

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

[No. 21 - 2008] Fourth Session, Third Legislature

REPUBLIC OF SOUTH AFRICA

**LEGISLATURE OF THE
NORTH WEST PROVINCE**

THURSDAY: 13 NOVEMBER 2008

09H00

HON. DEP SPEAKER:

Honourable Members we may take a moment for silent prayer or meditation. Please take your seats. Next item.

**SECRETARY: ITEM NO 2:
MINUTES OF THE 11th
NOVEMBER 2008**

HON. DEP SPEAKER:

Honourable Members I put before you a set of minutes of the 11th of November 2008 for adoption. Does the House adopt these minutes? If we do we proceed to the 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 Hattingh, Madoda,

Kekesi, Groenewald and Honourable Mampane.

HON. HATTINGH:

Thank you Honourable Deputy Speaker. This is a very short one. On behalf of the DA we just wish you welcome back in this Legislature. We severely missed you during your brief absence on Tuesday. Thank you.

HON. MADODA: Honourable Deputy Speaker, I am not sure if Honourable Hattingh is speaking for the entire House. I thought I saw you in the House on Tuesday. The ANC rises to place a motion without notice to inform your House about the horrific accident that claimed the lives of three public works employees on Tuesday. Deputy Speaker on November 11th the three died instantly when the sewage truck they traveling in overturned. The deceased were

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

on a routine work trip transporting the sewage near Mafikeng Airport.

The deceased are Mr. Elias Setlhodi, Mr. Isaac Marosane and Mr. Richard Mokalane and they are all from Mafikeng. The ANC will like to take this opportunity to give condolences to the families of the three deceased. I thank you.

HON. KEKESI:

Thank you Honourable Deputy Speaker. I don't know maybe today there are any changes. Normally after having said a motion, Deputy Speaker will ask the House if the motion is been accept or not. Today it seems that the Honourable Deputy Speaker does not ask us that question. I am referring to the first motion that was passed by Honourable Hattingh. Even after Honourable Madoda read his motion, Honourable Deputy Speaker never asked if the motion has been accepted by the House.

But nevertheless Honourable Deputy Speaker, the African National Congress herewith rises to place a motion without notice in regard to the death of

the Honourable Hantise's mother. On the 8th of November 2008 the family of Gaboipolelwe experienced the death of their mother Gaboipolelwe Lizzy who was born on the 24th of April 1934. She will be buried on the 15th November 2008 at Kuruman, Bankhara Bodulong. She leaves behind the seven children, three sons and four daughters.

The ANC sends its heartfelt condolences to the family of Gaboipolelwe Lizzy Hantise. May her soul rest in peace. Thank you Honourable Deputy Speaker.

HON. DEP SPEAKER:

Honourable Groenewald

HON. GROENEWALD:

Thank you Honourable Deputy Speaker. The DA wants to move this august House and bring into attention of the Honourable Members of the House that the DA is extremely disappointed by the lack of regard for the Honourable President directive that all flags national and provincial will from today fly at half mast in honour of Miriam Makeba who passed away on Sunday in Italy at the age of 76

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

years. The flags are supposed to be hoisted half mast until her cremation. I trust that the House will take note of this directive. I thank you.

HON. DEP SPEAKER:
Honourable Mampane.

HON. MAMPANE:
Honourable Deputy Speaker, the African Nation Congress rises here with to place a motion without notice in regard to the death of Honourable Mahlakeng's brother-in-law. Ntate Motumi Haward Tsoeliane was born on the 1st April 1943 in Lokokoaneng in Lesotho. On the 9th of November 2008 he departed from this world after a long illness.

He is survived by his wife Alinah, three sons Tsoeliane, Moeketsi and Michael and his sister Mmampho Jane. He will be buried at Meadowlands house 200 A, Zone 1 Lengau Street. The ANC sends its heartfelt condolences to the family of Tsoeliane and may his soul rest in peace. I thank you.

HON. DEP SPEAKER:
Honourable Members there are two approaches to motions. One

is to adopt the motions one by one as they are presented. The second approach is that you allow all motions to be tabled and request the House whether they adopt the motions as tabled. Now do we adopt motions as tabled in the House? The answer is yes. We proceed Honourable Members to the item notices of motions. But before we proceed it is important that I draw the attention of the House to this fact:

The Democratic Alliance through Honourable Hattingh wrote us a letter in which they requested an urgent debate on a matter of urgent public importance. You will recall that on Tuesday I indicated that, that debate will take place today, but yesterday just before after lunch, we received a letter from the lawyers claiming to be acting on behalf of Mr. Mogotlhe that this debate must not proceed today. They requested us to respond before 16h00. We responded thirty minutes before the requested time. In our response we indicated to them that the debate will proceed. We arrived at that determination after doing what we suppose to do. But in our response, the letter was saying

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

the debate on the conduct of Head of Department of Agriculture, Conservation and Environment on Thaphana Farm must not proceed.

Now the request we have received on the debate is a different subject. DA requested a debate on matter of public interest on the Department of Agriculture, not on a person and therefore this letter in my view is irrelevant because it is not addressing what we are going to debate. It is important Honourable Members that I draw your attention to that fact. Having said that, let me now invite Honourable Hattingsh in terms of Rule 181 to lead the debate which was requested and permission granted for today.

HON. HATTINGH:

Thank you Honourable Deputy Speaker and also thank you for the opportunity to address this very important matter. The decision to request you Honourable Deputy Speaker for this opportunity did not come lightly. I don't want to take all Members through the whole history of many years of the department in distress, misery, the birth and

the refusal to die of the DED all these mismanagement round this department various investigations, the worse audited report that this Legislature knows and have seen in the past eight years. It is a whole history.

Now I think this Legislature in particular the Portfolio Committee on Agriculture was very confident with new blood in the department that this department will be turned around. There were many promises that this department will turn around. The first indication scan that nothing is going to change in fact what is wrong in that department is actually being entrenched and deepening was when the MEC came to this House in defiance telling this House that a resolution of this House with coming from Public Accounts Committee only remains a resolution of the committee, defying the Legislature. Yes it was later after lengthy debates withdrawn.

What was not withdrawn was the impression amongst all Members that there is a spirit of defiance in that department. Everybody knows that and yes

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

we have not yet seen the implementation of the resolution of this House and that is the report of the DED will be incorporated into a directorate within a department that is still outstanding also in defiance. Apart from this spirit of defiance, maladministration, irregularities in this department and this we debated on Tuesday. The absence of any viable sustainable agriculture projects for so many years in this province. It is not there.

Agriculture committee has gone from farm to farm, place of misery to place of misery to see the failures of the department. The department cannot produce one successful, sustainable project. It appears that this has become pandemic in the department. We have seen many audit investigations forensic audit in this department of only one was seen the day light and that was the investigation into the DED. Honourable Deputy Speaker flattened the confidence of this Legislature in the new administration defying decisions of this House, the latest incident that was exposed in the media on that a senior official in the department was granted with the MEC condoning this, a grant

of R1.1 m. I see as the department actually coming to this House and throwing down the gauntlet saying to us we do what we want to do. We don't listen to you, we do what we want to do, we defy you, see what you can do to us.

I say that this Legislature should pick up that challenge and confirm to department after they threw down the gauntlet and I believe that this department has gone far enough and let me just pause a moment here. I am aware of the lawyer's letter yesterday afternoon. Still in that spirit of defiance do what you want to, we will defy you. We will prevent you from debating the irregularities in this department. We will write you a letter of a lawyer. It is so suspect that this highest Legislature body in the province is not allowed to debate the alleged irregularities on spending the public funds in the department. I am very concerned about this letter. The reporter phoned me yesterday afternoon and told me that the MEC said that this debate happening here this very moment has been cancelled. So I wanted to know what is going on.

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

So even just a letter threatening this Legislature was also immediately conveyed to the media that there won't be debate here this morning obviously with attempts to keep it out of the public eye. Honourable Deputy Speaker I have said it. We have gone far enough. There are too many investigations going on and even the recommendations of the investigations of forensic audit are not being implemented. We have gone far enough. I propose that this Legislature do the following:

- Take over and comprehensive investigation into this department and its functioning including compiling total dossier of all a previous investigations of all the audit reports and do a commission a thorough investigations. Now the question can be how can it be done? We have the tools. We have the public Accounts Committee who can initiate investigations.
- The Legislature should take a responsibility and sort out this department for once and all, clear the department from everything which is wrong there. Yes it will take a few months but after the next election, we at least and start from a clean slate and start delivering into

agricultural community which is not happening now.

Honourable Deputy Speaker the fact that the MEC actually condoned the latest grant which I believe is tension tantamount to throwing down the ...[Inaudible]..to this Legislature and the fact that the MEC condoned the head of the department signing on the left hand side of the document, the contract for this R1.1 million as head of the department on behalf of government, going into illegal contract with him on the right hand side with himself. It cannot happen so Honourable Deputy Speaker I therefore call for a decision that the administration and there is not much going on the department and the Portfolio Committee on Agriculture can testify to that, that it be put under the control of the Treasury therefore Finance Department for the duration of the investigations that both the head of the department as well as the MEC be relieved off their duties I thank you.

HON. DEP SPEAKER:

Honourable Members is there any other Member who would

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

want to participate in this debate? Honourable Matladi, Baloyi, Moalusi and Makume. In that order.

HON. MATLADI:

Thank you Honourable Deputy Speaker. Agriculture is known as the back bone of economy especially in the North West. But it is disappointing today to stand and say this does not apply because of the reports of the under performance that we have received from the Department of Agriculture. It does not develop economy in the North West Province. It is one of the departments that had had several MECs, one after the other. IT started with Honourable Tselapedi, the Honourable Premier also was one of the MEC of this department; Honourable Duma Ndleleni also had his own chance, the then Honourable Mayisela and today Honourable Serfontein.

There might be others that I might have forgotten, that I might have skipped like Malebane Metsing Rocky who was then the Honourable MEC of this department then. When one finds the reason why the

changing every now and then, one would agree that it is because of the failure rates of those that are given this position. They do not match the work that's supposed to be done in this department. The department had somebody that we felt was a professional well educated for agriculture a veterinary doctor mme Mogajane.

To our surprise, she was kicked out of the department and the department lost a case in court. We would be told how much the government lost in this court case that it lost against Mogajane. As we are talking today she is in National Parliament doing much important work that could have contributed to lives of the people in the North West. Forensic Audits have gone through in this department other reports has failed to appear before this House we don't know why they were not tabled. We have been looking for them nobody presents them.

Resolutions have been taken in the House including the one on the DED, the directorate of entrepreneurial developments; to date they are not implement-

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

ed as Honourable Hattingh was also referring to them. The department was also one of the lowest under spending department in the financial year 2005/06. I remember this House sitting to debate an issue that was said to have been mentioned by the Honourable MEC of Finance, Honourable Modiselle at National Parliament when she said "in fact there is no Department of Agriculture in the North West Province" and we had to come here and then debate about it if she was right to have said that or not.

Fraudulent activities continued to go on in the Department of Agriculture against the good work that is supposed to be going on. Now these activities are followed by the stubborn nature of whoever is running the Department of Agriculture to refuse the decisions or the resolutions adopted by the august Legislature of the North West Province. We don't know if these people or this person might be above the law to be doing what pleases the person but not what the law says should be done. As we are standing here today Honourable Deputy Speaker, we support the

presentation by Honourable Hattingh when he says for the present investigation of the signing of the DDG for a farm of the amount that the committee has been told, alone signing and as well becoming a witness himself we would like him to be put aside so that proper investigations go on.

If the MEC who suppose to have monitored, seen the wrong things and stop them, failed to do so, we also say may he as well shift a bit so that thorough investigation could be done without anybody that might become obstacle to this investigations. As I sit down we believe that this is a tip of an eye speck in the Department of Agriculture. Manyofonyo a ntate Baloyi a buang ka one ka metlha might be going on more what we are debating here today. So let justice take place. Thank you Deputy Speaker.

HON. BALOYI:

Thanks Honourable Deputy Speaker. Let me take part in this important matter of serious allegations on irregularities within the Department of Agriculture, Conservation and Environment which impedes negatively

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

Deputy Speaker on service delivery which intends to alleviate poverty within the province and beyond.

Honourable Deputy Speaker of critical importance is to focus on issues brought forward by Honourable Member Chris Hatching. Before dwelling much on that, we need to remind ourselves how this department has render service to our people. Honestly speaking there was no good service rendered by this department from the year 1995 to date. Whether Rocky Malebana Metsing, OJ Tselapedi the same goes together. What this department has done continuously Deputy Speaker, was to be involved into serious mismanagement of funds unnecessary spending to non-viable projects, funding dilapidated projects as well funding on projects that have not even yet kick started and continuously misappropriating departmental budget on wrong things for example buying of old tractors and misplacing the truth meaning lying that those tractors are new.

During the oversight visit Deputy Speaker, the committee ascertains that these tractors were

already operating from 1980 to date. Go raya gore diterekere tse ba reng ba direkile Deputy Speaker, ke tsa bogologolo o kare ke tsa 1980. Now Ntlo e ene ya bolelelwa maaka gore re rekile diterekere tse ntšha re le lefapha. The committee is in possession of the report. Therefore allow me to raise the following issues as mandated by the portfolio committee. Houses that are bought at lower rate, appointment of contract workers without proper procedures, the appointment of the assistant director at Mokgobistad without advertisement, appointment of seven cleaning workers from Matile Village of which they are not part of the departmental organogram, Failure of the HoD to discipline the staff on fruitless expenditure in terms of none completion of erection of the fence.

The HoD approved tender of drought relieve to the tune of R30m. The contractors are officials. I don't want to mention names we have names in our possession Deputy Speaker, from the same Department of Agriculture. The disposal of Mamusa Poultry to adopt member to fund DED to Mr. Mokoka

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

who is part of that DED for R80 000 and this poultry was sold for R1 m. What is the rationale behind? This Scheme was approved by the MEC. The grant of R1.1m that was highlighted by oom Hattingh and this grant the HoD approved for himself. Go raya gore o ne a i tshaenela and approves ka bo ena. Ga re ise re bone motlholo o o tshwanang le oo.

The continuation of the usage of the DED despite the disapproval of the portfolio committee and the Legislature. This undermines the integrity and powers of the Legislature in terms of Rule 114 of the Constitution. Go raya gore ga re sa na dithata. Kajeno go tlisiwa makwalo a ba bueledi gore re seke ra bua ka ntlha e. Re nale maikarabelo re le Palamente unless matter o nkebe o le ko court ke moo re neng re tla didimala. Whether o kwetse ke lefapha or ke ene the same goes together re tla bua ka tsona dilo tse gompieno.

Honourable Members this matter requires urgent attention from committed political office bearers. We must be committed Members. Corruption is corruption. Ga gona gore re tshware

ka tsela e nngwe. If we don't intervene, Deputy Speaker, we will fail our people in terms of bettering their lives. This matter indicated above as the portfolio committee, we recommend that:

- The Premier, MEC suspend the HoD with immediate effect to allow an intensive smooth investigation.
- Secondly we are recommending that the Legislature undertake all investigations on this alleged irregularities and any other matter perceived to be fraudulent.
- Lastly Deputy Speaker of key fundamental is that the Premier should evoke Section 136 (1) and Section 138 of the Constitution Act 108 of 1996. Le a itse le tla e tlhola fa e le gore le nale di copy.
- In conclusion Deputy Speaker, the portfolio committee is recommending that the Premier should report to the House within 14 days on these indicated matters.
- Your office Deputy Speaker must report on all matters referred on resolutions of alleged irregularities within implicated department or entities, the Housing Corp, all these particular matters of the flats. When

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

are you submitting the reports as the Office of the Speaker to us? All this matters should be reported to the House within 14 days.

Members if these matters are not dealt with by this Legislature, people will be undermining the powers and functions of this House and also it will undermine our integrity as Members gore corruption e e leng teng mo lefapheng re kopa gore a e rarabololwe mme HoD a tlosiwe le makwalo ao a gage a di lawyers. Seo a ka re tlhalosetsang sona ke gore a letter eo e kwetswe ke ene or o e kwetse ka letter head ya department or ke di lawyers tsa gagwe? Neither here nor there we continue. Ke a leboga.

HON. DEP SPEAKER:

Honourable Members we are proceeding. Honourable Moalusi

HON. MOALUSI:

MotlatsaMmusakgotla ke a leboga. UCDP e latlhela la motlapitsong ka tsela e e latelang. The fact that the department is one its one term has gone through three MECs is a cause of concern in itself. UCDP is utterly disappointed in the man-

ner that the department has been operating for the past four years if not more. We oppose and are against any level of corruption during the term Mr. Duma as the MEC of Agriculture it seems as if the department was coming together when he appointed Dr. Mogajane, currently acting DG at the National Department of Agriculture as a DDG. But she was subsequently fired for the reasons none so ever related to the lack of service or corruption.

Subsequently to that there was a reshuffling of cabinet and since then the department has not been stable. Recently there has been a memorandum of agreement between the Department of Agriculture and Thaphana Farms. Note Honourable Deputy Speaker for a memorandum of agreement of to be valid it has to involved two parties. But in this agreement it appears that only one party signed which therefore deems this agreement void and invalid. It just goes to show that there is some sort of corruption in this case. Also the fact that there were no witnesses present at the signing of the agreement raised some questions.

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

The UCDP support the call to suspend the Head of Department as the so called memorandum of agreement was signed by him and him alone. This kind of capitalistic behaviour is totally unacceptable as it does not benefit the province. I thank you.

HON. DEP SPEAKER:

The next Honourable Member to participate in the debate is Honourable Makume.

HON. MAKUME:

Thank you Honourable Deputy Speaker I want to premise my inputs by saying no lawyer of this country can ever stop this institution from debating any matter except when we are interdicted by court. It saddens me Deputy Speaker when I stand before this House when we talk about this department. It is in our view that when there are irregularities when the public purse is being misused and authority is being abused it is in our interest to guard against that.

Budget plays a crucial role in the democratic process and they provide one of the most important financial controls on over-

sight mechanism within the political arena. Parliamentarians who form the main focus of the work can use their influence to allocate resources for various sectors, department and set priorities trying to further the demand of the people in general and of those who are more vulnerable. Not even to abuse them in our society.

The values of the government of the day inform policy therefore the budget involves value judgment and... [Inaudible] ... which is why officials involved in supporting policy makers and decision makers need to understand the government's political philosophy, policy platform and they must good ethics and cautious to know that they are first people not to abuse the resources that they have. Coming to this department in particular, it has very weak internal controls. There are methods chosen to transform inputs into outputs are non-existence. Their system in finance does not encompass evaluation monitoring and tracking of how far projected outputs and outcomes are achieved effectively, efficiently, economically and equitably.

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

You see a director service department running around with invoices. Procurements are being flocks they are in disarray. Every time they are unexplained differences, no supporting documents, financial statements submitted are being revised due to misstatements in irregular expenditure, fruitless and wasteful expenditure, mis commitments the list is endless. There is no value for money. No compliance with applicable legislation, insufficient control for recovery of departmental receives what is worse is the approved threshold for the procurements of goods and services were increased without proper authority. The subject under debate was just a tipping point.

We can find many examples like there are 110 projects that were approved by the 31st of January; the title says these projects are approved for 2008/2009 budget. You asked yourself where does that money come from because they are already paid, signed by the HoD. There are records to that. They are contracts during the year that were not included in the commitment register. The Kopanong and the Mafrochicks

and the money is more than R5m. This bad department was seen when a report was given by Honourable Modiselle and people and there was lot of hulabaloo. E ne e bontsha gore it is true. Lots of things are happening in this department.

For instance funds for the extension of recovery plan are used for things that are so wrong. Now they are going to squander the disaster management funds. To my opinion any thinking person can ask was these things happening beyond the nose of the MEC, was he mislead at some point? Or did they leave the department on the hands of the officials to run them. In conclusion, I support all what the previous speakers have said, about the HoD and MEC the Legislature must have a full blown investigation because as I say the R1.1m was just a tipping point because we no longer have confidence in this forensic unit as the government. I don't know what it does.

The purpose of this exercise in particular, is to bring about better understanding when we take resolutions in this House which are undermined by some

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

Members of the Executive, for instance the issue of the flats. That issue will never go out of our minds because we took a decision, a resolution but people decided to ignore it. We could have not had these red ants today and these problems today when people could have listened. Deputy Speaker, I think I don't agree to an extent that the Treasury should take the administration because the same Treasury when we took a resolution in this House to take the administration of the PCA they never did that. We rather evoke Section 100 that will assist us in terms of taking the administration of that department.

In conclusion, lastly budget is a legal, political and economic, planning and relocation and allocation, redistribution and accountability and good governance and transparency tool. At no stage we should abuse the authority and power that we have and what we assigned to do. Thank you very much.

HON. DEP SPEAKER:

Honourable Members there is an indication that the next speaker is Honourable Hantise.

HON. HANTISE:

Ke a leboga motlotlegi. Ke n e kere ke simolola ke inyalane le ditsitsinyo tse di dirilweng ke dibui tse di setseng di buile. Ditsitsinyo tse ke buang ka tsona modulasetilo ke tsa gore motlhamongwe ke tlaleletse ka gore go bewa thoko ga tlhogo ya lefapha le mokhuduthamaga wa lefapha, go diriwe ka bonako jo bo tsitsibanyang mmele. Jaaka lo tle lo bue with immediate effect. Ke ne kere mot-samaisa tiro, ke n e ke reeditse mongwe wa motlotlegi rre Honourable Moalusi ke motho yo montšha mo Ntlong e ya gago. O mo ntšha le mo komiting ya Lefapha la Agriculture, but fa a bua, o bua jaaka o kare o lobakanyana a le mo lefapheng le.

O bua o kare o nale kitso e e boteng. Maar fa ke ipotsa dipotso ke tlhomamisa gore lefapha le ka mokgwa o le bodileng ka teng, le ga o se motho yo o mo Ntlong e, o se Honourable, o le motho fela on the street, o nale kitso ya gore go diragala eng ka Lefapha la Agriculture. So ga se phoso dilo tseo a di buang. O tla ka tsona a di rwele ko a tswang teng. Now motlotlegi ke ne ke ke ke gakolole Ntlo e, bontsi ba

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

rona re tlile ka 2004 in this House. Ke mongwe wa bone. Ke simolotse ke le leloko la komiti ya Lefapha la Agriculture. Komiti e e ne e eteletswe pele ke Mokhuduthamaga rre Serfontein.

Ke gopola gore komiti e motlase ga rre Serfontein, ga go buiwa ka go tsaya maikarabelo a go dira gore mafapha a ikarabele mo dikomiting, go dira dilo tse di bidiwang gotwe ke di oversight, e ne ele sengwe se re neng re lwana ka sona. Re bua le Mokhuduthamaga ka nako eo e neng ele modulasetilo dilo tse di kwadilweng mo dipampiring nako le nako re di newa ke lefapha, tse go buiwang ka di projects re sa itse ko di teng, ke eng fa re sa ye go di bona? Go le thata gore komiti e dire dilo tse di bidiwang gotwe ke di oversight. Nka go tlhomamiset-sa modulasetilo gore since 2004, mo teng ga Ntlo e ya gago, re buile thata ka Lefapha le la Agriculture but direpoto tsa boruni kakaretso, go tloga ka 2004 go fitlhelela gompiano ga di fetoge. Di bua selo se le sosi: corruption mo lefapheng. Dilo tsotlhe tse ntseng di buiwa ke di Member ga go fetoge go yak o pele.

Le fa go ntse jalo modulasetilo, Ntlo e ya gago e, ga e a dira sepe. Ga re a dira sepe. Ke itsenya mo teng ka dilo tsotlhe tse di tlhagisitsweng mo Ntlo e ke repoto ya Moruni Kakaretso. Ke tsaya gore debate ya gompiano e tshwanelwa ke gore e tlise selo sengwe se e tla nnang diphetogo. Fa e le gore lefapha le ke lona la ntlha le le madimabe, go bona gore mafapha a ka gore le ona a tshwana le lona le, re sa ntse re tla bua ka ona mo nakong e e tlang or ba batlang batla bua ka tsona dilo tse. Re bona gore re dira eng go dira gore lefapha le re le tlisa mo tlase ga taolo.

Modulasetilo, lefapha le, dibui di buile gore ke lengwe la mafapha le le nnileng le di MEC tse di fetang seven. Mabaka a go ntshiwa ga di MEC tseo ke tlhomamisa gore mangwe a mabaka ao ke corruption and nothing else. Gongwe ba bangwe ba ntshitswe fela ba leka go addressa bangwe ba ntshitswe ka gore they were highly implicated. But ga gona any reason eo o ka e ke reyang kwa ntle ga gore go fetolwa ga di MEC mongwe a mabaka ao ke corruption in this very same department.

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

Ke ne kere modulasetilo re bua ka corruption ya lefapha le, sebui sengwe or ke mme Matladi o buile ka mme Doctor Mogajane. Ntlo e ya gago e e nale repoto e ke tsayang gore ga go ka ya go diriwa selo se go twang ke di investigations o ya go tshwanelwa ke gore o ntshe dilo tseo ko di faeleng or ko di Hansateng. Kgale re bua ka dilo tse. Ga di dintšha. Nothing is new ga re bua ka corruption under this department. Kgetse ya ga Doctor Mogajane, go ntshiwa ga ga r re Duma Ndleleni ka nako eo, ga gona ope yo oa naleng kitso bogolo jang ka mokhuduthamaga. Kitsonyana e re naleng yona, ka tlhogo ya lefapha, Doctor Mogajane, ke gore o ne a tseneletse a lwantsha corruption mo lefapheng. Lefapha le le dirisitse madi a mantsi go sireletsa gore ba bona gore Doctor Mogajane o a a tsamaya. Case ya teng ga ise e fele le jaanong jaana. Ba sa ntse ba sireletsa gore go boa gone, ga a kitla a boa. Nngwe ya di case tse re di kereileng ke gore mo tlase ga botsamaisa ba ga Doctor Mogajane, o tshwere badiri ba lefapha le ba latofadiwa bay a ko kgologelong. Mo process e ya gore ba montshe,

le batho ba latofaditswe go butswa di case, investigation e tswelletse, ba ba nang le dithata tsa go dira jalo ba bob a emisa process ya investigation. Ba bao ba fetsa ba withdraw di case ko court. Batho bao e ka nna gore ban e ba tshwaretswe bogodu or ke eng I don't know.go patelesega gore ba boe mo tirong. Mo go lona lefapha le.

Now ga re bua ka lefapha le motlotlegi ken e kere a re similole go tla ka sekai a e le gore ruri ruri re goromente ga re stockvel. Selo se ke government, ga re soccer club. Re le serious, a re bontsheng bo serious bo go tloga gompieno. Ke tsaya gore ke garela mot-samaisa tiro, go nale this language e ke sa itseng gore e tswa kae, ke eng ga e buiwa? Ya gore nako e re leng mo go yona it's a very crucial time. E buiwa ka gore re ya ko di election. Crucial time to an extent ya gore e tshwanetse gore contain-size ditlhaloganyo tsa batho ba bangwe gore whatever you say or do you must be careful.

Chair ke ne kere ga go nale batho bangwe ba ba batlang go dirisa ga ke itse gore ke moonoo or ke eng, gore nako e e very

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

crucial gongwe ke ne ke tla dumelana le bona gore e crucial to an extent ya gore ga e le gore re tshwanelwa ke gore re clean up this is a very crucial time ya go clean up di corruption in all departments without any fear. This House ga e nale dithata tseo a e di dirise di mo Constitution. A re di dirise. Ga go nale batho ba ba batlang go gwetla anything eo re e dirang in terms of fighting corruption, is something wrong, a re ba bone ba tlhagelele mo phatlaletseng gore ke bo mang.

So ke ne kere ke tswalela jalo modulasetilo a re dirise nako e crucial e, a re dirise dithata tsotlhe tse rer naleng tsona in this House go bontsha gore this government ga se stockvel. Re tlile go lwantsha corruption whether crucial time or not. We are going to stop it Thank you.

HON. DEP SPEAKER:
Honourable Gerber

HON. GERBER:
Baie dankie Agbare Adjunk Speaker. Ek is nie ? lid van die Portfolio Komitee vir Landbou nie, en daarom is ek nie heeltemal op hoogte van hierdie besondere saak wat bespreek

word nie maar oor die jare heen in die Portefolio Komitee vir Openbare rekeninge was die departement altyd in die beskuldigde bank oor korrupsie en dinge wat verkeerd geloop het in die departement. Die aanklagte wat vamorê hier gemaak is deur agbare lede is wat my aanbetref in ? baie ernstige aard, dit behoort behoorlik ondersoek te word, die ondersoek behoort baie vinnig afgehandel te word sodat ons kan klarigheid kry oor wat die werklike feite van die saak is en daarom ondersteun die Vreiheds Vront Plus die aanbeveling dat daar onmiddellike ondersoek sal plaasvind oor die bewering wat vanoggend hier gemaak is, ek ondersteun dit. Dankie.

HON. GROENEWALD:

Dankie Agbare Speaker. Ek het nooit gedink dat hierdie dag sal aanbreek, dat die regerende party en die opposisie partye sal saamstaan om korrupsie te beveg in hierdie provinsie nie. Vandag het daardie dag aangebreek en dit is ons plig om daar te staan en op te staan vir onse belasting betaler daar buite. Ons wat hier in die wetgewer sit moet toesien dat die geld wat

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

die belasting betaler betaal op die regte manier spandeer word in departemente en ek dink ons is op die regte pad al is ons opposisie partye, moet ons saam staan waneer ons ons gemeenskap dien en hier is ons besig om ons gemeenskap te dien in ? spesifieke departement en dit sal ook goed wees as al die ander departemente in hierdie wetgewer ondersoek word. Ek wil aansluit by agbare Makume wat sy gesê het dat die forensiese ondersoek span van die wwetgewer hopeloos is en as dit dan so is dat ons iemand anders sal kry om hierdie taak te verrig en ? ondersoek te wees na die departemente waar daar korrupsie plaasvind. Ek dank u.

HON. DEP SPEAKER:

Now Honourable Members before I call Honourable Serfontein to respond, because there is provision for that in the debate, it is true that as I was listen to Members that this debate is on the Department of Agriculture in fact the debate stretches as far as 1994/1995 The inception of the department. All MECs who went in out of that department mention has also been made. This confirms

that indeed the debate is on the Department of Agriculture and not on a person. As I have stated earlier on. But you see Honourable Baloyi made mention of North West Housing Corporation. This debate is on agriculture. Honourable Makume referred to the flats. This debate is on agriculture, environment and conservation. That's the subject Honourable Serfontein.

HON. MEC SERFONTEIN:

Honourable Deputy Speaker I have listened to all the Members, I will get all the questions I will answer it writing but also I will want to let the Members know what did I do about the newspaper report on the article regarding Thaphana Farms. The contents of the newspaper Mail and Guardian dated 7th November 2008 are well conversant to me regarding the alleged conflict of interest, abuse of power dishonest and some unprofessional conduct by the HoD of my department.

It is premature for to take action based on the HoD but also today the Members said certain things that I will further investigate. I had already appointed a firm of auditors to conduct a

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

forensic investigation pertaining to the above mentioned allegations and I think Deputy Speaker you have that appointment I made it on the 10th that was on Monday. You have a copy with you. The findings of the said audit will inform you to take further steps against the HoD only if the allegations are found to be true. Taking access now will amount deprive the outcome of the auditors and will again be tantamount to the infringement of the principle one is you are assumed innocent until found guilty and that of the rule of natural justice.

Based on the foresaid I employ everybody to afford the auditors the opportunity to conduct the investigations without any interruptions and anybody that has valuable information is urged to come forth and assist with the said allegations which will enable me to address the matter as speedy as possible. With due respect I beg the indulgence of the august House that until the findings of the auditors are made known to me by the 21st November 2008 I wont discuss it but I will listen to recommendations that went around this House and I might make other

steps when I've got more legal advise. But also chair I will get all your questions and allegations and also the chair of the Public Accounts Committee and I will see that we answer all those questions in writing. Thank you Deputy Speaker.

HON. DEP SPEAKER:

Honourable Members it is important that okay, Honourable Baloyi and Honourable Hattingh still want to speak.

HON. BALOYI:

Chair what we are recommending we are not descending towards what Honourable Member Serfontein was saying. We are saying the HoD should be suspended and that investigation comes after the suspension. Now it is for the House to decide. Re dumellane gore investigations di nne teng and ntate Mogotlha a suspendiwe with immediate effect. Tseo tsa gore tsa gore o tla investigatiwa o teng ka gore this copy e kwetse ke ene the very same person. O a kwala MEC o a saena. Go tla investigatiwa jang a ntse a le teng kwa? Ke eng yona ntho eo?

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

Re a dumelesega rer leNtlo e gore re re a tswe, Locksmith e bitswe gore investigations di se ka tsa nna le mathata. [Interrupted]

HON. MALOYI:

I am not sure whether we have decided to change the Rules. There was a debate requested, the last person who closed the debate was the MEC. I am not sure what are we doing now. If you can clarify me.

HON. DEP SPEAKER:

In fact Honourable Maloyi you are in order. At some stage I was crucified exactly for this thing. For allowing people to speak after the debate was closed. I have no power whatsoever to amend the Rules of the Legislature. The procedure is Honourable Member who requested the debate opened the debate, other Members participated, MEC responded and that ended the process of the debate on that subject.

It is only fair ntate Mahlakeng you seem not to agree with the Rule. Yes?

HON. MAHLAKENG:

Chair I am contesting that Rule.

The initiator of the debate is Honourable Hattingh who must actually close the debate. So Honourable Maloyi was in fact out of order. The debate must be closed by Honourable Hattingh.

HON. DEP. SPEAKER:

Honourable Hattingh it is your turn to respond.

HON. HATTINGH:

Thank you Honourable Deputy Speaker. I was for a moment worried as we are sitting back with standards of Tuesday. Thank you Honourable Mahlakeng. Let me briefly respond. Honourable Deputy Speaker I think from this debate we can see that there is general concern from all political parties in this House, specifically also from those committees that actually deals with these issues and that is the Portfolio Committee of Agriculture, Conservation and Environment headed here by Honourable Baloyi and the Public Accounts Committee with very strong opinions voiced here by Honourable Makume.

But also evident here is that nobody got upfront and say this

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

is what we want to do. There is no gaming up against the department, the MEC or the HoD. There are different opinions all of concern. The Members are unified in their concerns but perhaps there are different opinions in the House how this should be approached. Now the MEC indicated his opinion of approach and suggested that this House should condone that. What he is asking for is another forensic audit. I don't know if we want just to number them and which number this will be because there were many.

This is the standard procedure when things are of this nature are being exposed. It should have been identified long ago but Honourable Deputy Speaker at this stage the actions of the MEC is simply too little too late. Secondly the department in my opinion and I believe that I got support for that opinion and the MEC in handling these matters has lost the confidence of this Legislature. It's a never ending vicious circle and that is why and I have asked for drastic and radical intervention now. We cannot allow it to continue in this fashion. I believe that many

Members supported that view.

Honourable Deputy Speaker if indeed there was a forensic audit commissioned, I believe that the auditors should report then to a body appointed by this Legislature, being it the Public Accounts Committee or whoever but it should be taken out of the department now. We have reached a point of no return because of what is going on over such an extent of period of time in that department.

So in closing at least there is an acknowledgement by the MEC that things are not right there, he also acknowledged that on Tuesday but Honourable Deputy Speaker I stand with my original proposal that the investigation into this department must be focused only on this department to be conducted on the responsibility of initiating that should be taken over by this Legislature and perhaps the removal of the MEC and the HoD out of the daily running of the department should happen now to allow a free and in-depth investigation of this department I thank you.

HON. DEP SPEAKER:

Thanks Honourable Hattingsh.

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

Because this was closing the debate, let me summarize the debate. Nine Honourable Members spoke on this debate. The first person who spoke on this debate is Honourable Hattingh and he was also the last person to speak. Opening and closing the debate. The first speaker recommended that Legislature and portfolio committee conduct an urgent investigation to the Department of Agriculture, Conservation and Environment.

Honourable Members used different words. Honourable Matladi said MEC and head of the department be shifted a bit that is the words she used to allow investigation to go on. Honourable Baloyi said immediate suspension. Honourable Moalusi briefly summarize his inputs said suspension. Honourable Makume said MEC and head of department be suspended to allow investigations to go on. Honourable Hantise said suspension of MEC and head of department must be done with immediate effect. Honourable Groenewald for the first time parties in this Legislature are united in fight against corruption. This was summary of your

inputs.

Honourable Gerber said this matter needs an urgent attention. He said in Afrikaans I have an advantage of being a good speaker in Afrikaans. Honourable Serfontein indicated that he is been aware of the problem, the situation and he has taken some efforts in attempt to address the situation. Honourable Hattingh in his closing he said is too little and too late.

Now Honourable Members my understanding of this debate as we close it, is that this House leaves the matter to the Legislature and the portfolio committee to execute and implement all things that has been raised here which when it is summarized, is that the Member of Executive Council must be shifted a bit, others said suspended, others use different words. Honourable Members we therefore close this debate in the summary that I have ... [interrupted] Honourable Maloyi?

HON. MALOYI:

Deputy Speaker you summarized we heard you. But at some

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

point we must be able to say what is the decision of the House and the House must be afforded an opportunity to vote on the matter in order to take a decision. There are serious suggestions made by other Members in this House and as the Chief Whip of the majority party and speaking on behalf of all Members of the ANC in this House without exception we are going to propose to yourself that there must be voting but that voting must be deferred to the next sitting which will be on the 18th of this month which is next week Tuesday.

HON. DEP SPEAKER:

Honourable Members that is a brand new thing. Honourable Maloyi there has been a debate on this subject today the 13th of November if that vote should take place it must take place today so that we conclude that matter and leave this House with a decision on the subject that has been debated. Honourable Madoda just before you speak, and Honourable Hattingh when situation is like this, I normally allow Honourable Members to get a break of about 9 minutes. The time is 22 minutes after 10 and we come

back at 10h30 so that Honourable Members are sorting out this thing.

HON. MALOYI:

We request that Members of the ANC must remain this House.

HON. DEP SPEAKER:

Do we agree to adjourn Honourable Members? I am not sure I don't speak on behalf of the ANC here. I am the Deputy Speaker. The leader of the ANC in the form of the Chief Whip will make that announcement that Members of the ANC must remain here. I can't speak on that status at this platform.

HON. HATTINGH:

Honourable Deputy just a question. I mean is very presumptuous for the Chief Whip to say Members of the ANC must remain here. If anybody else stays here it should not be presumed that that Member is a Member of the ANC. There are Members in the galleries so it should not be construed that anybody remaining in this House is a Member of the ANC.

HON. MALOYI:

We request that the gallery must be cleared.

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

HON. DEP SPEAKER:

The ANC wants to get into committee. Ba batla go itsheba ka Sesotho.

HOUSE RESUMES AFTER 9 MINUTES**HON. DEP SPEAKER:**

Honourable Members may get sited. We have gone out to break or for caucus something like that. You must have interacted after caucus on this matter. I would like anybody who would like to give us a way forward on the subject we were discussing. Remember we are at a point whether we defer the matter to the next sitting for finalization or we conclude it now. Honourable Maloyi.

HON. MALOYI:

Deputy Speaker I just want to repeat what we proposed earlier on that voting on this matter must be deferred to the next sitting that is the sitting of the 18th of this month, next week Tuesday in the same House.

HON. DEP SPEAKER:

Does the House agree?

HON. HATTINGH:

Honourable Deputy Speaker I

ask for a debate for urgent public importance, it was granted. During the debate nobody motivated why a decision should not be taken today, this is actually a point of order. The debate has been concluded I can't see that anybody can at this stage enter the debate after it was closed and say that the decision should be deferred. Debate is there for the decision to be taken.

HON. MALOYI:

Deputy Speaker I want to bring your attention to the order paper on item number 3 (b) on the notice of the motion. I want to read it to you; it says Honourable Hattingsh debate on a matter of urgent public importance: media report on financial irregularities in the Department of Agriculture. There is no where, where this debate says possible suspension of the MEC or the head of the department. That thing was raised out of the debates that were conducted by Members of this House. Had we known because we don't read their speeches that in their speeches they will make a proposal that says people must be suspended or removed, we would have prepared better. But here we thought that we are just

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

going talk about irregularities but not about specific individuals in this particular department.

It is against that background that we are proposing that this matter must be deferred to the next sitting. But if the proposer of the motion insists that we must vote today we don't have a problem we will vote.

HON. HATTINGH:

Deputy Speaker I ask for that do you actually formulated a compromised situation taking into account all the different opinions and that is the matter no suspension of anybody but that the matter be deferred to a committee who should then handle the matter from their own ways. If there is a suspension forthcoming out of that it should come back to this House or it must be handled in such a way that it is legally binding.

I don't think the way you summarized it calls for the suspension of anybody. In fact I doubt that this House can without going through proper procedures to suspend HoD. It can only recommend that such person be suspended and then there is a legal framework.

Perhaps the Honourable Maloyi should have spoken to the opposition parties because they are focused and gave us of a benefit of also understanding and I think my colleagues here in this side saw that you actually summarized a very concise and acceptable resolution accommodating everybody.

HON. DEP SPEAKER:

I am not sure. Honourable seem to be suggesting that way forward based on what Honourable Groenewald was saying, way forward should have raised after different caucuses maybe .. [Inaudible] ... were supposed to have met so that we have a common approach on this matter. If Honourable Members want that to happen we can still do it so that there is some consensus on how do we move forward on this matter. But that can still happen if Honourable Members want that to happen. Honourable Hattingh did I read you well?

HON. HATTINGH:

No, Not exactly. You are putting words in my mouth but I would have said that if I thought long enough about it. Honourable Deputy Speaker may I request

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

that just one minute break and perhaps the whips just meet each other.

HON. DEP SPEAKER:

Honourable Members let's do it in 2/3 minutes.

HOUSE RESUMES AFTER 3 MINUTES**HON. DEP SPEAKER:**

Honourable Members keep standing, you may get seated. You see the advantage of being the presiding officer is that when you are in this House, irrespective of some positions some people are holding which are very powerful, when I say stand you stand, when I say sit you sit. There is no age here. There is no status here. There are people who would ordinarily that would not give me a standing observation but here they are forced by Rules to do that. Honourable Members you would recall where I am sited I am trying to navigate my way through because my responsibility is to manage proceedings and business of the House.

I should manage them in such a way that they are within the Constitution of the Republic of

South Africa. Manage them that they are within other pieces of legislation including the Standing Rules of the House and therefore I would think that it will be a better approach that when we get into the House to debate matters that we are likely to have different views and opinion on it will be wise that Whips of parties meet so that we don't have many breaks Honourable Modiselle. It will really assist us. There is always a room for improving the way you serve your people.

You know the way you were serving your country and your people yesterday, must be different from how you serve them today. There must be some improvement. Increasing your capacity to serve, lead it is important that we do that. I am aware that the meeting of Whips has ended and where I am sited I am convinced that the first speaker who is going to speak is going to give a very progressive way forward that will assist us of what should happen from here. I am not sure what Honourable Madoda is doing, but I would want him to speak.

HON. HATTINGH:

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

Honourable Deputy Speaker I asked for a caucus, if you allow me we from the opposition parties agree that the decision on this debate be deferred to the 18th thank you.

HON. DEP SPEAKER:

It proves that we are not in church we are in politics. Honourable Members this brings to the end of debate on a notice of motion. We now proceed to the next item.

SECRETARY: ITEM NO. 4 STATEMENTS BY MEMBERS**HON. DEP. SPEAKER:**

Honourable Members does any Member wish to make a statement? In terms of Rule 131(a) of the Standing Rules of the Legislature. Honourable Moalusi?

HON. MOALUSI:

Thank you Honourable Deputy Speaker. The UCDP here by table a statement about day of morning at Driefontein Gold Mine. On the previous Thursday, Driefontein Gold Mine Workers mourn the loss of three of their colleagues. They were fatally injured on the 15th of October 2008 due to the fall of grounds

caused by the seismic events. The incident occurred at Hlanganani Shaft previously known as 5 Shaft. Thursday was entirely dedicated as day of mourning and the memorial service was held in commemoration of the three employees at Mazizakhele Indoor Arena at Driefontein.

At least 5000 employees gathered to pay their respect to the deceased. Family, friends and colleagues attended the service which was led by Driefontein Spiritual Leader Pastor Viedge Gush. Driefontein management assured all employees that safety of Gold Fields operation none negotiable and categorically stated that they will not mine if is not safe to do so. They conveyed the entire sincere condolences and sympathy to the families, friends and colleagues of the deceased. A Gold Field has also commissioned a safety audit of all its operations globally to ensure that there is no similar event in future I thank you.

HON. DEP SPEAKER:

Any Member who wish to comment on the statement? Honourable Mahlakeng?

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

HON. MAHLAKENG:

Thank you very much Deputy Speaker. Obviously when we talk of the loss of the lives of people is a very important matter. It is a pity that the Honourable Member seemed to think that this seismic event is something that cannot be prevented and he speaks very nice about what Driefontein has done. Whiles we regret that what may have happen but we think that it is important as this august House to say that Driefontein must infact put the lives of its employees before profits because amongst other things matters of seismic event are mattes that can be prevented if the profits are not put forward. Thank you chair.

HON. DEP SPEAKER:

Any Member who want to comment? None. Are you fine ntate Moalusi?

HON. MOALUSI:

I am fine Honourable Deputy but I would like to inform Honourable Mahlakeng that his perception has been recorded.

HON. DEP SPEAKER:

Honourable Members lets move to the next item.

**SECRETARY: ITEM NO.5
ANNOUCEMENTS, TABLINGS
AND COMMITTEE REPORTS****HON. DEP SPEAKER:**

Honourable Members let us proceed to the ATC of today and start by inviting Honourable Mampane to table a report of the portfolio committee.

HON. MAMPANE:

Thank you Honourable Deputy Speaker I thought I tabled last sitting. I hereby table the Annual Report of the Department of Social Development 2007/2008 and again I table the Annual Report of the Department of Health 2007/2008. I thank you.

HON. DEP SPEAKER:

Honourable Mampane you table two reports, social development and health? Yes. Let me now invite Honourable Moilola to table the report of the portfolio committee.

HON. MOILOA:

Thank you Deputy Speaker. On behalf of the Portfolio Committee on Transport, Roads and Community Safety I hereby table the report of the relevant committee.

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

HON. DEP SPEAKER:

Honourable Members let me now draw your attention that the debates on this reports will follow later. Let me now invite Honourable Makume to table a report of the PPAC on the scrutiny of the Auditor General's report.

HON. MAKUME:

Thank you Deputy Speaker. On behalf of the committee I table the report of the Auditor General on performance audit and of the procurements of tractors implements and harvesting machines by the Department of Agriculture, Conservation and Environment of the North West Provincial Administration. I thank you.

HON. MOCUMI:

Thanks Deputy Speaker, I just wanted to check something. I want to check if Honourable Mampane was tabling on behalf department or the portfolio committee because I heard her kept on saying the department report. So that is what I wanted to check whether she was tabling on behalf of the department or on behalf of the portfolio committee. Thanks.

HON. DEP SPEAKER:

You see what I have learned, I am learning everyday Honourable Hattingh where I am sited. I would not want to entertain matters that are really taking out of the real business of the Legislature. I think the understanding is that she was presenting on behalf of the portfolio committee it might have been that mistake of saying the department instant of saying portfolio committee. Now is corrected. We proceed to the real business. I have been given speaker's list here, people who are going to be speaking on the social development debate on the annual report. Honourable Mampane, followed by Honourable Matladi, Honourable Hattingh has withdrawn and Honourable Madoda will follow.

HON. MAMPANE:

Honourable Deputy Speaker, Members of the Executive Council, colleagues, departmental officials and our guests. On the 17th of October 2008 the Department of Social Development briefed the Portfolio Committee on Social Development on their departmental annual report. Of course the MEC and the management

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

team was present.

The purpose of that meeting was to conduct a scrutiny on the departmental annual report and to further check if it conforms to the stipulated standards. In terms of chapter 6 of the Constitution clause 114 subsection 2, the North West Provincial Legislature is obliged to oversee the process of accountability and oversight over any provincial organ state. Department achieved amongst others the following:

- The research unit has been established and funded as a sub program for 2008/2009
- Governance structures are in place and functional
- Workplace skills development plan is in place
- Services are rendered according to the national guidelines in all districts
- 250 social workers and VEP local forum members orientated on the integrated victim empowerment policy and minimum standards for service delivery

However there are still challenges facing the department like delays in acquisition of sites and the cumbersome process of

awarding tenders for capital infrastructure resulting in roll over of R29m. There is still a high staff turn over in the department especially professional personnel for example social workers. There is an increase demand for social welfare services. Lack of integrated approach to project funding and support. There is still problem regard to retention and recruiting social service professionals.

The committee raised the following concerns: The 2007/2008 departmental annual report in which the Auditor General highlighted the following:

- The department of Social Development received a qualified report audit financial opinion which highlighted the following: unauthorized expenditure amounting to R249m as reflected in the statement of financial position relates to unauthorized expenditure stating from 2001. The department has applied to the Provincial Treasury during the adjustment budget programme.

Bar coded assets: Assets physically verified could not in all instances to be in the fixed asset register although it could

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

be traced in the Walker System due to asset not being bar-coded. On receivable supporting documentation could not be obtained to verify and amount of R6m relating to receivables. The exodus of senior managers and social workers in the province is still a major challenge that the department is facing. The slow progress on the transfer of early learning centers from the Department of Education to the Department of Social Development.

The slow progress made by the department in the fight against drug abuse, alcohol and smoking. The department should assist the community in terms of business plans to avoid money surrendered in community development. There is no budget in the province for crisis centers thus insufficient resources. The following recommendations were made by the committee:

- All assets which are not bar-coded should be bar-coded
- The department should appoint people who will assist them to improve and implement programs on substance abuse in the province and sustain existence treatment centers

- The department should speed up the process opening up early learning centers especially those that were transferred from the Department of Education
- There should be uniformity in terms of salaries in all provinces to reduce migration of social workers from one province to the other.
- The department should develop strategy that will improve the management of crisis centers.
- During our interaction with the department, we agreed that the following report will be submitted to the committee within 14 days.

1. How many early learning centers are opening and closed in the province
2. The report on fraud and corruption in relation to crimes in the Department of Social Development
3. The report on progress made on old age homes

In conclusion Deputy Speaker, the department acknowledges that there is still a high demand for services due to imbalance between increasing demands for services and the limited avail-

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

able resources in terms of human resources, infrastructures, and finance. However the committee feels that if there could be a partnership in all spheres of government, it is then that the services will improve. The committee recommends that the House accepts and support the Department of Social Development Annual Report 2007/2008. I thank you.

HON. MATLADI: Ke a leboga motlotlegi Motlatsa Mmusakgotla. Ke dumedisa badiri ka nna mo Ntlo Kokoanopeo molao ya Bokone Bophirima, baagi ba porofense ya rona ba ba tsereng tšhono ya go tla go reetsa dipuisano tsa mafapha a gompiono.

Honourable Deputy Speaker, during the financial year under review the Social Development has under spent its budget on payment for capital assets at the tune of R39.2 million. The very same department also surrendered R124.1 million to the Provincial Treasury. It is very much surprising why the surrendered funds couldn't be used to finalize problems regarding major capital projects or used to sustain all social welfare programmes as well as to address

the problem of office accommodation as the challenges on the budget presented to the committee.

Year in year out, this Department of Social Development reports on its shortage of social workers and also on its strategies to improve salary packages of social workers which they say is nationwide. While expecting to receive a report of the improved social service conditions, the portfolio committee always gets a zero regarding improvements that were reported to be taking place. We are aware of the plan to award bursaries to learners to train for social services and we applaud the department for this effort but we say other avenues could still be tapped on.

The department has experienced an exodus of senior managers including accounting and chief accounting officers. If the department has staff retention policy; why can't it retain its personnel, how practical and effective is this policy. We have always been told about competition with the private sector in which the department is always

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

loosing its best workers. We say once beaten twice shy and say to the department compete with the private sector, do what the private sector is doing for your personnel so that you can attract them back into the department.

A feasibility study was conducted in this department which identified people in the North West who are poverty stricken. They can still go to bed on empty stomachs but the department is still under spending funds that could be eradicating this poverty. Instead of poor families being aided by the department, funds were used for buying uniforms for learners who appeared to be needy. Portfolio committee members were told that if they do have such children, they could still send lists yet this matter was never budgeted for. The argument is, this expenditure was not planned for, it was not budgeted for also it is better to teach a man to catch a fish instead of giving a man a fish to eat. What will he eat tomorrow?

If families of these learners could be helped by some poverty alleviating projects, they could

earn a living and also afford to buy their children some school uniform even in the coming years of these learners would be growing and outgrowing the uniform bought now. The Department of Social Development failed to report on all the predetermined objectives as required by Section 40(3) (a) of the PFMA and these objectives are in programme 2 social welfare services based on one policy instruments, new policy instruments, reviewed policy instruments as well as legislative instruments and also under (b) partnerships on new forums established stakeholder relations improvement plans as well as the status monitoring service reports.

In some cases, there are objectives reported in the annual report but not predetermined in the strategic plan, they include external consultation planned on faith-based organization consultation as well as youth structures consultation. Although SASSA is a national competence, we believe the provincial social development department should monitor its activities. We have come to this House with reports pertaining to SASSA

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

fraudulent activities whereby payments are done by people that we believe should not be doing them e.g. councilors of municipalities as well as shopkeepers. We have reported of the funds that have been embezzled by these people who we believe shouldn't have had a change of dealing with these grants.

As we talk about the fraudulent activities in grants, allow me Deputy Speaker to enforce or emphasize the point that was raised by the chairperson of the portfolio committee when she says we have been awaiting the report on the fraudulent activities on social grants that has been promised this august House two years ago and even today this report has not reached your august House. We have said, we would like to see the perpetrators being punished so that others should learn not to embezzle with the grant especially of people who are old, who are hungry, who are helpless who solely rely on the aid of the government. As I'm drawing to the closure of my debate, I would like to say that the transfer of the ECD centres from Education department to

the Social Development department has taken rather too long. As we are talking today there are still some early learning centres closed and the department is saying there is procedure to be followed before they could be opened.

Rona re bua ka Setswana, rare Motswana o rile ntime o mphele ngwana, a ba a boeletsa gape are Mmamotho o amuwa le a sule. Re rata gore re re mo go mme Mangqo o mmarona.

This is the matter that affects the future of the nature because the future of the nation lies in the lives of the young ones. This is a very urgent matter; it must receive the urgent attention it deserves. We support the annual report of social development. I thank you.

HON. DEP. SPEAKER:
Honourable Madoda.

HON. MADODA:
Motlatsa mmusakgotla ke tla bua dintlha dile tharo fela kere:

The department has done well on numerous funds despite the many challenges that it faces. We are pleased that the depart-

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

ment has been able to establish functional governing structures in all areas. There is one problem that the department has perpetual been facing and that is the problem of high staff turn over especially at senior management level. Honourable Deputy Speaker I think we need stability and we need to find ways to retain skills if government is to perform optimal. We therefore call on MEC to help this department in standing the floor of senior management.

The second issue that has been raised by the chairperson and Honourable Matladi relates to the R39 million under spending or roll over on capital infrastructure. We have many years now been talking about planning in government so that we don't under spend and don't have roll overs; we are therefore calling on the department to improve on their planning capacity so that we do not experience these roll overs again.

The third issue that has been troubling that I wish to raise which I think has been troubling the department a lot relates to the acute shortage of social workers and how this impacts

on the function of social work on the ground. In this regard, I wish to applaud the department both here and nationally for the recruitment rights that they have engaged in. I wish to point that whilst the state could be making progress on many service delivery areas, but social ills like horrific murders that we are experiencing, child and women abuse, problems of drug and alcohol abuse and the general decline of family responsibility are a problem that remains big for this country.

Therefore, the centrality of an effective and adequate resources social development function cannot be over emphasized. We therefore look forward to this project bearing fruit. With those few words, I recommend that the report of the committee be adopted. Thank you.

HON. DEP. SPEAKER:

Let me now invite the MEC for Social Development Honourable Mangqo to come and respond to the debate.

HON. MEC MANGQO:

Thank you very much Deputy Speaker. Let me take this opportunity to welcome the rec-

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

ommendations made by the committee and really emphasize as the department to cooperate, correct, be better in the next round. There are several issues that we need to emphasize as part of the support that we have been getting both on the executive council, the portfolio committee and the committee on FFC at national level in addressing the plight of the social cluster departments especially social development in particular.

One of the issues that impede the speedy implementation on our strategies is the absence of infrastructure that is needed to carry out those services that we are talking about. Part of the challenge is that we assume when we plan that if we say 200 crèches will be funded, norms and standards are in place, requirements are in place when we go to the ground all of that we find is against the norms and standard, it is against the requirements that we have set forward for our communities to meet. These are the issues that we are continuing to correct and sometimes these are issues that delay us in funding in time the institutions of care that needs to take care of our people. We

have agreed as the department that we will have flag some of the requirement for us to be able to create access first and then we will improve in terms of the infrastructure and all other needs that are there to ensure that our people gets a better and quality service that is needed.

We have developed a returning strategy social development at a national level but we have not implemented such a strategy because I think our department is still costing the issues and all other factors that are contained in the returning strategy especially on the social workers and uniformity across provinces because what we see as the department is that we will advertise particular posts at a particular level Gauteng, KZN, Western Cape will advertise similar posts at a much higher level and all of our people will go to where a better salary is. So, uniformity in the centre is something that we are dealing with which Honourable members bring us to the OSD the occupation dispensation courses that is currently going on.

I'm sure we are all aware of the

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

deadlock that we have arrived at together with the negotiators on behalf of our social workers but at a national level we are continuing to do anything in our power to ensure that we do arrive at an amicable solution to these issues. We are however warning and indicating to the members that social workers across the country have taken a decision that they will embark on a national strike in the next two weeks which we are saying we still have to pursue and continue to discuss with them. Matters that the portfolio committee has picked up on SMSs leaving the institution, it is the result of them joining the agency of government which is the SASSA but also going to greener pastures as members/employees have the right to want to go to greener pastures.

That brings us to a challenge because we do have young graduates sometimes who are not experienced in terms of exposure of government and how government functions. It will take longer for us and I will plead with all of us that we must be patient with our own graduates in South Africa and we must utilize the opportunity

given to train them, accept them and to intergrades them into the government culture that is expected. And in the years to come, we some of us will probably not be there, there will be very clear out puts and acceleration of services that our people are given to this important government of today.

We must indicate to all the members that in the R120 million that we surrendered to treasury, all of that money was money earmarked for purposes of employment of new social workers which across the sector we could not find. We have said that we will employ 300, we couldn't get the 300 we could only get less than 100 and we had to take the money so that the provincial government in its totality can ensure that that money is used wisely in augmenting some of the present matters that were realized in other departments and we did so we never compromise service delivery. All of our poverty eradication strategy programmes the money was spend it is only money that was related to personnel I'm not justifying the money that we could have shifted to other areas but I'm

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

indicating that we need to be aware of the other pessimists that are around in our own provincial government for that matter.

We are taking note that it is not something that we can brag about, we should have done better especially in relation to infrastructure development. We still have a challenge in infrastructure, none of use have got blue prints across the country, blue prints on all institutions of care that social development needs to have. If you talk of an abuse centre, we don't have a blue print where we say this is how a blue print this is how an abuse centre must look like because standards are been improved and social development nationally is finalizing those matters. KPMG is probably going to finalize within the current year so that all provinces in the next year they utilize the same blue print and we don't get to get into problems of specifications when institutions are to be established.

We did explain to the portfolio committee the inconsistency on how the auditor general sug-

gests to pick up on certain issues. Part of our strategic planning was saying we will have to stand in partnership with communities. The auditor general indicates which we not argued at this point that we did not do so, but on the other hand the auditor general says we have established faith-based organization forum, we have held a summit with faith-based organizations which in our view is part of strengthening that partnership that we spoke out, but there is no linkage in the eyes of the auditor general on the output of the establishment these organizations with the strategy that we have said that will strengthen our partnership with communities. We have recognized and we have indicated to the committee that those are the issues that will remain in record but where we sit we think that we were responding to some of the strategic plans that we have set for ourselves.

We have a SAPS directorate, and we've got clause drive that is called the social relief of distress. Social relief of distress is money that is utilized to intervene in circumstances of our poor, vulnerable and people who

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

are living in abject poverty. School uniform is part of that programme; it was costed from that funding that we team as social relief of distress. I find it very difficult when we stand here and say that school uniforms were costed and money was taken somewhere where it did not exist. That money is under that, this Legislature House passed a budget with R5 million that was under that budget but that money could not carry all of our programmes that we intended but could intervene because our target was early childhood development, school children, vulnerable young people and those children living on and of the seed as we have indicated.

We will still deliver the report that we promised to the portfolio committee and we still improve on all the matters that the auditor general has raised. We applaud and thank the Department of Finance and Public Works who are continuing to deal with the matters that the auditor general has raised. In relation to the assets that we were sharing, we know that the Department of Social Department was split and in the

last three years we've realized that we could not get audited reports that are accurate especially because of our assets. At first we needed to share our assets with sports, arts and culture, secondly then we were in a split process together with SASSA as an agency and as a stand alone.

All of those matters we have put systems in place we are working hard to say that in the next financial year we will have to get a clean audit in relation to those things. Finance have indicated to us in writing that the outstanding decision that they need to make in relation to the accumulated amount of 200 and plus millions that were incurred as a result of our own decision as government to ensure that all people who need to have access to grants do so at a particular time, that's why you will have the accumulated amount which stays back from 2001 it is as a result of the work that we have done collective as government and we are proud that our people who are expected to have their grants are now receive grants.

But the other aspects that we

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

are talking about of unauthorized expenditure to the tune that dates back to 2001 will be addressed in that fashion. We take the report of the committee and we commit to this House that we really improve on all of the aspects that both the committee and the auditor general has raised so that the better future and the better life for all of our people is realized. We thank you very much.

HON. DEP. SPEAKER:

Honourable Members, this concludes the debates on the report; does the House adopt the report? Let us now proceed to invite Honourable Moiloa to lead the debates on the scrutiny of annual report of transport, roads and community safety.

HON. MOILOA:

Thank you Deputy Speaker, let me now state that as we will be debating this particular report it is also inclusive of the NTI because it is the parastatal of the same department.

The Department of Transport, Roads & Community Safety's annual report was tabled in the North West Provincial Legislature and referred to the

portfolio committee on transport, roads & community safety for scrutiny. The purpose of the meeting was to scrutinize the departmental overall service delivery in relation to priorities and planned outputs for 2007/08. The department was allocated a budget of R1.5 billion, the actual expenditure for the period was R1.5 billion approximately 100% of the amount was utilized. With regard to how it was done, some of the achievements were registered including the department their target in that they managed to process all their payments on a monthly basis within 30 days.

The departments empower the taxi industry by signing 20 corporation agreements with fuel outlets. During the current year under review, the department set the target to collect an amount of R286 million as at the end of the financial period under review, it had collected R331 million an excess of R45 million. With regard to committee deliberations and findings, it must be noted that the committee noted that the department received a qualified audit opinion on the basis of matters that are repeti-

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

tive and recurring for the second financial year in succession.

The department was silent regarding the performance agreements that of the senior managers and the assessment of the staff. While the department raises the issue of budget shortfalls, the committee's view on this matter is that the actual problem is not the resources but the poor allocation of resources. For instance, these issues is compiled the department's agreement with KG Masia who caters for scholar transport to transport scholars mainly on the tarred roads. In other words a child is expected to walk 20km from the farm up to a pick up point by the bus. It leaves that child from there to the school which is approximately, it differs it may be 3km or 5km.

This on its own creates a problem because it is this resource redirected so that they pick up these kids right from the farms to their destination points. In addition, there are in some instances scholars that are transported from the township to farms schools. This is an attempt by the principal to inflate their total numbers of scholars

with a view that the schools be priced at higher grades which benefits the principal's salaries at the expense of the rural and farm child and further puts financial pressure on departmental budgets.

With regard to NTI as compared to the previous financial year, the profit margin has decrease from R40 million to R22 million. The NIT expenditure is been to be unnecessarily high taking into consideration their legal expenses, judicial management fees of R24 million, legal expenses R2 million. These are the issues that we are saying should be looked into. With regard to NTI our recommendations therefore is that there has to be a clear terms of reference that will state what is their current intention because with regard to the initial mandate, they have turned that particular entity around. They should now have a clearer mandate what is currently is their expected objectives because if they were to privities they have done a greater bulk of it.

The committee calls for the immediate reconsideration of this particular control so that you

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

have a board in place there, the argument is that you've got not to loose the member of the department, that can be done on consultancy basis when a need arise. At the moment there is no clarity as to whether why we have to keep them there. We have kept them in the past year to resolve the same issue; the same issue could not be resolved. With regard to the department, there is a need to reorganize the entire scholar transport. There is a need to redirect those buses, let the children from the township study where they reside so that we have these resources allocated for those farms children and the rural children.

There has to be a full investigation with this practice of principals inflating their own figures for the purposes of getting more posts for HoDs as the result of upgrading schools. With those few words, the committee comments the Department of Transport, Roads & Community Safety on its annual report and the quality of service that they have provided.

HON. DEP. SPEAKER:

Our next speaker is Honourable Moalusi.

HON. MOALUSI:

Ke a leboga le go go dumedisa motlotlegi mmusakgotla le go dumedisa badira ka nna mo leineng la Modimo o o tshelang.

The Department of Transport, Roads & Community Safety should be congratulated for pursuing under sever pressure of limited funds to deliver on its core competencies which for the completion of certain roads works that improves the economy's competitiveness of the province. It also consolidated the function of the provision of the scholar transport taken from the Department of Education. The department has also increased the community policing and visibility on our roads and that resulted in the significant decrease in road accidents over the Easter periods. Saying this, we need to emphasize areas where some weakness are still revealed by the annual report that is the violence in the communities, increasing petrol prices, increasing carnage on our road networks, limited funding, no additional funding for major projects and initiatives.

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

An adjusted budget of R1564 million was allocated, this was reduced by 4.3% over the same period of 2006/07 as for the expenditure for the period under review was R1563 million that was plus 100% amount of allocated. During the period under review, the department was targeted to collect R286 million but eventually collected R331 million and access of 15%.

Coming to routine road and maintenance, this entails buildings, path holes edge breaking repairs, grass cuttings, bush cleanings, road markings, fencing and drainage structures cleaning and repair on the total road network of R21 436. In our stated activities, you failed to achieve the target reason being consistent breakdown, understaffing, lack of equipment and one marking machine in the province.

Delaying delivering in fencing material, lack of transport to carry worker to sites, poor contraction of plants poor high rate of deterioration of our roads surface Honourable MEC could you please tell this House as to what plans are you going to initiate in order to cure the prevailing circumstances. Coming to

Arrive Alive Campaign, an increase by 3.6% what steps are you going to take during the coming festive season to avoid reoccurrences. Coming to staffing, you had high labour turn over, can you explain why?

Tell us about the 18 people who were suspended for more than 30 days when this report was compiled. Are they still suspended, or if so, how long are they going to serve their suspension. In your department you demoted two people, when are you going to reinstate them or have you already reinstated them and can you advance reasons for their demotion? Is your selection process of placement in order? Coming to the MTCl, we strongly support the findings and recommendations of the portfolio committee. With these remarks and comments may I move for the acceptance of the vote. Thank you.

HON. DEP. SPEAKER:

I have resisted temptation of getting defocused. Other matters are so referral that they do not warrant attention. Instead of Honourable Moalusi saying we adopt the report we are not at a time on pass budget but I take it

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

is not a major thing, it is not a train smash.

HON. MOALUSI:

Thank you Deputy Speaker that was the slip of the tongue, thank you.

HON. DEP. SPEAKER:

I understood that, I'm now inviting Honourable Groenewald to take part in the debate.

HON. GROENEWALD:

Thank you Honourable Deputy Speaker, Honourable Members of the Legislature, officials of the department. A serious problem the Legislature has in mostly all the departments are under staffing. In the Department of Transport, Roads & Community Safety the same problem is raised and continuing. It is not possible for any department to function optimally with a vacancy rate of 35% as it is in the department. Scarce skills such as engineers and technicians and the lack of equipments limits its maintenance work.

If you look into the annual report, there is an increase in vacancies from the previous budget year. In some of the programmes separately public

transport has a vacancy rate of 50% and traffic management has a vacancy rate of 45%. The department must do something to get more people in the department by offering better salary scales, more advertisements to get better skilled people, to keep people in department and have a more sustainable work force the master way of making the employees proud to be proud of the team.

The working relationship between the employer and employee must always be healthy and must be a challenge for everyone to succeed in. Several public hearings were held in the province during the budget year, one of the biggest challenges in the public hearings is to give the relevant stakeholders at the hearings. Thousands of rands are spend on catering and transport most of the people attending the hearing haven't got any interest in the discussions and just attend the meetings to have something to eat. The budget is not big enough and under funding for road, infrastructure development and maintenance exist the whole time.

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

The department must work on a very strictly prioritized programme and handled the budget the biggest problems first.

Weigh bridges in the province still remains a concern, the time spend on upgrading of weigh bridges to get it into a working condition, take too long. There are shortages of manpower to operate most of the weigh bridges because of shifts. The DA believes that the moment all weigh bridges are in operation, there will be enough revenue collected to appoint more traffic officers to man the bridges in the province. The service provider appoint to collect fines on behalf of department is more in the right direction although the service providers get 50% of the commission, it is still better to do it in such a way to get nothing out of it on the fines.

There is not enough man power to collect all these fines from the public. The concern the DA has in this regard, is that we want to see that all fines being collected plus the commissions stated in the financial report of the department. We also want to see that the contracts between the department as well as the service provider the 50% com-

mission should only be for the collected fines. Scholar transport is the main headache for the department.

The moment transport is available in certain areas, there is a big increase in scholars, who want to make use of the transport, that creates new problems because there are only budget amounts for a certain number of scholars to be transported in that area. With an increase in scholars, more transport is needed and that is not affordable because of the budget. There must be a plan provided by the Department of Education and Transport, Roads & Safety and also the investigation to better the whole scholar issue. It will be wise to check if all the buses being used for transport have contracts with the department and are being used cost effectively.

It seems some of the buses operate just on tarred roads and children must still walk a very long distance on gravel roads to reach the tarred roads. Fencing along the roads is of utmost importance. It will cost the department a lot of money to educate people and get disci-

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

pline from them not to remove fencing along the roads. With all the animals along roads it is extremely dangerous for any one who travels on the roads especially in the more rural areas.

The airport is nice to have and it cost the department good planning to make it profitable. For the money spent on the airport during the last few years, it is time that the airport started get busy and look like a national airport in the North West Province. With the successful air shows every year, the airport and the department must show the Legislature that was fruitful to spend the money on the airport. The functionality of the airport must also to be the advantage of all the people in the province. It will cost the department a lot of wisdom and good management to resolve all the problems in the province with the different taxi associations.

The time is running out, we must see more new taxis on the road and less old taxis. The DA wants to know what is the situation regarding the scrapping and recapitalization progress of the old taxis. Many of the old taxis

are not in the condition to be on the roads any more because it puts people's lives in danger everyday. The implementation of new taxis is very positive and challenge to the advantage of the taxi industry. The new so called Jaws Unit in the North West Province for roads may bring some discipline on the roads and make people drive more carefully and obey the rules of the roads.

However, if they want the road users to obey the law, they must set an example for the road users. It is a pity to read in the newspaper that the Jaws exceed the speed limit for no reason. The highest speed recorded in the North West Province is 246km/h in 120km zone R1000 000.00 fines was issued for this high speed and the DA wants to know who is going to pay this amount. The DA wants the department to take action on this regard with the serious investigation. We can't allow that people of the law misuse the law. The DA support the progress with the development of the Road Traffic Safety Management plan (RTSNC) starting in 2009/2015 it was approved in 1999 by the

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

Parliament with the aim of establishing the cooperation to pull power and resources and to eliminate the fragmentation of responsibilities for all aspects of road traffic management across government.

A year ago an investigation was busy taking place in railway transport in the province and since then no report was given to the committee of any progress the only item the committee handled on railway was a national railway safety regulator and maintenance bill. The railway infrastructure is a need, areas in place is just for better planning some upgrading to get this important way of transport on the move again. The moment railway transport is working effectively there will be a decrease on the roads regarding the many heavy trucks which damage the roads of the province. Let's work together to get more safety transport and roads in the province. I thank you.

HON. DEP. SPEAKER:

We now invite Honourable Madoda.

HON. MADODA:

Deputy Speaker the situation of crime in the country and in this province is still unacceptably high. In fact, for the year under review there has been a slight increase in this province on certain crimes such as robbery, burglary, drugs related crimes, murder and so forth. However, we have seen in the year under review in this province relentless effort by our police men and women through visible working very hard to tame crime and to make communities safer.

I wish to raise just a few points in relation to this annual report, firstly to the quest that the department continues to energize efforts in making society responsible for fighting crime so that communities and individuals and families take part in the fight against crime not only the police. In this regard, the work of the community policing forums their effectiveness we need to continually evaluate whether these CPFs are working. We need to see the impact of this coordination of work of different stakeholders like social workers, sports organizations, churches, youth bodies and so forth the impact of these organizations at a very local level in

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

diverting young people from crime and drugs to a more productive and healthy way of living.

We are not able to see how the spending of the SAPS in the North West is helping the overall objective of Broad Economic Empowerment. We therefore request the MEC to look into this matter and advise whether they are making progress or not. The other thing that we would have liked to know with regard to SAPS is in relation to cases of litigation, we were only aware that civil cases against SAPS in this province amounted to over R500 million if I'm not wrong and the amount that was paid in the year under review has not been confirmed. We have also requested the management of the SAPS in the meeting the we held yesterday to decrease from taking sides in political tensions that are existing whether in between parties or within parties. We want them to explain what we meant by this and we hope that the police will remain just what they are police service.

We also wish to support the committee in honouring 10

SAPS members that died as a result of work in the year under review. With regard to NTI, this entity has seen a very good turn around from just when it was about to be liquidated to the point where it is liquid and performing well. We want to commend the department on judicial managers for work well done. However, in support of what the chairperson was saying, over 5 years of judicial management of this entity is too long. It is long because the purpose for which judicial managers we are there was to save the organization from liquidation to turn it around and to make it set on the path to be self sustaining.

To keep judicial managers is extremely expensive as the chair has said, in the year under review they had to be paid R24 million for their services that is excluding many other benefits that they got. What makes this issues even more problematic for us as a committee is that in addition to the R24 million that went to judicial managers, we still have a full management serving there senior management for example in the year under review was paid around R2.4 million that includes bonus

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

of just over R1.2 million. It becomes difficult for us to understand how a management that is under judicial management should itself receive bonus or higher salaries.

We have also noted with curiosity the sharp increase in the landing fees and fuel payments for the airplane that is owned by this entity. We want to know exactly what this airplane is being used for, for what purpose the NTI is keeping it, on a day to day basis what do we do with this plane. I support the call of the committee to accept the report of the department. Thank you.

HON. DEP.SPEAKER:

I now invite Honourable MEC Vilakazi to respond to the debate.

HON. MEC VILAKAZI:

Honourable Deputy Speaker I need about 3 hours to respond. I have prepared myself and I will go straight to the questions posed. In response to the 2006/07 audit queries the department undertook a comprehensive process to have an asset register for all five classes of assets mainly; we now have

an asset register for roads, for buildings and airports, motor vehicles our white fleet, for yellow fleet which is the heavy vehicle that is normally called the plant, for furniture and equipment. All these are now in place and will be updated and presented in the 2008/09 annual report.

The department is already prepared and signed for transfers of this those assets that must be disclosed by the Department of Public Works that buildings including airports and waiting for the signature from the Department of Public Works. These assets are owned by the department by in terms of the national treasury directives and must be recognized with the office of the auditor general and concluded that the transfer shall be effected in 2008/08 financial year in that discussion. On the contracts of collecting the outstanding fines, these payments are made in terms of the signed contracts and every effort is being made to rectify this situation. Remember that this contract was concluded during the existence of the provincial tender board, and therefore this contract is binding on both par-

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

ties and to review this contract you actual need a mutual understanding between the two parties otherwise the contract will be bridged and the state will be liable for litigation.

We of the form opinion and we've secured legal opinion on this matter but we can't holus bolas cancel the contract; we will be opening the state through a huge litigation account. We are negotiating with the service provider to find an amicable solution around this contract. Internal controls, the department disputes the conclusion by the office of the auditor general in its presentation to the provincial audit committee on the 22nd August 2008. There are certain challenges experienced on a daily basis, signing of leave forms after office of taking leave, occasion of movable assets due to the relocation of the office, but the department has an effective control environment to avoid any material losses to the state.

In addition, the department completed its risk assessment and since developed 32 policies to guide the operations of the department. The department has responded proactively to the

development and maintenance of the asset register which has very much appreciated by the office of the auditor general but was not 10% completely during the time of the audit. The department continues to take learners in terms of the learner issue on many issues and how many learners have been absorbed from the past intake? 20 traffic learners have been permanently absorbed as wardens, 14 interns and learners have been absorbed on contract and 2 permanently within the department, 10 have been absorbed by the department and institutions such as municipalities.

The department is very quiet in terms of the performance agreement of senior managers and their staff our response is that the only people that signed performance agreements are senior managers of the departments. Subsequently, the senior managers sign operational plans with the middle managers and they in turn sign operational plan with their supervisors. For the record, the department has realized a 100% submission of performance agreements to the public service commission of its

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

senior managers for the financial year under review.

On transportation, how is the commuter subsidies calculated and why there difference between various operators. There is quite a huge background than this specific matter and I want to say that previously the subsidy was state according to the number of passengers transported and this system made it very difficult for the department to monitor this contract.

During 1997, the national department of transport came up with policy to face out the interim contracts which was paid according to the number of passengers transported and replaced by a tendered and negotiated contract. In the tendered and negotiated contract, subsidies paid per kilometer traveled supervision and monitoring firms were appointed to monitor the services of the operators. I wouldn't want to bore the Legislature with the technical background of this but, let me come to deal with the issue responding to the questions why is there a difference between various operators?

There will be difference between various operators due to the fact that operators are not operating the same kilometers, so they differ from one contract to the other. Why do we transport learners on the Wolmarans route, the chair has also raised that. During the year 2003 the department undertook and identified learners who were walking long distance from their residing areas along the N12 Road to their respective schools and in terms of the government policy learners are not supposed to walk for more 3km to and from school. The department appointed Wella VKE to design the learner transport routes, tender documents were developed and advertised.

In 2003 KGC Masia Business Enterprises was then awarded the five year contract of transporting learners on route to Wolmarans and Potchefstroom. At the inception of this contract, KG Masia on route 2 which started from Potchefstroom to Klerksdorp had an average of 70 learners conveyed to Kelesedi Secondary and Bert Bricks Primary School at the Mooi Bank farm. In 2005, after numerous inspections done by

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

the departmental officials in conjunction with the supervision and monitoring firms, a conclusion was reached by both parties that the bus from Potchefstroom to Klerksdorp did not have learners and this should be rerouted to operate the Potchefstroom internal and other bus operating in Potchefstroom and Klerksdorp, and this was agreed by the department.

The Klerksdorp/Wolmarans route in terms of the contract, the bus to Wolmarans conveyed an average of 160 learners. Since the introduction of this service and Honourable Groenewald had attested to this matter, the number of scholars transported by this particular facility rose to 4 108. Therefore, that bus can't really cater for those students and we don't have money to introduce additional buses on that road. There is serious overloading on that route and we have to find money.

All of you are aware colleagues that the department is allocated very little but its because the department has to share with other 10 departments. There is

a small cake that all of us has to share colleague Maureen and the rest of the Executive Committee members have to give each of us a little piece to take the services forward, but we don't have an abundance of the budget where if the demand increase after budgets have been allocated we can increase that sort of a service we are not able to do that very easily. On the EPWP training of contracts, although training of contracts was not done 238 contracts were awarded to contractors and are busy on the road and we are going through.

I just want to rush through the issues raised in respect of traffic and other matters. Firstly, the chair says we must have a clear mandate of the judicial managers. When you appoint judicial managers many years back, the reasons were that and assets that we held and the commuters we were transporting were at high risk that parastatal was technically in trouble. Therefore, we would have had to secure that parastatal by way of introducing judicial management. The purpose for judicial management was to turn it around and make it profitable

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

and ensure that the service is continued.

Part of that was to alienate that company from the state, place it in private hands so that the state cannot be referee and player at the same time. That mandate has not been concluded because the last portion of that institution we are still to put on private hands and that is why we are keeping judicial managers there. The committee recommends that we appoint the board and I can assure you that once a conclusive discussion is held with Hauting, it will take us six months to conclude the exercise of alienating that property. We can't therefore appoint a board for six months. When we evaluated the cost benefit of appointing a board and keep in the judicial managers for not more than a year or six months, we realized that the cost benefit was higher if we kept judicial management there because of the historical memory in them but also because the judicial managements serves two responsibilities they serve as a board but they are also practically in the company running it on a day to day basis to realize that the achievements

we've made are protected.

Honourable Moalusi have asked numerous questions I suppose some of the questions are best answered in a budget speech than in an annual speech because he wants to know what we are going to do and it think that will come in the budget speech what is going to happen. As for now I think we should respond to the questions relating to the suspensions. Firstly let me say that yes we have down graded Mr du Toit's post because he used derogatory statements against his own staff and therefore we had to teach him a lesson to say that you can't continue to teach as though they are not in the work place you refer to them in names that even our constitution does not recognize. He accepted the punishment and then he took a lower, and that is correcting measures we are correcting him I'm sure after some years he will be promoted again and become a supervisor. We have demoted him and it's a good reason to demote somebody who misbehaves in that manner in a supervisory position.

The second one, we have dis-

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

missed one traffic officer for calling his staff kaffirs, that word does not exist in the country, anybody in the managerial position calling staff that word will be fired, and this one we have fired and I'm happy about that. If that is your problem Mr Moalusi I'm sure you would agree with me having heard you talking some of the socialist tendencies earlier on. In respect of 13 officers suspended, you say 18 they are 13, they are still suspended investigations are going on we have enlisted the services of the misconduct unit in the Premier's office.

Let me tell you what these officers were doing which we are charging them for; they were producing fraudulent operating licenses and issuing them to taxi operators who were not following the normal procedures. Therefore their suspension is legitimate as far as I'm concerned but otherwise the department currently is evaluating whether we would not bring them back whilst we are investigating the cases but we will not place them in areas where they will continue to do these crimes they have done. We think that amongst the 13, there might be

those that have committed this error in a lesser manner than the ones that were part of the masterminds that we are still concluding our investigations against.

Let me come to the issue of crime, I agree with Honourable Madoda about crime but I also want to say that not only in the North West Province, nationally we have taken a position as MINMEC that the police can't be used to intervene in political matters, it is not the duty of the police to intervene. The police must intervene when there is a crime committed but when there are political parties debating the police can't come there and sit in the middle and try and manage the debate. They must allow this political parties to do what they have to do, if there are internal problems within a specific political party the police are not required to go there and mediate between in that party. The party principles must go and mediate, so the police must act, very unbiased in order to be fair, honest and true to the constitution. That is the national position we have taken on the police I agree with the portfolio committee in respect of that

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

specific issue.

The issue of the judicial management salaries and so on, the salary of the judicial management is determined by the court of law because they are appointed by the court, they are not appointed by the government. They are appointed by the court in consultation with government, their bonuses and all those things are decided by the Master of the High Court and that is how these things has been worked out. The aircraft is part of the assets of the NTI and at the moment we have not decided to dispose that asset its still being used to conduct business of the NTI and from time to time when there is need for government officials to travel, we hire that aircraft out for the travel of government officials during the times when they require this.

Let me come to Jaws, I have responded to the question asked in the House about law enforcement officers speeding. The reason you provide law enforcement officers with blue lights and emergency equipments is for them to navigate themselves when they have to use high speed in the execution

of their duties and the law provides for that. Now I don't know why Honourable Members come to this House and say what are you doing about the high speeding of Jaws. If they are chasing a suspect and you have not seen that suspect, I'm talking about the hypothetical situation it is not the first time you are raising the issue of high speeding, at some point you also took pictures of the Premier's transit unit. You know during your time when you were in government running it, you couldn't take Piet Koornhof a photo of his transit vehicles, you couldn't follow it with a chopper photographing as it moves, but you find it easy to do it to a black government and want to depict it.

It is good that I must be like that because you did not do it at the time when these people were running over black children in townships but you find it easy now to do it because it is a black person sitting at the back seat of that car. When these officers are appointed, they are given training in terms of how they must drive; they are also given standing orders in terms of when they must drive above limits. Of course, if there is a

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

case where they abuse this authority, bring it to us through proper channels we have investigated some of these things. Those that we have found to be breaking the law we have dealt with them but holus bolas you can't say that because Jaws has been moving through a particular township or town therefore they are breaking the law as they were driving fast. They have the right to drive fast when their duty calls on them to do so.

I was looking at a case on the N4 involving a Botswana national who was travelling at 240km/h and we had to do what is called keer voor. That means officers had to leave wherever they were to go and mend a road and close this person who was at this high speed. Now ask me, what speeds were they suppose to travel to go and close that road? 80km/h, they would have found that person across the border. So, don't come here and depict as not knowing what we are doing. You yourself were also in the defence you used to travel at high when you beaten at Cuito Cuanavale you came back running at high speed with you pool

eyes blurring, with your tail between your legs. The point I want to make is that traffic officers, police officers wear uniform, carry firearms have got blue lights and therefore have got responsibility when duty calls upon them to conduct themselves in that matter and it should not be obscene for members to think that they are behaving in a bad manner, if they think that they must tell us and we will call them we have a record we know at what stage they are doing this thing and we can be able to deal with that kind of behaviour.

HON. HATTINGH:

Honourable Chair will a Member take a question?

HON. MEC VILAKAZI:

No, I will take a question.

HON. HATTINGH:

I don't ask you, Honourable Chair will a Member take a question?

HON. CHAIR OF CHAIRS:

Thank you Honourable Hattingh, Honourable Vilakazi will you take a question?

HON. MEC VILAKAZI:

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

I will not take a question from the Democratic Alliance.

HON. HATTINGH:

He is too scared to answer.

HON. MEC VILAKAZI:

I'm not too scared you can't ask me why police vehicles have got blue lights. They are put there blue to do the work they have to do. That is the big problem you are having you are still a racist, you think Zuma can run away from Zille, Zille is no match to Zuma you can ask many people that is why we beat you up at Cuito Cuanavale you ran back Zille running in the front of you.

In terms of the taxi recapitalization, we have scrapped 3 312 taxis we've also paid about 3 332 taxi operators the amount paid R166 600 million and the provincial target is that annually we should scrap about a thousand taxis of the eight thousand taxis we have. We do have a target. I have one response that I have to deal with from SAPS which relates to SAPS involvement in doing companies. The value of orders placed to procure for being suppliers is 5.5 million for 2007/08; the number of BBE companies whom orders

were placed is 788 for that financial year.

In terms of the litigation, the number of litigations we have received the ones that we say 2007/08 civil claims we have received is 204 and cost of action it means cost by police is 128 and collusion is 76. The number of claims that we have received amount claimed is 23 918 amount paid is R23 918. And when we come to the other ones, the number of matters brought forward from previous financial year we have 445 cases of litigation brought forward, 300 of them out of police action and 145 of them out of collusions and we also have the amounts thereto which I will share with you.

I think that will conclude my response, we want to thank the committee for their interaction with us and we want to also thank them for moving that our annual report be accepted. We always enjoy the working relationship with the committee and we know that they treat us quiet very fairly even when we have to agree we agree, when we have to disagree we disagree and we solve the problem.

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

Thank you.

HON. CHAIR OF CHAIRS:

Thank you very much Honourable Vilakazi for having responded so well especially to the question of the blue lamps. Does the House accept the report? I now call upon Honourable Mampane to lead the debate of Health.

HON. MAMPANE:

Madam Chair of Chairs, Honourable Members of EXCO, Honourable Members of this august House, departmental officials, our guest present here today I greet you.

This report was tabled in the Legislature and referred to the committee for scrutiny. Supporting documents such as departmental policies, strategic plans, pieces of legislation were collected and used together with the Legislature budget speech to evaluate the annual report. The department presented its annual report in order to verify and clarify issues of concern to the committee on the 22nd October 2008. Achievements by the department; 21 districts have find service delivery improvement agreement with

governance structures. All hospitals and sub-districts are implementing the maternal and per lateral mortality and mobility meetings. There are 716 voluntary counseling and testing operational sites in the province.

Public and non public sites; there are 314 prevention of mother to child transmission sites and 96% of HIV positive mothers enrolled on the programme. Existing tertiary services are being well sustained reduced a number of patients being transferred to Gauteng Hospital for tertiary treatment. Nevertheless, the department is faced by a number of challenges,

- there are challenges related to the rendering of services in farming areas for example mobile clinics they visit our farming communities once in a while sometimes once a month.
- There is still shortage of ambulance pool and patient transport vehicles on these results in poor response time in some instances.
- Inadequate finances for the maintenance of facilities;
- Inadequate funding for the employment of additional health professionals.

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

- Lack of intergraded interventions for the retention of health professionals, that is lack of schooling facilities for the children of health professionals in isolated areas,
- lack of access roads.

E ga e ame fela lefapha la pholo, e ama le mafapha a mangwe jaaka lefapha la thuto, ditsela mme e kare le ka kopanelwa ke mafapha a amegang ka gone lefapha la pholo le le losi le kase dire sepe.

Increase demand for anti-retroviral treatment for HIV as opposed to available financial resources. Attitude of health professionals, we acknowledge the fact that they are over working but this doesn't justify their behaviour towards our communities.

- Lack of understanding of the essential drug list by members of the communities. -
- Complaints about long queues at clinics and hospitals.
- Inadequate financial allocation for the health in the province.
- Long distances that are travelled to access tertiary services at Gauteng province and other provinces.

The committee raised the following concerns:

Objectives which were reported in the annual report of the Department of Health were not included as predetermined objective in the annual performance plan. For an example to implement the mental care Act 2002, to increase awareness of mental health and substance abuse and ensure improvement of service standards. The allocations of tangible capital assets of R610 million due to non submission of an adequate asset register. Allocation of commitment of R964 million included in the financial statement due to none submission of an adequate commitment register on project files. Most of our ambulances are being used as patient transport, as a result they cannot respond on time in cases of emergency. Foreign doctors are leaving the province especial in rural areas due to unsuitable accommodation, religion, language and transport.

There is an increase in the HIV prevalence in the province e.g. in Bojanala and Southern districts due to mining areas. Some works still has to be done

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

to get government departments working in a well coordinated manner with the Provincial Council on Aids. There are continuous litigation cases being instituted against the department.

The committee made the following recommendations:-

- The department should increase a number of patient transports so that ambulances can be used in terms of emergency cases.
- Suitable accommodation with notable security measures have to be prioritized for medical personnel especially in rural areas.
- The department has to ensure that they adhere to the 2 hour waiting time in the health facilities and the 5 to 10 minutes in emergencies.
- The department has to intensify their HIV/AIDS prevention campaign and strengthen its partnership with other stakeholders dealing with HIV/AIDS as this disease needs much sectoral response. This has to be taken to high risk areas such as Bojanala and Dr Kenneth Kaunda districts.
- The department also has to continuously seek to build capacity within the CPA.

- The department has to effect their recruitment and retention strategy of scarce skills.
- There is a further need for the department to monitor the progress regarding the health post in all the districts.

As the committee we applaud the department on their partnership that they have with the union such as NEHAWU. In conclusion, the Department of Health is faced with many challenges which they are trying to address. We therefore, as a committee recommends that the House accepts and support the Department of Health annual report 2007/08. I thank you.

HON. CHAIR OF CHAIRS:

Thank you Honourable Mampane, our first speaker on the list is Honourable Matladi.

HON. MATLADI:

Honourable Chair of Chairs I've already done my greetings, it's a privilege to take part in the debate of health annual report. This department has recently appeared in the "Mail" newspaper regarding a tender fraud amounting to R40 million. The tender involved the leasing of an office park to the Provincial

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

Head Office of the Department of Health in Mafikeng on a 9 year contract. Complainants are against the procedure followed in allocation of this tender contract to Peolwane Properties which they term as "blatant corruption, fraud irregular and unfair practices".

It is very important for the House to be briefed on this case because it involves a huge sum of the departmental budget. Millions of rands have been lost in the Department of Health for payment of litigations against the department since 2002 to date. These cases include medical negligence cases, procurement cases, and motor vehicle cases as well as labour relations cases. The department has in many occasions lost cases in court due to its poor filing system where documents are always missing while needed for evidence. It appears the status quo will remain in health department until a proper solution and remedy could be sought.

Ke bolwetse bo aparetse lefapha bo batla molemo, Ntlo e ne e ka itse gore re dire eng go thusa ka kalafi.

During one of the portfolio committee's oversights in Bophirima region, it was reported that 3 Iranian doctors left the Taung hospital due to unsuitable accommodation. In one of the quarters housing the medical personnel, there have been constant break-ins that were also reported. The department has confirmed the break-ins and that indeed theft did occur. In addition to what the department has been doing to provide rural areas of the North West is medical personnel. We would like to know the new strategies that the department has put in place ever since it has been faced by these new challenges as presented in the Bophirima region.

The department received a qualified audit opinion due to no adequate asset register of capital assets amounting to R610 million. Furthermore, these capital assets as disclosed in the financial statements were overstated by R73 million. Projects were not properly supported by project files and movements in the assets balances could not be substantiated with supporting documents. I've already said the department has a history of losing its documents.

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

The main course of this was lack of control activities which include policies, procedures and practices that ensure management financial reporting objectives are achieved as well as lack of proper monitoring covering external oversight of internal controls over financial reporting by management or other parties outside the process. South African demographic health survey discovered that North West province has the highest infant mortality rate at 62 over 1000 compared to 58 over 1000 of national department. We believe negligence in the provincial health institutions could still be one of the major contributory factors.

The department has to share with us the measures it has put in place to reduce the high infant mortality rate as reported by the survey. Members of the portfolio committee have on several occasions reported the unproductiveness of Provincial Council on Aids (PCA) that the budget is used for meetings, traveling and catering. Programmes that are meant to coordinate HIV/AIDS activities do not receive any attention. During this financial year the

entity was amongst the last to table its annual report, it was only on Tuesday the 11th this entity tabled its annual report while annual reports had to be tabled by end of September 2008.

What is amazing is the fact that the department of Health refuses to implement resolutions that were adopted by the House on PCA it continues to transfer funds to this entity even if they are not used properly. PCA is failing while on the other hand North West Province is reported to have registered and increase on HIV prevalence in the year under review from 29% in 2006 to 30.6% in 2007. I conclude by stating a fact that is one of the good points that dig out from the Department of Health the one of the decisions that was once taken by the portfolio committee about the control of finances in this department.

Ever since that decision was taken we've seen a light in the Department of Health and the matters that the auditor general has always been raising in this department concerning mismanagement of finances has decreased and we hope they

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

would continue to decrease until the department receives an unqualified audit opinion as it should like other departments in the province. With these points that I've put on your table, we would like to say we support the annual report and we still say to the department implement the resolutions of the House and of SCOPA. I thank you.

HON. CHAIR OF CHAIRS:

Thank you Honourable Matladi, the second speaker was supposed to be Honourable Hattingh, now he has withdrawn. I will now call on the last speaker Honourable Baloyi.

HON. BALOYI:

Thanks Chair of Chairs, I've already greeted colleagues. Ke rata go gatelela thata dintlha tse di boletsweng ke Honourable Matladi, the functionality of PCA, is it functioning in terms of the expectations of the society or we are just giving this body money for nothing them attending meetings, eating lunch without complying with the PFMA? Why are we relegating from the resolutions as taken by the House.

Go reng re tshwanetse go nna

le PCA, ga ke e bone e nale mosola nna. Ga e na mosola mme batho ba ba leng mo go yona bare ke board members ga ba itse gore ba etsa eng. Why re tshwanetse re ba fe madi? Ke sebaka ntlha e e bolelwa ke pina ya tshwene mo page 2(a) mme modulasetilo ga wa tsenela thata mo ntlheng e, ke maketse gore why gonne ga gona selo se seileng sa bewa ke body e. Ke ko ga mmam-perekele o mongwe le o mongwe o dira ka mokgwa o a batlang, mme ga gona motho yo o bolelwang dikarabo e tla nna separation of powers in terms of the constitution.

Go a bonagala gore mafapha a mangwe ga a dire tiro ya ona ka tshwanelo, re a kopa tsweetswee. Litigation cases, maloba fa le patetse R360 million le latlhegetswe ke kgetse mang ke mang? Ga gona motho yo o buang ka dilo tse go didimetswe ke ditsalanyana le makgotlanyana fa re bua dilo tse. A di tsamaye di ye go lokiswa. I'm challenging members here ga ke se ke utlwe go buiwa dintlha tse di maleba tse eleng gore lo tshwanetse le di bolele mo. Tse ke di utlwang ke ditabanyana tse di sa reng sepe.

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

Kare department e tshwanetse go lebelela mathata a.

There is no progress to minimize HIV/AIDS within the province maikaelelo a lefapha ke eng moo, ke one a ntate a ne a bolela a tshega moo.

Tsamayang lo ye go lokisa mathata ao, ke nako ya gore Palamente e bolele nnete ka gonne re emetse batho mo ga re a emelela dibaki tsa rona mo. Metseselele ya mela ko dipetlele, fa o ya koo ke line e teleletelele wa ipotsa ke kgale re bua ka yona. Referrals, motho wa ko Odi fa a ya ko Jubilee le wa Jubilee a ya ko Odi gatwe tsamaya ga o nne ko Gauteng or ga onne ko North West, ke dilo mang tseo. Fa motho a lwala o a lwala, motho wa busiwa gatwe ga wa tshwara ditlankana tsa clinic, clinic efe because South Africa e nngwe fela all these boundaries were meant for political administration and nothing else.

Ditlhare ga dio mo ditlilining ke box e le nngwe fela matoditodi, ke dumalana le modulasetilo fa a re mobile clinics ga o lwala ga batle ba batla wena o lwale ka nako e bona ba batlang. Ke gore kajeno fa ke lwala, mobile

clinic e tla tla month end ke tla be ke sa lwale nako eo nakong enngwe le go swa ke sule.

What is the relevance there? When I look at this I'm asking myself as to why are we not decentralizing some of these?

Ga o kitla o nna le ntlo gotwe ke ntlokgolo mme fa o ya ko rural services ga di yo. Head office yes is good go bona batho ba le mole bare ke head office but what is happening on the ground needs much to be desired. A re iseng services ko di tlhokagalang teng batho ba rona ba fole malwetsi ba bone kalafi e e kaone.

Fa o le mo Victoria price tsa teng di ko godimo fa o ya mole go nale ntlha ya batho ba ba tlhokafetseng. Ke kopa gore ntlha e ya ditopo e lekodisesiwe ka gonne go nale officials ko dipetlele ba rekisa ditopo gore motho o tlhokafetse mme wena o tla tla ka funeral parlour ya gagwe go exchange rands and cents ko Bophelong. Batho ba mortuary ba a lwa ke semphete ke go fete ba lwela ditopo ba dira deal. Thanks Chair of Chairs.

HON. CHAIR OF CHAIRS:

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

Thank you Honourable Baloyi you were disturbed by Honourable Mahlakeng that is why you have decided to decent the podium. I now call upon Honourable MEC Rasmeni to come and respond.

HON. MEC RASMENI:

Let me take this opportunity to respond to the questions raised by Honourable Members and also in the leadership of Honourable Mampane and try to avoid going through each and every question raised by Members. We are experiencing problems with regard to long queues indeed Honourable Baloyi in hospital. However, I must indicate that long queues are caused by people who are bypassing primary health care from clinic and go straight to hospital. We are trying to educate our communities to utilize the clinics that we are having and community health centres in our areas.

On another level, the long queues in clinics issue is also attributed to shortage of nurses in some instances where you have one or two nurses that are running a busy clinic. I am doing my best to deal with this

particular challenge and show that we provide services to our communities as soon as they need them so that they don't have to wait when they are sick or have to get sick in a particular time. The perception is that there no drugs in clinics I have visited most of our clinics, about 90% of them they are having all the drugs or medication that they are supposed to be administering in that level. As way of intervention, the department has done this particular matter we have so far opened 16 health posts to minimize long queues in the clinics.

With regard to litigation cases, the department disciplines health worker who are found to be negligent however, that is not enough the department is working on mechanism to transfer risks to officials who are found to be negligent. There is a task team established to look at cases of litigation to try to find the way to reduce them.

Second intervention in this matter is the implementation of the patient safety policy that we have adopted as the department to reduce risks in our facilities and institutions that leads to negligent practices. The depart-

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

ment is busy strengthening the records management system to ensure that files are not stolen or they don't disappear as it has been reported through the committee.

The department continues to strengthen and improve its recruitment and retention strategy to sustain current health professionals and also resources that we are having in the department. With regard to HIV/AIDS only women come for testing and that males do not want to be tested for HIV/AIDS. The department conducts door to door campaigns to spread the HIV message and also strengthened partnership with mining sectors. We have problems regarding the functioning of the PCA. It is difficult to measure the effectiveness of the PCA as they are not submitting any reports or documentation to the departments. I also want to agree with Members of the committee that we are experiencing problems with that parastatal, but I would like to request this House to bear with me that on the day that we will be discussing that particular annual report we will dwell in detail and go deeper into the issues and

challenges that I'm experiencing with that parastatal.

Issues that are raised in the auditor general's report of the asset register, I want to report to this House that I had a fruitful meeting with the auditor general to seek their assistant in improving the areas where we are not performing well. One of them that is being raised sharply is the area of asset register management. The auditor general agreed to send some officials to work with the department on these matters and again the department continues to identify best mechanism to improve its asset management register. We are getting somewhere in trying to improving this area.

The mobile clinics and ambulances is that we are increasing on annual basis increasing the purchasing procurement of the mobile clinics and also ambulance. Also at the same time training our personnel to drive these vehicles because most of them in most cases they are involved in accidents that are unnecessary sometimes. Also our roads are also contributing to some of the problems in terms of those vehicles. Lastly I

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

would like to say that I'm humbled by the fact that the committee had reached sharply the inadequate funding of the health vote in the province. I hope that this call will be headed by this House. Thank you very much. I remember the R260 million by Honourable Baloyi of litigation, if I'm correct there is nothing like that it has never been reported to me.

If members will recall, the department of Health is not involved in those processes of tendering office park for the Department of Health. The Department of Health what it did is to request an office park and the Department of Public Works which is the custodian of dealing with such matters of infrastructure is the one that has embarked on the tendering processes. How have they started, I have no clue, how have they proceeded I have no clue, as a MEC for Health I'm not involved in any proceedings or processes of tendering of this office. The relevant person who can respond to this is my colleague from the Department of Public Works who might know how the processes went through on this allegation of fraud of R40

million. On that note I would like to thank you very much.

HON. CHAIR OF CHAIRS:

Thank you very much Honourable MEC, you did so well. Honourable Members of this House, I'm not going to be defocused. The Honourable Members of the Working Committee was supposed to meet after this sitting now Members are requested to meet at Committee Room 1 after lunch at 14h00. I also want to remind the Members to attend sectoral parliament tomorrow of the disabled people.

HON. MALOYI:

Chair of Chairs I don't know who decided to mislead the chair, the Working Committee is still going to meet immediately after this sitting not at 14h00 and I'm saying this as the chairperson of that committee.

HON. CHAIR OF CHAIRS:

Thank you very much Chief Whip, I got a note and I don't know who wrote it but nevertheless members of the Working Committee you are to meet at committee room 1 now. This brings us to the end Have you something to say

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21

Honourable Modiselle?

HON. MEC MODISELLE:

Yes, have we adopted the annual report of the department of Health?

HON. CHAIR OF CHAIRS:

Thank you very much Honourable Modiselle, does the

House adopt the report? I did that deliberately because you don't respond like now you are talking. This brings us to the end of today's business. This House is adjourned up until next week Tuesday. Thank you.

THE HOUSE ADJOURNED.

THURSDAY: 13 NOVEMBER 2008

Sitting No. 21