

Official newspaper of the Parliament of the Republic of South Africa

# in session



Quarterly News: April – June 2021



**1<sup>st</sup> Quarter - Making SA safer for women and children, while improving oversight.**



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# ENGINES OF PARLIAMENT KEPT WORKING, DESPITE COVID-19

The National Council of Provinces' House Chairperson responsible for committees, Mr Jomo Nyambi, says Parliament's engines, its committees, kept going through the Covid-19 pandemic.

Making remarks on the work of committees in the first quarter of the current financial year, he said: "This report is penned at a difficult moment as the country and the world continue to face the scourge of the Covid-19 pandemic. I am happy though that the report on the work of committees gives an account of the work that continues to represent the people of South Africa."

According to Mr Nyambi, committees have had to operate under different circumstances while adhering to social distancing, masks, regulations to manage the spread of the virus and other means. "Below, I give a brief account of what has happened in the last quarter with specific reference to legislation and oversight work in general," he added.

In the last quarter, select committees convened 77 meetings and six of these were held jointly with National Assembly committees. "I must use this time to thank everyone who has made sure that these meetings were convened through the aid of technology, which has since become the norm," he said.

He said the leadership of committees, the Chairpersons, Whips, Members of Parliament and the



support staff have all played a useful role in ensuring that the pandemic did not also take away the mandate of committees. "Our different stakeholders also did well in ensuring that the decorum of these meetings remained upheld at all times. In the last quarter, we experienced less technological glitches and for that we are grateful," he continued.

"As at 30 June 2021, there were 44 ordinary Bills and one section 74 Bill in Parliament. I report that 35 of these Bills were before National Assembly (NA) committees, one Bill on NA Order Paper and seven Bills were before the National Council of Provinces (NCOP) committees, while one Bill was placed on the NCOP Order Paper.

During this period, the following Bills were among those processed and passed by Parliament: Liquor Products Amendment Bill; Appropriation Bill; Special Appropriation Bill, Criminal Law (Sexual Offences and Related Matters) Amendment Act Amendment Bill; Domestic Violence Amendment Bill; Report on Upgrading of Land Tenure Amendment Bill; and the Correctional Services Amendment Bill. 🇿🇦

# PARLIAMENT ACCELERATES PROCESSING OF GBVF BILLS

*The Portfolio Committee on Justice and Correctional Services this year processed three pieces of legislation that are specifically aimed at strengthening laws fighting gender-based violence and femicide (GBVF), reports **Rajaa Azzakani**.*

The Criminal and Related Matters Amendment Bill, Criminal Law (Sexual Offences and Related Matters) Amendment Act Amendment Bill and the Domestic Violence Amendment Bill were amended and adopted by the committee after a vigorous public participation process and thorough deliberations on each Bill.

Committee Chairperson, Mr Bulelani Magwanishe, said at the time that the levels of GBVF in the country are among the highest in the world, and are acknowledged as a second pandemic in South Africa. A Presidential Summit against GBVF held in November 2018 resulted in a declaration which resolved, among other things, to fast-track the review of existing laws and policies on gender-based violence to be victim-centred and ensure all other relevant laws respond to GBVF. It also resolved to implement the recommendations identified from reviews and address legislative gaps, and revisit and fast-track all outstanding laws and Bills that relate to GBVF.

According to the Chairperson, the Bills originate from September 2019, when President Cyril Ramaphosa committed South Africa to address GBVF and announced an emergency response plan to tackle GBVF, including strengthening the applicable legal framework.

The Criminal Law (Sexual Offences and Related Matters) Amendment Act Amendment Bill proposes amendments to the Criminal Law (Sexual



Offences and Related Matters) Amendment Act 32 of 2007 is one of several legislative measures identified to strengthen South Africa's response to GBVF, in particular the legislation regulating the National Register for Sex Offenders (NRSO).

Among other things, the Bill aims to expand the scope of the NRSO to include the particulars of all sex offenders and not only sex offenders against children and persons who are mentally disabled,

and to expand the list of persons who are to be protected to include other vulnerable persons, namely, certain young women, persons with physical, mental,

NRSO [database] before they can be removed from the register. The Bill further proposes to expand the ambit of the crime of incest, and introduces a new offence

constraints in the past, but decided against this after being reassured that the NRSO is able to take on the expanded function. "After much deliberation, the committee is of the view that the register should remain with the Department of Justice and Constitutional Development for now, but will require careful and regular monitoring going forward." In terms of the Domestic Violence Bill, he said that

although legal measures cannot be regarded as an all-encompassing solution to address the complex social phenomenon of domestic violence, the state is obliged to promote legislation to afford effective protection to victims of violence in a domestic relationship.

The Bill seeks to amend the Act to address practical challenges, gaps and anomalies which have manifested



sensory or intellectual disabilities and persons over 60 years of age who, for example, receive community-based care and support services, and increase the periods for which a sex offender's particulars must remain on the

of sexual intimidation.

Mr Magwanishe said the committee considered making use of the South African Police Service's criminal records system as an alternative to the NRSO, which has experienced capacity



themselves since the Act came into operation. In particular, the Bill aims to broaden the conduct that is regarded as domestic violence, and impose obligations on people to report domestic violence to appropriate functionaries, and extend the powers of members of the police service and peace officers to arrest people in connection with domestic violence.

It further regulates the obtaining of protection orders against domestic violence and the powers of the court with regard to the welfare of affected children. It further provides for domestic violence safety monitoring notices that may be issued by the court, provides for the attendance of witnesses at domestic violence proceedings, further addresses harassment as a ground of domestic violence and provides for measures to address cyber-harassment, and regulates the powers of the court in respect of reciprocal orders and applications.

It provides for electronic applications for protection orders and domestic violence safety monitoring notices and the establishment of the integrated electronic repository for domestic violence protection orders, broadens the powers of the court where a protection order has been issued, makes orders for the protection of victims of domestic violence, further regulates the seizure of weapons, further regulates applications for the variation and setting aside of protection orders.

It also extends jurisdiction in respect of applications for protection orders, further regulates the issuing of documents, further regulates cost orders, further regulates the prosecution of offences committed against a person in a domestic relationship and provide for the issuing of directives to regulate the functions of clerks of the court and other relevant persons when



dealing with incidents of domestic violence.

The three Bills have been adopted by the National Assembly, and the Select Committee on Security and Justice in the National Council of Provinces has since called for public comment on the Bills. 🙏

# CHILDREN'S AMENDMENT BILL WILL IMPROVE CHILDREN'S LIVES



*The battle to improve the lives of South African children intensified when the Portfolio Committee on Social Development undertook to amend the Children's Amendment Bill. The work started with virtual public hearings where 69 stakeholders*

*made submissions to the committee. Among the many issues raised by stakeholders were early childhood development (ECD) centres and the parental responsibilities of unmarried fathers, writes Sibongile Maputi.*

The committee undertook provincial public hearings, after they were put on hold due to the outbreak of the third wave of Covid-19. At the provincial public hearings in Limpopo and Mpumalanga, both border provinces, stakeholders raised various challenges including

documentation for children born to cross-border relationships. “The matter of documentation for such children should be resolved speedily,” said one representative.

Other challenges included drug and substance abuse, the raping of disabled children by family members, parents spending child grants on alcohol, child safety at the ECD centres, and the lack of personal protective equipment such as gloves at ECDs. “The challenge we encounter with abandoned children is that the application for grants takes longer,” said another representative.

Committee Chairperson, Mr Mondli Gungubele, invited parents to propose suggestions on how to improve the lives of children. “You know your experiences; how could this Bill be improved to help the children in South Africa?” Mr Gungubele

called on parents to explore different parenting methods and a course on parenting skills could be one such suggestion. ECD practitioners raised important issues around declaration forms, child registration, parents who leave disabled children at centres and yet take their disability grants, and the pending move of ECD functions to the Department of Basic Education. Practitioners also sought clarity on why a stimulus package was not provided for the sector.

Mr Gungubele said the misuse of grant money requires a lot of work. “How do you as a mother spend your child’s money? There is a lot that needs to be sorted out, including inspection. When you spend the money intended for your five-year-old, what kind of a person are you? Laws on their own will never resolve that if the mother steals the money of her five-year-old. You are besmirching

these grants. You need societal involvement in these things. The committee is committed to finding solutions to these problems.”

Another community representative suggested that the government should identify reliable guardians that spend the money wisely on the children’s behalf.

“The committee is satisfied with the success of its programme in Limpopo and Mpumalanga and believes that the quality input it received will enhance the Children’s Amendment Bill. This is for the welfare and the future of our children,” said committee Member, Ms Kate Bilankulu.

The issues raised will assist the committee and understand the issues facing South African citizens.

When the public hearings resume, the committee will visit the North West, KwaZulu-Natal and the Eastern Cape. 🌍





# PARLIAMENT RSA HOLDS THE PRESIDENT & DEPUTY PRESIDENT ACCOUNTABLE



*The South African Constitution attaches no special privilege to any member of either the executive, the judiciary or the legislature. They are all subjected to it in equal measure. That is why South Africa is often referred to as a constitutional democracy; writes Abel Mputing.*

The Constitution reigns supreme above anyone and everything else. It is a blueprint of the South African law-making processes, it influences how such laws should be enforced and how the executive implements legislation. But it is Parliament that is charged with the task of conducting oversight to ensure that other organs of state are accountable to our Constitution.

As a result, the President and the Deputy President are often required to appear before Parliament to give account on matters arising from issues related

to their implementation of national legislation. This is in accordance with section 92 of our Constitution. section 92 of the Constitution (sub-sections 1, 2 and 3) stipulates that the Members of the Cabinet are accountable collectively and individually to Parliament for the exercise of their powers and the performance of their functions.

It further states that this is to ensure that they act in accordance with the Constitution and provide Parliament with full and regular reports concerning matters under their control. To achieve this mandate, Parliament has come up with various mechanisms such as debates and question times to hold the executive accountable to its executive authority of implementing national legislation.

When the President and Deputy President appear before the House, they do so during question times or during debates. According to Rule 210 of the

National Assembly, the President must at least once every quarter appear before the National Assembly to answer questions arising from his executive authority or the implementation of legislation by the executive members of his Cabinet. There are only six questions of national and international importance that can be put to the President during question time.

Whenever the President appears before the National Assembly during question time, he or she does so to give effect to this rule. But most importantly, this is one of the mechanisms that Parliament utilises to give effect to its oversight mandate over the President and Cabinet Ministers. Question time is not only limited to the President, according to Rule 210 of the National Assembly, the Deputy President, as a Leader of Government Business, is also required to appear before the House to answer, among other things, questions related to the passage of Bills or matters of a political nature.

As the Leader of Government Business, the Deputy President's question time seeks to certify that Cabinet Ministers comply with parliamentary rules and what is expected of them as members of the Executive Authority. According to committee rules, if a committee is not happy with the attendance or conduct of a designated Minister, the said Minister can be reported to the Leader of Government Business to ensure that he or she complies with the mandate of the committee that flows from our Constitution.

Section 92 of the Constitution and question time of Rule 210 of the National Assembly are at the heart of our constitutional democracy and its culture of accountability. Of all, the question time has proven to be the most effective mechanism of accountability, and through it, South African citizens get to see Parliament's oversight mandate

in action. Symbolically, it has also given effect to the supremacy of our Constitution over every South African citizen, irrespective of his or her status. Most of all, it has restored the powers vested by our Constitution in our Parliament as a custodian of our parliamentary democracy.

The appearance of the President and his Deputy before the National Council of Provinces (NCOP) to answer questions or for a national address to the NCOP, is determined by the programming committee of the NCOP. The NCOP usually uses its flagship "Taking Parliament to the People" programme for the President and his Deputy to address the NCOP.

Questions for oral reply to the President are scheduled for a question day at least once a quarter during session time within Parliament's annual programme, and that can take place virtually during lockdown. Up to six questions about matters of national or international importance may be asked during the three-hour session. The three hours allotted cover the main questions and associated supplementary questions. 🇿🇦



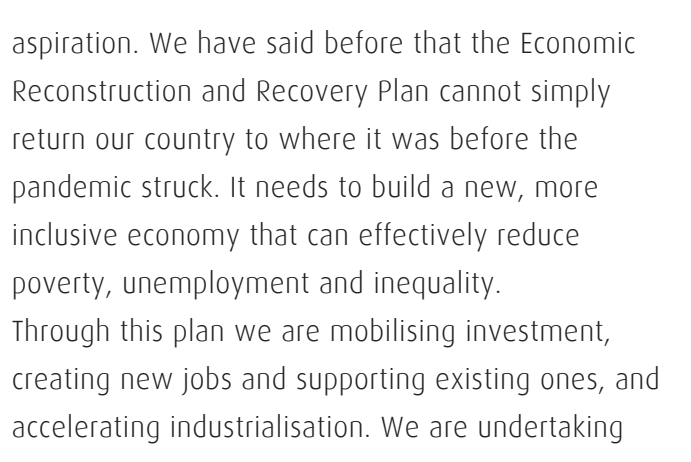
# PRESIDENT RAMAPHOSA ANSWERS QUESTIONS IN THE NATIONAL ASSEMBLY



*The Constitution of the Republic of South Africa stipulates that the President must appear before the National Assembly (NA) quarterly and before the National Council of Provinces at least once per quarter. To fulfil this requirement, President Cyril Ramaphosa appeared before the NA in May, reports Mava Lukani.*

**Ms Mirriam Thenjiwe Kibi (ANC)  
asked the President:**

Given that he is the embodiment of the hope and trust of the nation, as well as the fact that the current conjuncture with its multiple challenges leaves the nation asking serious questions about the capability, ethical orientation and developmental capacity of the state, what steps is he taking that will ensure the aspirations, as embodied



in the Constitution for a national democratic society is achieved 27 years into democracy?

**President Ramaphosa:** I am sorry that I am not able to be in the House. In relation to the first question, the achievement of a national democratic society is a necessary response to the economic and social inequalities in South Africa. It describes a society that is truly united, democratic, non-racial and non-sexist. It is an inclusive society in which all people benefit from sustainable economic growth. Since the advent of democracy in 1994, the country has made valuable progress along the path towards a national democratic society. We are not yet there but we have made great progress.

Now, the measures we are undertaking to rebuild our economy in the midst of the coronavirus pandemic, are contributing to the fundamental transformation that is required to advance that

aspiration. We have said before that the Economic Reconstruction and Recovery Plan cannot simply return our country to where it was before the pandemic struck. It needs to build a new, more inclusive economy that can effectively reduce poverty, unemployment and inequality. Through this plan we are mobilising investment, creating new jobs and supporting existing ones, and accelerating industrialisation. We are undertaking large-scale public investment in key sectors of our economy such as energy, water and sanitation, roads and bridges, human settlements, health and education, digital infrastructure and public transport.

**Mr John Steenhuisen asked:** Mr President, once again you have tiptoed around the elephant in the room. At the heart of the failures mentioned in the original question, lies your policy of cadre deployment. Every individual who crippled a state institution or allowed state-owned enterprises (SOEs) to be turned into pots of looting for cadres, would have been deliberately deployed there by the ANC (African National Congress), many of them were deployed, while you yourself was the head of the Cadre Deployment Committee.

In the Zondo Commission testimony, you said that sometimes you got it wrong. That's an understatement. Myeni, Molefe, Gama, Singh, Abrahams, Fraser, Montana, Motsoeneng,



Mkhwebane, the list goes on, all deployed on your watch. This cannot be justified under democracy. Now, Mr President, the DA (Democratic Alliance) puts its money where its mouth is. We have tabled the End Cadre Deployment Bill in this House. So my question to you today Mr President is: Will you support this Bill and if not, why won't you?

**President Ramaphosa:** Deputy Speaker, I would like to say that Mr Steenhuisen is completely misdirected, it is not cadre deployment, it is cadre development. It is indeed where we might have gone wrong, the people themselves, they may have had their own missteps. There is nothing inherently wrong with cadre development.

I did say at the Zondo Commission that the extent that we need to streamline it with the concept of professionalising our public service, we are willing and prepared to do so. Professionalising in our public service means that we are going to move ahead forward with appointing people who are fit for purpose. Sometimes you may appoint people thinking that they are fit for purpose, but be found wanting in one area or another.

**Mr Kenneth Meshoe asked:** Mr President, in my response to your 2018 State of the Nation Address, I thank you for giving hope to the people of South Africa after a number of commitments you made.



Among these, you promised to ensure that the tide of corruption in our public institutions would be turned. From what we are experiencing and what we are seeing, it is happening at a very slow pace. You also said and I quote: "We are one people, committed to work together to find jobs for our youth, to build factories and roads, houses and clinics, to prepare our children for a world of change and progress, to build cities and towns where families may be safe, productive and content."

Mr President, there are still many people in South Africa who still are not feeling safe, unemployment has risen, and many are desperate for a healthcare facility near them. My question to you Mr President is: Does the state have the capacity and the will to reverse the hopelessness and low morale that so many South Africans are feeling?

**President Ramaphosa:** We have been taking steps ever since the sixth administration started to root out corruption, and to address malfeasance in government. We never really expected it to be done in one year, in one season, it is a process. It is for that reason that we have taken steps to change the trajectory of a number of our law enforcement institutions. The Zondo Commission is in the process now of uncovering quite a lot of what happened in the past, which we will attend to once that report is out. It is a process.

Do we have the will? Do we have the determination to address the aspirations of our people? The answer is yes, we do. We are committed to doing so. Sometimes yes, we may move slowly, governments often move very slowly but we are shortening the time of being able to do things that are in the interests of our people.

We come from a very low base and we will keep on working to improve the lives of our people when it comes to those matters that impact on their lives, at a social level, at an economic level and in many other levels. We are committed to doing so and this is what this government is all about.

**Mr Ahmed Shaik Emam asked:** Mr President, you in the Zondo Commission admitted that your party, the ANC, has been receiving funding. Sometimes you knew that it was unlawful and sometimes you knew after that, but never returned the money because your organisation always needs money. Now, I put it to you Mr President, that your party and many others that benefit from these unlawful means are drinking the blood out of the bone of the most vulnerable people in this country.

Will you consider withdrawing from the elections,

as you will have lost integrity. Number one, not only the ANC but other parties that unduly benefit from this thing, be charged criminally? Those that have received and those that knew about it and did very little or nothing about it. It is a criminal act to note these criminal acts that are taking place and you do nothing about them. Will you consider withdrawing from the elections and those other



parties in the interest of creating a better society?

**President Ramaphosa:** I am asking myself whether Hon Shaik Emam's question really warrants an answer, because he is asking whether we should withdraw, possibly suggesting that the ANC should withdraw from the elections and those other parties that may well have received money. How does that answer and provide an answer to the people who are out there, who would like to see those

political parties that have programmes, that have solutions to their problems. My simple answer is no.

**Mr John Steenhuisen asked the President:** With reference to various undertakings made by you that the government was working to ensure that the Covid-19 vaccine is available to every person in the Republic and specifically your repeated



claim that the government has already secured enough Covid-19 vaccines to vaccinate 40 million persons by 31 December 2021, what are the details of the brands and quantities of the vaccines the government has procured to date and the confirmed delivery dates of each of the procured vaccines?

**President Ramaphosa:** An effective comprehensive vaccination programme is in the end an essential

part of the fight to overcome the coronavirus pandemic. Since we started negotiating with vaccine manufacturers around September of 2020, we have made significant progress and have overcome many challenges in securing sufficient vaccines to achieve what is known as “population immunity”. In January, South Africa signed a contract with the Serum Institute to deliver 1.5 million AstraZeneca doses to vaccinate health workers. The first batch of the vaccines was received in February of this year.

Unfortunately, the discovery that AstraZeneca was not effective against the dominant new variant of the virus meant that an alternative had to be sought. And this decision was based on thorough-going discussions with our experts. It was not a decision that was taken by people who do not have the scientific and expert knowledge of how vaccines function.

The Johnson & Johnson vaccine was shown to be more effective against the variant that was found in South Africa and it was then that the vaccination of health workers began; once we had received a number of doses. The vaccination process was interrupted briefly when the US medicines regulatory body, the Food and Drug Administration (FDA) halted vaccination using the Johnson & Johnson vaccine in mid-April this year because of extremely rare, yet severe, blood clots experienced by some people who were vaccinated, resulting in the deaths of very few people.

South Africa’s Health Products Regulatory Authority (Sahpra) asked the Department of Health to halt the vaccination until the review of the available data was completed. This matter has since been resolved and the vaccination of health workers has now resumed. We subsequently finalised a contract for the supply of 31 million doses of the Johnson & Johnson vaccines.

At the same time, you might well know that we also finalised, as a continent now through the Africa vaccination acquisition task team that we set up, an agreement for 220 million doses for the rest of the continent.

However, we have learnt in the past week that the delivery of this batch of vaccines will be delayed as a result of an FDA directive to Johnson & Johnson following the inspection of one of its partners' facilities, that raised concerns at the FDA.

Following the finalisation of the contract with Johnson & Johnson, we have also finalised a contract with Pfizer for the supply of 20 million vaccine doses with an additional allocation from Covax of nearly 1.4 million doses. The first shipment of the Pfizer vaccine was received earlier this week. It should be noted that negotiations with manufacturers were protracted as we had to ensure that the terms of the contracts were consistent with our laws and were not detrimental to our national interest.

**Mr Steenhuisen:** Mr President, I am sure you agree that all that matters now are vaccines in people's arms, anything else is just simple waffle. Vaccines

secured means nothing if we do not actually have them. Promises of 40 million vaccinated by the end of the year mean nothing if we cannot physically do it. You have just announced to much fanfare and clapping from your benches that we will be receiving 325 000 Pfizer shots a week for the rest of the month.

If you do the calculations, you will see that we need to do it every two days for the rest of the year to reach your own 40 million target. Now, consider that the sum total of the last four months has only been 340 000, do you see the maths issue here, Mr President? Do you see why we cannot believe you when you tell us the things that you have just said? Perhaps the big question is: Do you really care, because you are so caught up in the internal battles of the ANC while this pandemic rages on across South Africa?

My question is, Mr President: Given that you have now imperilled the lives of 800 000 healthcare workers and millions of vulnerable citizens as we head into winter and a third wave, will you take responsibility for the lives lost due to this failure? If not, Mr President, then you should take responsibility.

**President Ramaphosa:** Having put that aside, let me say the following to you, we are not the only country that has been short-changed, if you like, when it comes to vaccines. We stored a lot of reliance on Johnson & Johnson because it is made here. The mishaps that we have suffered have been completely out of our hands. The deaths of six people in the United States that got our own authority to say stop the vaccination process was completely unforeseen.

**Mr Adriaan van Staden:** Mr President, please give the correct information regarding the rollout plan and what the targets are from the total number of people to be vaccinated by the end of this year. What guarantees can the Hon President give to South Africans today that the current rollout plan will not change again, and not cause confusion, not only amongst healthcare workers, but also amongst South Africans?

**President Ramaphosa:** We did say that we want to achieve population immunity. And yes, the scientists have arrived at the number that will constitute population immunity, which is some 40 million South Africans or so. I would prefer that we go even beyond that. That is going



to depend obviously on the pace of the rollout plan as well as the availability of those vaccines. I do not believe that it is going to change on an ongoing basis. However, if it does need to change, there will be very good reasons for it to change and we will make sure that information is communicated in a way that it is not confusing to anyone.

The vaccinations programme will be getting underway. Well, it is already underway, and it will gather momentum as we move on so as to be able to give South Africans certainty about the way it will work out.

**Mr Julius Malema asked the President:** What are the full relevant details of the government's comprehensive plan, which include the price that the government has paid for acquiring vaccines to vaccinate the nation against Covid-19, and vaccines that have been approved for use by the South African Health Products Regulatory Authority?

**President Ramaphosa:** The first goal of our vaccination programme is to ensure that we rapidly reduce the number of people who get very sick or who die from Covid-19. The second goal, as I said earlier, is to achieve population immunity. It is estimated that population immunity will be achieved when around 67% of the country's population has been vaccinated, which as I said earlier, has been estimated to be around 40 million people.

To achieve the first goal of preventing as much Covid-19-related disease, hospitalisation and deaths as rapidly as possible, the national vaccination programme will prioritise those at greatest risk. The evidence shows that age is the single factor most strongly associated with the severity of the Covid-19 disease, and therefore phase 2 of



the vaccination programme will target all people who are over 60 years of age. At the same time, it will also target people of 40 years and older in vulnerable settings, such as frontline workers. Phase 3 of the vaccination programme will then target the rest of the adult population.

The selection of vaccines for use in South Africa requires, amongst other things, that they be approved by the South African Health Products Regulatory Authority (Sahpra) as being effective against the dominant strains of Sars-CoV-2 in the country. Currently, the Pfizer and Johnson & Johnson vaccines have been registered by Sahpra, and as indicated in my earlier reply, these vaccines have been selected for procurement. The price that government has contracted to pay for the vaccines is US\$10 (R147) per dose for Johnson & Johnson, and that is the same for the Pfizer dose.

A wide range of vaccination sites have been identified. These include, amongst others, primary healthcare clinics, community pharmacies, general practitioner centres, public and private hospitals and travel clinics. Vaccinations will also be done by mobile teams at mass vaccination sites that are going to be set up and are being set up at conference centres and other facilities, and in some workplaces such as government departments, mines and factories.

We have been very fortunate that a number of employers have said that they are also prepared to pay for the setting up of these centres in their own facilities or premises. All vaccination sites must meet certain legislative requirements and go through an accreditation process. By the end of April, the Department of Health had enrolled 3 357 accredited vaccination sites.

**Mr Mkhuleko Hlengwa:** Mr President, notwithstanding the importance of international solidarity to which you have alluded to insofar as India is concerned, and of course, at the same time, the interventions of assistance that you have spoken to are most welcome. Mr President, the flip side of the coin is that a mutation of this virus, and it is true that there are many variants that we have, South Africa having experienced its own, has a direct impact on the efficacy of the vaccines that are currently available around the world. So a lack of speed and urgency puts people at risk.

In the country, we have the lockdown. But we are yet to hear what decisive steps are being taken to ensure [the travel ban] on the movement of people between South Africa and India. Therefore, the question becomes, how are you going to protect South Africans from this variant if you do not have a travel ban on India, while

South Africa, which has its own variant, finds itself on travel bans around the world? So the support you give to India must be reciprocated by government in that case. When will the government impose a travel ban on India?

**President Ramaphosa:** Hon Hlengwa, thank you very much for your question, because your question revolves around precisely what the National Coronavirus Command Council is currently seized with. We are looking more closely, scientifically, at what this variant from India is all about. But we are also looking at how we should respond. Our response could also include precisely what you have said.

A number of people have actually been saying, impose a ban, impose a ban! We are in the process of examining the whole process and the efficacy of doing so. We pride ourselves on taking decisions based on science. Obviously, right now, there are no direct flights between ourselves and India. That helps a bit. 🙏



# DEPUTY PRESIDENT APPEARS BEFORE NCOP TO ANSWER QUESTIONS



*The Deputy President and the Leader of Government Business appeared before the National Council of Provinces (NCOP) in June to answer questions.*

**Mr Zolani Mkiva:** Our government has made a provision for providing electricity to indigent families who cannot afford to pay for electricity. However, there are communities that refuse to pay for electricity and thus connect power illegally. Hon Deputy President, what is the impact of non-payment for electricity by community members and the illegal connections on the general performance and provisions of electricity to South Africans by Eskom?

**The Deputy President:** The impact of non-payment for consumed services is huge because the municipality is unable to maintain the infrastructure it is supposed to maintain as it is the municipality that should bring the necessary services like pipes and electricity systems to the people, because electricity is being stolen, water is being stolen, and people are not paying. The same applies to all the water boards as they are supposed to be bringing water to all the municipalities. If people are not paying, that means that the water boards cannot continue to provide clean water because they should employ people and maintain the system. This principle of not paying for services is a culture that we must overcome and we are calling upon our people to really pay for services.

**Mr Simon Moletsane:** South Africa is amongst the



**Mr David Mabuza: Deputy President**

countries that have performed badly in terms of vaccination. The President has told many forums that he has addressed that. Our people are not vaccinated because there is vaccine nationalism by the Western countries. Can you please explain to the people of Cofimvaba, Giyani, Ehlanzeni, Marikana and Alexandra what is this vaccine nationalism and what has the government done about it?

**The Deputy President:** Firstly, I must say that the South African government has tried its level best to ensure that our people get vaccinated.

Remember, we received one million vaccines from AstraZeneca only to find out that our scientists are saying these vaccines, AstraZeneca, are not capable enough to deal with the Covid-19. We then had to sell them back to the continent. Now we received Johnson & Johnson. We proceeded with Johnson & Johnson vaccinating our health workers. In the process we received Pfizer. We

developing countries. We must help them get these vaccines. It is not only those big countries, those that are producing these vaccines, that they must get them first. They must also think of countries that are developing. That message has reached the leaders of the world and I am sure there will be a change of attitude in terms of the supply of vaccines.



are continuing with Pfizer and the numbers are increasing. As much as we are not moving with the pace that we desired as government, but we are proceeding. We are mindful of the obstacles.

We are mindful of the demand that is out there for vaccines. A number of countries are also looking for vaccines – all of us – to a point where some countries have complained to say we need to also look at

**Mr Dennis Ryder:** South Africans have many questions, particularly around the vaccine rollout as you mentioned earlier in your response that there are many myths and conspiracies that government needs to deal with. Deputy President, will you commit to holding a press conference, including a question and answer session, to address South Africans on the perceived failures of the vaccines rollout, especially now as it appears that Minister [Zweli]



Mkhize is about to leave office under a cloud of controversy following the exposure of his corruption?

**The Deputy President:** I think vaccines are generally a challenge in the whole world. They are not readily available for the population of the world. We have reached certain contracts with two manufactures. We have signed a contract with Johnson & Johnson and we have also signed a contract with Pfizer. You will remember that Johnson & Johnson is currently facing a hurdle in the United States where the Food and Drug Administration (FDA) is looking at the challenge. It is a regulator and we cannot put political pressure on a regulator because they are looking at the efficacy and the safety of the medication.

**Mr Stephanus du Toit:** I put it to you that these strategies and measures that you mentioned are at the moment light castles, dreams and fables, with all



due respect. Because the strategies are there but they are not being implemented. I am referring specifically to strategies like consequence management.

South Africa is currently deteriorating financially, and the dire state of infrastructure and high unemployment rate are examples of the failed implementation of unrealistic and discriminative



empowerment tools. Empowerment models that are there to benefit some, to the detriment of others and the country.

**The Deputy President:** I don't agree entirely with the Hon Member. First of all, I have said in my response that government has adopted a National Anti-Corruption Strategy that is in place and is being followed. Monitoring and evaluation



in all government programmes happens without failure. We are trying very hard as government to detect any incidents of corruption. The guidelines that we are implementing are being followed.

The Department of Trade, Industry and Competition (DTIC) is responsible for all the guidelines of Broad-Based Black Economic Empowerment (B-BBEE), overlooking that Act and ensuring that the Codes of Good Practice are being followed. Up to so far, the department has done very well and it has followed issues of fronting. The Competition Commission Act has been followed, the tribunal has handled a number of cases.

**Mr Xolani Ngwezi:** Do any of the strategies that the government has, considered to facilitate the vitalisation of rural economies, and considered rural women who form an integral part of rural farming communities? And if that is so, can the



Deputy President elaborate on that matter.

**The Deputy President:** Yes, currently we are in consultation with our traditional leaders in trying to deal with our communal land so that we can open space for our people living under the jurisdiction of our traditional leaders so that they can utilise the communal land; so, that is ongoing. But beyond that, the Department of Agriculture is opening up for new entrants and we have targeted women, we've targeted young people, especially those who are living in rural areas. They know how to plough, they know how to look after livestock; so, these are the people that are encouraged to apply to be allocated pieces of land.

Beyond those allocations of pieces of land, they will be given minimum support to start production. That is going to be coordinated at the district level so that the involvement of local government, provincial government and national government is felt at that district level.

**Mr Christiaan Smit:** The department acknowledged, in the presentation to the select committee at the end of the previous term, that the CPA models are not working due to conflict amongst community members and that they are usually a small group within the CPA that highjacks the entire organisation for its personal gain.

In a question to the Minister of Agriculture, Land Reform and Rural Development, Hon Thoko Didiza, on CPAs and the option of individual ownership, she said that individuals or families can apply for individual title deed as long as the CPAs amend their constitutions accordingly to provide for that.

In light of these two facts, Deputy President,

will you ensure that all South Africans who live in communally-owned land, for example, these communities living on land managed by the Richtersveld, Maremane and Schmidtdrift CPAs have the option to opt out of group ownership to have the right to individual ownership of their properties?

**The Deputy President:** I must agree with the Hon Member that the model, the CPA model, presents a lot of problems and as a result of these problems, the land that has been given to those people under these CPAs is currently lying fallow, there's very little that is happening because people are continuously fighting. So, we are currently looking at the best model that we can utilise.

But, of course, we are going to encourage people in those CPAs that if they are really interested in farming, they can apply for pieces of land elsewhere and present their applications to the Department of Agriculture because all we are looking for now, we are looking for new entrants in the agricultural market. In the agricultural sector we have made land available. Government deliberately made land available, land that is in the hands of government.

**Mr Sam Zandamela:** On 15 October 2020, the Department of Trade, Industry and Competition announced an allocation of R50 million for the first phase of the revitalisation of the Dimbaza Industrial Park. The revitalisation work was set to include the construction of an electrical high mast to improve visibility as part of the security improvement, as well as installing fencing, gates, turnstiles and a security guard house to enhance security in the park and ensure there's proper access control.

Since then, the only visibility feature there is the black fence that has been installed so far. There

is no reconstruction or renovations of any of the vandalised factories in that area. There is nothing that speaks to integrated agro-industrial hub for innovation, products and process formulation in the food and related industries, as announced by the department. Even the workers who were hired for the fencing project are now losing hope of receiving their hard-earned salaries.

**The Deputy President:** Let's welcome the question from the Hon Member and make an undertaking that we are going to go and investigate this matter of the industrial park and all the promises that were made to the people there; people are still waiting. And promise that we will come back and report to the House in writing.

We are going to give a response to this question in writing after having made our own investigation and communicated to the relevant department so that we do our monitoring and evaluation of this project that has been announced.

**Mr Zandamela:** It is a known fact that the current Chief Operating Officer (COO) of Eskom, Jan Oberholzer, is a shareholder of Stefanutti, one of the companies that benefitted from the corruption at Kusile power station construction project. We also know that these companies were sourced



on a corruption of single source supply and there were a lot of deviations, which led to the inflation of pricing in their contracts. In 2020 we asked you and we were told that there is an internal investigation on Mr Oberholzer, whether he should be suspended while the investigation was ongoing. You did not give us an answer, Deputy President, but we are told that today Eskom's head of procurement, Mr Solly Tshitangano, was suspended pending the investigation that said he must go.

We are told today that the general manager of Koeberg power station is suspended for poor performance, but no one is suspended for load-shedding. We are asking you again, Deputy President: Is it only black African managers that get suspended pending investigations at Eskom? What has the government done about all allegations and why is there no action taken when senior executives are implicated at Eskom?

**The Deputy President:** We will take an undertaking that we will follow up on the question of the COO being a shareholder of Stefanutti and get to know how far is that matter and revert to the House in a written form. We are doing this to indicate that we are not trying to run away from any question. We want to work together with the NCOP to ensure that we try our best as far as we can to provide the necessary answers and information that you require.

**Ms Tebogo Modise:** Let me first start by commending the government on various measures it is taking to deal with fraud, mismanagement and maladministration within all state-owned entities (SOEs). The government has done particularly well in recovering billions of rands which were embezzled through irregular and illegal contracts, inflated prices and over payment

of some contractors. An example of this was the repayment of billions of rands which were taken by some wayward officials at Eskom to ABB.

Mr Deputy President, it is extremely important to build on this momentum and ensure government deals decisively with corruption. 🌟





# PARLIAMENT' BUDGET VOTE - INVESTING IN ICT TO IMPROVE OVERSIGHT



*Tabling of Parliament's Budget Vote in the National Assembly (NA), the Speaker of the NA, Ms Thandi Modise, highlighted the need for the national legislature to invest in information and communications technology (ICT) and have a relook at the employment processes and models to adjust to the fast-changing world of work, reports **Sakhile Mokoena**.*

Ms Modise said in response to the coronavirus, Parliament had to adjust to new organisational and procedural solutions for legislative work to continue during Covid-19. "We are ready to accept that virtual, hybrid and work from home systems will be with us for a while as we must hold the executive to account.

The challenges of the lockdown notwithstanding, we managed to have oversight work (first in clusters and then as committees). Reports were produced. Oversight visits were conducted. Law-making sessions took place. Public hearings were held; interviews for crucial government posts were held; quarterly reports, and budget votes conducted. Our international work, as well as international agreements, were processed. We held at least 48 virtual meetings."

The Speaker also affirmed that Parliament will continue to focus on the resolve to strengthen its performance and to improve efficiency in law-making and oversight, and to constantly look at the performance and needs of committees and individual Members of Parliament (MPs) to ensure that they adequately represent the public.

Ms Modise also acknowledged that though times have changed, the country and world were still dealing with poverty, inequality and rising joblessness, and that the coronavirus pandemic has simply increased

and exaggerated the contradictions under a non-performing world economy, which engender deep feelings of fear and frustration.

She also touched on the Constitutional Court ruling that independent candidates should

on Parliament TV, to boost access to information and educational materials to the public, and to increase participation in law-making and oversight.

The Co-Chairperson of the Joint Standing Committee on

“The submissions have taught us that our committees are not adequately resourced, are not vigilant enough, do not follow through enough and often are reliant on what comes before them rather than taking what is presented as a trigger to begin their own investigations.

“Our oversight must ask questions, follow up on issues and not draw assumptions. When allegations are made, committees must demand facts and evidence and act informed by the balance of evidence. For this to happen, we have to address the resources allocated to Parliament,” Ms Mabe said.

She said the current budget allocation to Parliament, by the admission of the National Treasury, is going to have a negative impact on

Parliament’s efforts to increase its effectiveness. Parliament’s allocation for this financial year is R2.6 billion. Ms Mabe proposed a thorough review on how Parliament is resourced without compromising on its independence and constitutional status.

be allowed to stand for office without belonging to any political party, and said Parliament must meet the deadline given by the court to enact the required law.

Parliament also hopes to increase public awareness by featuring programmes and documentaries

the Financial Management of Parliament, Ms Peace Mabe, said the submissions at the Zondo Commission of Inquiry into allegations of state capture were critical and should be used as a lesson to improve the work of Parliament.



The Deputy Chief Whip of the Official Opposition in the NA, Mr Jacques Julius, claimed that the Parliament's programmes, targets and performance indicators are skewed, and that there was no performance indicator for quality on the budget vote. "These targets and performance indicators will not wake up Parliament. This budget will keep Parliament fast asleep and an expected apology again over the years to come," said Mr Julius.

He also accused parliamentarians from the ruling party of not doing enough to hold the executive accountable and called on them to "ask uncomfortable questions and stop the sweetheart questions" to Ministers and Deputy Ministers.

The Economic Freedom Fighters (EFF), through its Member of Parliament, Ms Veronica Mente, rejected the proposed budget of Parliament, arguing that it was informed by "a misguided austerity doctrine which seeks to collapse the state, including the collapse of the democratically elected public representatives to hold the government accountable".

She also added her voice on the debate about the feasibility of relocating Parliament, saying that to continue to have Parliament in Cape Town was "simply to please colonial arrangements that sought to bring together white colonial racists. We must move Parliament to a central location accessible to the majority of our people to make Parliament truly the people's Parliament. Our people from Mpumalanga, Limpopo, North West, Free State and some people from KwaZulu-Natal will be able to drive to Parliament, make their input on legislation, hold the executive to account and still be able to go back to their families, something that they cannot do currently because Cape Town for many is a very foreign country".

Mr Narend Singh, the Chief Whip of the Inkatha Freedom Party (IFP) in the NA, commended Parliament for its response to Covid-19 by adopting a new normal as well as embracing the Fourth Industrial Revolution in terms of the manner in which parliamentary business was conducted.

"The question that must be asked is whether we



were able to fulfil our mandate and responsibilities as servants of the citizenry. The answer to some extent is in the affirmative. We admit we have passed budget, considered legislation, received ministerial reports and had question sessions. However, due to Covid-19 we were not able to engage with the public as per normal. We are accountable to the people in the first place," he said.

Mr Singh suggested that the funds that Parliament saved from travel and hoisting events such as the State of the Nation Address should be reallocated to Parliamentary Constituency Offices to ensure these were fully functional and resourced. "These



offices should be functioning as a conduit allowing constituency challenges and problems to reach the highest levels of government. However, looking at the budget set aside for constituency offices and allowances, the objective of taking Parliament to the people will most certainly not be met.

"The IFP suggests that we utilise the savings from travel and other costs and reallocate them to ensure that constituency offices are viable conduits in addressing and attending to queries from members of the public," added Mr Singh.

Mr Corne Mulder of the Freedom Front Plus dismissed the argument that Parliament's problems stem from inadequately resourced committees. "In my view the problem is that the executive and legislative branches of the state are too close to one another, if there is stronger separation between the executive and the legislative branch, it will be better and more easy to keep the executive to account," Mr Mulder said.

The African Christian Democratic Party (ACDP) wants Parliament to return to a state of normality

and for the Covid-19 state of emergency regulations to be subjected to parliamentary scrutiny. "If we are serious about holding the executive to account, we need to amend the Disaster Management Act to improve parliamentary oversight and to stop executive encroachment on the legislative authority of Parliament," said Mr Steve Swart of the ACDP.

The call for Parliament to go back to normality was supported by Mr Nqabayomzi Kwankwa of the United Democratic Movement (UDM) with the view that "while virtual meetings have served their purpose, but to some extent Parliament is beginning to lose its home ground advantage due to virtual meetings". He also suggested that at some point Parliament needs to consider conducting a study on the effectiveness of virtual oversight meetings.

Reacting to the Speaker's submission to the Zondo Commission where she apologised for Parliament's failure to follow up on allegations of state capture, Mr Kwankwa argued that "it was not Parliament that failed, but some MPs that failed South Africa. It is regrettable that the Speaker apologised for

Parliament, but it was not Parliament that failed, it was ANC deployees and MPs that failed South Africa. While the opposition tried to hold the executive to account, the ruling party mollycoddled and defended the executive in committees and in the House”.

The National Freedom Party’s Mr Ahmed Shaik-Emam was concerned about the lack of follow-up on committee oversight reports and implementation of recommendations. “The issue of oversight is a concern. While all political parties participate in the oversight process, all we do when we come back is that the reports are adopted by Parliament. That’s where it ends and it goes into the bin, with very little or nothing happening, no consequences based on the reports and our findings, and we believe that is a problem,” he said.

Mr Shaik-Emam also demanded better clarity on the management of constituency funds, saying currently there is not enough clarity on exactly what the funds can and cannot be used for. “We want more clarity, but also importantly, to ensure that those funds are used for the right purpose, that is, to promote Parliament to the people,” said Mr Shaik-Emam.

Al Jama’ah complained about the lack of support from the Parliamentary Legal Services to smaller parties in drafting and processing Private Members’ Bills (PMB). “Where Parliament is lacking in supporting Private Members’ Bills by smaller parties, they can’t discriminate against us. We submitted a PMB some time ago and there seems to be no progress. Smaller parties must be given the same assistance as the governing party,” pleaded Al Jama’ah Member of the National Assembly, Mr Ganief Hendricks. 🇿🇦



# COVID-19 INCREASES PARLIAMENT'S RESOLVE TO EMBRACE THE 4TH INDUSTRIAL REVOLUTION

*In the Parliament's Budget Vote, the Chairperson of the National Council of Province (NCOP), Mr Amos Masondo, gave a broad overview of how the NCOP fared in the last financial year and what it seeks to improve on writes Abel Mputing.*



Mr Masondo reflected on the impact on Parliament's work of Covid-19 and budget cuts, as well as Parliament's swift adjustment to such challenges. In response to Covid-19, he stated: "We responded quickly and decisively by adopting virtual and hybrid platforms to ensure that we fulfilled our constitutional mandate whilst minimising the risk of transmission in the parliamentary precinct."

While Parliament embraced the Fourth Industrial Revolution in conducting its work, the advent of Covid-19 hastened this resolve. "Our view is that the impact of the 'new normal' will require Parliament to continue to accelerate its digital journey." He conceded that capacity will have to be built to ensure that Members and staff are able to adopt and embrace these new technologies and capabilities.

Despite challenges, the digital migration has increased public participation. “The majority of the meetings of committees, public hearings and plenaries of the Houses of Parliament were broadcast and streamed live on social media channels and radio,

awareness levels and continue to boost participation levels.

In spite of challenges, Mr Masondo pointed out that the NCOP adopted 25 Bills, forming part of the NCOP’s contribution to bettering the lives of the people. In line

One of the critical interventions in this financial year, he said, is the inception of an oversight plan to coordinate oversight priorities and activities of committees, Houses and legislatures, including changes to the parliamentary programme to provide more time for committee and constituency activities.

Amidst the need to improve MPs’ law-making and oversight capacities and to ensure Parliament is innovative in executing its mandate, Mr Masondo mentioned the impact of budget cuts. “There are projections of R257 million cuts in 2021/22, R339 million in 2022/23 and R296 million in 2023/24.” This will put a squeeze on Parliament’s strategic plans and Parliament has therefore called on Treasury to consider parliament’s budgetary baseline review.

baseline review.

Participating in the debate, Ms Sonja Boshoff, expressed concern about the lack of robust engagement with the legislation that comes before the NCOP. “This contributes to the NCOP simply rubber-stamping the



and this increased the level of public access and participation in the work of Parliament,” he added.

Mr Masondo said Parliament is also on course with its plans towards free-to-air television and the creation of radio broadcast services that will sustain over 90%

with its constitutional mandate to protect the integrity of the three spheres of government, Mr Masondo said: “We processed 14 notices of intervention in the local sphere of government. But we remain worried by the increase in the number of repeat interventions.”



Assembly's decisions. The NCOP must take its law-making mandate seriously," she reiterated.

Ms Dikeledi Mahlangu said the NCOP's work is highly complex and that the workshops offered to Members of Parliament (MPs) to familiarise themselves with its work are insufficient. Turning to law-making, she remarked that the legal interpretation of law during law-making is critical. Instead of being capacitated with this skill set, "we are made to rely on the technical assistance of Parliament's legal department. As a result, we become dependent on them and we are never in a position to master it".

She said this applies to oversight as well. "During our orientation, we are not equipped with the necessary skills to analyse policies, to have consummate financial acumen, monitoring and evaluation capabilities to conduct effective and efficient oversight over the provinces, departments and the complex web of state-owned enterprises, which all require different skills sets," she said.

Mr Moletsane Moletsane said Parliament's 8.7% cut is higher than that of the government departments. "How is Parliament expected to fulfil its mandate when its budget is lower than those it's meant to oversee?" he asked.

Making an analogy to underscore the effect of budget cuts, the House Chairperson for Committees, Mr Jomo Nyambi, said: "How do you expect under-resourced police officers to pursue wealthy criminals?" Comparing South Africa to the United Kingdom (UK), he said: "In the UK, a committee Member has more than five assistants, ranging from legal and policy experts to economists if need be in order for the committee Member to have sufficient support to conduct his or her work efficiently. With so much cuts, that is a bridge too far for us."

The Chief Whip of the NCOP, Mr Seiso Mohai, said there is a growing realisation that the constitutional role of the NCOP needs to be reviewed in order for it to play a catalytic role in provincial matters, local government and traditional authorities.

This review would frame the new conceptual and strategic direction of public participation and should consist of stakeholders from government and civil society to academia. This will assist the NCOP to have an outcomes-based approach that

"measures its success and its failures objectively". It will also assist the NCOP to rise and claim its rightful role in the intergovernmental sphere of the state. "And it's necessary because we have far greater battles ahead." 🇿🇦



# President outlines plans to overhaul & stabilise state-owned enterprises



*The Presidency's Budget Vote was the last to be tabled for debate in the National Assembly (NA), one of the final steps in an intensive parliamentary process of scrutinising and analysing government's allocations and spending plans. The President promised better coordination and implementation of government programmes, reports **Sakhile Mokoena**.*

President Cyril Ramaphosa opened the debate by explaining that the work of his office gives substance to cooperative governance and facilitates private/public partnerships to build a capable and developmental state. This budget, he explained, seeks to create a more effective Presidency in directing and coordinating the implementation of government programmes. Since the start of President Ramaphosa's administration, the office has made efforts to realign the Presidency to more effectively

drive the transformation of society and the economy.

“Eight months ago, we launched the Presidential Employment Stimulus, the largest and fastest scale-up of public employment in our country’s history. And, since its inception, this programme has been making a difference in the lives of South Africans across the length and breadth of our country. To date, the Presidential Employment Stimulus has supported nearly 700 000 opportunities,” President Ramaphosa said.

Of these, 422 000 are jobs that have been created or retained, 110 000 are awards issued for livelihoods support, and a further 162 000 are opportunities where awards are currently in process. The Presidency has developed an online dashboard where citizens can track progress in the implementation of the stimulus, pioneering a new approach to transparency and accountability. The stimulus has played a crucial role in supporting vulnerable households to keep working and earning an income, while at the same time benefitting the communities in which they work.

“It has incubated new approaches to coordination and collaboration across the government to achieve a single objective, demonstrating the powerful results of a whole-of-government approach. A further R11 billion has been allocated for the continuation of the Presidential Employment Stimulus in the current financial year,” he said.

The President also reported on plans to stabilise state-owned enterprises (SOEs), saying that while there has been important progress, these efforts will not be sufficient, on their own, to enable these entities to make



a contribution to economic and social progress.

“That is why government envisages a fundamental overhaul of the SOE model to address not only the deficiencies of the immediate past, but also the requirements of national development into the future. The Presidential Review Committee on SOEs laid the foundations for rethinking the role, governance and composition of this crucial portfolio of entities. Through the Presidential SOE Council, we have created a dedicated structure, tapping on expertise from all of society, to guide this reform,” he told the National Assembly.

Meanwhile, on the mass Covid-19 vaccination programme, the President acknowledged that the rollout was delayed by several challenges, but assured MPs (Members of Parliament) that the public vaccination drive is now gathering pace.

In addition, South Africa is leading a campaign to create vaccine manufacturing capabilities on the African continent. “Despite the high burden of disease in Africa, we have to import most of our vaccines, therapeutics and other medications. Manufacturing our own vaccines will enable us to overcome the current pandemic and respond to future health emergencies.” said President Ramaphosa.

Furthermore, the government has had to deal with the impact of coronavirus on human health and respond to its impact on the economy, on businesses, on jobs and on people’s livelihoods. These responses have included wage support, expanded protection, small business financing by government and a loan guarantee scheme to support banking sector lending.

The support package has helped to shield society from some of the economic damages

and laid the basis for a concerted plan to ensure a strong and sustained economic recovery.

### Members of the NA react to the Presidency Budget Vote

As parliamentary rules dictate, the first political party to react to the Budget Vote was the majority party, the African National Congress (ANC). On this occasion, the ANC’s Deputy Chief Whip, Ms. Doris Dlakude, declared the ANC’s support for the budget. She spoke about her party’s commitment to fight fraud and corruption in government, as well as its transformation agenda.

### ANC sick of being labelled as corrupt

“Corruption is the cancer that is slowly destroying our beautiful country. We are tired of being labelled as corrupt just because we are members of the ANC. It cannot be business as usual that we are all painted with the same brush. Corruption doesn’t have a name or a surname; those found to have committed fraud and corruption must be dealt with accordingly, be it in government or private sector,” said Ms Dlakude.

The Deputy Chief Whip also urged South Africans to stand together behind the Constitution and be part of efforts to build a non-sexist, non-racist and democratic South Africa. “The National Development Plan urges us to collaborate as a nation to advance the transformation agenda. This means that civil society, religious bodies and communities across the board must stand in unity with government in order to build a cohesive society,” she said.

While the ANC applauded the Presidency’s performance and declared support for the President’s plans, other political parties in the National Assembly were dissatisfied with the Presidency’s performance,

with some even proposing the establishment of a parliamentary committee to oversee the Presidency.

DA – president has not kept his promises

The official Opposition, in the guise of the Democratic Alliance’s Mr Dean Macpherson, accused the President of “breaking every single promise” he made to the country, after filling the nation with hope and new dawn. “You promised growth of 5% by 2023, you delivered 1,9% this year. You promised one million paid internships, you only delivered 32 000 by 2019. You promised jobs to young people, today 74% of them are unemployed. You promised to halve violent crime, yet there is an increase in rape and murder. You promised to get rid of corruption, yet you have a Health Minister mired in allegations of corruption,” Mr Macpherson stated.

He also called for the scrapping of black economic empowerment (BEE) and for the government to “build the economy for the many and not for the few”.

EFF accuses the President of lacking inspiration  
Mr Julius Malema, the Leader of the Economic Freedom Fighters (EFF), said the President lacks inspiration and doesn’t believe in what he says. “In 2018 you said at the centre of your national agenda is creating jobs, especially for the youth. The Quarterly Labour Force Survey picture points to a dire state of

affairs, a crisis that you have created. Unemployment stands at more than 42%, and close to 50% for black people is the worst level ever,” said Mr Malema.

The EFF also claimed that the President did not believe in the expropriation of land without compensation, and was not convinced about taking the land from colonial settlers. “We want the



Constitution to recognise that land, like mineral resources and water, is a natural resource and a common heritage which belongs to all our people. Let us expropriate all land and place it under the custodianship of the democratic state,” he said.

He further explained that custodianship is not the same as nationalisation: “When we talk about nationalisation, the state takes full control of

whatever asset and uses whatever is nationalised for the collective benefit of the population. However, when we talk about custodianship, the state does not take the land to use it. The land is only in the state's custody as a conduit or to facilitate for people to access land."

IFP concerned over lack of Presidency

oversight on the Presidency. "The need for a parliamentary committee to oversee the Presidency is becoming urgent. We are not able to scrutinise the budget at committee level. Let us open the Presidency for scrutiny and oversight by this Parliament," Prince Buthelezi proposed.

FF+ citizens have a right to protect themselves

The Freedom Front (FF) Plus was concerned about the planned amendments to the Firearms Control Act, arguing this move would deny citizens the right to protect themselves from criminals. "It is an obligation of the President to ensure a capable and effective police service to protect the people of South Africa against criminals. If people cannot be protected by the South African Police Service, how do you expect them not to be able to protect themselves by means of firearms? Please stop this insane amendment of the Firearms Act," said FF Plus Leader, Mr Pieter Groenewald.



oversight committee

Inkatha Freedom Party Leader, Prince Mangosuthu Buthelezi, questioned the President on why the government only implemented reforms and lowered the cost of doing business in response to Covid-19, while the economy has been struggling for decades.

He also raised concerns over the absence of a parliamentary committee responsible for

ACDP don't disarm law-abiding citizens

The African Christian Democratic Party (ACDP) also added its opposition voice to the proposed amendments to the Firearms Act. "The ACDP wants to know why the government plans to disarm law-abiding citizens and deny them the right to protect themselves against criminals," said ACDP MP, Mr Steve Swart.

UDM calls on the President to act against corrupt Ministers

Mr Bantu Holomisa of the United Democratic Movement (UDM) said: "Mr President, the Constitution empowers you to appoint Ministers, but also to remove them. You never act, not even when there is evidence of corruption, with these nauseating exposures of Ministers and their families thriving due to access to government business, like Minister Mkhize and the allegation that he signed the R150 million contract with Digital Vibes, which paid for the family's house renovations and also gave R300 000 to, and bought a Land Cruiser for his son."

NFP calls for more pressure on Israel

The National Freedom Party (NFP) used the debate to advocate for the downgrading of the South African Embassy in Israel, in order to put pressure on Israel to respect international law and human rights. NFP Member of Parliament, Mr Ahmed Shaik-Emam, also reminded South Africans not to forget the role played by countries like Palestine in supporting South Africa during the apartheid years.

GOOD concerned about unemployment and economy

The GOOD party was concerned about the unemployment figures and poor economic growth. GOOD MP, Mr Shaun August, said getting the economy back to growth must be the responsibility of every sector and not just government, to heed the call to put South Africa back on track.

AIC supports call for Presidency Oversight Committee

Mr Lulama Ntshayisa of the African Independent Congress (AIC) also supported the proposal to have a parliamentary committee that will be responsible for oversight on the Presidency. He also called for the vaccine rollout to be fast-tracked, as currently the "vaccine rollout was very slow compared to

the speed at which the virus is spreading".

Cope wants a smaller Cabinet

The Congress of the People's (Cope's) Willie Madisha urged the President to reduce the executive by merging some departments. The party also wants the President to rescue important SOEs and deal with corruption.

Responding to the debate, President Ramaphosa said the impact of the Covid-19 pandemic has set the country's economic progress back many years. "It has made South Africans poorer. It has made hunger more widespread and it has directly affected the health and well-being of hundreds of thousands of people. It has made the task of growing an inclusive economy and transforming our society that much more difficult," he said.

But it is equally important, he continued, that we recognise that our own weaknesses and shortcomings have hampered the task of building a new society and achieving a better life for all. "We must, as we have done, acknowledge that there have been failures of governance in several municipalities, in departments and in state-owned entities," he said.

Speaking about corruption, the President said it deprives the poor of resources that are rightfully theirs. It starves the economy of investment in that those who would want to invest in our economy are kept away by the stench of corruption. "It leads to a degradation of public infrastructure and services, and tragically, it ultimately costs lives."

He said the Presidency was determined to address all the challenges, both those rooted deep in our past and those that manifest themselves today. 🤔

# NA AND NCOP ADOPT BUDGET VOTES

*The National Assembly (NA) and the National Council of Provinces (NCOP) considered and adopted all the budget votes after the Ministers delivered them in both Houses of Parliament in May – June 2021.*



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|--|--|--|
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| <b>5</b> Home Affairs                                    | <b>18</b> Health                                       | <b>33</b> Human Settlements                              |
| <b>6</b> International Relations and Cooperation         | <b>19</b> Social Development                           | <b>34</b> Mineral Resources and Energy                   |
| <b>7</b> National School of Government                   | <b>20</b> Women, Youth and Persons with Disabilities   | <b>35</b> Science and Innovation                         |
| <b>8</b> National Treasury                               | <b>21</b> Civilian Secretariat for the Police Service  | <b>36</b> Small Business Development                     |
| <b>9</b> Planning, Monitoring and Evaluation             | <b>22</b> Correctional Services                        | <b>37</b> Sports, Arts and Culture                       |
| <b>10</b> Public Enterprises                             | <b>23</b> Defence                                      | <b>38</b> Tourism  |
| <b>11</b> Public Service and Administration              | <b>24</b> Independent Police Investigative Directorate | <b>39</b> Trade, Industry and Competition                |
| <b>12</b> Public Service Commission                      | <b>25</b> Justice and Constitutional Development       | <b>40</b> Transport                                      |
| <b>13</b> Public Works and Infrastructure                | <b>26</b> Military Veterans                            | <b>41</b> Water and Sanitation 🇿🇦                        |
|  | <b>27</b> Office of the Chief Justice                  |  |
|  | <b>28</b> Police                                       |  |

# PUBLIC WORKS & INFRASTRUCTURE COMMITTEE CONCLUDES PUBLIC HEARINGS IN SEVEN PROVINCES



*The Portfolio Committee on Public Works and Infrastructure conducted public hearings in seven provinces on the Land Expropriation Bill. In each province, the committee targeted four districts to ensure that the majority of the people in each province were afforded an opportunity to express their views on the Bill.*

The objective of the Expropriation Bill [B23-2020] is to repeal the Expropriation Act 63 of 1975 (Act), which predates the Constitution. It is necessary, after 26 years, that apartheid laws are changed so that the laws are aligned with the Constitution.

The process for the Bill began on 14 October 2020 when the Speaker of the National Assembly referred the Bill to the Portfolio Committee on Public Works and Infrastructure. The committee committed itself to adhere to the guidance provided by section 59 of the Constitution, which obliged Parliament and its committees to facilitate public involvement in the legislative process and conduct its business in an open manner. The committee at all times ensured that it provided a reasonable opportunity for effective public participation in the process and to ensure that the process was transparent.

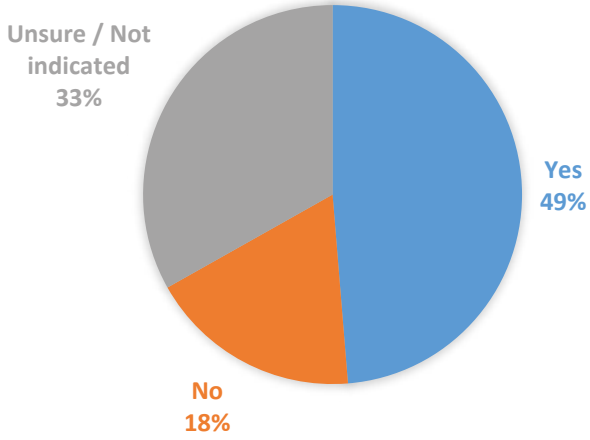


**Below is an illustration of the programme spread per province:**

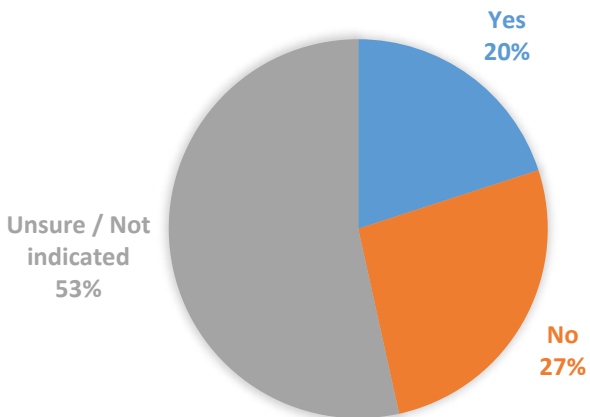
<b>Province</b>	<b>Municipalities</b>	<b>Dates</b>
1. Limpopo	<ul style="list-style-type: none"> <li>• Thulamela Local Municipality, Vhembe District</li> <li>• Greater Tzaneen Local Municipality, Mopani District</li> <li>• Modimolle Local Municipality, Waterberg District</li> <li>• Polokwane Local Municipality, Capricorn District</li> </ul>	8 – 11 April 2021
2. Mpumalanga	<ul style="list-style-type: none"> <li>• Bushbuckridge Local Municipality, Ehlanzeni District</li> <li>• Mbombela Local Municipality, Ehlanzeni District</li> <li>• Msukaligwa Local Municipality, Gert Sibande District</li> <li>• Thembisile Hani Local Municipality, Nkangala District</li> </ul>	15 – 18 April 2021
3. North West	<ul style="list-style-type: none"> <li>• Lekwa-Teemane Local Municipality, Dr Ruth Segomotsi Mompati District</li> <li>• Maquassi Hills Local Municipality , Dr Kenneth Kaunda District</li> <li>• Mahikeng Local Municipality ,Ngaka Modiri Molema District</li> <li>• Moses Kotane Local Municipality, Bojanala Platinum District</li> </ul>	22 – 25 April 2021
4. Gauteng	<ul style="list-style-type: none"> <li>• Tshwane Metropolitan Municipality</li> <li>• Mogale City Local Municipality, West Rand District</li> <li>• Joburg Metropolitan Municipality</li> <li>• Ekurhuleni Metropolitan Municipality</li> </ul>	6 – 9 May 2021
5. KwaZulu - Natal	<ul style="list-style-type: none"> <li>• Endumeni Local Municipality, UMzinyathi District</li> <li>• Ulundi Local Municipality, Zululand District</li> <li>• uMhlathuze Local Municipality, King Cetshwayo District</li> <li>• eThekweni Metropolitan Municipality</li> </ul>	20 – 23 May 2021
6. Eastern Cape	<ul style="list-style-type: none"> <li>• Winnie Madikizela Mandela Local Municipality, Alfred Nzo District</li> <li>• Elundini Local Municipality, Joe Gqabi District</li> <li>• Mbhashe Local Municipality, Amathole District</li> <li>• Nelson Mandela Metropolitan Municipality</li> </ul>	3 – 6 June 2021
7. Western Cape	<ul style="list-style-type: none"> <li>• Cederberg Local Municipality, West Coast District</li> <li>• City of Cape Town Metropolitan Municipality</li> <li>• Beaufort West Local Municipality, Central Karoo District</li> <li>• Knysna Local Municipality, Garden Route District</li> </ul>	10 – 13 June 2021



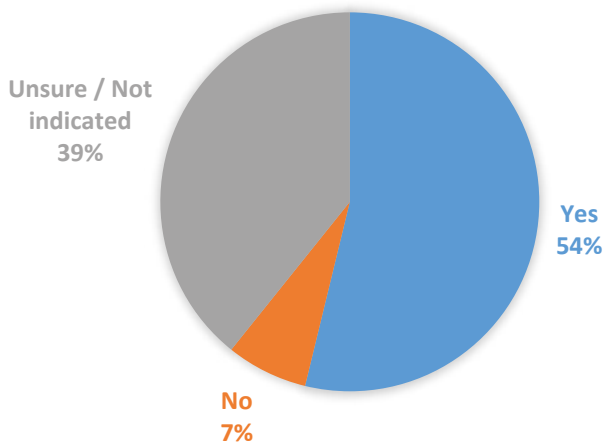
### LIMPOPO

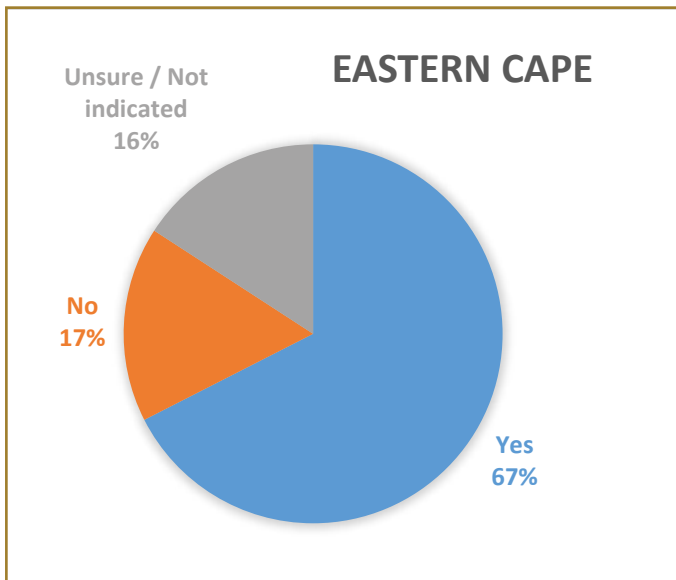
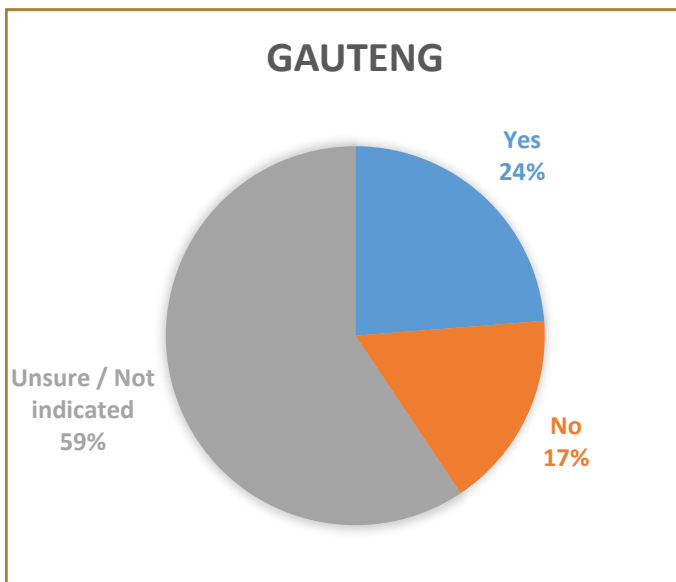
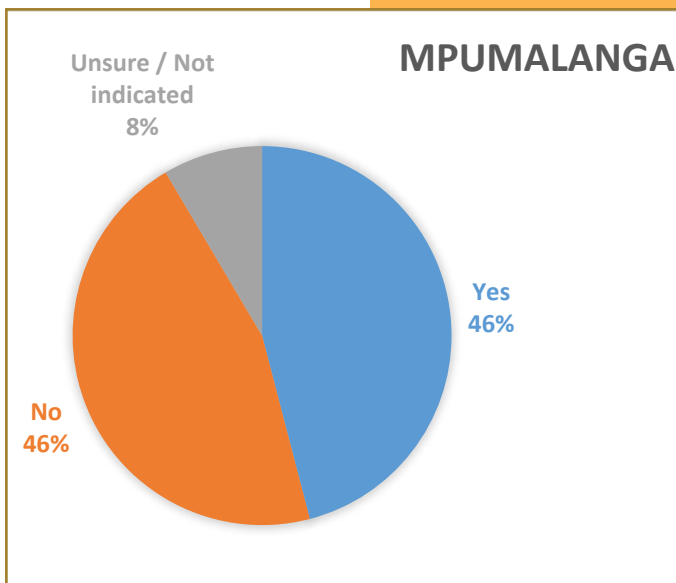


### NORTH WEST



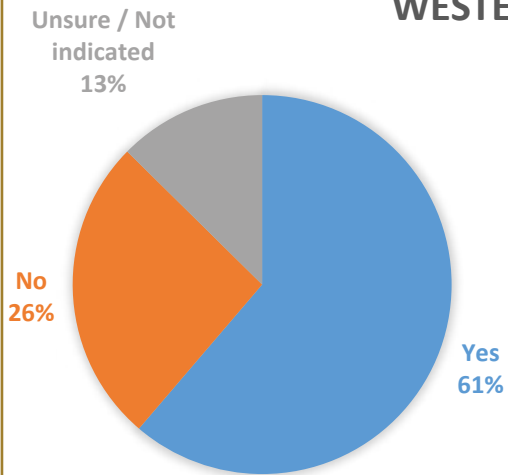
### KWAZULU - NATAL







### WESTERN CAPE



# NATIONAL ASSEMBLY SPEAKER CALLS FOR AN END TO ALL FORMS OF DISCRIMINATION IN AFRICA



*Speaking at the official opening of the Fourth Ordinary Session of the fifth Parliament of the Pan-African Parliament (PAP) in Midrand, The Speaker of the National Assembly, Ms Thandi Modise, called for an end to all forms of discrimination in Africa and advocated for united efforts to rebuild the continent's economy following the Covid-19 pandemic. Sakhile Mokoena reports.*

Ms Modise said it was very unfortunate that the continent was still divided along ethnic, religious, gender and languages lines of the former colonisers. "Our interests should be about building the African

economy, the languages of the former colonisers must not be allowed to continue dividing us. We need to think as Africans and treat each other as brothers and sisters," she said.



Ms Modise also urged Members of the PAP to fight against ethnic discrimination, gender-based discrimination and support the fight against gender-based violence and femicide (GBVF). She also spoke

against the displacement of people and human trafficking caused by instability in some parts of the continent.

She dismissed the impression that South Africa was xenophobic



against fellow Africans, saying that South Africa ensures that nobody is treated differently because of their nationality. “We will not tolerate xenophobia in our country, but we will also not tolerate criminality within our borders, whether by South Africans or by foreign nationals,” she said.

Ms Molise’s call for African unity was supported by the Democratic Republic

of Congo’s (DRC)’s Ambassador to South Africa Mr Bene M’poko, who is also the Dean of African Ambassadors. “We need to unite as Africans and abandon some of our habits, like this thing of Anglophone and Francophone, which belong in the past, does not have to divide us. We need to act and talk like one people. We are here to solve problems and challenges facing our continent,” said Ambassador M’poko.

Delivering the welcome message to the PAP on behalf of South Africa, the Minister of International Relations and Cooperation, Dr Naledi Pandor, said South Africa has provided support to the PAP and will continue doing so in line with the host country agreements. She warned that the socio-economic impact of coronavirus in the continent will be felt for quite some time, and she called on countries to build

research and invest in higher education in order to build responses to possible future pandemics. “There will be other pandemics in the future, it’s a pattern of life, we will have to be ready as a continent,” said Minister Pandor.

The theme for the PAP session echoes that of the African Union for 2021: “Year of the Arts, Culture and Heritage: Levers for Building the Africa We Want”. Addressing the session

as a guest of honour, the President of the Republic of Ghana, Mr Nana Akufo-Addo, said nothing defines a continent more than its arts, culture and heritage. He also called on African countries not to abandon their cultures and heritage as they modernise.

“Modernisation is seen as synonymous with westernisation, but we can modernise in our own way, like Japan which is highly modernised but not westernised. The Africa we want will not be realised if we turn our

backs on our arts, culture and heritage,” said President Akufo-Addo.

He encouraged African countries to start knowing more about each other, to learn from each other and look out for each other. “We have what it takes to transform our economies, acting together we will boost our capacity to succeed,” he added.

The Chairperson of the National Council of Provinces Chairperson, Mr Amos Msondo, is the leader of the

parliamentary delegation to the PAP. Other delegates include the Chief Whip of the Majority Party in the National Assembly, Ms Penny Majodina, Dr Mathole Motshekga, Mr Julius S Malema who is the leader of the Economic Freedom Fighters and the Democratic Alliance’s Mr TR Majola.

Speaker Modise is a former member of the PAP and was specially invited to make opening remarks, together with Dr Pandor, on behalf of South Africa

as a host country.

Among the issues discussed at the session are various reports, including the Report by the Permanent Committees on the Covid-19 pandemic in Africa; the activity Report of the PAP; the Report of the Ad hoc Committee on the election of the President of the Pan-African Parliament; and Committee Meetings and Meeting of the Network of Women Parliamentarians. 🇸🇦



# EARLY DETECTION MECHANISMS ARE NEEDED TO PREVENT SECTION 100 INTERVENTIONS



*To ensure that constitutional interventions are a measure of last resort, the Ad Hoc Committee on the Section 100 Intervention in the North West has recommended that the national government must put in place early detection mechanisms to identify areas of concern before they require intervention. This system will ensure that there are mechanisms to pick up systemic threats and risks before they are endemic and require intervention as per section 100, writes Malatswa Molepo.*

“We remain of the view that interventions should be a measure of last resort, and systems and mechanisms must be put in place to support all levels of government before interventions are necessary,” committee Chairperson, Mr China Dodovu, emphasised.





The Constitution, through sections 40, 41 and 154, advocates for interdependent spheres of government that work collaboratively for the achievement of the mandates and ideals in each sphere. The committee highlighted that through the envisioned mechanisms, different spheres of government can support each other in areas of concern before they reach full-on intervention.



At its meeting to conclude its work and consider its report, the Ad Hoc Committee on the Section 100 Intervention in the North West Province recommended to the National Council of Provinces (NCOP) that the intervention in terms of section 100 of the Constitution should continue, pending a comprehensive review and assessment by the national executive.



While the intervention continues and as obligated by section 100 (2)(c), the committee was mandated by the NCOP to review the intervention regularly and may make any appropriate recommendations to the executive. The committee is satisfied with the commendable progress and stability in the North West that has established a platform for future quality service delivery to the people of the province, notwithstanding the resolution of outstanding matters that remain a concern.

The Inter-Ministerial Task Team informed the committee in February that a comprehensive review will be undertaken by the executive in June 2021 to evaluate the impact of the intervention on service delivery. “We will await the decision by the national executive on whether, considering the progress made in the province, it will be viable to continue with the intervention. But we must hasten to highlight that despite the progress made, the committee remains concerned, especially about the slow pace of prosecution of cases of malfeasance as that will be the only deterrent against wrongdoing in future,” said Mr Dodovu.

In line with this concern, the committee has highlighted the need for law enforcement agencies to address issues of capacity, integrity and allegations of corruption in their own ranks, to ensure expeditious conclusion of cases, especially those related to the section 100 intervention. The committee also recommended that progress and challenges in all the cases opened with the South African Police Service, the Directorate of Priority Crime Investigation, and considered by the National Prosecuting Authority, particularly those that are subject to section 100 intervention, be reported quarterly to the NCOP for close monitoring. To strengthen governance, the committee has

called for the conclusion of all outstanding or pending disciplinary cases of officials alleged to have been involved in the financial misconduct and maladministration, to minimise severe financial implications for the state.

On the legislative framework to guide section 100 intervention, the committee has highlighted the need to expedite the process to enact a legislation that will guide the intervention, as per section 100, to ensure that interventions are structured and follow set guidelines, especially in light of the challenges faced following interventions in the Eastern Cape, Free State, Limpopo, Gauteng and North West provinces.

Some of the positives the committee noted that were reported to the NCOP include the audit report improvement, capacity building for service delivery by filling key management posts, investment in infrastructure and improved systems, as well as decentralisation of functions from the Premier’s office to line departments.

The committee has also requested that parliamentary sector committees obtain the committee’s report so that they can follow up on the set of recommendations made by the Ad Hoc Committee Inquiring into the North West Section 100 Intervention. 🇿🇦





**PARLIAMENT**  
OF THE REPUBLIC OF SOUTH AFRICA

# Submissions to Parliament

## How to write a submission?

While there is no set format for a submission to a committee, it should be well thought-out and easy to read.

The following suggestions may help to achieve this:



**Heading** – Head your submission with the name of the committee to which it is addressed and the full title of the Bill or topic.



**Who is it from?** Clearly state whom the submission is from. State your name or give the name of the organisation you represent.



**Contact Details** – Include a contact address, daytime telephone number and ID number. If for private reasons you do not wish these details to be made public, state this in your covering letter and leave it off the submission itself.



### Do you wish to appear before the Committee?

Clearly indicate whether you would like the opportunity to address the committee in person. If you represent an organisation and you wish others to appear with you before the committee, either for support or to speak, include their names and roles.



**Your organisation** – If you are writing on behalf of an organisation, give brief details of the organisation's aims, membership and structure. Make sure that you have the authority to do so and note your position within the organisation.



### Who else supports you?

You may note how widely you have consulted during the writing of the submission. Your submission may have more standing if it has a wide support base.

## Guidelines for written submissions

When writing a submission to a committee, you will usually be making comments in relation to a Bill or topic. While there are differences in the way in which a submission is written for a Bill, there are basic principles that apply.



**Language usage** – Use respectful language. A submission which uses slanderous and disrespectful language will not be considered.



**Relevant** – Be relevant and stick to the point.



**Clear** – Arrange your sentences and paragraphs in a logical order.



**Concise** – Be simple and direct. Do not write more than is necessary.



**Accurate** – Be accurate and complete. A submission with many errors will greatly reduce its impact.



**Conclusion** – Sum up or list the main points of your recommendations in a conclusion at the end of the submission.



**Sending your submission** – Your submission should reach the committee by or before the closing date for submissions, and should be sent to the relevant Committee Secretary or the e-mail address stated in the call for submissions.



## Guidelines for making oral submissions

The format for the presentation of oral submissions varies between committees and also depends on the nature of the subject matter.

Follow the same guidelines as for written submissions.

### Preparing for your oral submission

Committee meetings are generally open to the public and the media. You may wish to attend one of these meetings before you present your oral submission. On the day of your oral submission, arrive early. It is a good idea to plan your presentation so that you are able to present all relevant points and leave enough time for questions.

### Language

You may present your oral submission in any of the official languages of South Africa. Inform the committee of your language choice timeously to enable Parliament to make the necessary interpreting arrangements.

### Visual Aids

Parliament's committee rooms are fitted with audio-visual equipment and your oral submission may have more impact if it is reinforced with audio-visual aids.

### Questions

Be prepared for questions from Members of the committee. It is a good idea to think about possible questions that may be asked and be prepared to answer them.

### Time allocation

You can discuss the amount of time allocated to you with the Committee Secretary beforehand. The committee makes the final decision on the time allocated for oral presentations.

## Presenting oral submissions

Oral submissions give you a chance to reinforce what you have said in your written submission and allows the committee to clarify points raised in the submission. If the committee has decided to hear your submission, the Committee Secretary will contact you to make arrangements for you to present your oral submission.

Oral submissions can also be made at public hearings held by Committees.



These submissions are recorded at the public hearing and summarised for the committee's consideration.



The relevant committee/s looks at the evidence or opinions shared at the hearing and discuss the contents thereof.



If a view is supported by many people and if it has merit, the idea or concern stands a good chance of being included in legislation or the work of the relevant committee/s.



The committee/s will make the final decision about the merit of an issue.



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