly that there had been some disagreement over the amounts the department had requested and what the provinces were willing to transfer. However, after lengthy discussions with provincial governments, provincial treasuries and the Fiscal and Financial Commission an agreement has been reached with the National Treasury about the amount transferred, Dr Nzimande said.

Another issue raised by Dr Nzimande is the long time between promulgation of the transfer and its completion. "I must state upfront that one of the things Parliament can help us with is by playing a close oversight role where there is a promulgation transferring a function from one department to another. Often a promulgation is made, but the processes that should follow take too long. The promulgation was made

in 2009, but we are only going to complete the transfer on 1 April next year, six years later," Dr Nzimande said.

Although the budget transfer was confirmed by the Minister of Finance, Mr Nhlanhla Nene, in a letter sent to the DHET on 17 October 2014, Dr Nzimande was still concerned that the funds available would be insufficient. He said the department was in further discussions with the National Treasury about this.

"It wouldn't be in the interests of the post-school education and training sector to delay the transfer process any further. We believe a function like this is a big hole in our post-school education and training system. If the truth is told, the government has not paid enough attention to adult education and training in a manner that it deserves," Dr Nzimande said.

To illustrate his point, Dr Nzimande said there are currently only about 300 000 adult learners in AET centres, while approximately 18 million South Africans would like to attend but are unable to access this form of learning.

"We have made a lot of progress, albeit uneven progress. We have done better with TVET colleges than with AET centres. That is why I am quite keen to have us moving with utmost speed to ensure that adult education takes its place in the post-school education and training system," Dr Nzimande explained.

The estimated total number of employees to be transferred to the department's staff, including management, teaching and support staff, is 38 711 of which 20 148 are TVET staff and 18 563 are AET staff.

The department also has plans to establish provincial offices, which will deal with all matters to do with the DHET, including matters relating to the National Student Financial Aid Scheme and the Setas at provincial level. Dr Nzimande said that, in the interim, the department will require provinces to house these offices until there are sufficient funds to secure leases on buildings.

The briefing meeting was attended by several stakeholders who provided insightful presentations as part of the Committee's consultation process. They included the Further Education and Training Colleges Employers' Organisation, the Public Servants' Association, the Adult Educators' Progressive Union and the Adult Learning Network.

Among the issues raised by the stakeholders included the need for the migration process to proceed quickly; a call for the establishment of provincial task teams to fast-track the process; low staff morale as a result of uncertainty over the process; a lack of support for TVETs in rural areas; a lack of an ideal organogram for colleges; and the future of staff members who opted not to migrate to the new department.

The Committee resolved to have a follow-up meeting with the department by no later than February next year. It also asked the department to provide an accelerated plan for the migration that included a risk analysis. The Committee further proposed a joint meeting with the Portfolio Committee on Basic Education and the Select Committee on Education and Recreation in order for the three to deal with matters relating to the migration. 🌍



IS IT SAFE TO DRINK?: Opponents of fracking are concerned that the process will pollute nature reserves of water found underground.

Fracking and the protection of water resources

The *National Council of Provinces' Select Committee on Land and Mineral Resources wants assurance that the envisaged hydraulic fracking (a method of extracting natural gas from underground rock) in the Karoo will not result in damage similar to that caused by mining in Gauteng and other mining towns and districts, writes Sakhile Mokoena.*

Members of the Committee told the Department of Mineral Resources to ensure the protection of water resources in all areas where hydraulic fracking will take place. "Acid mine drainage is a problem in this country. Twenty years ago nobody thought about it and no research was done to curb it. We don't want a repeat of that," said Committee member Ms Elza van Lingen.

Dr Thibedi Ramontja, the department's Director-General, told the Committee that the government would ensure safer exploration and subsequent exploitation of shale gas and promised strict monitoring to ensure that water resources were protected. "Applicants for exploring licences will be required to indicate the waste water disposal mechanism they will apply during the exploration process," he said.

He disputed claims by anti-fracking and environmental activists that the department was biased towards fracking. "The government is not biased towards fracking. We are saying let's allow the investigation to take place. See if we do

have the resources that are said to be there and if we can exploit them, and if they can contribute to the economy of the country. We cannot just ignore them if they do exist," Dr Ramontja said.

He mentioned the United States as a good example of the success of shale gas fracking. "The US's economic recovery is largely linked to the discovery of shale gas, which has also resulted in energy prices going down," he said.

Mr Mosa Mabuza, the Deputy Director-General for Mineral Policy and Promotion in the department, told the Committee that in order to understand threats associated with hydraulic fracturing, it was important to understand the geology of the location targeted. "Understanding the geology of the area also helps regulators to determine appropriate protective regulatory measures. Assessment of geohydrology (the scientific study of the occurrence, distribution and effects of groundwater) helps with understanding of the character, availability and quality of groundwater and for such knowledge to

be incorporated in the well engineering design," he said.

He said installing a steel pipe and cementing the steel pipe into place was the primary method used for protecting groundwater and maintaining "well integrity". "Cement plays a role in isolating hydraulic fracturing operations from fresh water and other permeable horizon. It is also important to regulate the distance between hydraulic fracturing wells and streams, wetlands and existing municipal water wells," he said.

He said the draft regulations, once finalised, will result in a regulatory framework that will ensure safe exploration subsequent to the potential extraction of gas. The use of hydraulic fracturing is perceived to have the risk of polluting water resources by fracturing fluids and methane and possibly causing seismic events.

Mr Mabuza said shale gas has the potential to contribute significantly to the sustainable economic growth of the country. "The development of resources has the potential to create employment opportunities directly and through leveraging linkages."

South Africa is thought to have huge deposits of shale gas, mainly in the Karoo, but the issue of accessing the gas has been surrounded by controversy, with environmental activists strongly opposing any hydraulic extraction of the gas. 🌍

Making a living from the land

Northern Cape's food production potential

Export *challenges and an inability to penetrate foreign markets impact negatively on agricultural produce in the Northern Cape, the Select Committee on Economic Development, and the Select Committee on Trade and International Relations were informed when they visited the region on an oversight visit, writes Sibongile Maputi.*

Members of the Select Committees heard that small-scale farmers face stiff competition from commercial farmers while grappling with the lack of basic necessities such as title deeds, sanitation, infrastructure, electricity and equipment. These farmers face their problems by forming cooperatives, one of which, the Eksteenskuil Agricultural Cooperative (EAC), is made up of 107 small-scale farmers cultivating 2 000 hectares of land on the banks of the Orange River near Upington.

"The terrain is bad for agricultural activity – only about 600 hectares are suitable for planting. Of the 107 members of the cooperative, only 18 have title deeds. The farms lack sanitation, roads and agricultural infrastructure," the chairman of the EAC, Mr Mervin Swart, told members of the two Select Committees during the week-long oversight visit.

"Sourcing funding from banks is a challenge because of the absence of title deeds, but the impact is also felt on exports. Since the 2008 global financial crisis, exports decreased, with trading partners requiring far less produce," Mr Swart said.

The Chairperson of the Committee

on Trade and International Relations, Mr Eddie Makue, acknowledged that international trade was a challenge, despite recovery from the 2008 financial crisis, because the markets have lost buying power.

"The EAC project is exciting and in line with government's general expectations and objectives. The only thing as small farmers you cannot afford to do is to ignore the local markets. The solution to all your challenges is not in foreign markets. You need to find a way of enhancing and marketing your products locally," he said. He said the Committee will support community-driven projects, not individuals.

Near the EAC project a successful farm project has no problem penetrating European markets. The Karsten Group project is a family business that operates in the Northern Cape and Western Cape. Karsten Group's marketing manager, Mr Piet Karsten, told the Committees the farm is run on a budget of R20m a year, much of which is spent on employees' salaries and staff training.

"The group's philosophy is that if one wants to empower people, one should train people to manage their

money and their daily affairs. We are paying our employees the sectoral minimum wage, but it is not enough. The group is working on a plan to increase the workers' salaries. We need to increase funding so that those who are in agriculture can make a living out of it," he said.

Mr Karsten said everyone in the farming community was committed to making South Africa work, although there are still issues with government. "If the farming community fails, everyone will suffer," he said.

Committee member Mr Fana Mokoena wanted to know what challenges the small farmers face when they apply for loans from the banks. Members of the cooperative told him that funding was generally a challenge, but the Department of Agriculture and entities such as the Industrial Development Cooperation and the Jobs Fund are supportive.

The Chairperson of the Select Committee on Economic Development, Mr Litho Suka, said the problem was with officials who seem to ignore the people. "Parliament appropriates a budget for projects to be implemented, officials should assist the people and should provide answers to their challenges," he said.

Mr Eddie Makue told members of the Committees he will raise the local people's issues with the relevant ministers. 🌱

Getting the basics right

Good management the key to service delivery

In May 2010, the Department of Performance, Monitoring and Evaluation was established to ensure a result-oriented government in a drive to improve service delivery, writes **Abel Mputing**.

After the 2014 elections, the Department of Performance, Monitoring and Evaluation and the National Planning Commission joined to become the Department of Planning, Monitoring and Evaluation. Its Minister, Mr Jeff Radebe, appeared before the National Council of Provinces for the first time since this realignment to table the 2013 government performance assessment statement. He explained the rationale behind the amalgamation.

“The aim of this reorganisation is to give effect to the commitment to institutionalise long-term planning within government. The intention is to create a seamless value chain between planning, monitoring and evaluation that is related to the National Development Plan (NDP) in one institution, in order to ensure that there is effective implementation,” Mr Radebe said.

The main task of the new department, though, is to build a capable, developmental state and to



EFFECTIVE GOVERNMENT: Mr Jeff Radebe

forge a disciplined, people-centred and professional service-oriented public service sector. Mr Radebe said that the NDP concentrates on building the capacity of the state as a prerequisite for successful implementation of government policies. "A capable and professional public service is one characterised by high-quality management practices, which are required in order to ensure that departments are run efficiently and effectively."

A Management Performance Assessment Tool (MPAT), a joint venture by various government stakeholders, has been unveiled to underscore government's undertaking to get the basics right. "The Management Performance Assessment Tool is a tool to monitor management practices in both national and provincial departments. This tool was developed jointly with the Department of Public Service and Administration, the National Treasury, the Offices of the Premiers, the Auditor-General and the Public Service Commission," Mr Radebe explained.

The inception of MPAT is a result of inefficiencies in the management and administration of government departments, which hampers service delivery. "We developed the tool because weaknesses in management and administration of government departments are common and are leading to poor service delivery. For example, shortages of medicines and other supplies that have been reported in public health facilities in some provinces are usually caused by weaknesses in the supply chain management. In addition, our monitoring of the payment of suppliers within the stipulated 30 days period has led us to conclude that the weaknesses in management

practices are the common cause of failure to pay suppliers on time. Improved management practices are, therefore, necessary to improve service delivery."

The minister explained that MPAT is not a panacea to all the departments' performance ills. "It is important to note that MPAT does not measure all aspects of performance of a department. It only measures whether things are being done in the right way. It does not measure whether the right outcomes are being achieved. We are utilising Medium Term Strategic Framework and NDP priority outcomes and annual performance plans in order to determine if they are doing these things correctly."

What is unique about this tool is that it is not an external audit of management practices. It includes a strong element of self-assessment, learning and improvement which is peer reviewed. In other words, MPAT is designed to build internal monitoring and self-evaluation capacity within departments. "This requires a head of department and senior management to conduct a self-assessment against 31 key management standards and provide the necessary evidence to support their assessment."

For each standard, a department will be assessed using a scoring barometer from one to four. "If a department is scored at level one for a particular standard, it means that it is not compliant with the legal prescripts in that area, such as Treasury Regulations or Public Service Regulations. If a department scores at level two, it means it is partially compliant with the legal prescripts, level three means full

compliance with the legal prescripts and level four means a department is not only fully compliant with the legal prescripts, but is also working smartly. All these efforts are aimed at improving service delivery priorities."

Ever since the inception of MPAT, there is a notable improvement in how departments conduct their businesses. "MPAT appears to be having a positive impact. Noted improvements are evident when comparing the 2013 MPAT results for national and provincial departments to the 2014 results across most departments and across most of management standards. However, the scores related to human resources management and development, service delivery improvement, fraud prevention, management of diversity, payment of suppliers and unauthorised, wasteful and fruitless expenditures," Mr Radebe said.

The ministry, in collaboration with the School of Governance at the University of the Witwatersrand, has documented good practices coming from MPAT as case studies that serve as baselines for best practices and have since been shared with all departments to inform their improvement initiatives.

According to the minister, MPAT could also be used by Parliament to conduct its oversight mandate from an informed position. He went on to say that some departments have already been called by various Portfolio Committees to appear before them and account based on the performance assessments made by his ministry. But most of all, he is of the view that MPAT is a critical invention tool because it is when all government departments operate optimally that South Africa will have a capable state, which is a prerequisite for achieving the outcomes of the NDP. 🇿🇦



Mapping out the future of Africa

Members of Parliament painted an ideal picture of the state of Africa as envisaged in 50 years' time during a debate on the African Union's (AU's) Agenda 2063 in a joint sitting of Parliament, writes **Elijah Moholola**.

Mapping the future of the continent, Parliament hosted the debate in a joint sitting of Parliament on the theme: "The Africa we want", during which MPs spoke about the challenges facing Africa and how to address them.

The Minister of International Relations and Cooperation, Ms Maite Nkoana-Mashabane, said Agenda 2063 connected the Africa of yesterday to the Africa of tomorrow. "The Africa of yesterday is the lessons we have learnt since our independence. The Africa of today is our destiny that is in our hands with every action we take. The Africa of

tomorrow is the future we are creating through what we do today," she said.

Ms Nkoana-Mashabane reminded MPs that the evolving Agenda 2063 rested on seven aspirational pillars, which include a prosperous Africa based on inclusive growth and sustainable development; an integrated continent politically united based on the ideals of Pan-Africanism; an Africa of good governance, democracy, respect for law and human rights; and a peaceful and secure Africa.

She said Agenda 2063 is a shared strategic framework for inclusive

growth and sustainable development for Africa's transformation, as well as a continuation of the Pan-African drive for self-determination, freedom, progress and collective prosperity.

The leader of the Democratic Alliance in the National Assembly, Mr Mmusi Maimane, said Africa's future depends on the number of bridges built for the accomplishment of Africa 2063's goal. He added that leaders must have a compelling vision that rests principally on building a strong bridge of institutions, solid leadership and economic growth.

Mr Maimane said it is important to have institutions that work in the way designed by the Constitution and that these institutions ensure that powerful people are held to account. "These are



DEBATING THE FUTURE: A Joint Sitting in Parliament's National Assembly Chamber.

institutions that strengthen governance on this continent for an independent judiciary, an accountable executive and a strong legislature. The task of African leaders is to ensure that we preserve democracy and good governance. Leadership will be vital on this continent if we are to realise this dream."

The Economic Freedom Fighters' Ms Magdalene Moonsamy referred to the unrest in Burkina Faso at the time of the debate as an example of the Africa that leaders do not want. She said the desirable Africa would be one that is free of corruption, an Africa that is sovereign and secure about its future. "The Africa we want is a continent that realises its potential. This means that base erosion, transfer pricing and profit shifting is a crime and constitutes money laundering," Ms Moonsamy said.

The Deputy Minister of Science and Technology and leader of the

National Freedom Party, Ms Zanele kaMagwaza-Msibi, said the Africa that was being sought was one where there would be peace and security; job opportunities; empowerment of entrepreneurs; education opportunities; and the eradication of forced marriages, prostitution and child labour. "We want an Africa where democracy would be the thread that binds together our common goals and aspirations and the rule of law is upheld as a guiding principle in the way our affairs are conducted," Ms kaMagwaza-Msibi said.

The United Democratic Movement's Mr Nqabayomzi Kwankwa said the AU's Agenda 2063 should, among other plans and programmes, serve as a new trajectory for Africa's development. "To renew Africa, we must demonstrate the political will and the capacity to implement plans and commitments to eradicate poverty and place African countries on a path of sustainable growth and development. In Africa, for example, we commit to good governance and democracy but tolerate authoritarian regimes," he said.

Mr Willie Madisha of the Congress of the People said the debate on Agenda 2063 was about reaffirming the ideals of the African renaissance and the New Partnership for Africa's Development, as well as realigning efforts towards the attainment of the Millennium Development Goals. "The Africa we want is a people-centred Africa with an activist citizenry. We want an Africa where governments address inequality and work diligently to end poverty. The Africa we want must show that all 54 countries in Africa have succeeded in tackling drought and famine, thereby guaranteeing food security," he said.

Mrs Cheryllyn Dudley of the African Christian Democratic Party said: "When speaking about the Africa we want, issues of peace and security stand

out precisely because all the other challenges faced in Africa are being heavily impacted by this. How we deal with the present realities in this area will determine whether or not we achieve the Africa we want."

Among the eight problems hindering Africa's development – as briefly outlined by Mr Mntomuhle Khawula of the Inkatha Freedom Party – are corrupt leadership, undemocratic principles and looting of public resources. "First, we have self-centred presidents, prime ministers and leaders in government who want to enrich themselves while those who have put them in power are suffering. Second, there is the stifling of democratic principles because those who abuse power must not account through the proper channels. Third, there is collusion with neo-colonial forces in order to continue the looting of African resources out of the continent."

Mr Lulama Ntshayisa of the African Independent Congress said the AU's Agenda 2063 was a well-thought-out vision and action plan for all African societies with which to build a prosperous and united Africa. "To realise this AU Agenda 2063 requires strong political leadership of each African state and of the union itself. Such leadership should be committed and be prepared to take constructive criticism," Mr Ntshayisa said.

The concern over the calibre of leadership was also raised by Mr Molapi Plouamma of Agang-SA. "The current generation of African leaders has turned their public offices into instruments of public gain. Africa needs leaders who will know the difference between state property and personal property. The new face of these imperialists manifests itself through multinational corporations and institutions that represent the military economic ideology of the worst kind," he said. 🌍

PAP seeks legislative powers

The Pan African Parliament (PAP) has resolved to launch “a multi-pronged campaign and advocacy” for the ratification of the amended protocol giving the continental body legislative powers, writes **Elijah Moholola**.

After the Fifth Ordinary Session of the Third Parliament held in Midrand, Johannesburg, which took place in October just four months after the revised protocol was adopted by the African Union (AU), the next task for the PAP is to get the protocol ratified by at least 28 member states. Since it was established in 2004, the PAP has been functioning as a consultative and advocacy body.

Among the resolutions from the session – which was attended by four South African MPs – was the launch of the “advocacy campaign (to) be led by the Bureau of the PAP in conjunction with the chairpersons of the regional caucuses and heads of national delegations to raise awareness about the revised protocol at national and regional levels.”

The revised protocol, should it come into effect by virtue of being ratified by at least 28 member states by the end of 2015, would mean that PAP can now draft model laws. To this end, the PAP resolved to launch a regional campaign under the leadership of the five regional caucuses’ chairpersons and that “members shall consult with their national legislatures during the model law-making process to have the proposed laws accepted”.

PAP President Mr Bethel Amadi said: “With the adoption of the amended protocol, the functions and powers of the PAP are no longer just advisory and consultative. Rather, the PAP has now been designated as the legislative organ of the AU with a clear mandate to propose draft model laws for adoption by the assembly.”

The recent outbreak of the Ebola virus on the continent, especially in West African countries such as Guinea, Sierra Leone and Liberia, was also the subject of discussion. The PAP noted that the commitments made by African heads of state within the framework of the Abuja Declaration in 2006, in particular the allocation of national budgets to public health by 2015, have not yet been implemented in all the states and this led to dysfunction in their health systems.

“The PAP decides that a fact-finding, monitoring and evaluation mission on the epidemic be sent to the affected countries in light of the prevailing health and humanitarian situation,” Mr Amadi said.

During the sittings of the plenary, one of the issues that elicited various responses by the members was a debate on a Report on the Joint Africa-



Europe Strategy Meeting during which the four major issues that came up were economy, peace and security, culture and trade.

Leader of the South African delegation Dr Hunadi Mateme spoke on the issues of donor funding from Europe and sexual orientation. “On donor funding, we as Africans should never deceive ourselves – there is no free lunch on Earth. Africa will never be respected by Europe as long as we keep on begging and relying on them for survival. Donors have a potential to dictate the African agenda – he who pays the piper calls the tune,” Dr Mateme said.

She added: “On the issue of gays and lesbians, let us educate ourselves more as to why people would have different sexual orientation.”

During another debate of the Report of the Committee on Administration and Financial Evaluation, members expressed concerns over some financial



ADVOCACY: The leader of the South African delegation to the Pan African Parliament's Fifth Ordinary Session, Dr Hunadi Mateme.

irregularities that were disclosed in the report tabled by Committee Chairperson, Mr Fortune Charumbira.

Among the problems in the report were a lack of compliance on the part of PAP with International Public Sector Accounting Standards; failure to adhere to procurement procedures; irregularities relating to staff loans; and failure to account for how an amount of some US\$2.3 (R22.8m) was spent.

Two of the four South African MPs forming part of the PAP delegation – Ms Thandi Memela and Ms Sandy Kalyan – joined a group of members who were alarmed by some of the irregularities presented in the report. Ms Memela said it was a big concern that there were no proper oversight structures and there were poor procurement measures.

Another South African member, Mr Floyd Shivambu, sits on the Committee on Rural Economy, Agriculture, Natural

Resources and Environment, which was now expected to expand its scope from focusing only on agriculture and land matters to dealing with issues pertaining to mineral resources.

Mr Shivambu made a submission calling for the need for the MPs to deal with issues relating to land resources. According to Mr Shivambu, the Committee should focus particularly on aspects such as price fixing, base erosion as well as profit shifting. He said what is a common practice in Africa is that there are big foreign companies that mine resources in African countries yet pay no taxes in such countries as there are no legislations regulating these activities. "This is a crisis in Africa because most countries do not have legislative framework to combat it. The natural resources of Africa should benefit Africans," said Mr Shivambu.

The Acting Chairperson, Mr Kone Kogon, said Mr Shivambu's submission "was in conformity with the vision

of the Committee". He agreed that matters around natural resources had received little attention from the Committee.

Ms Kalyan called on the Committee on Rules, Privileges and Discipline to consider amending the rule limiting members to serving in only one Committee per term. Ms Kalyan's call sought to address the fact that the Committee had not been able to reach a quorum on a number of occasions. "Maybe we should consider amending the rule, because it states that at any one time a member shall serve on one Committee," Ms Kalyan said. The rule restricts PAP members from the 47 member states – which are allocated a maximum of five seats each – to seating on only one Committee.

The Committee's Acting Chairperson, Mr Peter Katjavivi, said the concerns would be put in writing to the PAP Bureau, which comprises the president and four vice-presidents. 🌍



Parliament and National Disability Month

What is National Disability Month?

National Disability Month is aimed at raising awareness about challenges experienced by people with disabilities in exercising their rights as equal citizens. The period from 3 November to 3 December is Disability Rights Awareness Month. During this month, the focus of attention centres on opportunities to reduce the challenges facing people with disabilities so that they can improve their quality of life.

What is Parliament doing about disability issues?

Parliament has passed numerous laws to open doors and provide opportunities previously denied to people living with disabilities. These laws provide the legislative framework for people to access work opportunities and financial support. They also promote equal treatment across national, provincial and national programmes. These laws affirm Chapter 2 of the Constitution, which recognises the rights of people with disabilities as equal citizens of the country, and prohibits unfair discrimination based on disability.

Acts passed by Parliament for people with disabilities

- * **The Social Assistance Act (2004)** makes financial assistance accessible to adults and children with physical and mental disabilities. Those who cannot support themselves because their disability prevents them from getting employment are entitled to disability grants.
- * **The Employment Equity Act (1998)**

has a Disability Code that serves as a guideline to be used by employees and employers in order to develop, implement and improve disability equity policies and programmes related to people with disabilities.

- * **The Labour Relations Act (1995)** aims to promote economic development, social justice and democracy in the workplace
- * **The Promotion of Equality and Prevention of Unfair Discrimination Act (2000)** protects people with disabilities against discrimination at government institutions (health and social development), clubs, insurance companies and other institutions.

What about access to Parliament for the disabled?

Parliament makes information accessible through the use of sign language interpreters who ensure that people with hearing disabilities can follow debates of Committee meetings or sittings of the National Assembly and National Council of Provinces. This includes tours of Parliament. Parliament also makes debates available in Braille, upon request.

Parliament strives to be equally accessible physically to all South African citizens. Some Parliament buildings have lift buttons written in Braille and voice-overs in selected official languages of South Africa to notify lift passengers of upcoming stops. Documents on the debates of any sitting can be made available in Braille.

People with disabilities can participate

in the law-making processes and activities of Parliament in the following ways:

- * By writing a petition to bring a complaint or issue to the attention of Parliament to take action within its authority.
- * By making a submission, which is an opportunity to influence the opinions of members of a relevant Committee of Parliament who debate and discuss laws before they are finalised.
- * By visiting a Member of Parliament at your nearest Parliamentary Constituency Office if you need assistance with a particular problem.

Parliament has become part of an international community that promotes equality for people living with disabilities:

- * The World Programme of Action Concerning Disabled Persons and Disability Rights Charter guided the development, implementation and monitoring of the Integrated National Disability Strategy (1997).
- * South Africa agreed to the United Nations Convention on the Rights of Persons with Disabilities and the Optional Protocol in 2007. South Africa also agreed to be a pilot country for the integration of the Convention into our national legislation and practice.
- * The Commission for Gender Equality and South African Human Rights Commission institutions are there to ensure persons with disabilities are not discriminated against. 

IMPORTANT CONTACT INFORMATION

Portfolio Committee on Social Development **021 403 3840**; Ministry of Social Development **012 312 7500/021 465 4011**; South African Human Rights Commission **011 877 3600**; Commission for Gender Equality **011 403 7182**

Palamende na N'hwetlwa ya Vutsoniwa ya Rixaka

Swi hundzuluxiwile hi Solomon H. Mgiba

Xana i yini N'hwetlwa ya Vutsoniwa ya Rixaka?

N'hwetlwa ya Vutsoniwa ya Rixaka yi kongomisiwile eka ku tlakusa vulemukisi mayelana na mitlhonthlo leyi vanhu lava nga na vutsoniwa va hlanganaka na yona eku endleni ka timfanelo ta vona tanihi vaakatiko vo ringana. Nkarhi wa ku sukela hi ti 3 Hukuri ku fikela hi ti 3 N'wendzambahala i N'hwetlwa ya Lemukiso wa Timfanelo ta Vutsoniwa. Eka n'hwetlwa leyi, nkongomiso wa miehleketo wu rhendzeleka ehenhla ka swivandlanene na maendlelo ya ku hunguta mitlhonthlo leyi nga ta langutana na vanhu lava nga na vutsoniwa ku endlela leswaku va ta antswisa nkoka wa vutomi bya vona.

Xana Palamende yi endla yini mayelana na timhaka ta vutsoniwa?

Palamende yi pasise milawu yo hlanyanya ku pfula minyangwa na ku nyika swivandlanene leswi khale a swi aleriwa eka vanhu lava hanyaka na vutsoniwa. Milawu leyi yi nyika rimba ra swa nawu eka vanhu ku fikelela swivandlanene swa mitirho na nseketelo wa swa timali. Yi tlhela yi kondletela vutshunguri byo ringana eka minongonoko ya tiko hinkwaro na swifundzankulu. Milawu leyi yi tiyisisa Kavanyisa ka 2 ka Vumbiwa loku ku tekela enhlokweni timfanelo ta vanhu lava nga na vutsoniwa tanihi vaakatiko vo ringana va tiko na ku arisa xihlawuhlawu xo kala xi nga ri lexinene lexi simekiweke ka vutsoniwa.

Milawu leyi pasisiweke hi Palamende ya vanhu lava nga na vutsoniwa

* **Nawu wa Mpfuneto wa Vaaki (2004)** wu endla mpfuneto wa swa timali wu fikeleleka eka vana na vanhu lavakulu lava nga na vutsoniwa bya le mirini kumbe bya miehleketo. Lava nga swi koteki ku tihlayisa hikwalaho ka vutsoniwa bya vona swi va sivela ku kuma mitirho va na mfanelo yo kuma mudende wa vutsoniwa.

* **Nawu wa Ndzingano wa Matholele (1998)**

wu na Khodi ya Vutsoniwa leyi tirhaka tanihi xiletelo lexi nga ta tirhisiwa hi vatriri na vatholi ku endlela ku tumbuluxa, ku tirhisa na ku antswisa tipholisi ta ndzingano wa vutsoniwa na minongonoko leyi fambelanaka na vanhu lava nga na vutsoniwa.

* **Nawu wa Vuxaka bya Vathori na Vathoriwa (1998)**

wu kongomisiwe eka ku kondletela nhluvukiso wa swa ikhonomi, vululami bya vaaki na xidemokirasi entirhweni.

* **Nawu wo Kondletela Ndzingano na ku Siveriwa ka Xihlawuhlawu xo kala xi nga ri Lexinene (2000)**

wu sirhelela vanhu lava nga na vutsoniwa ehenhla ka xihlawuhlawu lexi nga ha humeleleka eka mihlangano ya mfumo (rihanyu na nhluvukiso wa vaaki), swipano, tikhampani na ndzindzakhombo na mihlangano yin'wana.

Xana ku vuriwa yini mayelana na mfikelelo wa Palamende eka vutsoniwa?

Palamende yi endla vuxokoxoko byi fikeleleka hi ku tirhisa vatoloki va ririmi hi ku tirhisa swikoweto lava va vonaka leswaku vanhu lava feke mahlo va nga kota ku landzelela mijekajekisano ya tinhlenguletano ta tikomiti kumbe mitshamo ya Huvo ya Rixaka na Huvo ya Rixaka ya Swifundzankulu. Leswi swi katsa tendzo ta Palamende. Palamende yi tlhela yi endla mijekajekisano yi va kona hi Bireyili loko swi komberiwile.

Palamende yi tikarhatela ku va yi fikeleleka ku ringana hi nyama eka vaaki va Afrika Dzonga hinkwavo. Miako yin'wana ya Palamende yi na tikunupo ta tilifiti leti tsariweke hi Bireyili na marito lama kandziyisiweke hi tindzimi ta ximfumo tokarhi ta Afrika Dzonga ku tivisa vakhandziyi va lifiti hi lomu ku nga ta yimiwa kona lomu ku landzelaka. Tidokumente ta mijekajekisano ta

ntshamo wun'wana na wun'wana ti nga endliwa ti va kona hi Bireyili.

Vanhu lava nga na vutsoniwa va nga nghenelela eka phuroseso yo endla milawu na misingiriko ya Palamende hi tindlela leti landzelaka:

- * Hi ku tsala phethixini ku tisa xivilelo kumbe mhaka leswaku yi tekeriwa enhlokweni hi Palamende leswaku yi ta teka magoza hilaha swi nga ematimbeni yayona.
- * Hi ku endla swibumabumelo leswi ku nga xivandlanene xo kucetela mavonelo ya swirho swa komiti ya Palamende leswi khumbekaka leswi njhekanjhekisanaka na ku kanerisana hi milawu yi nga si za yi hetisisiwa.
- * Hi ku endzela Xirho xa Palamende eka Hofisi ya Vuyimeri bya Palamende leyi nga kusuhi na n'wina loko mi lava ku pfuniwa hi xiphiko xokarhi.

Palamende yi hundzuke xiphemu xa matiko ya misava lexi hlohlotelaka ndzingano wa vanhu lava hanyaka na vutsoniwa:

- * Nongonoko wa Matirhelo ya Matiko ya Misava Mayelana na Vanhu lava nga na Vutsoniwa na Chatara ya Timfanelo ta Vutsoniwa wu letele nhluvukiso, matirhelo na ku landzelerisiwa ka Qhinga ra Vutsoniwa ra Rixaka leri Katsaneke (1997).
- * Afrika Dzonga yi pfumelelane na Ntwanano wa Nhlango wa Tinxaka eka Timfanelo ta Vanhu lava nga na Vutsoniwa na Milawu leyi nga Boheki hi 2007. Afrika Dzonga yi tlhele yi pfumela ku va tiko ro ringeta ku tirhiseka eka ku hlanganisa Ntwanano eka milawu ya hina ya rixaka na matirhelo.
- * Khomixini ya Ndzingano wa Rimbewu na mihlangano ya Khomixini ya Timfanelo ta Ximunhu ya Afrika Dzonga ti kona ku vona leswaku vanhu lava nga na vutsoniwa a va hlawuriwi hi ndlela yihi kumbe yihi. 🌍

VUXOKOXOKO BYA NKOKA BYA VUTIHLANGANISI

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