

TUESDAY: 11 NOVEMBER 2008

Sitting No. 20

[No. 20 - 2008] Fourth Session, Third Legislature

REPUBLIC OF SOUTH AFRICA

**LEGISLATURE OF THE
NORTH WEST PROVINCE**

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09H00

HON. DEP. SPEAKER:

Honourable Members, we may now observe a moment of silent prayer and meditation. Honourable Members you may get seated. Next item

**SECRETARY: ITEM NO. 2;
MINUTES OF THE 21st OCTOBER
2008.**

HON. DEP. SPEAKER:

Honourable Members, I put before you a set of minutes of the 21st October 2008 for adoption. Are there any corrections from the minutes? In the absence of any corrections, does the House adopt the minutes? Next item.

**SECRETARY: ITEM NO 3;
MOTIONS**

- (a) Motions without notice
- (b) Notices of Motions

HON. DEP. SPEAKER:

Honourable Members, are there any motions without notice? Honourable Madoda, Honourable Hattingh, Honourable Groenewald, Honourable Moilola, Honourable Matladi late comer.

HON. MADODA:

Thank you Honourable Deputy Speaker. The ANC rises to place a motion without a notice to inform the House about the election of Mr. Barack Obama to the presidency of the United States of America. Mr. Obama becomes the 44th president of America.

Honourable Speaker, I would also like to congratulate Mr. Obama on being the first African-American president and the youngest leader in the history of the US. The ANC would like to wish him well on his

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tenure as President. Thank you.

HON. DEP. SPEAKER:

I take it the House concurs with the motion. Next motion. Honourable Hattingh.

HON. HATTINGH:

Honourable Deputy Speaker, I have two motions. First the DA moves that this House registers its concern with the latest spate of farm attacks in the North West Province which claimed the lives of three farmers in the past week.

In the first incident Mr. Brink Botha from Mamogaleskraal on the 02nd of November was killed after he fight with three armed robberies. His wife Mrs. Christelle Botha and their thirteen year old daughter after theft of weapon, cell phones and cash was downed and was locked up. On the 06th of November Mr. Flip Minnie from the farm Rooikopies near Brits was killed by attackers in the presence of his fourteen year old son.

On the same date Mr. Sias Stander was killed during a farm attack on the farm near Coligny.

He was stabbed several times with a knife and his wife Hannatjie Stander both are elderly people, they were stabbed twelve times with a knife and in the incident one of the attackers escaped. I move that the Legislature registers its concern with the increasing farm attacks in the North West Province.

Second motion to the Legislature registers its condolences with a passing away of South Africa's Goodwill Ambassador Miriam Makeba. I recall that she at one stage also performed at the North West Provincial Legislature during an opening. Thank you.

HON. DEP. SPEAKER:

I take that the House concurs with motions as tabled. Honourable Groenewald.

HON. GROENEWALD:

Thank you Honourable Deputy Speaker. The DA wants to move this august House and express their deepest concerns relating the incident that happened to the resident who were put out of their flats in Mmabatho by the Red Ants on Wednesday the 29th of October 2008. I thank you.

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HON. DEP. SPEAKER:

I take that the House concurs with the motion. Honourable Moiloa.

HON. MOILOA:

Honourable Deputy Speaker, the African National Congress herewith place a motion without notice to give all Grade 12 best wishes on their year end examinations. This period represents a unique and important moment in the lives of all the learners who will be writing in the National Certificate Examinations this academic year.

By sitting in these examinations, you have in fact already reached the pivotal stage after almost twelve years of hard work during your school in career. We believe that will do yourselves, your families in the province proud by improving last year's pass rate. We as the ANC therefore extend our best wishes to you. We want to reiterate to you that dreams do come true. You must just have courage to pursue them. Thank you.

HON. DEP. SPEAKER:

I take the House agrees with the

motion. Let's proceed, the next mover is Honourable Mokomele-Mothibi.

HON. MOKOMELE-MOTHIBI:

Thank you Honourable Deputy Speaker. Honourable Deputy Speaker the ANC rises to place a motion without notice to inform your House about the death of singer Miriam Makeba age 76 after being taken ill following a concert in the Italian Town of Caserta.

Makeba was a legendary voice of the African continent, who became a symbol of the fight against segregation in South Africa. Miriam or Mama Africa as she was popularly known was born in Johannesburg the 04th March 1932. From her start in a church choir, Makeba went on to sing professionally. Makeba's superior voice earned her the lead in the show King Kong, and a film part in Come Back Africa.

She became an international sensation and sang at President Kennedy's birthday. Makeba spent decades in exile; living mostly in the US and then in Guinea, after the South African government cancelled her pass-

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port in 1960 for speaking out against the atrocities performed by the apartheid government.

The ANC would like to take the time to send our heartfelt condolences to the Makeba's family, farewell Mama Africa. I thank you.

HON. DEP. SPEAKER:
Honourable Matladi.

HON. MATLADI:
Thank you Honourable Deputy Speaker. Honourable Deputy I do have two motions without notice that support the other motions without notice presented by my colleagues. The first one I would like to table is the honour to Barack Obama for his victory as the USA President elect.

We hope that as the UCDP, this will be the beginning of the new political terrain in International Politics as it is the first time a black person is voted an American President. We hope that this will speed up changes in Africa, as Africa is one of the continents in the development and hope that Barack Obama as president of America, the "political powerhouse" will bring

changes not only to Africa but to the whole world to make it a better place for all.

My second motion on Mama Africa. It is with great sadness that the UCDP wishes to table a motion without notice on the passing on of Miriam Makeba, "Mama Africa" as she is affectionately known. She succumbed to a heart attack after a concert in CasteVolturno, southern Italy on Sunday.

Mama Africa was mother to our struggle. Her haunting melodies gave voice to the pain of exile as depicted by our former State President, Dr. Nelson Mandela. Her music contributed to the liberation of the people and contributed to the liberation of the people of the South Africa from the bondage of oppression. We salute you Mama Africa, a true daughter of the soil. May your soul rest in peace. Good night Miriam Makeba, good night.

HON. DEP. SPEAKER:
Honourable Members I note that the House agrees with all these motions tabled, and I take that the House adopts all the motions, but I want to draw the attention of the House that there

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is a notice of motion from the Order Paper standing over from the previous Sitting. Honourable Mampane and Honourable Kekesi.

HON. MAMPANE:

Thank you Honourable Deputy Speaker. The African National Congress herewith rises to place a motion to place a motion without notice to inform your House about the horrific storms which hit the North West Province at the community of Driehoek in Marikana.

The community of Driehoek, near Lichtenburg is reeling from shock following the death of two people and six others sustaining injuries after they were hit by a lightning last week. The victims were members of a local football team which had just played a soccer match at the neighbouring village.

Honourable Deputy Speaker on another incident at Marikana near Rustenburg 28 people were injured and 300 houses destroyed after being hit by a violent storm on the 29th October 2008. I thank you.

HON. KEKESI:

Thank you Honourable Deputy Speaker. Honourable Deputy Speaker the African National Congress rise to place a motion without notice for voter registration held on the 08 to the 09th of November 2008. The ANC is saying all this is not lost for those who missed the voter registration deadline yesterday. Although registration closed yesterday we further say that our communities must visit their local municipality offices to register for the next coming elections.

We want to thank the communities for they were not discouraged by the rainy weather for register for the votes, today we are told that more 1.1 million eligible voters have turned up in all 19 000 registrations stations. These are preliminary because we are expecting final result from Wednesday as per IEC statement.

Our gratitude thanks goes to IEC for their good work done over the weekend. I thank you Deputy Speaker.

HON. DEP. SPEAKER:

Honourable Members earlier on I granted to draw your attention

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that there is a notice of motion on the Order Papers standing over from the previous Sitting, precisely because Honourable Darkey Afrika was not present. I am sure MEC Africa is still not available and the matter will stand over until he is available to respond. Are there any notices of motions?

HON. HATTINGH:

Honourable Deputy Speaker, I do not know whether any Member has seen the Honourable Africa lately but I would like to enquire whether is he still a Member if the House and whether this motion will actually stand during this term. If there is anybody that can assist.

HON. DEP. SPEAKER:

Honourable Hattingh I express concern myself this morning over the very matter you raising, but can we agree that the Office of the Speaker will follow up the matter and make sure that this...[Interrupted by Honourable Maloyi] .

HON. MALOYI:

No Deputy Speaker Honourable Hattingh wanted an answer. The answer is that the

Honourable Africa is abroad on government business because what is going to do there is for the benefit of South African people. So he will be back of course.

HON. HATTINGH:

Thank you Deputy Speaker, can we then request that one of his ...[inaudible]...South Africa actually comes here and address us as well , we can see him here rather not to see him in the long time.

HON. DEP. SPEAKER:

My focus is on the item on the agenda. The notice of motion that has been deferred. I am saying from a presiding this matter will be debated in the next Sitting where Honourable Africa is. I am not going to entertain anything beyond what is on the table. Are there any notices of motions Honourable Members? But before we proceed to the next item. May I draw the attention of the House and I am doing this thing to clear the air.

The Office of the Speaker received a request from Honourable Hattingh of the Democratic Alliance to request a

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debate on a matter of urgent public importance relating to a Department of Agriculture, Conservation and Environment. We have granted Honourable Hattingh a right to debate that subject, but that subject will not be debated today, because the Department of Agriculture has a debate today on the Annual Report.

Now I just want to draw the attention of Members that the Rules Committee on one of its sittings resolved that there would be no department that would have two debates at the same Sitting for the same department. We have now granted permission for that matter to be debated in the next Sitting to allow the debate of Agriculture on Annual Report to proceed today.

I wanted to clear that so that there is no confusion over the matter. Can we proceed to the next item.

**SECRETARY: ITEM NO 4;
INTERPELLATIONS AND
QUESTIONS**

HON. DEP. SPEAKER:
Honourable Members we have interpellation by Honourable

Gerber to Member of the Executive Council responsible for Education, Honourable Tselapedi and will follow the procedure as outlined in Rule 139. May I check with the House whether Honourable Tselapedi has delegated somebody to deal with his questions and interpellation relating to his department?

HON. MEC. THIBEDI:

I am an acting MEC for Education; I will deal with the questions as presented to me by the department.

HON. DEP. SPEAKER:

Honourable Members I am now referring you to the question paper. Honourable Thibedi acting MEC Education, we are now starting with the interpellation.

HON. MEC. THIBEDI:

On this question [0821-1/21] the answer will be provided in the next Sitting. There is no answer provided to me.

HON. GERBER:

Honourable Deputy Speaker, I thought that the Honourable Thibedi would now give the answers and we can debate it, he is an acting MEC for

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Education and by the way could we have the reason why the MEC is not here today and what is s the reason, have he made in apology etc. I thank you.

HON. DEP. SPEAKER:
Honourable Thibedi.

HON. THIBEDI:
Well Honourable Deputy Speaker, my apologies, let me just indicate that I do not have any mandate on this interpellation. The MEC is abroad to the Bahamas, I am having the questions that I am supposed to respond to and I want to apologize on behalf of the Department of Education for not being in a position to provide you with the necessary information relating to this particular interpellation and I hope that Honourable Gerber through you will be kind enough during this rainy weather to accept this apologies. Thank you.

HON. GERBER:
Thank you Honourable Deputy Speaker, I accept the apology of the acting MEC but I have not been informed either that this debate will not take place today and I think that the Honourable Tselapedi when he left the coun-

try he should have at least write to the Office of the Speaker and also to myself that the debate would not be taking place, thank you.

HON. DEP. SPEAKER:

We note your concern Honourable Gerber, the Office of the Speaker did not either know that there will be no debate on the interpellation, our attention was never drawn to that effect, but I think for now lets leave in the apology that the MEC has presented, we will make a follow up on the matter as an when the MEC for Education is present.

Honourable members we proceed to question 1, a question of Honourable Matladi to Premier. May I check whether there is somebody standing in for the Premier.

HON. MEC. THIBEDI:

Honourable Deputy Speaker, I have just spoke to the Premier few minutes ago, she indicated to me that she is in hospital, but I am unfortunately in a position to provide any response to the question that has been imposed here.

HON. DEP. SPEAKER:

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So Honourable Thibedi you are both acting Premier and MEC for Education?

HON. MEC. THIBEDI:

For the record, I am not acting Premier.

HON. DEP. SPEAKER:

Honourable Members we proceed to question 2, a question tabled for the fourth time referred to the Premier and this is done in terms of the rule and it is a question of Honourable Hattingh which originally was referred to a Member of the Executive Council responsible for Transport, Roads and Public safety.

So this question falls outside the ambit of being answered by the MEC. It now falls in the ambit of being answered by the Premier because this question is tabled here for the first time and in terms of the rule, it is no longer the MEC who must respond, it is the Premier. So in the absence of the Premier and in the absence of anybody delegated to deal with this question., this question will also stand over for the next Sitting where the Premier must, I say must answer the question and I say

must because I am informed by the rules.

Honourable Members we proceed to question 3, it is a question tabled for the second time, and it is an oral reply. A question of Honourable Hattingh to a Member of the Executive Council responsible of Health. Is there anybody standing for the Department of Health or acting in that department?

Honourable Members, the Member of the Executive Council responsible for Health is not present, but I will also go and check the rules, what does the rules say that if a member has a question to answer is not present and has not delegated anybody to respond to the question will check what the rule says, because certainly it must say something, it cant be silent.

HON. HATTINGH:

Honourable Deputy Speaker, perhaps we should consider having Legislature Sitting on the Bahamas to get everybody here and to conclude our business.

HON. DEP. SPEAKER:

You see Honourable Hattingh I have refused to be defocused since this morning and I am

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going to be consistent through out.

HON. MEC. VILAKAZI:

The Honourable Member is highly provocative.

HON. DEP. SPEAKER:

Honourable Vilakazi wants to follow you to defocus the House; I will not allow that to happen. Question 4, it's a question of Honourable Hattingh to a Member of the Executive responsible Road, Transport and Community Safety. Ntate Vilakazi this question is tabled for the second time.

HON. MEC. VILAKAZI:

I do answer the question.

HON. DEP. SPEAKER:

It is a question that needs an oral reply.

HON. MEC. VILAKAZI:

I beg your pardon Honourable Deputy Speaker, I will respond. Question 1 says With regard to the issuing of strategic items to the members of the South African Police Service at Rustenburg Police station Kindly indicate:

(a) How many members of SAPS both permanent and

reservists, have been issued with the following items, I hope it is a question that is have been asked

(i) Hand cuffs

(ii) Pepper spray

(iii) Torches

(iv) Bullet-proof vests; and

(v) Fire arms

Our response is that one hand cuffs 438, actual members of the station and reservists about 70, handcuffs issued to these members permanent members issued on personal equipment is 372, hand cuffs to reservists is 410. Pepper spray is 127, and reservists is 29. Torches are 358 to permanent members and 154 to reservists. Bullet proof vests are 293 to permanent members and reservists are 373. Fire arms are 383 to permanent members and reservists are 111.

2. Please list the above separately for permanent staff and reservists indicated to date of service and date on which the respective items were issued. Answer; Pepper spray as requested from head office on the 21st of May 2008. The VAS2 was captured on the PAS on 2008 on the 5th month on the 23rd day by Captain Masiti

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who is a Divisional Commissioner SCM, indicated that he will forward the letter response to our office on the 21st indicating that they do not have any pepper spray in stock at the moment.

Question 3, 4 and 5 if any item has not yet been issued please indicate why not, what steps are in place to ensure that the items will be issued and by what date will the outstanding items be issued. I think we have responded to that but furthermore is that Rustenburg SAPS has enough stock in the station inventory to supply the reservists and other members that are in possession of a critical items has listed. That concludes my response.

HON. DEP. SPEAKER:
Honourable Members we proceed to question 5. Question 5 is a question of Honourable Hattingh to a Member of the Executive Council responsible for Agriculture, Conservation and Environment.

HON. MEC. SERFONTEIN:
Deputy Speaker this question has been deferred to the Local Municipality because it does not

fall under our competency in the department.

HON. DEP. SPEAKER:
Honourable Hattingh

HON. HATTINGH:
May I ask whether the environment is not one of the competencies of the department specifically lacking to the Act and the recent Bills?

HON. MEC. SERFONTEIN:
Deputy Speaker, it is correct but those instances of the river banks do not fall under the department. It falls under the local government to which we referred the problem.

HON. HATTINGH:
Chair person, illegal dumping sites is the responsibility of the department. They cannot shift their responsibility to somebody else, if it is illegal in terms of the Act, it is that MEC's responsibility and he should not pass the buck. The responsibility lies with him. Can I request that this question be carried over Deputy Speaker.

HON. DEPUTY SPEAKER:
My understanding is that the question should be carried over

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because my understanding as Honourable Serfontein is that for him to respond to the question, he needs information from municipalities on and around matters relating to environment, and probably as we sit in the next Sitting he must have received that information so that he is able to respond to the questions. We proceed to question 6, a question of Honourable Hattingh to a Member of the Executive Council responsible for Education. Acting MEC for Education.

HON. MEC. THIBEDI:

Thanks Deputy Speaker, the response to the question is as follows. Question 1: Kindly indicate the number of North West Schools that do not have proper toilets

Answer: 130

Question 2: Kindly indicate the number of the North West Schools that do not have potable water on the school

Answer: 52

Question 3: Kindly indicate the number of North West Schools that do not have electricity

Answer: 106. Thank you Deputy Speaker.

HON. DEP. SPEAKER:

We then proceed to question 7. I see Member of the Executive Council responsible for Health, and she has just arrived. We are now at question 7 of the question paper. There was a question referred to MEC of Health by Honourable Hattingh and that is question 3. May I then request the MEC for Health to prepare herself and we will revert to this question towards the end of the question paper? Ke ne ke re o ipaakanye.

Question 7 is a question of the Honourable Gerber to a Member of Executive responsible for Agriculture, Conservation and Environment.

HON. MEC. SERFONTEIN:

Deputy Speaker, I do table where we stand with the matter.

HON. DEP. SPEAKER:

Question 7 needed a written reply, the answer has been tabled. Now we proceed to question 8, a question of Honorable Groenewald, question 8, Member of the Executive Council Local Government and Housing.

HON. MEC. YAWA:

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Motlotlegi ke a e baya.

I so by table the response.

HON. DEP. SPEAKER:

The answer is tabled, question 9 a question of Honourable Hattingh to Road Transport and Community Safety.

HON. DEP. SPEAKER:

Answer tabled. Question 13, a question of Honourable Groenewald to the MEC of Local Government and Housing.

HON. MEC. VILAKAZI:

I so by I tabled the response.

HON. MEC. YAWA:

Ke baya mo le bating

HON. DEP. SPEAKER:

Answer tabled. Question 10, a question of Honourable Hattingh to the MEC for Roads, Transport and Public safety.

HON. DEP. SPEAKER:

Question 14, a question of Honourable Hattingh to the MEC for Health.

HON. MEC. VILAKAZI:

I so by table the response.

HON. MEC. RASMENI:

I so by table the responses Honourable Deputy Speaker.

HON. DEP. SPEAKER:

Tabled. Question 11, a question of Honorable Hattingh to a Member of the Executive for Health.

HON. DEP. SPEAKER:

Answer is tabled, question 15, a question of Honourable Hattingh to the MEC responsible for Education.

HON. MEC. RASMENI:

I table it Honourable Deputy Speaker.

HON. MEC. THIBEDI:

I herby table.

HON. DEP. SPEAKER:

Question 12, a question of Honourable Groenewald to Transport Roads, and Community Safety.

HON. DEP. SPEAKER:

Answer tabled, question 16, and I am not repeating the same question, question 16 and it is a last question, it is a question of the Honourable Hattingh to the MEC of Education.

HON. MEC. VILAKAZI:

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HON. MEC. THIBEDI:

I hereby table the answer.

al level and if not why not and when will it be brought inline.

HON. DEP. SPEAKER:

The answer tabled.

Under the categories of course we are dealing with Orthotists and Prothesists. Under approved and control 2 we do not have any new vacancies here approved salary level 9, but cost salary level of this particular category is salary level 10, the notch is R271 000.

HON. MEC. RASMENI:

Thank you Honourable Deputy Speaker, the first question relates to;

(a) What are the number of Orthotists and Prothetists in each category:

The response is that, it responds to all the questions which read as follows, that we currently do not have any Orthotists and Prothetists doing community service as they do not follow under categories of professions expected to do community service, and accordingly we do not have any posts gazetted for community service in this regard.

Under Orthotists and Prothesists control 1, approved posts they are 4 vacancies for approved salary level 9, cost salary level 9, the notch per annum is about R174 243 00 this is inline with the national new standards.

Orthotists and Prothetists category, approved posts they are about 8, vacancies they are about 4 they have employed as yet. Approved salary level is 8, cost salary level is 8. The notch per annum is R145 920 00 it is inline with the national standard.

However on our approved establishment we have 46 Orthotists and Prothetists post and only five of these are filled. I table here the illustration and all the question that are following here that are asked regarding this questions on the vacancies, on the remuneration on all the remuneration inline with what is being paid at the nation-

Under the Orthotists and Prothetists senior level we have about 34 approved posts vacancies 33, and approved salary level is 7, cost salary level 7 and notch per annum is R117 501 00 which is also inline with the

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national standards. The total is about 46 approved posts but we have only employed 5 as I have alluded that the vacancies are 41 on this particular category. Thanks very much Deputy speaker.

HON. DEP. SPEAKER:
Honourable Hattingh.

HON. HATTINGH:
Honourable Deputy speaker I just want to make it very clear does the MEC state here in this House that there are no Orthotists and Prothetists in the North West doing community service and then specifically at the Klerksdorp Tshepong hospital. I would like to get a very clear yes or no answer from the MEC because I believe that if I understood her correctly that she has been seriously misinformed by her department.

HON. MEC. RASMENI:
Information that I have Deputy Speaker is that these Orthotists that we have in the department which are 5, they do not actually do the community service that means going out to other institutions and facilities of the Health Department, but this information will also be verified with other

institutions that we are servicing in this particular category.

HON. DEP. SPEAKER:
My careful reading of the answer is that the MEC is not certain. She still has to go and verify and come back to the House. That is my understanding, unless I am reading it wrong.

HON. HATTINGH:
Honourable Deputy Speaker, but that is exactly the essence of the question. Kindly with regards to Prothetists and Orthotists doing the community service that is the question. Now the MEC is not certain, but I do not know what she is responding to.

HON. DEP. SPEAKER:
No we take it that the MEC has not responded to the question, and in the next Sitting she will have to go straight to the answer. The essence of the question whether or not, there are other people who are doing that community work or not. Honourable Members this brings us to the end of the questions and interpellation. Honourable Matladi.

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HON. MATLADI:

Honourable Deputy Speaker, I rise on question 7 that was set to be tabled, we did not get any response to question 7 rather is a letter of apology that it will be tabled after some work is done, so in our records we have written the answer is tabled but this is not the answer, is rather a letter that says we are not ready, we still have to do 1, 2, 3. So I need the records to be straight on question 7.

HON. DEP. SPEAKER:

Honourable Serfontein you cannot present a letter of apology in the place of an answer, you cannot. If you have no answer you must say this question would be answered in the next Sitting because at least this question is not tabled for the third time.

You still have space to respond to the question in the next Sitting. Now we agree, I do not defocus the House. That question was not answered and it stands over to the next Sitting probably Honourable Serfontein will then be ready at that time to respond to the question. Thank you very much Honourable Matladi for bringing our attention to that important text.

Honourable Members as we close questions and interpellation and I would want Honourable Members to listen very careful, because what I am going to say it may assist you in future in relation to questions and interpellations. I want to read this rule to the House Rule 133, this rule says no interpellation or question maybe addressed to any person either than the Premier or another Member of Executive Council. Please go and read that rule and make sure that you understand it, because we are going to use this rule in the next Sitting for questions that are referred to any other person either than the Premier and Member of the Executive Council.

My preliminary understanding of the question is that, there are only two sets of people that can be asked questions in the House, the Premier and Members of the Executive Council, nobody else. This is not for debate, it was important for me to draw the attention of Members to this rule. We proceed to the next item.

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**SECRETARY: ITEM NO 5;
STATEMENTS BY MEMBERS**

funds, low staffing levels and operational responsibilities.

HON. DEP. SPEAKER:

Does any Member wish to make a statement in terms of Rule 131 (a)? In the absence of any statement can we proceed to the next item. Ntate Moalusi.

The fire fighters agreed that they can only be the best if supported by the best. Hence thanks the community, families, fellow colleagues and individuals in the Merafong City Local Municipality for their support. I thank your Honourable Deputy Speaker.

HON. MOALUSI:

Honourable Deputy Speaker, thank you very much. Let me just take this golden prerogative to congratulate the Members of the fire Department of Merafong City Municipality who recently excel during a half marathon in the Western Cape. The fire extinguishers once live to their motto to be the best. They showed much enthusiasm with tackling long distances as with their work when they took part in the Twin Picks half marathon in Cape Town in September 2008.

Then my second statement. Thank you again Honourable Deputy Speaker. It is with a great dismay and regret to report in this august House the disturbing behaviour by some members of the ruling party in the following Local Municipalities - Tlokwe, Merafong and Matlosana. Our posters were destroyed and removed from the poles. ANC posters were glued on top of those of the UCDP. The face of our leader on the posters was rubbed and scratched.

The event was organized by the South African Emergency Services Institutes. The total of 19 fire man from Fochville and Carletonville took part. They competed against emergency services athletes from all over the country. The group was not detected by the challenges such as transport problems, lack of

At the registration stations a group of youth wearing T-shirts bearing the face of Mr. Zuma threatened senior citizens that if they were not going to vote ANC under the leadership of Zuma in the looming elections were

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going to forfeit their old age grants and the unemployed were to earn R500 weekly should they vote for ANC.

The complaint was made to the IEC Coordinator Merafong. It was lodged with the local SAPS the (case number is available) who are in process of investigating. UCDP strongly condemns this kind of barbaric actions by the members of the ruling party; however we will continue to pray for the members of the ANC to have a political tolerance. I thank you.

HON. DEP. SPEAKER:

You presented two statements. The first one is on fire fighters and I think the House concurs, the second one is on the ANC I do not know what, posters, leaders, scratched and so on and so on, Honourable Mokomele Mothibi, followed by Honourable Madoda.

HON. MOKOMELE-MOTHIBI:

Thank you very much Honourable Deputy Speaker. I suggest that we do not accept this motion because it contains an element of debate. What Honourable Moalusi has just alluded to has got no proof, so we cannot say

it is the ANC youth that took out those posters. They must take them photos, bring them to us, and then we will agree with them. Thank you.

HON. HATTINGH:

Honourable Deputy Speaker point of order, I think the Honourable previous speaker Member is a bit confused, we are now on the statements, it is an opportunity granted and specifically introducing to this House by the Speaker, to allow Members to make statements which they can be responses to that but it will not be accepted or rejected, so the Honourable Member is out of order. Thank you Honourable Deputy Speaker.

HON. MADODA:

Honourable Speaker it is a good thing that Honourable Moalusi actually opened a case against those people that they are doing whatever he says they were doing. But I do not think they are ANC members Honourable Deputy Speaker, and one thing Honourable Moalusi says he will pray for the ANC to have political tolerance, that today he is trying to blame the ANC as a party that does not have political

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tolerance. I know it is election nearing because it is the ANC that has so many years fought for this political tolerance for the space that he is now enjoying today. So I think let us wait for the police to investigate and take it from there.

HON. MATLADI:

Thank you Honourable Deputy Speaker. I am alarmed to hear what my colleagues are saying on issues that they cannot really have evidence on, and I was thinking that we should allow Honourable Moalusi the man that was at the sight, the benefit of doubt, especially when the case will be taken to court. Then let us not start say who is doing what, who is not telling the truth, and about tolerance, we will debate it next time in order to know which political party does not have political tolerance. I thank you Honourable Deputy Speaker.

HON. DEP. SPEAKER:

Honourable Hattingh,
Honourable Maloyi.

HON. HATTINGH:

Thank you Honourable Deputy Speaker, perhaps I should say that only on Thursday the same

issue of illegal postering was discussed at the IEC, and all parties and it was actually presented by the DA with photographs, so the big thing, illegal postering still visible on country structures eclectic sub-stations coming from 2004 and 2006 elections and is still continuing with the new registration campaign.

There was no dispute from the ANC or any other party with illegal postering does happened and not irregularities is happening. I think there were duly concerns and the very mature response from the leaders of the ANC representing the ANC at the IEC was that they will actually call on the hot heads in the party to refrain from doing that, there is no dispute about that amongst those people serving under party liaison committee at the IEC.

Now I really have got sympathy and understand Honourable Madoda's statement. I understand and everybody of us understands that it is very difficult to this stage to say who is in the ANC and who is not. Thank you.

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HON. MALOYI:

No Deputy Speaker, I think Honourable Members must agree that you cannot make unfounded allegations. If you are a member of the ANC, you must carry a membership of the African National Congress. Now you cannot come to the Honourable House and on the base that people were wearing T-shirts of the ANC or T-shirts of the DA, therefore those people are members of that particular party, because members of the UCDP can do the same thing. They can take ANC T-shirts and do whatever they want. Now you cannot ... [INTERRUPTION]...

HON. DEP. SPEAKER:

Honourable Matladi order.

HON. MALOYI:

You cannot come to the Honourable House and present allegations as facts. So what we are trying to say is that they must investigate those things before they come to this House and present those things as facts, because we now members of the ANC. So we will be very happy if the Honourable Member can provide us with those details after having inves-

tigated and so on and so forth, in order for the ANC to act against those who might be doing things which are not inline with the law of this country.

The last part that also applies the other Member from the DA, the same applies, if in case members of the ANC are involved in doing things which are not inline with the law, we will appreciate it if they can come to us and say this member of the African National Congress with the membership card, this number did 1, 2, 3 in order for the ANC to act against that person.

Because as the ANC, we have avoided making unfounded allegations against other political parties, so they should not do so. It is incorrect and I must stand here and confirm Honourable Deputy Speaker, that we know who members of the African National Congress are, we are not confused. If DA is confused they should not think that the African National Congress is confused, we know who are our members and those who are not members of the ANC are not members of the ANC because we have records

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in the African National Congress. We do not go to rallies and call everybody, provide everybody with food and T-shirts and claim that they are our members. In the ANC you join the African National Congress.

HON. DEP. SPEAKER:

Our Honourable Members are now going to give you an opportunity Honourable Moalusi but let me remind you; sometimes we were discussing the matter relating to the response of Honourable Serfontein. This House raised matters as we could not conclude the matter because we have to apply the principle of audi altram partem rule. Later we debated a matter; we said a committee at some stage acted in ultra verus. We discussed the issue that was before the court of law, we said the matter is sub judice and therefore cannot be discussed further.

Honourable Moalusi says on this matter there has been a case opened,

HON. MOALUSI:

Yes Deputy Speaker.

HON. DEP. SPEAKER:

No I was just reaffirming what you have said. This House must have a respect for the law to allow its states to proceed and act on the basis of the outcome of the court. That is the fundamental principle of respecting the judicial. Honourable Moalusi.

HON. MOALUSI:

Motlotlegi Motlisa Mmusakgotla ke batla go e tsele maloko a batho ba rona ba ANC gore kena le bopaki jo bo tletseng.

We have got the information but I cannot disclose the information now because it is under the investigations of the police. I thank you.

HON. DEP. SPEAKER:

Honourable Matladi this concludes the debate on the statement presented by Honourable Member. We now proceed to the next item.

SECRETARY: ITEM NO 6; ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS.**HON. DEP. SPEAKER:**

Honourable Members the Office of the Speaker received the fol-

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lowing reports which were tabled through the ATC of the 04th November 2008 and hereby I attached here for your records. Now the tabling was Honourable Premier on the Public Service Commission Report (PSC) on the Assessment of Disability Equity in Public Service and MEC Nomonde Rasmeni tabled the Provincial Council on AIDS Annual Report 2007/08, MEC P. Vilakazi also tabled SAPS Annual Report 2007/08. Now these reports stand referred to the respective committee for processing. Let us proceed to the ATC of today and start by inviting Honourable Mahlakang to table the report of the Portfolio Committee and I take note that Honourable Mahlakang is not there but there is Honourable Mampane standing in for Honourable Mahlakang.

HON. MAMPANE:

Thanks Honourable Deputy Speaker, I do table the Annual Report of the Office of the Premier on behalf of the Portfolio Committee. I thank you.

HON. DEP. SPEAKER:

Let me now call on Honourable Baloyi to table the report of the Portfolio Committee.

HON. BALOYI:

Thanks Honourable Deputy Speaker, allow me to table the report of the Agriculture, Conservation and Environment Portfolio Committee. I therefore table Deputy Speaker.

HON. DEP. SPEAKER:

The debates on these reports will follow, oh I am told that Local Government must also present. I now invite Honourable Mampane standing in for Honourable Mahlakang to present a report on Local Government and Housing.

HON. MAMPANE:

Honourable Deputy Speaker, I do table the Annual Report of the Department of Developmental Local Government and Housing. I thank you.

HON. DEP. SPEAKER:

Honourable Maloyi.

HON. MALOYI:

Deputy Speaker, in your Order Paper this morning, we are supposed to debate the Annual

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Report of the Office of the Premier and the Premier was supposed to be here, you will recall that the majority they did indicate to yourself that something that very unfortunately happened this morning and the Premier fell ill, she is therefore unable to be part of the Sitting today. We want to request your good self to move the debate of the Premier's Office to Thursday this week.

HON. DEP. SPEAKER:

You see Honourable Maloyi, I agree with you on one point, on one point only, that something unfortunately happened, but I think it is proper that if those unfortunate things happened, the Office of the Speaker must be informed so that we do proper changes and we do it in the interest of this House proceeding with its business. Well it make sense, you cannot proceed with the debates on the Premier in her absence, because she needs to certain questions has raised and those answers needs to be accurate. I will therefore agree that we defer this debate to the Sitting of Thursday. Now I will invite Honourable Mampane to lead the debate on Local

Government.

HON. MAMPANE:

Honourable Deputy Speaker, Honourable Members of EXCO, Colleagues and our Guests. The Portfolio Committee on Developmental Local Government Housing and Provincial Affairs met with the MEC and senior management of the Department of Developmental Local Government and Housing on the 28th October 2008 at the Legislature Conference Room regarding their Annual Report of 2008/09.

The purpose of the meeting was to scrutinize the Annual Report and to further evaluate the extend to which the Department of Developmental Local Government and Housing has executed its mandate. During the interaction the department highlighted the following achievement:

- " Training of ward committees and councilors
- " Tabling of budgets of 19 out of 25 municipalities
- " Submission of financial reports by all municipalities and that
- " They conducted IDP audits

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on all municipalities.

However there are following challenges:

- " Inability to attract and retain skilled Human Resource
- " Lack of technical capacity both in the department and the municipalities
- " Lack of sustainability of support provided to municipality once deployment ceases etc.
- " None and late submission of reports by municipalities to the provincial office

As the committee we raised the following concerns

- " The department inability to inform the committee about having invoked Section 139(1) in Ditsobotlo Local Municipality
- " Inability municipalities to spend their Municipal Infrastructure Grant the (MIG) budget.
- " Reluctance of municipality to submit annual financial statements to the departments.

The issue of disclaimer in relation to the housing funds as raised by the Auditor General.

- " Lack of proper and adequate internal control measures such as policies and procedures.

" Difficulty to comprehend how the Chief Financial Officer of Ditsobotla Local Municipality could turn the situation at the municipality around when she was fired from the Department of Health due to allegedly being incompetent among other reasons.

" The delay by the department in building houses for residence of Mazista at the Kgetleng Local Municipality, even though land has been invalid.

Most if not all documents of the department do not cater for other language spoken in the province as they were only written in English. The recommendations of the committee:

- " The department should inform the Portfolio Committee about any intervention measures it has taken over municipalities.
- " The department should develop an intensive capacity building programme to help municipalities to improve their performances and spending of the MIGs.
- " There should be mechanisms in place which will ensure that all municipalities are accountable to the department about their operations.

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" The department should provide all necessary documents or evidence for every cent that they spent.

" More women, who are well capacitated, skilled and possesses relevant qualifications, should be employed in senior management positions to address the issue gender imbalances.

In conclusion Honourable Deputy Speaker, the Portfolio Committee on Developmental Local Government Housing and Provincial Affairs would like to thank the Department of Departmental Local Government and Housing for the work it has done to ensure that our people continue to be given basic services such as water, electricity and shelter through the provision of low cost housing.

However more work still needs to be done to ensure that municipalities are competent and accountable. I thank you.

HON. CHAIR OF CHAIRS:

Thank you very much Honourable Mampane, the next speaker on the list is Honourable Matladi.

HON. MATLADI:

Ke a leboga mme motsamaisa tiro, I do not know what call you Chair of Chairs, or the one acting on behalf of the Deputy Speaker. Greetings have already been made, nevertheless I would also like to say it is a beautiful day today and we are thankful for the rainfall because it seems our Lord has remembered us.

Honourable Chair of Chairs, allow me to take part in the debate of the Annual Report of developmental Local Government and Housing. As I present this debate the very first issue I would like to put to the Honourable House is the story of the Ratlou Municipality regarding the EXCO position of United Christian Democratic Party.

Since March 2006, after the local government elections, it was declared that UCDP had to be represented in the Executive Committee of the Ratlou Municipality. Ever since that declaration, the UCDP has never been given that position to date. Letters have been written to the Speaker of the municipality, the Mayor the MM to the

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MEC of Developmental Local Government and Housing and we have even taken pains to discuss the matter with the Honourable MEC on several occasions and I need to present to the House that the Honourable MEC has even written a letter to the municipality to instruct that it be done accordingly.

Every time we discuss the matter with the Honourable MEC, he is very positive that this EXCO position will be allocated to UCDP but months pass on, years pass on and nothing is happening. We appeal to the House I do not know in which way that the House would make it a point that the UCDP is granted what is liable to itself.

We would not like to take the legal way in seeking the position that the law has allocated to the party. We would like to say we are highly disappointed that this has happened and we are going to look for what ever expenses that could have benefited the party from 2006 to date until this be implemented.

The second point I would like to discuss in the Developmental

Local Government and Housing is the issue of underperformance by the municipalities in the province. I have got the list of them. The first one is the Ditsobotla Local Municipality, also to say it is a norm that every time a municipality is invoked to Section 139 (1) members of the Portfolio Committee as well as the Honourable Members of the House are informed, that regarding Ditsobotla Local Municipality it was done without following the norm and the practice and the law that we believe should have been followed, and we do not understand why such a thing could have happened.

Another municipality underperforming is Tswaing followed by Naledi and the Doctor Ruth Mompati as we have even seen on television that they do not have the R50 million that they should be using to pay the workers in such municipality and there are problems, red lights in these municipalities.

Maybe I must hasten to say these few that I have picked up are those that are worse but others that I am not talking about, do not necessary say

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they are in green lights, they also do have problems of financial management, they have problems of submitting their financial statement very late to the Auditor General or sometimes even failing to submit them as according to the Municipal Financial Management Act. We would like these municipalities to be monitored, and oversight to be made by the department as well as by the Portfolio Committee to improve their standards of performance.

The third point is about the lack of water supply in the municipalities as I have on several occasions presented motions, presented statements regarding lack of water supply or the shortage thereof. I am happy that today I can say to Honourable Yawa through you Madam Chair of Chairs that at least there is water in Lehurutshe although we are told that it is not permanent, that the permanent source is not yet found but at least there is water and we are happy for the efforts that has been taken so far to see to it that people do have water because water is a source of life.

Nevertheless we encourage the province, the government, the MEC of Local Government and his colleagues to continue with whatever preparations they have promised the House on long term preparations to see to it that North West people get water supply.

Let me talk about the issue of the disclaimer that the department has received based on the issue of housing funds and as I talk about this disclaimer refer to the previous debates where he must come to the House each Act of Developmental Local Government and Housing using the budget for housing, they have taken more than R200m and transferred it to another province so that houses could be build there, and when the then MEC was answering he was giving all reasons for that misnorm that had happened.

It is still hanging over this department that we are not satisfied with clarity as regarding the number of the houses that have been build then, for whom and where and even today the department continues to get a disclaimer due to the housing funds. It says that all is not well

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regarding housing business in Developmental Local Government and Housing.

Chairperson there is lack of evidence regarding the expenditure of R785m that was used for housing project in relation to transfers and subsidies disclosed in the statement of financial performance as raised by the Auditor General and we would like the Honorable MEC today to really explain what is going on in his department.

When there was that accident of people being killed in Mazista, we heard the Honourable Premier promising the people living there in squatter camps, in tin houses that they would be build houses. I am sure is about a year and some months ever since the incident, that as we are speaking today no houses has build for the Mazista people. We are appealing to the Honourable MEC that together with the Premier this matter in the Kgetleng Local Municipality at Mazista, at Skielik must receive the urgent attention it deserves. Our people should not believe that we are saying things without having proper planning for them and

later fail to produce what we promised and would produced.

HON. CHAIR OF CHAIRS:

Honourable Matladi, your time is up.

HON. MATLADI:

Honourable Chair of Chairs with these remarks I would like to support the Annual Report of Developmental Local Government and Housing I wish you could have told me the minutes that I would use in debating this Annual Report. I thank you.

HON. CHAIR OF CHAIRS:

Thank you Honourable Matladi, Honourable Moalusi.

HON. MOALUSI:

Ke a leboga MmusaKgotla I am not going to give a long statement here but I have got few questions to make. On page 55 of the Annual Report, I have got some few questions to make and the first question is according to Auditor General's Report under the following headings; Tangible Capital Assets, the Annual Report was unable to obtain sufficient appropriate audit evidence for the disposal of other fixed structures of R31m disclosed in note 22 to

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the financial statement, please explain.

The other one is the Transfers and the Subsidies: Audit General's Report was unable to obtain sufficient appropriate audit evidence for expenditure of R785 000 regarding housing projects including in transfer and subsidies disclosed in the statement of the financial performance due to limitations placed on the scope of my work by the entity. Please explain.

Receivable, I was unable to obtain sufficient appropriate audit evidence for miscellaneous debts of R1m lifting the buildings restrictions of R1m and interdepartmental debts of R2m, including in other depts disclosed in note 9.2 to the financial statements please explain. Unauthorized expenditures. Unauthorized expenditures of R82m in respect of prior years disclosed in note 7 to the financial statements had not been submitted to the Provincial Legislature for considerations in accordance with Section 34 PFMA please explain.

In conclusion, committed funds not spend due to lack of servic-

es of delivery. All the total housing project valued at R8m approved to date, there are still committed funds of R3m not yet spent as it stands in note 17 to the financial statement, please explain. The amount of R4m paid over the municipality regarding these projects has also not being properly accounted for in terms of Section 10 (4)(f) of 1997 which requires that municipality submit annual financial statements to the department please explain. I thank you.

HON. CHAIR OF CHAIRS:

Thank you Honourable Member, I now call Honourable Yawa to come and respond. Honourable Yawa.

HON. HATTINGH:

I have indicated here in the committee sitting that I would speak on this issue, I see that you have not called me is there a reason for that.

HON. CHAIR OF CHAIRS:

Thank you Honourable Hattingh, your name is not appearing under Local Government and Housing, it is appearing in Agriculture debate. So I am given a list; I do follow the list as

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I am given by Honourable Tshwene.

HON. HATTINGH:

Honourable Chair I must admit that your list is incorrect; I would like to in the debate.

HON. CHAIR OF CHAIRS:

I am sorry Honourable Yawa, Honourable Hattingh says that if he cannot debate a child will fall from the bed, somebody will die. Honourable Chris Hattingh.

HON. HATTINGH:

Honourable Chair I wish to reject your commends with content. It is not appropriate for you sitting in that chair to engage in that level and it indicates no ability to chair the Sitting of this House, I reject that with content .

HON. CHAIR OF CHAIRS:

Thank you very much, Honourable Nono Maloyi please assist.

HON. MALOYI:

No, Chair of Chairs I have a serious problem, the speaker's list must be approved before the Sitting of the House, now I must remind you Chair of Chairs, that this morning you were sitting in

the meeting of a preceding and Honourable Hattingh did not appear on the speaker's list and Honourable Hattingh does not appear on the speaker's list even now.

If you were to allow Honourable Hattingh to speak because he is requesting in the house that he must speak, you are going to create a situation that you will not be able to manage the affairs of this House because after having spoken, some of us we might want to do the same, which will create a serious problem in the House. It is against that background that I am saying we need to follow the rules of the House and having said so, Honourable Hattingh must not be allowed to speak, they must sort this matter out in the Portfolio Committee because in the House now we do not have him in the speaker's list.

HON. HATTINGH:

Honourable Deputy Speaker, if I may address you on the issue before by the Chief Whip, the absence of the speaker's list I know not a single Member here can show a speaker's list, the problem of the administration headed by that person, the

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Chief Whip is that there are no speaker's list distributed, nobody has got insight into that. It is some list that has apparently been drawn up in some smoke filled room where he presides. So Honourable Deputy Speaker, this is a failure of the administration. Honourable Mahlakeng is not here today but certainly the democratic right of any Member in this House is where to debate on any issue and I think it is really outrageous that the person in that capacity instead of pretending here to be the Chief Whip of this whole House...[INTERRUPTION].

HON. CHAIR OF CHAIRS:

Point of order, Honourable Hattingh can I give Honourable Tshwene a chance. Honourable Tshwene can you assist.

HON. DEP. SPEAKER:

Chair I am rising on a point of order for purposes of progress. give Honourable Tshwene a chance. Honourable Tshwene, can you assist.

HON. DEP. SPEAKER:

Chair, I am rising on a point of order for purposes of progress in this House. You have made a ruling as a Presiding Officer,

that Honourable Hattingh will speak, unless you have changed that decision. Let Honourable Hattingh proceed and we move to the next step, unless your ruling is different. My understanding is that you have ruled that he must speak, and let him proceed to speak on the subject so that we proceed to the next item.

HON. GERBER:

Honourable Chair?

HON. CHAIR OF CHAIRS:

Honourable Gerber.

HON. GERBER:

Thank you Honourable Chair. We have had the working committee on Thursday. The speakers' list was not completed there. I received a phone call and it reached me after 17:00 yesterday and I was requested to put on my name if I want to speak. So I think you must allow Members that have not had the chance to put their names on the list. Thank you.

HON. CHAIR OF CHAIRS:

Honourable Vilakazi?

HON. MEC VILAKAZI:

Honourable Chair, I rise on a

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point of order. A kind of language the Honourable Member uses in addressing his point is really unacceptable. He refers to the Chief Whip sitting in a smoke filled room, suggesting that, I mean you cannot be normal in a smoke filled room. So he suggest that the Chief Whip is abnormal, and I think we should take arm rage with that kind of attack on the Chief Whip, but it is also unparliamentary and not very honourable to refer to Members of the august House as people sitting in a smoke filled room. I come from a township and this kind of a statement means that somebody that sits in a smoke filled room is actually smoking dagga. That is the interpretation of the township I come from. I mean the Honourable Member refers to that, it is highly unacceptable.

HON. GROENEWALD:

Honourable Chair that has never been said. So I reject. Definitely this was never been said [INTERRUPTION]

HON. CHAIR OF CHAIRS:

I have not given you a chance to speak Honourable Groenewald.

HON. MEC VILAKAZI:

The words of the Honourable Members says smoke filled room, taking a decision. That is very derogatory and I plead that the Member must withdraw that statement and treat each and every Member honorably.

HON. CHAIR OF CHAIRS:

Honourable Hattingh, can you withdraw your statement?

HON. HATTINGH:

Chairperson, I do not know about how Honourable Vilakazi grew up, and dagga, and all those things. As far as his culture and his upbringing, I know nothing about that and I never referred to him smoking dagga. I will never accuse him of smoking dagga.

HON. CHAIR OF CHAIRS:

Honourable Hattingh?

HON. HATTINGH:

I know it is very sensitive Chairperson but the referral to smoke filled room is saying there was a decision taken in the lack of transparency. So I replace the smoke filled room, which is very sensitive to Honourable Vilakazi, and dagga and things like that, which I

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never said, that decisions are taken in this House about speakers' list with the lack of transparency and behind closed doors, and Honourable Chair, while we are cleaning the tables, this baby that was falling off the bed, I think perhaps you should consider withdrawing that as well. May I continue?

HON. CHAIR OF CHAIRS:

Honourable Hattingh, can you withdraw the statement.

HON. HATTINGH:

About the baby?

HON. CHAIR OF CHAIRS:

The one that you said about the Chief Whip, Honourable Maloyi.

HON. HATTINGH:

I said he chaired the meeting in a smoke filled room. I do not know who chaired the meeting but the meeting certainly happened in absence of transparency.

HON. CHAIR OF CHAIRS:

You know what Honourable Hattingh, you do not want to be attacked and you like to attack people, and you do not want to be attacked. This is not your Legislature, it is our Legislature.

Can you withdraw that?

HON. HATTINGH:

Honourable Chair, you are showing your bias. Can I appeal to you to preside in a none partisan manner please. Can I continue?

HON. CHAIR OF CHAIRS:

No. Honourable Hattingh, you were supposed to have indicated that you are going to speak today, from your Portfolio Committee, and you have failed to do that. Members are saying that they got telephone calls when they were on the way. That is none of my business. The Chairperson should have long told you that you must come and debate. So I am giving you a last chance today. Once I can come and preside here and you raise up your hand to say to me that you want to speak, I would not allow you. It is for the first and last time today. We continue.

HON. HATTINGH:

Thank you Honourable Chair. I would wish that you would come and sit in the chairs and let us debate the issues with none partisan Chair sitting up there. Honourable Deputy Speaker, if I

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can continue.

HON. MALOYI:

Chair, on a point of order.

HON. CHAIR OF CHAIRS:

Your time Honourable Hattingh.
I am giving you three minutes.

HON. HATTINGH:

The Department of Local
Government and Housing,
according to [INTERRUP-
TION]

HON. MALOYI:

Chair, on a point of order. On a
point of order.

HON. HATTINGH:

I am standing and speaking.

HON. CHAIR OF CHAIRS:

Order Honourable Hattingh.
Honourable Hattingh, order.

HON. MALOYI:

Now Chair, Honourable Hattingh
was instructed to withdraw a
certain statement which he
uttered, and he did not with-
draw. If he did, let him repeat
because we did not hear him
withdrawing.

HON. HATTINGH:

Chairperson I withdraw that

Honourable Maloyi chaired a
meeting of some nature in a
smoke filled room. I withdraw
that unconditionally. I do not
know who chaired that meeting.
May I now continue.

The Department of Local
Government and Housing,
according to his Deputy Director
General Iqbal Motale, is facing
serious challenges in equipping
itself of its constitutional manner
to support municipalities due to
the lack of programme funding.
So the department says it is
because of lack of funding, but
there are basic things that are
not being done which actually
contributed to the department's
failure and the department, we
all know that is being labeled as
the worst department in the
North West Province, the worst
performance in 2007/08 finan-
cial year, earning itself a dis-
claimer.

Now there are basic things that
should be done in terms of leg-
islation, in terms of Acts, and
that is the obligation entrusted
to the Member responsible for
Local Government in this
province, and that acceptance of
responsibility was actually done
under an oath to fulfill duties.

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Honourable Chair, this is not being done.

The Auditor General reported that in terms of Section 10.4 (f) of the Housing Act 1997, every municipality should submit financial statements to the department and the department is the custodian of that process. Not a single municipality in this province submitted the required financial statements to the department. Thus the municipalities visited by the Auditor General could not even submit supporting documentation for expenditure. That is why our province is in such a mess, as far as Local Government is concerned, as far as housing is concerned. It is a mess. Obviously that gave rise to the disclaimer opinion of the Auditor General.

Now Honourable Deputy Speaker, we have listened through the years about the proud announcements about housing in this province. What is the reality, what is the truth? Up to date R8.136 billion was approved for housing projects in our province, R8.136 billion, and of this R8.136 billion a total of R3.808 billion has not yet been

spent.

From the housing department kept by the department it was noted that 51% of the projects funds approved prior to 2004 have not yet been spent to date. It is massive and this is a province with a serious housing crisis. This is a province where political parties goes to the polls and say they are delivering, and then only 49% of the housing funds are being expended. This is a disgrace.

The Auditor General further stated that this is an indication of the lack of service delivery regarding housing projects in the province, and further an amount of R4,328 billion paid over to municipalities regarding these projects has also not been properly accounted for, not only being spent, and even those that were spent but not been accounted for.

Honourable Chair[INTERRUPTION]

HON. CHAIR OF CHAIRS:
Wrap off Honourable Member, your time is up.

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HON. HATTINGH:

I will wrap up. So Honourable Chair, there are serious problems in this department and the root of the housing delivery problem and the service delivery problem in this province was right here and is linked to the failure of this department to fulfill its constitutional responsibility by keeping local authorities accountable. I would like to hear the MEC's turnaround strategy on the major failure of his department. Thank you.

HON. CHAIR OF CHAIRS:

Thank you Honourable Hattingh. Honourable MEC.

HON. MEC YAWA:

Thank you very much Honourable Chairperson of Chairpersons, also thanking the House and the Colleagues and the Executive Council and the Members and the Committee, and all the Honourable Members of the House.

Honourable Chairperson, I am going to start with the comments made by the Honourable Miss Mampane. Firstly, on the Ditsobotla intervention, that there was a debate as to whether as the department we

did inform or notify the Legislature. I think we answered that in the committee and I will still continue to provide that answer that we did what we were supposed to do in terms of the laws of the Republic, having informed the Speaker with a letter written to the Office of the Speaker, both the Minister and the NCOP.

We even undertook to the committee that in future what we will do as the department, whatever that we communicate to the Speaker will assist the very same communication to the chairperson of the committee so that there is no communication gap that is there.

On the state of the municipalities Honourable Chairperson, it is common knowledge that municipalities are facing huge challenges. Whilst we were able to deal with Ditsobotla, also disagreeing that we might have been selective in dealing with our intervention, the situation in Ditsobotla warranted that we acted in the manner we acted as the department, having been there repeatedly early in the year, before the intervention was made in June, and I am happy

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to say to this august House that the intervention that we have undertaken as the department has been applauded by the NCOP delegation that was there in the municipality.

Honourable Chairperson, the situation in the municipalities warranted really an intervention which has to vary. The department has employed the service of the experts from the DPSA, who are deployed to all the municipalities that were mentioned here as the municipalities that are facing critical challenges, which I am not going to repeat their names.

Whilst Section 139 sometimes tends to be used, it is never the intention of the department because in our view we think that should be the last resort when we see that there is no change after the intervention that we have undertaken as the department. We have done so, especially in Ditsobotla, after we have observed that the ship was really sinking.

I would not really like to be drawn to the statement by the Honourable Mampane, that the CFO who acted in the municipi-

pality could turn the municipality around while he or she was fired elsewhere. I think the qualification that she had satisfied us and as such the support that she could enjoy in the municipality and even the stakeholders in that municipality have led to the municipality being able to raise the revenue that could enable the municipality to pay the workers from their coffers.

I think that I take the comments by Honourable Matladi, that as the department with the municipalities, we are going to work tirelessly to see to it that the people get water. We must also understand that the budget that we are operating with is so thin, that we cannot be able to give each and every household the water, tap in the house. We hope that the interim arrangements that we have embarked upon in Ramotshere Moiloa will serve, take us a long way until we find the permanent solution to the problems.

The other issues about the EXCO Member, which I think is critical, in Ratlou, you have been asking when I must confirm with you that the problem is going to be solved soon. I am

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sure by this month we will have that dealt with and your EXCO Member will be in place. We have communicated to the Council that this must be solved

The inability of municipality to spend, make funding about the challenge, I must say Honourable Chairperson that the municipalities which appear not to be able to spend are those that are having the biggest revenue collection. Rustenburg is one of the culprits, and Matlosana. We are working on that as the department and we have been engaging the department that they made funding, that we need to transfer some of these funds to the municipalities which cannot generate enough funding, especially for water provision and infrastructure. I hope that will be acceded to.

The Mazista project, I have explained to the committee that the bulk infrastructure is the problem that I am sure also caused the delay into the implementation of the housing projects. That now, after having agreed on the breaking new grounds, the toilet and the shower has to be inside the

house. You cannot do that without the bulk infrastructure. The problem of Mazista, we are trying to relocate them closer to the main pipeline. So the work has been undertaken by the department. We will be in communication with the municipality soon because the space where the site was allocated was given by the mining companies.

The funding to bring water only without sanitation, we will have to pop out about R200 million. Therefore the best way is to move that community closer to the main pipeline so that the funds, if we get them, are sent to other needy municipalities.

The department Honourable Chairperson, will continue to do its best to meet the challenges it is facing. The lack of programme funding is a reality, not just an excuse. When we are to intervene in each and every municipality, the department has to close. Our municipal section is having only four people in the department, which makes it very difficult to intervene in each and every municipality, but we hope that with the continued support of the DPISA, we will find actually the solution, especially in the

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sections which are critical, financing.

The Honourable Member Hattingh says the department is in a mess, it is a mess, that is what he says. I think I will take it that it comes from Honourable Mr Hattingh that the department is a mess. Whilst our people continue to receive the services provided by the government and appreciate those services, because this department is providing for the people who are in need, those who are poor, those who cannot enjoy the benefits that we are able to enjoy, some of us in this honourable House, where they could have the swimming pools and everything. So we will continue to provide, whether it is in a mess or what, I think I will leave it to Honourable Hattingh to continue with that statement.

I have said once more that the problem which delays the housing delivery, especially in the township, is the bulk infrastructure. I think that actually is a major problem, which must precede the housing now. However, the Department of Local Government and Housing, as well as the Department of

Water and Forestry will continue to provide that which we can within the limited resources that we are having.

On the disclaimer which has been raised by all the Members, it is true that in the past the municipalities were made to be developers. Since the witnesses have been observed in the municipalities, we took that responsibility. Now that responsibility of delivering houses resides with the department. We will also continue, there is a team that has been set aside between ourselves, helped by the Treasury in the department, to reconcile all the statements in housing funds from all the municipalities. Once the work is complete we will report to this august House through the relevant committee.

Chairperson I might not have responded to all issues raised. I think that my department and my office will continue to engage with the Portfolio Committee and also provide some of the information that I have not responded to, formally. I am sure that on the issues of the funds that were also repeated by Honourable Moalusi and

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Honourable Matladi, and even Honourable Mr Hattingh, we will communicate those formally in a written reply.

I want to thank everybody and all the Members and the committee for raising the sharp questions, which will keep us on our toes. Thank you very much.

HON. CHAIR OF CHAIRS:

Thank you Honourable MEC. This brings us to the end of the debate. Does the House adopt the report? Agreed? We will now call Honourable Baloyi, Chairperson of Agriculture and Conservation. Honourable Baloyi?

HON. BALOYI:

Deputy Speaker, Chair of Chairs, EXCO Colleagues, Ladies and Gentlemen. On the chance Chair, October 2008 the Department of Agriculture, Conservation and Environment briefed the Portfolio Committee on Agriculture, Environment on their Annual Report of 2007/2008. The principle behind this exercise was to prevent budget overspending on the part of the department, accompanied by disciplinary sanctions in cases of none com-

pliance.

Honourable Chair, the department accounts to the committee on how they used their budget to achieve the intended service delivery programmes. Chair, I am going to put the findings, concerns as put forward by members of the Portfolio Committee. There was an irregular expenditure by the department, and I think on several occasions this department has encountered irregular expenditure as raised by the Auditor General, and these particular matters were not clearly explained by the department.

Chair, we did not get the report on all cases that are under investigation. Ha re so fumane di report, tlaleho, ya gore go na le mabarebare a manyofonyofo, a batho ba eleng gore ba sentse, ba utswitse madi a puso. Ga ba so tlhagelle, mabitso a bona le gore di case di tsamaela kgole bokanang-kanang. There is a R5 million irregular expenditure from this department. It was not clearly explained.

What has the department done on Kgora projects to date? We

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have not received any report. What has happened on the last case where a man was killed by a lion? Ga re so kreye tlaleho, a report, gore batho ba rona ba lomiwa ke ditau. We are all aware Members gore batho ba gagotswe ke ditau.

Malobanyana mo motho o jelwe ke tiger ka mo lefatsheng la Zeerust, ene ga gona tharabololo mo lefapheng. Ke gore batho ba rona ba jewa ke ditau fela because ditau gatwe di tsentsha letseno. Ke gore motho a ka no bolawa ke tau and then ba e tlogela tau eo. Ga e bolaiwe, e a tlogelwa fela. Go raya gore maphelo a ditau a bothokwa go fetisa a maphelo a batho ba rona, and I am raising these particular matters because it is in contrary to National Environment Management Act because the Act says ga tau e jele motho or any phologolo e e leng gore e dangerous, phologolo eo e tshwanetse e bolaiwe or diphologolo tseo di tshwanetse di bolaiwe.

Now ke botsisa lefapha gore ba etsitse eng ka seemo seo, why le sa bolaya ditau tsele tse tsotlhe, whether di ka nna 600 or 700, because ditau tse 700 di bolaiwe motho. Therefore molao

wa re di ne di tshwanetse di bolaiwe, whether di tsentsha letseno or ha di tsentshe letseno. Ke kile ka makatswa ke question ya gore bare the green mambas from Canada, the green scorpions from what, America, they are saying no, we should not kill. Now South Africa will not be Canada, it will not. Canada is Canada and South Africa is South Africa. O raya gore batho ba bangwe ba tshwanetse ba bolawe ke ditau, di ba lome and then e be e le gore puso ha e etse selo? I think re tshwanetse re boele re lebelletse melao ya rona gore melao ya rona ya reng.

Now Chair, why do we have to have so many employees in head office, as opposed to the regions? When are we going to decentralize some of these functions and duties. Office e ke e kgolo thata mare ha o labella ditoloko tsa yone, ha e busy ka mokgwa o o tshwanetseng. Now ko tlase kwa, batho ga ba kreye ditirelo tsa maleba. Now o kreya batho ba bangata-ngata, some of them do not even understand their roles and responsibilities. O bona batho ba siakaka fela, o ba bona le ko dišopong ba etsang, maar mo

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tlase go sena batho ba eleng gore ba kgona go representa di aspirations tsa batho ba rona. Lefapha le etsa eng ka ntlha e e ntseng yalo?

Re ile ra lemosa lefapha gore se seke la appointa the board of directors ya DED, but apart from that lefapha le tswelletse pele go appointa batho bao. Why, because molao wa DED wa re before lefapha le appointa board of directors, le tshwanetse gore le consulte committee e e maleba. In this case the Portfolio Committee of Agriculture, Conservation and Environment becomes relevant.

Now regardless of those interaction you have decided to appoint people, because some of us, we view this DED as a money scheme. Ke gore okare batho ba a kolotiwa, batho ba a patelwa, batho ba a louniwa, regardless of di advise tse re le fileng tsona gore le seka la appointa Ntate Mogotlhe. Ga la etsa selo. You decided to appoint, contravening, neglecting the decision of the House in ensuring that you absolve the DED to one of the directorates in your department.

You have decided to say no, this House does not have powers. No, we just continue in terms of appointing ten people who are sitting there, eating lunch for nothing, squandering government funds at the expense of civilians. It is wrong. I am not condoning that as the Chair and we are not condoning that as the Portfolio Committee of Agriculture, Conservation and Environment. Why do you have to appoint the board, and we have advised you correctly that you must not appoint. Now I do not know which powers do you have at the level of the Executive Council. Maybe it is in terms of separation of powers, but the highest decision making body in the province is the House, the Legislature.

The Nguni cattle, ha re itse gore go etsagala eng. Everybody o fiwa dikgomo, batho ba a fiwakaka and so on and so on. Go na le di complaints tse ngata-ngata, gore this Nguni cattle batho ba e batla, le rona ra e batla, because it is alleged some officials within the department ba ikhumisa ka Nguni cattle. Ga re tsebe gore e ko kae. We have received countless complaints from Nwafu, organ-

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ized structures gore where are these Nguni cattle. I am still asking today, where are these Nguni cattle? I do not know. Die duiwel weet. Ga ke tsebe gore di ya ko kae.

Houses and flats, what is happening with them. Are we disposing them correctly, because dintlo di a rekisiwa, mare ha o lebella batho ba di reka ka bo R50 000,00, R100 000,00. Criteria e e berekisiwang ke efe? A ke ya maleba criteria e? E tswana le dintlo tsa Housing Corp. Even if ba bangwe ba dissenta gore motho a reke ntlo R50 000,00 ba bangwe ba di reke ka R100 000,00 or R200 000,00 and when you speak and say no, this comrade is not a Member, that is corruption.

Mo malobeng mo dikuranteng go tswile mabarebare a manyofonyofo. Ga e le gore ke nnete Ntate Mogotlhe, MEC, we condemn that as the Portfolio Committee, and we are saying it must be investigated. All these things must be investigated and that Labone ha e tla, Thursday Deputy Speaker, re tshwanetse re fiwe nako ya go bolela on these issues, re seke ra di tlogela fela, because re ne re

tshwaretse lefapha gore le tla lokisa, Ntate Mogotlhe, mare gore lefapha le lokise, ke backward. E ya ko morago. Then ha re tla mo bare no, ha o sapote, ha o sapote. It means o tshwanetse o sapote ntho e nngwe le e nngwe, re ha ba re eja mae a a bodileng, you must support and support and eat, even if you eat wrong things, you must eat. Le ha dijo di sa butswa you must eat for the sake of eating. It is wrong.

HON. CHAIR OF CHAIRS:

Member Baloyi, you must address the House, not the officials please.

HON. BALOYI:

Honourable Chair, I was just making an example because he is here. Recommendations: The committee should be given a report on all cases that are under investigation and we want specifics there, who is involved, ke mang lebitso la hae, o ko kae. You know it is so strange Deputy Speaker, some of these officials ba ba jeleng ditšhelete, we are recycling them in other departments. Some of them are in the Department of Public Works. Re a recyclo mo. Ha o paletswe kwa ba go isa ko

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masepala, ha o pallwa ko masepaleng ba go isa ko Premier, ha o pallwa ko Premier ba go isa ko Finance.

The committee is very concerned about the irregular expenditure in the department. The percentage of builders who do not comply is very high. Therefore anybody who is not complying, that kind of a builder must be closed with immediate effect, without actually coming with examples that are irrelevant, of Canada and USA. South Africa is South Africa, it will not be Canada. South Africa is South Africa, full stop.

The department must commit to re-inspect some of these facilities, le di lebelle seša, le di lebelle, re seke ra bolela fela ka letseno batho ba rona ba tlhokofala. Ha re le batle letseno leo because le bolaya batho ba rona. Now re mo for batho, ha re mo for ditau.

The department should submit a report on the Boikhutso project. Mo malobeng Deputy Speaker, Chair, re ile kwa, di project tsa rona ha di tsamae sentle. Batho ba ba filweng dimilione tsa dimilione, di project di wele. Ha

gona selo. Ba bangwe ba jele tšhelete, ba siile, ba tsamaile, mare re tshwanetse re eme mo kajeno, Chair of Chairs re re lefapha le tsamaya pila. Then ha o ya ko dikopanong batho ba re bolella ka di strategy, you know, batho ba leka go sensitisa, di problems tse ngata-ngata tse eleng gore, motho o o buwa ka eng o. A re lokiseng.

Ha re re lefapha le a bereka, re lokise. We must clean. Ha go na le corruption mo lefapheng, ha batho ba le corrupt a ba ntshiwe. Ha e le gore ke corrupt ke le Baloyi, ke tshwanetse ke ntshiwe as a Member because ke corrupt, ha ke fit for go tsamaisa palamente, ha ke fit for go tsamaisa lefapha. So ke kopa gore ko bofelong ke re Deputy Speaker, ka Labone re kgopela gore this matter e e reitsweng ke ntate e, e botlhokwa.

HON. CHAIR OF CHAIRS:

Can you wrap off Honourable Member.

HON. BALOYI:

Re kgopela gore o e fe two hours. If it comes to a push you must suspend everything for Thursday. We must discuss this

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one of Agriculture, and we condemn these allegations ha di le teng. Mabarebare a ba bolelang ka ona a, re a a condema ha e le gore a teng, and ha e le gore batho ba sentse, a ba tlosiwe mo ditulong tsa bone. Ke a leboga Mmusakgotla.

Re kgopela gore lefapha tse tsentshe dinama mo marapong. Ha le so bereke, le sa leka. Le a leka, ha le so etse selo. Ha ke so bone selo ke le Modulasetilo. Ke bona fela tlhakatlhakano, tlhatlharuana, concoction, ntho e ke sa tsebeng gore e ya kae. So re re ha le so bereke, and ha la tshwanela go re convinca ka go defendana mo. Re tshwanetse re ye, re phose, re lebele gore le etsitse eng, re ye area by area, re bone dilo tse le di entseng. Ke a leboga Chair.

HON. CHAIR OF CHAIRS:

Thank you Honourable Member, thank you. The next speaker is Honourable Moalusi.

HON. MOALUSI:

Ke a leboga Modulasetilo. Ha Rre Baloyi a fetsa go buwa, ekete o ka re amen, kereke a e tswe. O buile nnete, but to the relevant MEC I am worried

about the performance in the department. Now I have got two questions to ask. What are you going to do about this none performing and sub-standards in your department? The second question is, how are you going to resolve these irregularities that are prevailing in your department?

Jaanong ke go fa maele, ha ke ne ke dumelwa gore ke bue Fanakalo ke ne ke ka bua Fanakalo jaaka motho wa ko dimaeneng ke re, "Yini wena sienza ko lungisa lo mathata lo." Jaanong ka re, Sesotho se a re, "Monna o tentshwa tsheha ke monna o mongwe." Jaanong ke ne kere o seke wa tlhabiwa ke kgala. Ga o pallwa ke department, gone le setse le le seven since 1994, 7 MECs, di ntse di palelwa ke department tse, ba palelwa ka ntlha ya se se diragetseng, se ntse Rre Baloyi a se buwa. Jaanong ke ne kere o seke wa tshaba go tla fela o tla ko UCDP o re, UCDP re paletswe, tsayang lefapha ke le, le le rane. Ke a leboga Modulasetilo.

HON. CHAIR OF CHAIRS:

Thank you very much Honourable Moalusi. Why do

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you stand up Chris? I have not called you. Honourable Hattingh?

HON. HATTINGH:

Thank you Chairperson. Thank you for the opportunity and may I once again appeal to you to be none partisan on the chair. Honourable Chair, on my way here this morning I thought about this department and the questions came up: Why do we have a Department of Agriculture in the North West Province? Secondly, do we need a Department of Agriculture in the North West Province?

Now those are serious questions and the fact that it actually can be asked is indicative of the serious problems in this department, and yes, my colleague stated, I think it is perhaps more than seven MECs. I think the average lifespan of the MEC in this department is about seventeen to eighteen months and then they get fired, replaced, resign, whatever. They do not last, and with the replacement of MECs goes the restructuring of the department as far as senior executives are concerned, and I ask these questions because I

have consistently and my colleagues here in the committee, and I have confirmed that again here this morning in the committee and you know that I have asked repeatedly, and I have begged, please take the committee to one, just one, successful agricultural project in the North West Province, successful, sustainable, where people can live of the land and they do not need government hands out to live. Just take us to one. We are still waiting.

We have been taken to farms, to places where people have been put and live in misery. We have been taken to farms where people were previously, where they got together and then purchased the farm and they have lost everything. They owe Land Bank money. They owe everybody money and they are moving off the farm, it will be liquidated.

The venture of the Department of Agriculture into the agriculture out there in this province is a failure and leaves people in misery. So that is why I say do we need this department. Do we need the involvement in agriculture. Should this not just be

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simply handed to National, or privatized, because all indications are that this department exists and lives only for itself. That is the output. Okay, there are media output in which millions are invested and that is unceremonious media events where rands and projects are being handed over to the community.

That project which we discussed this morning where more than R100 000,00 was spent on the former President's handing over of this project to people, to five young farmers. When we were there last, only one was still involved and the other two work in town. They left, and yet these people got stuck with the account for that media, everybody was entertained, people were bussed in and food was presented. That was added to the Land Bank loan, and even the painting of some roofs and things there was for that occasion to make it look very nice on TV, was added to the Land Bank loan.

This is a standard of this department and the involvement in the community that we want to empower to make a break-

through in agriculture and to become commercial farmers. There is no success story in this province, nothing. I said that it appears that this department exists to live and sustain itself only and I think last week Friday's article in the Mail & Guardian where this was highlighted where the DDG of this department approved a R1.1 million to Thatano farms and where he was a signature on behalf of the department, two inches from there in the right hand side he was a signature for Thatano farms, R1.1 million and according to reports and documents in our possession this was approved by the MEC himself.

This in the same province where people who have been assisted to start a vegetable farming went out of business because of one incident and that ended the project. The water tank was blown off the stand by the wind and it was broken, and there is no support, no money, nothing, to just get themselves another water tank and get them in production again. The whole project failed but one incident, people did not have the money to insure the water tank, there is

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no money forthcoming from the department to put them back in business, yet there is R1.1 million for the already privileged to continue with private enterprises.

Honourable Chair, the history of this department is a serious concern. It lives from qualification to bad audit reports to qualification and visa-versa. It never really comes out into the open and to be a proud and respectable department.

Unless there is a turnaround strategy that may work and unless we get real commitment, why this department that they are willing to implement agricultural project in the interest of the people out there and make them work, rather fewer projects but make them work because nothing is working out there and we have got the committee under the Chairperson of Honourable Baloyi, have visited quite a number of projects, and they can all testify. We do not find happy people out on these projects. They are all unhappy. They all have got complaints. It is not working. They live in misery, and this has got to end. Thank you Chair.

HON. CHAIR OF CHAIRS:

The next speaker, Honourable Matladi. Go to your seat Honourable Hattingh.

HON. MATLADI:

Thank you Honourable Chair of Chairs. Honourable Chair of Chairs, I am happy to take part in this debate of the Annual Report on Agriculture and Conservation. Looking at this report I remembered the beginning of this year when I came with a report from Tshidilamolomo concerning ditshwene tse di senyetsang balemi ba Tshidilamolomo, di ja dijalo, di ja le dipotsane.

I took pains to report the matter to the Honourable MEC of Agriculture and give him the request ya morafe, that the department must come, visit them and see what is to be done concerning the damage caused by the baboons. I am sorry that to date the department has not done anything regarding the matter. Somebody is laughing, it seems a joke, especially when you eat and others are hungry.

It was a very very serious report that we received from

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Tshidilamolomo people who said they do not even get any support, agricultural support, from the Department of Agriculture while other tribes do receive. They are told that their land is not meant for farming and they needed the department to come and assist them. I once more, as it is raining now, urge the department to go back to Tshidilamolomo, discuss the matter with the morafe and kgosi and see what is to be done.

Motlotlegi Modulasetilo wa Baduladitilo, ntlha e e botlhoko ka tshwene ke gore ga e bolawe. Tshwene ke seka motho. Morafe wa Tshidilamolomo wa re fa ba sa thusiwe ba tla itseela ditshwetso mo matsogong ba bolaya ditshwene. Se e tla nna moila. We are appealing to the Honourable Serfontein through your chair that he takes this matter very seriously.

The second matter Chair is about the unsustainable projects in the Department of Agriculture and the irregular or unlawful way in which some of the tenders are being awarded. We have received reports where

tenders are allocated to people who are failing to do what can be helping our people, especially regarding agricultural matters.

As Honourable Hattingh was presenting, we have been to different farms where the people were grouped. They were given agricultural implements or equipments to continue work where the other farmers that stayed there had ended.

In all the cases that we have visited, there is no success story. It is failure, failure, failure everywhere. Where vegetables are ploughed they are eating the money into people's pockets. Where the chicken are ploughed, eggs eaten and chicken would follow and you would only find nothing except the place where you would be shown, this used to be where the project was, tractors owned by some individuals and other vehicles that were meant for projects. We would like these issues to be attended to.

Honourable Chair of Chairs, when I talk about the DED I become as aggressive as the Honourable Chair of the Portfolio Committee, a pity that

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my aggression cannot be shown as he was able to present his, but the recommendations of the SCOPA that came into this House to be adopted stated categorically clear that DED should be abolished.

When the Honourable MEC answered the question that was asked by Honourable Hattingh regarding the existence of DED, the MEC said they disregard what SCOPA says because it is just a committee and later on he said he is withdrawing such a response, but the fact that DED is continuing states and proves that the response is not withdrawn, because the department is not doing what the House has resolved to be done regarding DED.

In it there is this investigation that is also captured by the Auditor General on the sale of tractors where one tractor amounted to R2 million according to the documents presented to the Portfolio Committee and to SCOPA and we are worried that this is just a tip of an iceberg. The rest can make you faint when you get such a report. We will wait tirelessly as Honourable Baloyi was saying,

until time comes that we get a full report and we debate the DED matter.

Lions are mauling North Westerners. There was a case in Zeerust, there was a case in Stella in the side of Bophirima and we always get a story about regulations being followed, but it is the person that died that made a mistake that has resulted into that person's death. We are not convinced. We are not convinced. We would as well be happy if investigations could be conducted on both cases and the government should always pronounce its intention, whether we allow these lions to be bred in our province. We have already said we know, we are talking about a money making project and people might not agree with us when we say let it stop.

I am concluding my debate Honourable Chair, and as I do so I am asking about the project in Boikhutso and other projects that we were told about in Khutsong, Merafong, that is at the expenditure of the province, since we are hearing that Merafong is going back to Gauteng. What will happen to

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the rest. Thank you Honourable Chair of Chairs.

HON. CHAIR OF CHAIRS:

Thank you Honourable Member. Honourable Groenewald.

HON. GROENEWALD:

Thank you Honourable Deputy Speaker. Honourable Members of the Legislature, officials of the department. Agriculture is the most important activity in South Africa. Without food on the table everyone, the economy, industries, mining, etc. will come to a standstill.

The way government handles claims will show us in which direction South Africa went. Land reform is important, but to distribute land to people who do not have the skills to produce food for the nation are irresponsible. It seems if South Africa became a country who always export tons of food to other countries, are already busy importing food, what happened to the food basket of Africa.

The red lights are on and a dramatic change must be made by the department and government to see that more food be produced by farmers in South

Africa. To have projects for the disadvantaged people in the previous regime, got the support of the DA, got to have projects and buy thousands of hectare for these people while no one has the skills to produce food by farming is a waste of money and fruitful land. There is no way that one can put hundred or more people on a farm and tell them to farm.

After a week everyone want to be a manager and no farming takes place, but only a lot of inner fights. The main purpose of the department is to identify the right people to put on the farm and teach them the skills to make a success of the farm. Let experienced farmers also make an input and let them be mentors on the farm until the new farmers know what to do and how to do it.

With oversight visits in the province more failures than successes were seen. The farmers who made the success are well managed and they are highly motivated to be food farmers and they also want to look after themselves and not by the government. They want to produce food for the country and to be

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proud of what they achieved on their own farms. Some of the projects suffered a lot and get on their feet and start producing food

Boikhutso piggery project was very far from a success, with three pigs on the project and six women who must make a living of it. I do not know.

Refiloe co-operative, the department must host an indaba and invite all the beneficiaries who struggle with the projects, to discuss the challenges faced by them and also try and find solutions. The problems faced by the lion breeders in the province can also be solved. Is the department having the right policies to be implemented? With the policy in hand put together by the department and the lion breeders is a very useful tool to force the lion breeders to have everything in place with the specification on the cages.

The DA believes that there is a place and the future for the lion breeders in the province as long as they obey the policies and the law. The issuing of hunting permits is also a challenge for the department. The loopholes

in the process of issuing the permits and the collection of permit review must urgently be addressed by the department. In some of the cases highly skilled staff remains a problem in all four programmes of the department.

An emergency plan must be put on the table for discussing how to motivate employees to stay in the jobs to the benefit of the agricultural department. It seems the budgetary constraints is the biggest problem to keep employees in the job. The shortage of staff in the directorate since the beginning of the financial year had a big effect on delivery in the department. The lack of equipment such as computers, GPS and others are also putting a big strain on the operation side of the support service in the department. It is not very clear why there is at this stage, after many years, a lack of equipment. The department has many years in the past put the shortcomings in the budget and get what they need to have an operational department.

Once again Honourable Deputy Speaker, the DA has said it in numerous occasions in this

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House, no department or institution can function on all cylinders. It is a lack of clear policies and guidelines as it is in the department. There is no excuse to have the right policies in place and to manage the department according to that. To implement the policies in a functional way you must also have trained people and enough offices and working space where employees feel comfortable to do their job.

HON. CHAIR OF CHAIRS:
Wrap off Honourable Member.

HON. GROENEWALD:
The poor participation in the environment service programme must be addressed urgently. All stakeholders must take part and must also be informed about the importance of the projects in the province. The way of getting information to the relevant stakeholders will always play an important role. The biggest challenge in programme fee, district services is food security. In the first stage we must have sustainable food security projects and hand-in-hand with the department must provide training to the scheme participants.

The department waste millions of rand to start with projects all over the province, which is not sustainable and with people who do not have any management skills. South Africa is a dry country and the people must look at the water resources as well as the underground water we have. The North West Province suffer with limited water in the province. The Department of Agriculture knows that agriculture is one of the main users of water and therefore the use of water must be utilized with the biggest responsibility from the consumers.

Again the DA ask the department to have the necessary hand on policies in place in cases where farmers ban the law by misusing water in the province. The DA will always support the department in their decisions as long as it is with responsibility. I thank you.

HON. CHAIR OF CHAIRS:
Thank you Honourable Member. The last speaker, Honourable Mokomele-Mothibi.

HON. MOKOMELE-MOTHIBI:
Deputy Speaker in absentia, Honourable Chief Whip too in

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absentia, Honourable Members of this august House, Honourable Members of EXCO and all people present here.

Honourable Chair of Chairs, on the report of the Accounting Officer, page 84 under Key Strategic Issues facing the department and the sector, I have picked up some that I would like to emphasize on.

The first one is scarce skills such as economists and environmentalists, air quality specialists and engineers.

My concern in this regard is what does the department really do about these challenges. Is the department not supposed to have given more learners bursaries in order to alleviate the problem, and one can just again ask oneself what happened to the culture of planting vegetables at households, like before. Why does the Department of Agriculture not workshop people on simple planting skills in the meantime when they are still maybe working for these other intellectuals to come back from school, and again instead of buying expensive machinery that at the end of the day is not even used.

We do agree with the department Honourable Chair of Chairs, on the issue of natural factors like changed weather patterns and change of rainfall patterns, but I still ask myself, as an agriculturist, the department should be knowing what to do in order to help that our communities survive

Honourable Chair of Chairs, it is with regret to inform you that last month we were invited to Disaneng for World Food Day and we were taken to projects.

The first one was irrigation scheme whereby millions and millions like Honourable Chairperson has just alluded to, was spent, and the place is abandoned. There is nothing planted on that area. Instead there are many tractors there, there are steels rusted. They tyres of the tractors have cracks because of just being standing there without being used. The place is vandalized Honourable Chair of Chairs, and when asking the question what happened to the project we learned that the money was used only on salaries. So you can just imagine taking the millions of government to go and give to the peo-

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ple who did not do even one job on that.

Anyone of us here can go and see that place. There are steel pipes that have rusted, that have never been used. You can imagine, there are so many there. We felt so bad really, when thinking that our people are sleeping hungry, but there is money lying there, rusting. So again we were taken to the fish project whereby we could not even access because the gate was locked. So you can just imagine if the gate is locked, it means there is nothing going on there.

So I have realized Honourable Chair of Chairs, the department will really bear with me, I have realized that the Department of Agriculture has got the tendency of physical dumping and say they spent about 84.5% of their budget. There is no monitoring in what they are doing. They just give money so that they can say they have spent money. At the end of the day they do not monitor, nobody cares what has happened to the money. That is total physical dumping, and at the end of the day it is wasteful expenditure. It is wasteful

expenditure.

Honourable Chair of Chairs, with regard to the appointment that the Chairperson talked about, I really concur with the Chairperson, for the defiance appointment that the Accounting Officer did. I concur with the Chairperson. I even further say the appointment should be reversed so that he should follow the proper procedure.

Lastly Chair of Chairs, we do appreciate that after many years the department has at long last spent R6.2 million on repairing of pivots and sprinkler systems in Taung as well as the completion of structure of the bridge.

Honourable Chairperson, the Department of Agriculture should know that they are the department that can really alleviate poverty. They are the first department that can be seen alleviating poverty. So they must lead all the departments in this regard. I thank you Honourable Chair of Chairs.

HON. CHAIR OF CHAIRS:

Baie dankie Agbare Mokomele-Mothibi. Agbare Jan Serfontein.

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HON. MEC SERFONTEIN:

Honourable Chair of Chairs, Honourable Colleagues, can I start with the last comment where the Honourable Member said that the department must lead in poverty relief.

I think that is one of our biggest problems that we must relieve poverty but also produce food commercially and that is a huge problem because at the end of the day it will relieve poverty, group people together, the infighting and those things, but I listened to those comments. I want also to start backwards and then come forwards with Honourable Hattingh.

Honourable Hattingh, I must agree with some of the things you say. I also agree that some of these projects, and lot of them do not work because of good dynamics and then also because of economics. If you do not have economics of scale in agriculture, and the high input cost, if we cannot correct that we will always have problems with collapsing projects.

Honourable Groenewald, the way you have spoken here, that is the idea how we want agricul-

ture to be run, but it is not that easy to do it because we also must look at land given back to people, they are in groups. So government is working on it and I know some of it collapsed, it is true, but the way you put it here, I thank you because that is the way we want to go. Thank you for that.

I want to talk to my Chair.

Thank you for your speech. I agree, we are not Canada. We do it differently here. We talk to each other very hard and we try to put things correct. I agree with you. The matter of the flats, these are matters of the DED and we will discuss it in the Annual Report of the DED. Also I listened to what you say, pointing the board of DED, but you know Chair, we discussed it with you. We consulted the committee but you had a different view. We agree on it that you have a different view, but we appoint the board because otherwise it will be unlawful and it will be contravening the PFMA. That is why we have done it. So there is also regulations that we must look and handle.

On the suspension of officials, it

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is true, officials were suspended, two were dismissed and two resigned. Boikhutso Piggery, that report is with the committee. Refilwe Co-operative, that report is also with the committee. Lion breeders, the report is with the committee. As you asked, the Nguni board is not with you but the names of the beneficiaries is with you and I want to tell you who is the directors of the Nguni, the board of directors is Mr Tsele, Department of Agriculture; Mr Mohane IDC and Professor Mbawo of the North West University. So those people handle who gets cattle and who does not get cattle. So we must actually ask them in the future and I will check how does some people get it, as you say you do not get it, but I think it is the board.

Irregular expenditure, it is being taken up with Treasury to reorganize it. The Kgora Centre, the department has acquired agreement with NWAUFU for the training of youth and the project start next year. There is also ARC research project accommodated at Kgora.

Qualification: There were eight

qualifications in 2006. They have been reduced to two in 2007/2008. So there is improvement in the financial management. We have agreed in the committee that things are not right and that we are working on it, but it is like a huge ship that you must turn. It is not that easy.

Wild animals, I know about the baboons. We agree there are regulations, like the leopard that was recently shot and then there is also, that we can look at it, but I know, I have spoken about those baboons. They come from Botswana, they are there today, tomorrow they are back in Botswana. The officials looked at it, but we will really look at the problem again. Those projects, I want to go back to them that collapsed, it is really hard because the national department appointed a committee now to look at group dynamics, because that is one of the biggest problems that you will find is group done, and the national department is involved with that.

Most of the projects that work is a family project and where one farmer is farming on a farm.

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They have now seen that that is the way to go but we still have the other projects, what is going on. There was a question about Disaneng Irrigation Scheme. We will answer that in writing, but also there that day I was with you at the project.

It was handed over to the community, but what I have checked there, it is the water license that they needed there to irrigate, and then what happened, and that happened to all irrigation farmers and even you sitting in the Legislature, the Eskom prices went through the roof. If you start those pumps today, in the days when they were planting there it would cost R2 000,00, today it will cost R60 000.00. So the economics out of agriculture is really not there. So you have to go another way and we are really looking to make things profitable for the farmers.

I thank all the questions. We have noted some that we are going to answer in writing but Chair, you know, you and me always talk very hard to each other. I agree with some of it, some of the things we do, you and me agree. So I hope the

next time I stand here or maybe when we meet again that we can agree on more of these issues, and all the other Members, especially Honourable Groenewald, the way you spoke here, that is the way we want to go. I know things are not right and we are really putting structures in place so that we can really say to the committee we have done it but not today. Thank you very much.

HON. CHAIR OF CHAIRS:

Thank you very much Honourable MEC. This brings us to the end of our debate. Does the House adopt the report? Next item, Proceedings on Bills. I will now call upon the Secretary to introduce the first reading.

**SECRETARY: ITEM NO. 8,
PROCEEDINGS ON BILLS
Introduction and first reading
The North West Tender Board
Repeal Bill, 2008**

HON. CHAIR OF CHAIRS:

Thank you. I will now allow Honourable MEC Modiselle to table the North West Tender Board Repeal Bill. Honourable Modiselle?

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HON. MEC MODISELLE:

Thank you Madam Chairperson, Colleagues. I rise before this august House to table the North West Tender Board Repeal Bill of 2008, to bring an end in the province, the existence of the North West Tender Board.

The motivation is as follows: This is an entity that has spent millions in the past as a government procurement entity and which has been able to facilitate numerous contracts between the provincial government and service providers.

The promulgation of the Public Finance Management Act has presented upon us a new era where provincial departments are required to take full control and management of financial resources appropriated to them. That includes the functions formally performed on their behalf by the Tender Board. That is procuring of goods and services.

Pursuant to the provision of the PFMA our Provincial Treasury issued Provincial Treasury instruction no. 11 of 2005, that means into first and effect Section 38 of the PFMA in the province, with effect from the 1st of April 2005. To support and

maintain these Treasury instructions, the Provincial Treasury issued Supply Chain Management Practice notes on operational practices and norms and standards.

Provincial Treasury has directed that all departments must have duly appointed departmental procurement committees under the authority of the Accounting Officer. One of the key duties of the departmental procurement committee is to adjudicate on tenders under delegated authority of an Accounting Officer. This function was formally performed by the Tender Board and there is thus no reason for the continued existence of the board.

Madam Chairperson, on the basis of the above we recommend that the North West Tender Board Act be repealed. I therefore table the North West Tender Board Repeal Bill of 2008. The Bill has already been published in the Provincial Government Gazette in compliance with the rules of this House, and the hard copies, bearing the stamp of the provincial law advisor have been made available for circulation. I

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thank you Madam Chair for the opportunity.

HON. CHAIR OF CHAIRS:

Thank you very much Honourable MEC Modiselle. Does the House agree that this Bill be read for the first time? Secretary will read the Bill for the first time. Secretary?

SECRETARY:

This Bill is called the North West Tender Board Repeal Bill 2008.

HON. CHAIR OF CHAIRS:

Thank you. This Bill stands referred to the Finance, Economic Development and Tourism Portfolio Committee. This brings us to the end of today's business. Thank you very much Honourable Members. The House is adjourned until Thursday.

THE HOUSE IS ADJOURNED