

**TUESDAY: 06 MAY 2008**

Sitting No. 7

[No. 07 - 2008] Fourth Session, Third Legislature

**REPUBLIC OF SOUTH AFRICA****LEGISLATURE OF THE  
NORTH WEST PROVINCE****TUESDAY: 06 MAY 2008****9H00****HON. DEP SPEAKER:**

Honourable Members we may now observe a moment of silent/prayer and meditation. Thank you. You may get seated. Members I want to upfront apologize to Honourable Members (I don't know what to call this smell) inside the House, but I'm told technicians and engineers are attending to the air conditioners, they have created this type of a thing. Can we then move to the next item?

**SECRETARY: ITEM NO.2 MINUTES OF THE 18TH MARCH 2008.****HON. DEP SPEAKER:**

I place before you a set of minutes for adoption, minutes of the 18th March 2008. Are there any corrections from the minutes? In the absence of any corrections, does the House adopt the minutes? Then 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 Mokomela-Mothibi.

**HON. MOKOMELA-MOTHIBI:**

Thank you Honourable Deputy Speaker. North West Transport, Roads and Community Safety MEC Phenyé Vilakazi has lost his daughter. Botlile Pearl Vilakazi was 17, and she was due to turn 18 on June the 16th. She passed away on Monday the 28th 2008 after being admitted at the Sunning hill Hospital in Johannesburg on Friday 25th of April. The deceased was doing her first year degree in Social Science at the University

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of Johannesburg at the time of her death.

She had recently recovered from disease which kept her out of her matric studies for about six months but she managed to pass with exemption. Her death follows that of her sister Keabetswe who died in April 2006 at the age of 19. Botlile was buried in Rustenburg on Saturday the 03rd of May 2008. She is survived by her parents and four siblings. May her soul rest in peace.

**HON. DEP. SPEAKER:**

Any other motion without notice? Honourable Hattingh, Honourable Mampane, Honourable Mangqo in that order.

**HON. HATTINGH:**

Thank you Honourable Deputy Speaker, the Democratic Alliance moves to this House and wishes the best for African National Congress for the forthcoming provincial conference. I'm standing at the moment but I will be sitting down just now. Deputy Speaker it is part of the democratic policies and we have observed a number of high level of activities going on recently.

May the best man or woman win. Thank you.

**HON. DEP. SPEAKER:**

Thank you very much Honourable Hattingh. It is a good thing to wish the ANC conference a success. We are proceeding to Honourable Mampane.

**HON. MAMPANE:**

Thank you Honourable Deputy Speaker, the ANC moves to place a motion without notice to inform your House about an unfortunate motor vehicle accident involving one of our Members Honourable Louisa Molema. On Sunday 21st April 2008, Honourable Louisa Molema was involved in a car accident in which she was injured with a broken leg whilst the driver sustained minor injuries. She was trapped in a car and had to be rescued out of the wreckage using the jaws-of-life for a time not less than three hours. She is currently recuperating at home and under the nursing of her daughter in Mabopane. As the ANC we therefore wish Honourable Molema a speedy recovery and good health, I thank you.

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**HON. MEC MANGQO:**

Thank you Honourable Deputy Speaker, the ANC moves to place a motion without notice to inform the House about the pending provincial conference of the ANC in the North West. From Saturday the 10th until the 13th of May 2008. Members and leaders of the ANC from the broad spectrum will be in Sun City near Rustenburg for its 6th provincial conference which will engage in robust and progressive debates as well as the election of leadership for our province.

The conference theme is Advancing in unity towards 2012 which will mark the ANC centenary celebration. We wish the ANC conference fruitful debates and progressive resolutions which will give impetus to the transformation discourse in our country. I thank you Honourable Deputy Speaker.

**HON. DEP. SPEAKER:**

Does the House adopt all the motions? There are two notices of motions; I now call upon Honourable Baloyi to debate on a debate on the motion tabled in the last sitting. The motion on Raul Castro and Fidel Castro.

**HON. BALOYI:**

Tshwarelo modulasetilo, ga ke se ke ipaakanye.

**HON. DEP. SPEAKER:**

If you are not in a position to debate you have the right to withdraw. Can you then withdraw the motion and retable it that makes our life easy.

**HON. BALOYI:**

I withdraw the motion.

**HON. DEP. SPEAKER:**

Honourable Baloyi's motion is withdrawn. In case he wanted to restart the debate on the motion he will then resubmit a notice of motion. The second motion that was converted into notices of motion was a motion from Honourable Hattingh. I now call upon Honourable Hattingh to debate on the motion tabled in the last sitting; I think the motion is around Pomfret.

**HON. HATTINGH:**

That is the very accurate distraction. The motion reads as follows:

i) This August House strongly condemns the lack of concern by the Department of Local Government and Housing and

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the Department of Public Works to alleviate the situation in Pomfret;

ii) That the area has become completely dysfunctional as there is a lack of service delivery, no electricity to some 5000 residents and no water. The School has had to close. This was during the week when we put the motion.

iii) That there are serious life threatening risks in that area such as open electrical cables and the sewerage system which is not working, thus creating a climate conducive for cholera outbreaks;

Calls for serious action to be taken to help this community and see that their basic Human Rights are restored, that is the essence of the motion. What we have seen since, we have seen an escalation of statutory intimidation against the people of Pomfret by the state, by the SAPS, by Department of Public Works and by national SANDF. We have seen how they have moved in, when they moved in to follow in forms in that community they have to be escorted by 30 to 40 heavy armed policemen within armed vehicles. The moving with forms in English

and subject the Portuguese speaking South African citizens were to signed forms that they want to be relocated.

The Department of Education is also now in the latest development joined the statutory intimidation of South African citizens by threatening to close the school of more than a very good performing school of 12000 learners telling those people that the school will be closed. This obsession it will raise Pomfret to the ground originates in the Angolan war originates with a very good role that 32 Battalion played in the military sense in that war on which they found on the opposite side of where the ANC is where now, they played most of the major battles in Angola, they played role in the border war. And this is the problem they are not really many of these soldiers left, those who are left are old.

What we have in Pomfret are the families of old previous soldiers. To see what is really happening there one needs to go there when they moved these people out or when SAPS members came and they were searched the personal belong-

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ings of ex-soldiers confiscating war medals, confiscating service certificates of the South African Defence Force, taking away personal clothing coming out of that war. This is how far the government is prepared to go and intimidate those people. In this intimidation this apparently is based on a cabinet decision which in my opinion is fiction.

That cabinet decision could never be presented anywhere, there is no such cabinet decision. If there is a cabinet decision I will challenge the owner of that cabinet decision to table it in this House so that we know what is in it. It is a fictitious cabinet decision. This so called asbestosis threats based on some report. We have the reports to the opposite and we have never seen that asbestosis threat report. There is a negligence displayed by the government not maintaining rehabilitated mining sites which were properly rehabilitated at the cost of millions.

On a contrary, this provincial government is continuing to have building projects in nearby counts where there is a serious asbestosis threat. And the con-

clusion is that people of Pomfret are South African citizens, are subjected to state intimidation through the different arms of the state, different departments even SANDF where senior officer told these people you will smell coffin in the hole in Pomfret. This is how far the state is prepared to intimidate its own citizens. The essence of the motion is that this should stop and that the South African provincial government and local authority should fulfill its legal and constitutional obligation and supports the community and reinstate the services there not to demolish houses within minutes after people have been moved.

Honourable Deputy Speaker, the situation of education there was very good, yesterday only 4 educators stand up for work and this has been the trend I don't know how many are they today. But this is the trend to make the living in Pomfret edible for the people there. Why can't those people not been given the same right as any other citizen to have the right to choose where they want to live. They have been put there, they have been promised services, they have been

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promised houses it was provided and since that day this government came into being that has been turned around and those people have been intimidated. I think I will have enjoyed a lot of support for this motion, thank you.

**HON. DEP. SPEAKER:**

Is somewhere in here in your debate you referred to I don't know whether did I get you correct when you say statutory intimidation?

**HON. HATTINGH:**

That is correct.

**HON. DEP. SPEAKER:**

I just wanted to check whether I understood you correct. Honourable Tselapedi followed by Honourable Africa and Honourable Premier.

**HON. MEC TSELAPEDI:**

Deputy Speaker I do not believe that Honourable Hattingh want to mislead the House by saying that the Department of Education has joined in intimidating the people there. I would say that he is bordering on really misleading the House. Unless he is in the heavenly he is with the gods, I don't know

how he could have the idea that I'm threatening to close the schools, in my understanding with the Department of Education I am empowered by delegated powers from the Honourable Premier to can close schools that has not even craved my mind but he already sees that happening on the ground when I have not yet even start about it and he says we have joined.

I think it will be very correct for him to produce some evidence towards that what I'm doing what he says. The second thing is that he is not very generous with the truth, one of the questions that I have to answer is around the chronic absenteeism of Pomfret on the other hand he says the schools have been good until a day ago. I don't know which is the truth? As far as I'm concerned we are expecting schools to be functioning in that area, we have had serious reports from the educators been intimidated that is the people Mr. Hattingh is speaking for here. We have not agreed with them not to go and teach that is not the position I can take. And I thought giving the Khutsong situation about the stand that we

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took our track record cannot be questioned, that we can agree that children should not be taught but maybe some evidence towards that that I as the executing authority has taken a position to threaten those people that I'm going to close the schools because I don't know that story.

**HON. DEP. SPEAKER:**  
Honourable Africa.

**HON. MEC AFRICA:**  
Thank you Honourable Deputy Speaker, it is quiet interesting that Honourable Hattingh has found it quiet opportune to raise the matter of Pomfret when there is ample evidence suggesting that the matter of Pomfret has been dealt with by the South African government inclusive of the provincial government over a long time. Some of which time he was not here. The constitution of the Republic of South Africa enjoins the state to ensure that people live in a safe and healthy environment and Pomfret does not qualify for that kind of environment.

It is on that basis that the South African government deemed it fit

to ensure that the people of Pomfret are provided with an environment which will ensure that as citizens as he says of South Africa they have a safe proper environment. Studies were conducted as a body of evidence to that effect, environmental studies were conducted, economic studies were conducted, the viability of the area as well was assessed and it was concluded by those independent studies that the people of Pomfret need an alternative environment, an environment that is not threatening their own health.

And as a responsible government, the state responded accordingly several meetings were held both by the South African Defence Force, the Department of Provincial and Local Government, Department of Local Government & Housing in the province and several other departments including visits to Pomfret by the Premier and Members of the Cabinet. We interacted with people of Pomfret with a view to make them realize that we are doing what we want to do to ensure that they have a situation that would be able to ensure the

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sustainable provision of services, the sustainable provision of education, the sustainable provision of opportunities because anybody who can tell me today that Pomfret is a viable town in which people can survive permanently.

You can tell me now today would have to have his/her head checked and I think this is what Mr. Hattingh wants to intimate, he want to intimate that he is comfortable when the people of Pomfret stay in an environment that is not healthily and safe. He is comfortable when the people of Pomfret do not have access and proximity to all the services that government can provide for instance the where they are now they are closer to the university some of the parents have even said we are very happy that some of our children for the first time in their lives can walk to a university. This is what the people of Pomfret themselves say and they did not asked anybody to come and talk on their behalf because they have responded to what the state has given them; a safe and healthy environment better housing.

With regard to the issue of asbestosis and I want to say the cabinet decision exists. If Honourable Hattingh could go all the way to extract information on Cuito Cuanavale from sources that many of us were not aware of, I'm sure he can do the same to extract the cabinet decision from sources that are more accessible to him and everybody else that decision exists. It is true and there are cases to prove that there is a particular radius in which asbestosis is the threat. It is Heingvlei, it is Pomfret and may of the adjacent area the extend of asbestosis, the presence of that depends on the proximity of the people to the mine and to the area where asbestos was mined and Pomfret was actually the centre of the activity of mining; and therefore those people are closer to the threat than anybody else. There is a specific radius within which people are not supposed to stay because they will be affected by asbestosis it exists and there are cases that proves that, there are class cases presented to the court and Honourable Hattingh is aware of that.

There is no density of popula-

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tion in the area and for economic scale you need so that you can provide proper services you need a particular density of people so that people can then have access to the service that the state provide. It takes a lot of money to provide infrastructure, it takes a lot of money to rehabilitate that area and I think the decision that we took was in the best interest of the people of Pomfret. I do not want to dwell into the history of the people of Pomfret or those who were called Battalion 32, you may remember I come from Vryburg one of the areas that was the closest to be encircled by those and I don't want to deal with that. All I'm saying is that the constitution of the Republic of South Africa enjoins the government to ensure that there is a safe and healthy environment for people and we were responding to that call in the constitution by making sure that the people of Pomfret have alternative accommodation where they will be closer to all the services that never been closer to before. Thank you.

**HON. DEP. SPEAKER:**

The next speaker on the debate on motion is the Premier.

**HON. PREMIER:**

Thanks Honourable Deputy Speaker, I would like to start by responding to the proposal made that this august House adopts a motion that says that the procedures are processes as the embarked upon by government should be stopped on moving people from Pomfret. I would like to propose right from the onset that this motion be rejected particularly this proposal.

I'm saying so because if Honourable Hattingh would like to initiate such a move he should continue to follow the processes that his own party had already started following. We were in court with the Democratic Alliance as a party representing the people of Pomfret in an attempt to stop this move of removing people from Pomfret and the DA lost that case. So, we should not use this Legislature to come and table matters which we lost in courts of law, I just wanted to set that record straight.

I also want to state Honourable Deputy Speaker that the closure of Pomfret, this decision was taken a very long time ago when

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I say very it is actually almost as old as this democratic government. And the decision was informed by the reasons that Honourable Hattingh indeed staged that the issues of asbestosis as Honourable Africa has already said are a problem and we have categorically informed Honourable Hattingh about that decision, about the reasons and I'm not sure what we need to do now, it is a cabinet decision it has been taken we just need to implement and we are implementing.

I want to also respond to the issue of service delivery, when this decision was taken Honourable Speaker, this been a former defence area under the management of the SANDF, SANDF withdrew its services from the Pomfret area and at that time, very surprisingly so former members of the army who retired were moved to Zeerust there was never this halabaloo of saying don't remove the people. They were taken very humbly nicely to Zeerust; they were even at some stage given the freedom of that town. Today we are moving people who are remaining from that town it is an issue,

why? I think we must get the answer to that issue.

Service delivery, yes indeed the municipality there you know it is a very poor municipality and indeed the municipality has been trying to under the circumstances maintained just the minimal services because they knew that we were going to be removing the people to various areas in the North West Province. There was no need to go on expand and service delivery structures and infrastructure. We were supplying the minimum that we could at that time.

With regard to issues to statutory intimidation, I have personally said to Honourable Hattingh that indeed we condemn that kind of action if it is there but let us be given proof indeed that anybody from public works or from any other department was intimidating somebody so that we take a corrective action or even action. Till today I don't have a response that says it is so and so and prove that so and so from Honourable Hattingh. I want to also come to an issue of environmental report; there is a thick report available in the Department of Minerals &

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Energy that indicates where the dangers are in the entire country particularly in our province and processes of rehabilitation of old mines by the way which were left by those governments which were are actually inheriting and re-spending resources for the first time on environmental matters on.

That report is available and actually people took decision that department and I think Honourable Hattingh should asked that department rehabilitation of various mines including other areas that include this particular one are underway. So, we shouldn't actually also come and mislead the House, this decision is a proper decision taken we have moved people already in 1998 around there, they are very healthy living in Zeerust let us also agree that other very disadvantaged people also find opportunity to live in areas where they can find shops, where they can walk to town, to schools and you name it with all services that are available for them. Thank you very much.

**HON. DEP. SPEAKER:**  
Thank you very much

Honourable Premier I'm now referring to Honourable Hattingh for a brief reply.

**HON. HATTINGH:**

Thank you Honourable Deputy Speaker I will not respond to the un-logical utterances of Honourable Tselapedi other than to say that forms were given to the grade 12 learners that they should continue their final grade 12 year that Vorster's Hoop a school with 4 primary school classrooms, that is part of intimidation, statutory intimidation. If you don't know about that Honourable Tselapedi go out there and see what is going on speak to your officials they will inform you what they are doing.

Honourable Africa, why should I find the document on which you based your decisions, you've got the document saying that's the cabinet decision, please present it. If you've got prove that there is environmental problem give it because you based your decisions on that and I'm saying it is not valid decisions it's because of the history of 32 Battalion that you want to retaliate on those people. You cannot give me the evidence that it is not so, there is no environ-

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mental threat to the people there are EIA studies proving that it is not true. If the reason is that those people should have better facilities closer to town, why then is the policy of this provincial government to disperse them all over the province.

And may I say those people that are so happy to come to Mafikeng who are they? They are Setswana speaking people who joined the move they were Portuguese speaking people who came from all over the province to Pomfret to get instant houses but the core of the people want to live there. If that is the policy of this provincial government to get people closer to services, what are we going to do about the hundreds and hundreds of villagers that are in the much worse position than Pomfret? Pomfret has a very good infrastructure the sewage system, electricity system, water system, tarred roads and in fact the National Department of Public Works in the previous financial year contrary to what the Premier is stating here budgeted R117m to upgrade Pomfret. They started there with the work and unfortu-

nately the provincial government got word of that and they stopped the work.

But if the national government budgeted R117m to upgrade Pomfret and may I say and I want to categorically state it here. The DA was never involved in any court case involving Pomfret and any person saying that is a liar, a blatant liar, the DA is on record, the DA was never involved or party to any court case, we were never. I know who were the respondents yes but the DA was never a party to any court case and any person stating that in any place is a liar, a blatant liar. I thank you.

**HON. PREMIER:**

Honourable members we are now at a stage where I must refer the question to the House whether or not we adopt or not adopt the motion that has been debated ... [PREMIER INTERRUPTED]

**HON. PREMIER:**

Parliamentary language Honourable Deputy Speaker, who is the lair? He must just withdraw it and apologize.

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**HON. DEP. SPEAKER:**

Honourable Hattingh, if you could make the work of presiding officer's easy as Honourable Member. You have the right to engage in the debate but as an Honourable Member you know that there are certain words you can't use in the debate.

**HON. HATTINGH:**

I agree entirely with you but then I have to link a person to that statement, I have never done that. I say anybody inside and outside this House when they say that the DA was a party to a court is lying.

**HON. DEP. SPEAKER:**

Honourable Hattingh whether or not you are referring to somebody or not referring to somebody, the word you used in the House is not allowed.

**HON. HATTINGH:**

I will withdraw the words lie, I will then say is not telling the truth. Deputy Speaker may I ask for a vote please?

**HON. DEP. SPEAKER:**

Those of you who wants the motion to stand. In fact let me explain myself, those who support the motion on Pomfret let

them raise their hands. Thank you very much. Those who are against the motion please raise your hands. That is the end of the democratic process. There are 3 people voting the motion, there are over 19 people voting against the motion there are very few people who abstained I think they are 2 in number which is also part of the democratic process of abstaining. Now the motion falls of it is not carried. Can we proceed to the next item?

**SECRETARY: ITEM NO.4 INTERPELLATIONS AND QUESTIONS****HON. DEP. SPEAKER:**

Question 1, is from Honourable Hattingh to the Premier.

**HON. PREMIER:**

Thank you very much Honourable Deputy Speaker the question is for written response I table the written response accordingly.

**HON. DEP. SPEAKER:**

Thank you very much; question 2 is a question of Honourable Hattingh to a Member of Executive Council responsible for Transport, Roads & Public

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Safety. Please note that these questions are questions tabled for the first time and are for oral reply. So the Member responsible road, transport & public safety seem not to be here so the question will be differed to the next sitting. We proceed to question 3, a question of Honourable Matladi to a Member of Executive Council responsible for Social Development.

**HON. MEC MANGQO:**

Deputy Speaker it will be responded to in the next sitting.

**HON. DEP. SPEAKER:**

We proceed to question 4, a question tabled for the second time for written reply Honourable Gerber to a Member of the Executive Council responsible for Local Government & Housing. The question get differed to the next sitting because it appears that the Member of the Executive Council responsible for that department is not present and the question is tabled for the second time.

Question 5, a question of Honourable Groenewald to Member of the Executive Council responsible for Local

Government & Housing. That question is also tabled for the second time and the Member is not present it gets differed to the next sitting. Question 6 Honourable Groenewald to a Member responsible for Public Works. The question gets differed again because a Member responsible for ... oh I have been advised that the response has been tabled in front of you in this envelop entitled Department of Public Works North West, Honourable Members should be having this envelop.

**HON. MEC AFRICA:**

Honourable Deputy Speaker I was requested by my colleague to accordingly table the written response on public works.

**HON. DEP. SPEAKER:**

The reply on question on public works is tabled. Now question 7 Honourable Gerber to Member responsible for Education.

**HON. MEC TSELAPEDI:**

Ke ya e sekega kgosi.

**HON. DEP. SPEAKER:**

This question is tabled for the first time for written reply it's a question of Honourable Hattingh

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to a Member of Executive Council responsible for Economic Development and Tourism.

**HON. MEC AFRICA:**

I accordingly table the report.

**HON. DEP. SPEAKER:**

That is the good performance tabled on the first time. We proceed to question 9 Honourable Groenewald to a Member of Executive Council responsible for Transport, Roads & Public Safety.

**HON. MEC TSELAPEDI:**

Motlatsa mmusakgotla le yona ke ya e sekega.

**HON. DEP. SPEAKER:**

The response to that question is also tabled. Question 10 Honourable Hatting to a Member of Executive Council responsible for Health.

**HON. MEC RASMENI:**

The response to the question will be tabled in the next sitting.

**HON. DEP. SPEAKER:**

That is tabled for the first time, question 11 Honourable Hatting to a Member of the Executive Council responsible

for Education.

**HON. MEC TSELAPEDI:**

Le yona ke ya e sekega mong wame.

**HON. DEP. SPEAKER:**

That is good performance Honourable Tselapedi the response to question is tabled. Question 12 Honourable Matladi to a Member of the Executive Council responsible for Social Development.

**HON. MEC MANGQO:**

Honourable Deputy Speaker thank you very much we will present the written response in the next sitting.

**HON. DEP. SPEAKER:**

The matter gets differed to the next sitting. Question 13 Honourable Matladi to a Member of the Executive Council responsible for Health.

**HON. MEC RASMENI:**

The response will be tabled in the next sitting.

**HON. DEP. SPEAKER:**

Differed to the next sitting, question 14 Honourable Matladi to a Member of the Executive Council responsible for Health

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again.

**HON. MEC RASMENI:**

In the next sitting.

**HON. DEP. SPEAKER:**

Matter get differed to the next sitting, question 15 a Member of the Executive Council responsible for Education.

**HON. MEC TSELAPEDI:**

Mong wame mo nakong e e tlang.

**HON. DEP. SPEAKER:**

A matter gets differed to the next sitting with good performance of course of three years' questions. Question 16 road, transport and public safety the Member of the Executive Council responsible for that department is not present the matter gets differed for the next sitting because it is tabled for the first time. Question 17.

**HON. MEC TSELAPEDI:**

Le yona mo nakong e e tlang mong wame.

**HON. DEP. SPEAKER:**

The matter gets differed to the next sitting question 18 differed to the next sitting local government. And that brings us to the

end of our question paper. Can we proceed to the next item?

**SECRETARY: ITEM NO.5  
STATEMENTS BY MEMBERS****HON. DEP. SPEAKER:**

Honourable Member does any member wish to make a statement? In the absence of any statements we proceed to the next item.

**SECRETARY: ITEM NO.6  
TABLING OF REPORTS AND  
PAPERS****HON. PREMIER:**

Honourable Deputy Speaker just for purpose of record I think we need to indicate that the strategic plans that are been tabled in terms of the programme for the

- Department of Local Government & Housing;
- Department of Sport, Arts & Culture;
- Mmabana Arts Culture & Sports Foundation;
- Department of Social Development;
- Department of Health,
- Department of Economic Development & Tourism.

But noticing that there are two Departments Social

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Development and Health that have been re-tabled it is necessary I think to go through a motion that withdraws the previous reports formally in this August House and re-tabling the latest one and new versions. Thank you very much.

**HON. DEP. SPEAKER:**

Let me just check with the House, does the House agree to withdraw the initial reports tabled and accept the re-tabling of those departments social development and health. Does the House agree? [YES] Can we then proceed to the next item? The reports stand referred to various portfolio committees for further processing.

**SECRETARY: ITEM NO.7  
DEBATES ON COMMITTEE  
REPORTS****HON. DEP. SPEAKER:**

I now take this opportunity to invite Honourable Mahlakeng to table his committee report as contained in the ATC. Before Honourable Mahlakeng, Honourable Duma.

**HON. MEC DUMA:**

Chair there was a tabling of an audit report of the PACC in the

last meeting and that report was omitted from the table. I just want clarification from yourself what we do about that?

**HON. DEP. SPEAKER:****[INAUDIBLE]****HON. MAMPANE:**

Honourable Deputy Speaker be recorded please.

**HON. DEP. SPEAKER:**

Sorry, I'm saying I'm informed that that was tabled in the last sitting and it appears on the minutes of the 18th March 2008. Does that solve the problem?

**HON. MEC DUMA:**

It does Deputy Speaker.

**HON. MAHLAKENG:**

Thank you Deputy Speaker then good morning. On behalf of myself and the honourable committee I am presenting before your August House the 24th PSC Committee report however this 24 PSC Report have been condensed into one composite report. So I'm presenting them and the portfolio committee and myself are also ready to debate but I will seek your guidance and I will move to the next report for tabling.

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The next report is the committee report from the Office of Premier which reports the portfolio committee is also ready to debate. The next report the portfolio committee is also presenting before your House a Legislature committee report which reports once again the committee is ready to debate. The committee is also further presenting in this august House Are Ageng Forum committee report which report the portfolio committee is equally ready to debate and the last report the 28th report which the committee is ready to table is that of the Traditional Leadership which the committee is also ready to debate and I will seek your guidance. Thank you.

**HON. DEP. SPEAKER:**

Honourable Mahlakeng I invited you to table the committee report as contained in the ATC. As the other matters of debate, the debate will follow later when this House takes its second session you will engage in that debate. I'm now inviting the Premier to table the Public Service Commission Report.

**HON. PREMIER:**

Thanks Honourable Deputy

Speaker, I rise in accordance to the Rules of this august House to table the following Public Service Commission report which have been duly referred to us by the Public Service in terms of the required laws.

- i) The implementation of the performance management and development system for senior managers in the North West Province.
- ii) Report on the evaluation on the training needs for senior managers in the public sector
- iii) The report on the implementation of the Batho-Pele principles of openness and transparency in the public service.
- iv) Oversight report on the verification of qualification in public service
- v) Protocol on announced and unannounced inspection, this is for information
- vi) Toolkit for the management of poor performance in the public service that is also for information. Thank Deputy Speaker.

**HON. DEP. SPEAKER:**

Thank you very much Honourable Premier I'm now inviting Honourable Makume to

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table resolutions from the Public Accounts Committee.

**HON. MAKUME:**

Thank you very much Deputy Speaker, I table the resolutions for the Legislature Resolution no.7 for the House to adopt them today. There are copies for circulation.

**HON. DEP. SPEAKER:**

Does the House adopt the reports? We are proceeding to the next item. I am now inviting Honourable Mahlakeng. Honourable Premier I'm told that there are reports from 1 up to 4 on the ATC the reports on the North West Housing Corporation annual report; municipal annual performance report take still to be tabled.

**HON. PREMIER:**

Thanks Honourable Deputy Speaker now that you have read them out I so table them. Thank you very much.

**HON. DEP. SPEAKER:**

May just confirm with the House that those reports also gets adopted like other reports and differed to committees for processing. I now invite Honourable Mahlakeng to lead

the debate on the strategic plan of the Office of Premier.

Honourable Members can we adjourn for about 5 minutes while technicians are taking care of our systems because all these things need to be recorded and we adjourn for 5 minutes as we come back we will start with Honourable Mahlakeng.

Honourable Members, you may get seated. We are proceeding, but Honourable Mahlakeng, I am going to invite you to lead the debates on the Public Service Commission report and Honourable Gerber, Honourable Baloyi and Honourable Matladi will get then ready to take part in this debate.

**HON. MAHLAKENG:**

Thank you very much Deputy Speaker Sir. The Public Service Commission report of the Portfolio Committee as I said Honourable Deputy Speaker is a composite report of some 24 reports which I will just highlight for purposes of record.

- The first one being the Third Consolidated Public Service Monitoring and Evaluation Report 2005/2006 report, and

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- The second one, Management of conflict of Interest through Financial Disclosures
- Audit of reporting requirements and Departmental Monitoring and Evaluation Systems within National and Provincial Government
- Investigation into the Management of Public Servants in terms of prevailing provisions who are elected as Municipal Councilors in the Limpopo and Western Cape Provinces
- Report on Management of Poor Performance of the Public Service
- Consolidated Report on Inspections of Public Service delivery sites
- Citizen Satisfaction Survey 2006/2007 Department of Home Affairs, Trade and Industry Transport by Provincial Departments
- Implementation of PMDS for Senior Managers in the North West
- Measuring the effectiveness of National Anti-Corruption Hotline
- Citizen Satisfaction Survey: Economic and Infrastructure Sector
- Report on Evaluation of Employee Assistance Programmes
- Report on Financial Misconduct for the 2005/2006 Financial Year
- Audit of Government Poverty Reduction Programmes and Projects
- The Fourth Consolidated Monitoring and Evaluation Report
- Implementation of Fraud and Prevention Plans
- Promotions of Administrative Justice Act
- Promotion of Access to Information Act
- Batho-Pele Principle of Consultation
- Batho-Pele Principle of Value for Money
- Report on the Audit of vacancy rates in National and Provincial Departments
- Report on Grievance Trends in Public Service
- Trends analysis on Complaints lodged with the PSC during 2006/2007 financial year
- Report on overview of Financial Misconduct 2005/2006 financial years respectively
- Reports on the

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**Indebtedness of Public Servants**

These 24 reports Honourable Deputy Speaker have been consolidated into one composite report, of which I would not go word for word of this report.

The PSC is mandated by the Constitution to amongst others; promote the values and principle of public administration as enshrined in Chapter 10 of the Constitution of the Republic. Notwithstanding its independence, the PSC seeks to play a developmental role by ensuring that its programme supports government initiatives to strengthen service delivery.

To this end the PSC see its strategic obligation as the generation of evidence to enable parliament and provincial legislatures to exercise their oversight role and to advise the executive on good administrative service.

The following are key performance areas of PSC and their specific reports which were presented before the committee. Amongst others include:

- Governance and monitoring

service delivery and quality assurance

- Leadership and human resource reviews,
- Labour relations,
- Professional ethics,
- Public administration investigation.

On the third consolidated public service monitoring and evaluation report for 2006 Honourable Deputy Speaker, the PSC makes a number of recommendations and I will just highlight a few, that amongst other things:

- There should be a focused training on cases of misconduct of managers.
- The government department should put in place an early warning monitoring system for flagging under spending.

On the report on the management of conflict of interest through financial disclosures the PSC recommends that:

- The Heads of Departments should play a more active role in the management of the financial disclosures and the identification of potential conflicts of interest.
- The electronic financial dis

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closures framework should be introduced.

- The ethics officers should be appointed in all the national and provincial departments.
- The compliance with the financial disclosures framework should be linked to the performance agreement of designated officials, amongst other things that they are recommending, of which we would go into the details of that report.

On the audit of reporting requirements and monitoring and evaluation systems within national and provincial government:

- The system for tracking and recording the ad hoc requests reports should be implemented by all government departments to ensure compliance with the submission of the reports.
- The process of data collection, verification and analysis needs also to be improved within all government departments including the capacity to undertake these processes.

On the investigation into the management of public servants in terms of prevailing provisions who are elected as municipal councilors in the Limpopo and Western Cape:

- The practice of continuing to employ public servants elected as part time councilors should be discontinued considering the partisan responsibilities that go with holding political office.
- The Public Service Act of 1994 should be amended to make it clear that public servants elected as councilors must resign from the public service.

On the report of management of poor performance in the public service, the report also recommends that:

- The senior management must lead by example and drive the business case for formally managing poor performance through regular communication to managers.
- Human resource should play a strategic monitoring role and report non-compliance.

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- ance to senior management.
- Human resource component should develop a standard process for managing poor performance.

On the consolidated report on inspections of public service delivery sites:

- The head offices of departments need to assist regional offices or service delivery points to develop service standards in the local languages.
- Suggestion boxes on complaints registers should be made available to compliment toll free numbers that are operated in various departments.
- Lunch and other breaks should be well managed. On the citizen satisfaction survey 2006/2007, the Department of Home Affairs and Trade and Industry, Transport and Provincial Departments, the following recommendations are made which I will just say but the few.
- Communication structures should be developed and implemented for purposes of

- trade and industry.
- Turn around times for applications must be investigated.
- Functioning of website and call centre must be investigated.
- Training programme must be standardized and be attended to urgently.
- Operating hours must be managed.
- Turn around time must be standardized and be attended to urgently.

Report on the implementation of the PMDS for senior managers in the North West specifically:

- The HODs and EAs should ensure that senior managers enter into PAs on an annual basis and these are co-signed by their supervisors before the 30th of April of each year.
- The performance agreements should be quality assured by HR component to ensure that they comply with the PMDS provisions.
- Departments should ensure that training on the SMS PMDS take place.
- The Office of the Premier

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should ensure that the necessary support is

provided to departments for the full effective implementation of the PMDS.

On the measuring of the effectiveness of the National Anti-Corruption Hotline, it is recommended that:

- The application of the principles contained in the PSC's toolkit are implemented,
- Improving the management of the call centre with specific reference to the capturing of information.
- Improving the PSC's own investigative capacity.
- Managing conflicts of interest.
- Strengthening internal controls.

On the citizen satisfaction survey, economic and infrastructure sector:

- The turnaround time should also be given to all services.
- Competent staff needs to be employed.
- Signage needs to be

improved.

On the report on evaluation of employee assistance programmes in the public service:

- To improve the leadership commitment to the EAPs.
- Facilitate clear and unanimous communication from EAPs to personnel.
- Enforce management participation in and dedication to EAPs through carefully constructed performance agreements.
- Development of overarching policy.
- Provide compassionate guidance.

On the financial misconduct for the 2005/2006 financial year:

- That the government departments should consider measures to improve the investigation of reported cases of financial misconduct ensures that it leads to the finalization of such cases. Attention should also be drawn to Section 85.1 A and E of the PFMA, to be read in conjunction with the Treasury Regulation 4 and 3.

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On the government poverty reduction programmes and projects it is recommended that:

- The development of capacity in departments to implement developmental projects.
- Documents and share lessons learnt.

The fourth consolidated monitoring and evaluation report, recommendation is made that amongst other things:

- The monitoring and evaluation system for handling cases of misconduct should be put in place.

You would recall earlier Honourable Deputy Speaker when I read the third consolidated monitoring and evaluation report. Some of these very recommendations which were made then have not actually been implemented, which is an important matter that I think it should be attended to as a matter of urgency.

On the implementation of fraud and prevention plans:

- To improve the review of the

fraud prevention plans.

- The department should use the checklist of fraud prevention standards developed by the PSC as part of its public service monitoring and evaluation system as basis for developing indicators to ensure the effectiveness of their FPPs.
- Responsibility for fraud prevention and risk management should be more clearly allocated and more widely diffused in line with function managers.

Promotion of Administrative Justice Act:

- Promotion of Administrative Justice Act should be included in current and future Batho-Pele principles.
- Business processes need to be systematically mapped, clearly indicating where and by who decisions are taken and procedure manuals needs to be developed accordingly.
- A small handbook, similar to the A5-sized books on the Constitution and the Public Service Code of Conduct should be compiled.

**HON. DEP. SPEAKER:**

Honourable Mahlakeng you may

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summarize. Your time is up.

grievance rules must be attended to.

**HON. MAHLAKENG:**

I will try and do that sir. There is a need for regular reports on the implementation of PAJA by the Department of Justice.

Trends analysis on complaints lodged with the PSC during 2006/2007 financial year:

- Improving document and record management must also be done.

On the Access to Information Act, the recommendations are very clear there Honourable Deputy Speaker. The Batho-Pele principle of consultation:

On the overview of financial misconduct for 2006/2007 respectively:

- The department should prioritize the concretization of consultation standards.

- A strong link between investigators of cases of misconduct and the internal audit units of departments should be established.

The Batho-Pele principle of value for money:

On the indebtedness of public servants:

- An appropriate and operational definition of value for money must be institutionalized in departments.

- Departments should ensure that information is provided in line with the PERSAL data fields to avoid the creation of supplementary data field such as "other" and "known".

Report on the audit on vacancy rates in national and provincial governments is a matter we talk about regularly and needs to be attended.

In conclusion Honourable Deputy Speaker, the Portfolio Committee on Developmental Local Government, Housing and Provincial Affairs will like to assure the Public Service

On the grievance trends in the public service, it is a matter that:

- Amendments to the

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Commission that necessary follow-ups will be made to problematic departments so as to keep them on their toes.

The Portfolio Committee wish to extend its appreciation to the sterling work done by the outgoing Commissioner Mahlangu, and wish him all the best to his new endeavors. I thank you Deputy Speaker.

**HON. DEP. SPEAKER:**

Thank you very much. The next speaker would be Honourable Gerber, and time allocation is 8 minutes.

**HON. GERBER:**

Honourable Deputy Speaker, on my list it is 10, but we agreed on 8, but I have now prepared for 10 minutes.

Honourable Deputy Speaker, our committee had to evaluate the whole lot of reports from the Public Service Commission. It is not possible to debate all these reports as it should be done. I therefore urge, especially the MECs to take time to read them and to give attention to the recommendations which affect their departments. Perhaps the Premier should

consider to use Mr Mahlangu who is a previous Commissioner now in her office, to support the departments in this regard. If the commission's recommendation is not adhered to then we waste the money which was spent on these very important issues.

I firstly want to focus on the measuring of the effectiveness of the National Anti-Corruption Hotline. The objective of this unit is to deter potential corruption by making all employees aware that the public service is not a soft target, and the PAC conducted an evaluation of the effectiveness of this unit after two years of operation.

It was reported to our committee and I quote: "There are concerns about department's internal investigative capacity to manage cases of alleged corruption to them through the hotline." They went further and I quote again: "The status of cases referred to the North West Province as at March 2008 illustrates this concern."

Out of 160 cases reported to the North West Province, only 25 were closed. The rest were not

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handled with, not finalized. I think it is not good enough. We must take corruption and fraud seriously. Those who have to take care of taxpayer's money must be honest and people who can be trusted. If they steal they steal from the taxpayers, and even worse they steal from the poor. I think it would be proper if the Premier give us more information as the Anti-Corruption Unit operates through her office.

The commission recommends that the deferred protocols in provinces which are currently submitted through the offices of Premiers should be reviewed. All provinces must consider this recommendation. Secondly something about the report of the Audit on vacancy rates in the National and Provincial departments. The first astonishing fact is that there is a big difference between the vacancy posts as per PERSAL data and the vacancies as reflected by the department in our province. That is not only the case in national departments but also in provinces. The North West Province is not an exception on this rule.

According to the Commission the North West has vacancies of 19 000 as per PERSAL data, but according to the departments the vacancies are just more than 5 000. The audit took place on the very same day, namely the 31st of August 2007. The deviation of 72% in the North West, said the Commission, could possibly be ascribed to:

1. Poor recordkeeping on PERSAL
2. Per practice in organizational design, for instance approving and implementing a structure without sufficient funds
3. The restructuring of departments.

However it is clear that there is a lack of reliable information to serve as a basis for effective decision making, budgeting and human resource planning. The highest deviation in all departments, national and provincial occurred in the North West, Department of Education. According to PERSAL data a number of vacancies were 6 828, but according to the department it was only 5. The deviation was 99.9%.

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It is obvious that we do not have accurate information about vacancies in the North West Departments. The Executive will have to investigate the situation and to report back to the Legislature. It is also disturbing that it takes too much time to fill vacant posts. According to departments, most of it is between 2 and 3 months, but this figure is substantially different from the filing of research conducted by the public management watch which found that the average period to fill vacant posts are above 15 months.

Dit is een van die redes Agbare Adjunk Speaker, waarom die departemente volgens verwagtinge presteer nie. Poste wat vakant raak word nie onmiddelik gevul nie. Dit neem soms weke of selfs maande voordat dit geadverteer word. Sodra iemand bedank, behoort sy pos onmiddelik geadverteer te word. Dit behoort ook wyd geadverteer te word en nie net in die koerante, wat deur sekere groepe gelees word nie, en in die omstandighede waar ons vandag lewe, behoort dit ook duidelik gestel te word dat wit mense nie uitgesluit is om aansoek te doen vir die poste nie.

Ek dank u.

**HON. DEP. SPEAKER:**

Thank you very much Honourable Gerber. The next speaker is Honourable Baloyi.

**HON. BALOYI:**

Thanks Honourable Deputy Speaker, Premier, EXCO and colleagues. Two issues on the Public Service Commission report. Prevalent post management, misconduct, criminal cases, hotline cases that were reported in different departments, and as the former Chair, we have put recommendations as decisions of this House and such decisions are not implemented to date.

One of the issues Deputy Speaker, that we should pay specific attention is Batho-Pele principle, and at some point we should define it, link it to the historical background and as we do that Deputy Speaker, we need to see, all these boom gates that we are seeing in different departments, is it Batho-Pele, ha batho ba tshwanetse gore ba tsene you want identity documents, language barrier, communication. Documents that are related to issues that affect our

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civilians are written in English. What is the rationale there, behind?

We need to define what Batho-Pele principle is. Have we done justice to this course? I am only appealing to the Premier and departments to solve all these pending cases as alluded by the Chair. We cannot continue in this fashion. Cases are reported and I do not want to make some kinds of examples, in particular the DG, the Housing Corporation, Department of Health, Public Works. Why are we not intervening? Are we exempted from all these things as the North West Province? We cannot.

Honourable Deputy Speaker, in terms of the provisions of the Public Finance Management Act 1999, read with Treasury regulations, departments are required to report, finalize financial misconduct cases to among others, to the PSC. It was stated by the PSC that departments of this particular province are not complying. What is the reason, why? Are we not having cases in this particular province?

We have a forensic unit headed

by the Premier in this particular province. That body is not functioning at all. Cases are reported to that unit. I do not know its intended objective in ensuring that we address corruption that is prevalent in this particular province. Re seka ra creata di body tse eleng gore di tla nna mola, e be ba ja lunch, ba dula fela ba re ke di advocate, ke bo mang-mang, e be ba tloga ba siakaka, 5 years ba a tsamaya, ha ba solva le case a one. We cannot be seen to be doing that. We need to be very careful at some point, as leaders, because ga gona gore ga gona mathata mo porofenseng ya rona ya Bokone Bophirima. Go na le mathata a mantsi, and Commissioner Mahlangu o bontshitse gore mafapha a rona mo, ba bangwe ba bona ha ba so saene performance agreement.

What we see here is a recycling of HODs. O bona HOD a paletswe ko Public Works, dikidika o mmona ko Department of Education, a ntse a paletswe ko Public Works. O a ipotsisa gore ke bonus or ke incentive or it is a golden handshake. Why are we doing these things? I do not want to men-

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tion names of individuals here, and we are busy as some recycling decisions that are taken in this particular institution. What is the cause? This government would not be judged in terms of slogans. It will be judged in terms of service delivery.

Mmusakgotla, re ne re kopa thata gore re ikuele go mafapha otlhe, ba ye go lebelela di case tse eleng gore di ripotilwe because go na le ntlha ya gore case tse ha se tsa Department of Education, ke tsa Public Works. In terms of the Constitution, the Executive Council should work as a unit.

So I am appealing, it can be a mockery, but I am appealing, there are lots of cases, negligence, corruption, fraud, the Department of Agriculture, my maat, I do not know how are you going to rectify some of this mess that I am highlighting, anomalies.

So Deputy Speaker, we are appealing to all departments and the Premier to implement decisions as taken by this House. I am not going to highlight them one by one, there are so many, and I cannot keep on

identifying them one by one. Departments have a responsibility because we have HOD, you have everything. It is your work. You are obliged to go and find out how many cases that are related to each specific department. Thanks Deputy Speaker.

**HON. DEP. SPEAKER:**

Thank you very much Honourable Baloyi. The next speaker is Honourable Matladi. Your time allocation is 8 minutes again.

**HON. MATLADI:**

Thank you Honourable Deputy Speaker, I am sure you are being fair by your time distribution. Allow me to greet the Honourable Premier in the House and the Members of the Exco, my colleagues, members of the community, dikgosi tse di leng teng tse ke di bonang in the gallery and the officials from different departments.

Honourable Deputy Speaker, it is not an easy task to debate 24 reports on Public Service Commission at once. As I start debating these reports, allow me to congratulate Rre Squire Mahlangu for the new position in the Premier's Office that he got,

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as well as for the good work that he has been rendering in the Public Service Commission and we believe the enthusiasm, the energy that he has portrayed in the work he has been doing in the Commission would also be transferred in the Premier's Office.

We have problems as the Portfolio Committee in the Legislature, entitled Developmental Local Government and Housing and Provincial Affairs. You would agree with me that the number of the reports today for being 24 is the results of this committee having a huge workload, thereby failing to work and deal with the reports as they have been tabled in the House from time to time. They are not tabled at once as a heap of 24 reports. They have coming on different timeframes but the committee has not been able to tackle them and do justice to them, and this one is saying to us there is a loophole somewhere that we have got to look into and say, is this the relevant committee to deal with the PSC reports or should there be a special committee assigned to deal with these important

reports.

Looking into the contents of the reports, one find that they are dealing with relevant issues that are really close to the hearts of the community members of this province and South Africa as a whole, and as Rre Baloyi was talking about the budgets that are used in doing the research, coming up with the recommendations in these reports, one says not enough is done in making follow-ups, in making monitoring to see to it that, that that is being reported is actually being done by the relevant departments.

Let me give an example of the report that is the third consolidated Public Service Monitoring and Evaluation report of 2005/2006, in which the following have been reported. Cases of misconduct, and we look into the province, we find more than 6 units that are dealing with misconduct and corruption and others.

Then the question is, if we still have so many cases of misconduct and other problems in the province and we have got many units that are dealing with it,

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what is the problem. Does it say these units are not able to cope up with the problem or where else could be the loophole for these things really going so without being pinned or maybe eradicated?

An issue of under spending in the very same report points to the North West Province that there is a lot of under spending in the province, including the departments, the entities as well as local government municipalities, and then it says monitoring has to be done, oversight has to be done to see to it that under spending is minimized.

We looked into the requirements of PAJA and we realize that as well they are not being adhered to by the departments in the North West. Having quoted this as an example in other reports, there is nothing that I can stand here and say I do not support the Commission's report on issued highlighted? They are all the truth most of them, of the issues that we have stood up here and debated in the House, but we do not see resolutions or improvement on. Now we have got to look into another way of tackling these issues. We have

this challenge.

Initially the Public Service Commission reports were presented and also the Commission had teeth to bite because they had a way of as well making follow-ups on their own, monitoring, to see to it that their recommendations are implemented, but the procedure has ever since changed whereby now the monitoring, the follow-ups have to be done by the portfolio committee as I have already said, which is not doing well because of time slots and time limitation as I have already said.

Now when the Commission was reporting we were saying to them, has this been done and they were saying to us, we are asking you because we have given you a tool which is a weapon and it is for you to use it in order to see to it that the province performs very well.

I was reading the newspapers this weekend and one of the newspapers, there was this rating of the provinces in the South African government, the performance, and I was heartbroken to notice that we always

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come after number 5, and then in most cases we are only better than the Eastern Cape. We are number 8 and Eastern Cape comes 9. Rarely would we come to position 4, 3, not to mention 2 or 1, and I was looking into the contents of the reports and their recommendations and saying if we could have had time to sit down, call the departments, follow-up on the issues that the Commissioner has raised, we would be performing better than most of the provinces in South Africa.

The second issue: The Committee noticed that there are sometimes cases that are happening in the North West that the Portfolio Committees would raise, that are not captured in the Commission reports, like fraudulent activities and cases in Education, in Agriculture, in other entities like the DED as we have been highlighting them before and we were asking where did they escape the eye of the Commission or the Commissioner in order that they be reported and they are dealt with. Now the answer is not very clear on why these issues

are not appearing.

There is another issue, especially on the report of audit on vacancy rate, that is saying our departments are still having many vacant positions, irrespective of people being unemployed, and we are talking about poverty eradication, we are talking about job creation, yet instead of filling in the vacant positions, they always remain vacant. It is a song that we always sing here, but we are given reasons, sometimes that such professions that we need for such posts, we cannot get, but I think it is not enough. We can still do better by looking into other avenues to see to it that vacant positions be filled.

There is a sore in the eye concerning the disclosure forms. We fill them in, like the percentages are showing that the North West has got so many that are filled in. In this department it is 100%, in this one is that.

Now the problem is not only concerning the filling in of the disclosure forms. It pertains to the follow-up and implementation of what is filled in the form because I can fill it in and pres-

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ent it to the office and the manager would put it in a cupboard or in a shelf or captures it in the computer, but nobody would be able to, maybe during the time of the practice of all the work of the department, during interviews, whatever that is happening, allocation of tenders, to go back to these forms and say, so and so is on the panel and this person, is there any interest or conflict of interest that could be existing that this person should be removed or not.

So in most cases we sit in these bodies, only to find that we have not declared our interests, nevertheless the forms and filled in. So it becomes a problem because the use of these forms is not just that once they are filled now, we can become complacent and say we have adhered to the requirements, therefore I filled in a form, without implementing what should be done.

Honourable Deputy Speaker, allow me to talk about the public servants that are not supposed to become councilors, in particular. I want to be specific in this issue on this report. When it was discussed, it says some-

times as a public servant you find yourself being, for an example, a teacher and as well a councilor at the same time, and it is either, you are serving two masters. Either the work at school suffers or the work in the Council suffers because you cannot really do well in both, and the recommendation of the Commission says in the coming elections or whenever, these teachers, these public servants in different departments should never be given a chance to become councilors or public representatives anymore unless if they resign from the public service.

Now I pose a challenging question that says in the previous local municipalities we realized that the councilors that are in our municipalities do have problems themselves. I once use the word they are untrainable, that is why low service delivery in municipalities or local government, and they have been improved by a fraction of the public servants that are working in municipalities who can read, who can interpret the minutes, come up with recommendations, maybe be involved in debates in order to make an input in the

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development of the areas.

Now if they are withdrawn, if they are not allowed to get into these local municipalities, I am asking myself a question about the quality and the caliber of the councilors that we would be sending into the municipalities, because being a councilor, being a public representative does not only mean how much you can sing, how much you can campaign, how much you can convince the people. There is a lot of work that still has to be done, the reading, the training, etc. So it is a question that I posed and during the debate in the committee we did not get any answer or solution to the problem.

As I am nearing the closure of my presentation Deputy Speaker, I would like to put a recommendation on the table from the side of the United Christian Democratic Party, to say since committees are made by this Legislature, the Legislature that makes the laws and the Public Service Commission is following up on the laws that have been made by parliament and the Legislatures differently, can we

not have a relevant committee in place in the Legislatures, in government or national, wherever, that can deal with the Public Service Commission reports, like we have got SCOPA that deals with the finances of the Auditor General reports that are always presented in the House, so that the work can be done in a better fashion, and we would like to say we support all the 24 Public Service Commission reports that have been tabled in the House, and say to the Chairperson and to the honourable House, we will do everything in our powers to see to it that we follow-up, we monitor on the reports that are given so that our lives are improved. I thank you Deputy Speaker.

**HON. DEP. SPEAKER:**

Thank you very much Honourable Matladi. May I just indicate that time allocation is done at a working committee level, and once the working committee has pronounced on time allocation, your protest in the House in relation to time will not assist us.

Honourable Members, I am now inviting the Premier to respond to these debates.

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**HON. PREMIER:**

Thank you Honourable Deputy Speaker. Not having preview to the working committee discussions, I do not know how much time am I allocated. Neither has a list been circulated. I hope I have some 10 minutes, 15 minutes.

Thank you very much Honourable Deputy Speaker. Indeed I want to agree with the Honourable Members when they say that these reports are just too many to be dealt with in one Sitting of this nature, not only in the Sitting of this nature but also in the Sitting of the committee itself, but I think there has been some suggestions made, which I propose to come back to Honourable Deputy Speaker, if you let me.

Firstly I would like to appreciate the discussions, the engagement by this particular committee on the matters of Public Service Commission, and also appreciate the report that has been tabled by Honourable Member, Chairperson, and Honourable Mahlakeng. There are specific recommendations contained in this report and I want to assume that the specific

recommendations, once again are also in line or in accordance with the discussions in the committee but also the issues raised about North West Government in particular. That is now our provincial sphere of government here in the North West Province.

We will certainly touch those Honourable Deputy Speaker, and we have noted that Honourable Members have indicated and very much seriously so, loud and clear about the lack of implementation on some of the processes or the recommendations and the decisions of this august House and the recommendations by the Public Service Commission, as well as the monitoring that is needed and the follow-up that needs to be done.

I therefore think that Honourable Deputy Speaker, in the interest of time we should agree that we will on a continuous basis pick on these matters and follow-up on implementation. I just want to come to the specific issues raised in the debate itself and the issue I think as I heard coming up very loud and clear by number of contributors,

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Honourable Members in this august House on this podium, is the issue of the need to deal with anti-corruption cases in a speedy manner, but also to ensure that the units that are there are synchronized and doing work in a manner that will actually help to fast track these processes.

Honourable Deputy Speaker, perhaps I should highlight that the PSC deals with anti-corruption issues through the hotline and they then send various cases that are being picked up from the hotline to the North West Province or rather the established hotline in the Office of the Premier, and these have to be responded to in a particular sequence within a particular given time which is supposed to be as quick as possible.

However we should note as this august House that there are many instances where cases of this nature are reported and are referred to departments and departments upon beginning to investigate, do also struggle in terms of finding facts and information from those who have reported them. This is a very very serious problem that is in

most cases actually encountered when there is a need to begin to investigate such matters.

Some of the cases for instance are reported about municipalities. The teams live the provincial government to go to municipalities. The first thing that gets done is to try and find further facts and more information which in most cases is very very difficult to be found, and this is one of the reasons why you find the anti-corruption cases, especially those that are reported through the hotline taking such a long time.

There are certain cases Honourable Members that are reported also or that emerge from the various investigations that are done also at a provincial level, which are followed through normal procedures of the Labour Relations Act in this country, and I think Honourable Members should appreciate also that these particular laws like the Labour Relations Act should also be observed in the process of hearing such cases, especially where they concern our own employees in government departments. They do also

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have their own processes and procedures, which in most cases take long. I am not trying to give excuses, but to explain why some of the cases actually take longer and the PSC therefore getting reports much much later.

The units that are there colleagues and Honourable Members, that are dealing with misconduct issues of anti-corruption and so on, each one of them is actually mandated in terms of the laws of our country. If you take for instance the issue of anti-corruption as being dealt with in the Department of Finance, it is prescribed in terms of the law and that particular department's MEC and the colleagues in there has to act in accordance to the law, when you have in fact at a central level an anti-corruption forum which is a body of people in government and external, outside government from out of public service, consisting of business, civil society and so on, who actually are a forum that sets standards that are actually also not implementing but monitoring and setting standards for anti-corruption and actually also creating awareness

for anti-corruption processes.

So I am saying each one of these units, each one of these bodies has a different mandate, has got a different process and procedures. I just thought that perhaps colleagues one should just deal with that matter or address it in that manner so that we do not necessarily think that it is possible to take away some of the functions and bring them into one. The only one that is operating at a central level is the anti-corruption forum.

We have at various stages Honourable Members, in this august House from this podium, dealt with the issue of the forensic investigation unit and today in this august House we have once again tabled some information about how that function would consist of and so on and so one, what the terms of reference are, what the objectives are and so on.

So again that particular forensic investigation unit has got a different mandate. It does take its own processes and procedures. Cases are reported once again, sometimes to SAPS and so on. They also take their own

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process and go at length, in fact before they can even be concluded. Some get into the administrative justice system where they are tried and you just have to wait and be patient for those processes to be completed. So it is not a very simple task to deal with colleagues. I just thought that I should deal with that because it is actually a matter that I had, a cross cutting.

The second matter Honourable Members, if I still have time Honourable Deputy Speaker, is the issue of the skills mobility and the filling in of posts. In our provincial government there are organograms that are actually established, ideal organograms that have to be filled, all things being equal if all goes well if we have money. It does not necessarily mean that we have to fill every post in that particular organogram. We begin first by filling in the posts that are very critical, that which we can actually function optimally with.

However we must also indicate colleagues, Honourable Members that in fact of late, as a province, we have been struggling like all other provinces as

alluded to by the Public Service Commission reports, that there is a very high level of skills mobility in the entire country. It is for that reason Honourable Deputy Speaker, that this government has considered also to establish and formulate a new Act that is now at a Bill stage, which I believe that Honourable Members are aware of, and that is a Bill on single Public Service Bill, which actually would allow a movement of our public servants from municipality to national government, which would then be dealing also, or assisting in dealing with the issues that Honourable Matladi was raising about the skills provision, but we must also accede indeed that there are skills shortage in our country and in particular in provinces like ours where you find that we are rural provinces, and in fact it is not just skills shortage but it is a very high skills mobility. You find that you appoint people and they stay for quite some time in our employ, just a year, two, they find employment, better greener pastures elsewhere and they depart.

In our Constitution there is just nowhere and in any one of our

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laws that you can ask those people or compel them to stay in the province or to stay in a particular post. Unfortunately these are some of the challenges that we face as a democratic government. However we will try and continue to try to fill in these posts where necessary, but I must highlight colleagues that we have actually taken a decision as Executive Council and I want to explain this issue of moratorium, because it does gets misinterpreted most of the time.

We have actually began running short of money as you know, that some close to R3 billion of our budget has come off, and we have said to ourselves as EXCO, do we need to spend on ourselves, on structures even where you do not have actually a critical need of particular post, or rather spend on the people on service delivery and on poverty eradication and so on. We resolved that we would rather spend on the service delivery and those other functions that we have to perform, function optimally with skills that we have internally, with posts that we have and vacancies that we have. We

have not stopped any department to appoint anybody.

We have however said that because we have realized that departments go out and advertise willy-nilly all posts, even sometimes up to cleaner when you have cleaners who are not actually optimally employed in other departments. They can be transferred to any other department as and when they are needed. That kind of a movement across departments can happen, instead of advertising for such posts when we actually are running short of a budget.

So every case has got to be represented to the committee that has been set up between the Director General and the Treasury, to actually look at every application and authorize application of those posts. We will not stop anybody. Critical posts will be filled and that is the solution and the decision that we have taken. It is not intended to stop anybody from appointing anyone, but it is intended to put some mechanism of control on how we manage our finances because indeed colleagues we could actually leave that out and

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behave like we are not seeing it and come to this Legislature to account, only to find that we are actually spending something like 65%, 70% of the budget that we allocate to our government for service delivery and spending it on ourselves and on personnel. Yes, we want people to be employed but it should not be that we actually employ people and later not have even a cent for them to service the communities, the very same communities that they serve elsewhere.

With regards to issues of the movement as raised by Honourable Baloyi, and indeed also performance management agreements, we would like to state to this august House that all of our senior managers have actually previously and throughout the years signed performance management agreements. We have been leading in this regard as a province. However there has been some challenge.

In fact let me also state that this past year, we have said to all managers that they should actually never be evaluated as HODs. Before we evaluate, they themselves evaluate all other people internal in the

department. They cannot use any other tool except for finance management agreements. So those performance management agreements are in place in most instances.

Where they are not in place colleagues I would like to suggest that, as the suggestion that I was going to be making, that in the process of evaluating every other department, instead of the proposal that was made by Honourable Member Matladi, let us take these issues into cognizance and not say we have disposed of the issues of the Public Service Commission reports, but as and when we meet every other department, we then pick on those issues and ensure that on a continuous basis, we monitor department by department, because to also look at the issues, as the one size fits all, they may be painted in the report.

It may be problematic because there are some departments that are actually performing and some other not, and some departments that are coming back, for instance on anti-corruption issues and some not. So it will be helpful also for us.

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Like we do also we would follow in EXCO that we follow those particular departments as and when they come to account so that this report is not a report that dies here after discussion today as a consolidated report, but it continues to live as and when we live throughout the year.

There are issues raised about the, I do not know, this recycling of the heads of departments. As far as I know heads of departments apply. They get interviewed like every other person. They get appointed in the particular post. I have not come across any recycling. We did once re movement of HODs in the government employ. That was in 2005 in August when we reconfigured departments, but indeed where they are, they are being monitored and managed through Performance Management Agreement.

**HON. DEP. SPEAKER:**

Premier, you are supposed to be going towards conclusion because your time is up.

**HON. PREMIER:**

Okay. Thank you very much. I think, let me conclude by saying

Honourable Deputy Speaker, that we would like to propose that, as I was saying, almost concluding, that these issues as raised be monitored on a continuous basis but through departments and on our side we will do our best and all in our power to continue to deal with implementation.

All these issues are not necessarily implemented in the Premier's Office but in various departments. We will follow-up accordingly. Thank you very much.

**HON. DEP. SPEAKER:**

Thank you very much Honourable Premier. Honourable Members, you would recall that today we have a whole range of debates:

- First on Public Service Commission report
- Second on Premier
- Third on Legislature
- Fourth on Traditional Leadership report
- Fifth on Are Ageng.

Now given a number of these debates, we decided to remove the debates on Legislature from the list and defer it to the next

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Sitting. So I wanted to draw attention of Members to that.

We are now proceeding. Before we proceed, I have to check with the House whether the House adopt these reports and get them referred to relevant Portfolio Committees. We now proceed to Honourable Mahlakeng. We now invite Honourable Mahlakeng to lead the debates on the strategic plan on the Premier's Office.

**HON. MAHLAKENG:**

A ke ho lebohe Modulasetilo. Ke ne kere fela for the record, ha ke a utlwa hore o entse jwang ka report e fetileng. Akere e se e tswa komiting. Jwalo o ne o tshwanela ho e lahlela Ntlong hore naa e e adopta e le yona, mme on behalf of myself ke re ee Chair, ha ke tsebe batho ba bangwe.

**HON. DEP. SPEAKER:**

No, Honourable Mahlakeng, I am aware that the report was referred to committee. It came back to the House. There has been a debate around it, but there is a need for the House to adopt that, and you say you concur and the House has done the same. We are now on the

second debate. Proceed.

**HON. MAHLAKENG:**

Ke a leboha Mohlomphehi Modulasetulo. Deputy Speaker, ke ne ke re Deputy Speaker, Portfolio Committee ya Developmental Local Government and Housing and Provincial Affairs, ka la masome a mabedi a metso e mmedi Mmesa monongwaha, e ile ya kopana sebakeng se seng hona mona Legislature moo ho buelwang ditaba teng, mme ha e ne e kopane hona moo komiti eo, e ne e ipapisitse le molaotheo wa South Africa, Section 114, moo, hare ha tsona, mosebetsi o moholoholo wa komiti eno eleng ho hlokomela ditaba tse amanang le mafapha kwano lebatoeng, mme ha e ne e kopane hona moonoo e ile ya kopana le ofisi ya Tonakgolo.

Ofisi eno ya Tonakgolo e ne e eteletswa pele ke delegation a kgolo, e powerful. Hona mo delegation eo, ha ba qala ho teka ditaba tsa bona ka pele ho komiti eo, ba ile ba bontsha dintlha tse ding tseo ba batlang hore, ba nahanang hore ba tla di etsa monongwaha. Hare ha tsona nka qolla pele o nteleka mona, taba ya ho fokotsa bofu-

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ma kwano mona Bokone  
Bophirima kapa Bokone  
Bodikela, le ho bontsha tse ding  
tsa hore ho latela

- Soccer World Cup Programme,
- Greater Mafikeng Growth and Development Programme,
- Asset Management Programmes,
- Skills Development and Training Programmes,
- Poverty Alleviation Programme
- Settlement and Development Programme
- Taung Western Corridor Programmes,

le tse ding jwalo jwalo ke tse ding tsa dintlha tse ba hlokometseng e le tse bohlokwa haholo.

They also raised a number of other issues relating to national business unusual as you would know that there are about 20 areas. However they are raising about 6 of ....

Unusual as you would know that there were about twenty areas. However they are raising about six of these areas amongst them they include the aim to

speeding up the IT interventions and that the Office of the Premier intends to resolve the organizational matters around skills development, the also aim at setting up employment interventions in the second economy, will also speed up the community infrastructure programmes, the implementation of social cohesion programme and improving the civic services.

Some of the challenges in that office of course include administration, institutional policy and governance. Ke dihloho tse nono. Mme ha ra diphephetso tsa tsona are the following: high level of staff turnover, improved communication between the Executive Council and cluster system, its objectives and management challenges with the key role players and development of clear guidelines. The renewed initiative to promote Batho Pele Principles in the workplace must be extended to meet priority sectors, crime prevention and anticorruption and fraud initiative that we have spoken a lot in the previous report.

The committee also raised the number of other issues including the mainstreaming of transver-

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sal policy and strategic thrusts at every government sphere, cluster and economic sector is one of the challenges that is faced by this important office. The role of the director general in the Premier's Office being confined to the same office and not overseeing heads of departments of government are some of the challenges as you would also know that in each department the HoD is the accounting officer. So it is one of the challenges where we cannot be able to question the director general because it looks like then. In practical terms the director general is an accounting officer specific in the Office of the Premier where as if you use common sense we would argue that she should be overseeing various other departments.

Now the following recommendations were made by the committee that:

- The Strategic plan of the office of the Premier should have programmes which are costed to ensure that the office is in line with the PFMA requirements.
- The Office of the premier should improve on the operations of its monitoring and evaluation directorate not withstanding what I have already said.
- The rate of vacancies in the Office of the Premier which again we spoke at length under PSC Report is a matter that has to be looked at because is escalating year to year.
- The Premier's Office should ensure that all the senior managers have sign their performance agreements and they should also be submitted in time to the Office of the PSC, the matter that we have also dealt with Honourable Deputy Speaker.
- The committee has also taken into account that there are at least four dominant languages in the province namely: Setswana, Isixhosa, Afrikaans and English and that in trying to improve we must also translate whatever we do into those languages.
- The matter related to traditional leadership where in they wanted to be an independent body should be given serious attention by the office of the Premier as well.

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- The translation of different languages as I have already outlined must also be attended to.

As we conclude this report Honourable Deputy Speaker, the portfolio committee also will like commend the Office of the Premier for the effort taken to present their strategic plan. The committee also welcomes the new director general who made her first debut before the committee and she was spot on with issues. The committee is looking forward to a pleasant interaction with the office and also would like to wish the director general well in all her future endeavors and hope she will enjoy staying in our province. The committee therefore having said this moves that the House should adopt the report on the Strategic Plan of the Office of the Premier. I thank you chair.

**HON. DEP. SPEAKER:**

Thank you very much the next speaker is Honourable Matladi and I would want speakers to speak to time. You time is five minutes and please do not exceed it.

**HON. MATLADI:**

Thank you Honourable Deputy Speaker. Ke se tse ke dumedisitse Motlotlegi. Ke tsena fela mo dipuisanong tse tsa the strategic plan of the Office of the Premier. When studying the strategic plan I realized that programmes were not costed and if they are not costed they do not agree with what PFMA says and we have agreed with the officials in the office that they would look into the matter but I need to raise it here. Another issue the chairperson talked about is the staff turnover. He also deliberate it upon it on the PSC Report and the worrying factor in the Office of the Premier in particular is that it is growing from year to year not withstanding the explanation the Premier has given. We would like to really say can't there be other strategies in addition to those that are applied to address it.

Concerning communication, North West is a rural province and most of our people live in villages. Most haven't gone to school they do know Setswana and Isixhosa and others only know Afrikaans. If we do not translate the official documents into at least three of the official languages to allow them as well

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to know of what is happening in government, we are not doing the right or maybe we are denying them of the privilege of understanding of what goes on in their province and in their government. We have discuss this issue more than once and we have been promised that the office will take care of it. But we haven't seen the product thereof. We were told that translation is sometimes done when the office is going out to the people end we say that is not enough. We want documents that are presented in this House to be in translated languages so that those who choose to take a particular language are able to do so.

There is none delivery in the Office of the Premier on the following sections: the gender section, the disability section, the youth commission as well as the problem in the appointment of the focal persons in different departments to deal with gender issues. Also a contradiction in powers regarding women issues or gender issues and not women only but gender issues in the province where we've got this quality of life and status of women in the Provincial

Legislature and we've got the desk in the Office of the Premier and most of time they are not coordinating the programmes and they do not know who should be really doing what. But what the gender desk has presented to the committee is that they do not have powers over the departments that most of the time there should be monitoring on gender issues in the departments. Departments are not listening, they are not cooperative, and they even refuse to assign focal persons in their departments to deal with gender issues.

We have once subjected the matter and even requested that we need people at high decision making level to be appointed as gender focal persons so that they would be able to push the gender issue in different departments and these as not yet been done. Entities in the Office of the Premier also are still lacking behind I need not mention them and would like that the monitoring that should be done in that department should also get into these entities to look into their management boards and the board are suppose to be running them so that things

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can flow smoothly. We are also perturbed if not disappointed by the announcement of the DG that she doesn't have powers to monitor, supervise or oversee other DDGs in other departments as the chairperson has said. While we thought that to be a DG, a director general it means that you are in control of the province. Then we don't know that how come that she doesn't have the powers to do the work that we believe she is employed for and we would like to be enlightened on the matter in case we do not understand.

The are outstanding reports Honourable Deputy Speaker, on the conflicts of bogosi in our different villages and I will start with the Barokologadi ba ga Kgosi Sephuti kwa Obakeng. We have engaged them they have come here; we have even gone to Obakeng as a committee. We have given the report to the Office of the Premier but we haven't unraveled the complexities that are in these reports. One thing they belong in administration to Kgosi Matlapeng wa Molatedi and they are requesting that they must be given powers back that they govern themselves and not belong to

Molatedi and Batlokwa anymore. There are laws that are appending that have got to be turned over so that is repelled so that this can be done.

They were also asking for an office that they be build an office in Obakeng where they should be running their things. Ba nne le banna ba lekgotla ba bone, that they would also get stipend as other traditional councilors are getting. The resources that other Dikgosi are getting that they also get. The Hailane issue, Morokweng, Hebron and Bakgatla ba ga Pilane I can go on more than six that we have presented but they are not yet resolved. Now the question that we get from the community members le merafe le Magosi ke gore it would be the end of the term next year and are we saying we would have failed in doing what they expected us to have done for them. Not to say that government would stop next year but we would like to see ourselves as well winning some where to say at least we have been able to help our own people.

Barokologadi bone ba Obakeng ba pitse di sule jang? Ba de

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brak, ba lebogetse go boela ke lefatshe la bone la melorane. Mme ba re ke fitlhise malebo mo Ntlo Kokoanopeomolao e ya Bokone Bophirima gore le bone ba nnile ba ja boswa ba lefatshe la borrabone. Ke bua jaana ke le yo mongwe wa baja boswa ba lefatshe la melorane. I am benefiting from there. Mme ban e ba kopile gore ekele mo puong ya ga Moporemia fa a ne a ala phate fa re ne re simolola ngwaga ka February, o ka bo a na a tlhagisa ntlha e jaaka enngwe ya di achievements tse re di boneng. Ba fitlhetse e tlhabela ba batla lefatshe le lona le itse dipoelo tsa bone.

Ke digela ka ya magosi gore magosi a lla thata ba batla go re ba fiwe go ikemela ka nosi. Go nale dintlha tse ba lemogang ele tsa bogosi tse ba tsayang gore fa ba ikemetse ka bosu ba ka kgona go di dirafatsa ka tsela e e bofefo e e sa fediseng pelo e e ka tswelang merafe mosola. Mme re ikopela mo kantorong ya Moperimia gore mma rona a ko a sekegele ntlha e tsebe a bone gore magosi a lokologe ba tle ba kgone go dira jalo. Ke a go leboga.

**HON. DEP. SPEAKER:**

Thank you very much. Honourable Baloyi you have five minutes.

**HON. BALOYI:**

I have already greeted Honourable Deputy Speaker. I am not supporting you Honourable Matladi. But just to emphasize the role of the HoD linking it to the role of the Premier because you can't separate the two, meaning the director general. Now I want us to refer to the Constitution in terms of Section 133 around accountability and responsibility. Allow me Deputy Speaker to read it verbatim so that as we begin to discuss the DG we should be mindful of this clause within the Constitution.

The members of the executive council of a province are responsible for the functions of the executive assigned to them by the Premier. Members of the Executive Council of a province are accountable collectively and individually to the Legislature for the exercise of their powers and the performance of their functions. I want us to go to the other Section on 129, temporary assignment of functions as embedded within the

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Constitution. The Premier of a province may assign to a member of the executive council any power or function of another member who is absent from office or unable to exercise that power to perform that function. Some departments are not functioning as expected.

Now the director general is telling the committee that she doesn't have powers. We don't want the powers of the director general. We don't want the powers of the DG; we want the powers of the political head. Who is the political head? Is the Premier because all HoDs are appointed by the Premier in consultation with Members of the Executive Council. Now what power is this? If somebody is not performing to the latter as an HoD, he or she should go with peace and leave this institution. So that kind of response should not even be repeated again. Here we are not blaming the DG, the political head and in this case our political head is Her Excellency Premier Edna Molewa. Now we are speaking to the political head. That one you will see her at the level of the Executive Council where you are dealing with administra-

tion matters. She cannot report that she doesn't have powers. Not in this House.

Now one of the issues that were raised is around shortage of skills. This issue was raised by different departments in the province. But when you ask himself or herself a question what is the rationale behind because R24m was unspent but the reason that is supplied by the department is that there are no funds. Why haven't you use the R24m that was unspent to address this anomaly within the provincial government? I strongly object to the issue that there are insufficient funds within the province. You should have used that R24m that was highlighted by the findings of the Auditor General. It's a closed chapter.

Honourable Deputy Speaker ...[inaudible]...is the issue around the dispute and here I will mention one, Bethanie issue under Kgosi Segwagwa and the one of that lady I forget her name. Why are we not intervening as the provincial government? Because they informed the committee that the certificate is in the Premier's office. You are refusing to give them that certificate.

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for Kgosi Segwagwa. What is the reason? Now when you look dintwa tsa batho ba, is around the issues tsa mine. Go lwelwa di royalties. Ko Bapo go lwela maritorito and go nale batho bao e leng gore ba ale interest and ke di leaders bao e leng gore some of them ba ko di mmasepaleng ke di councilors. Re dira eng re le Kokoanopeomolao ya Bokone Bophirima gore re intervene mo dintweng tse re di bonang mo magosing?

Why re sa tlogele bogosi bo ikemela? Maar is so strange that they are saying they are not independent they are dependent. What they normally do is to give you receipts as if they are selling something and exchange of dealings there. Ba submita di receipts and then somebody ntate Mosiane will say no! in terms of the finances of the traditional leadership ditšhelete tsa rona di tsamaya sentle. Where have you ever seen that? Why we are not treated the same as Eastern Cape? Kwa-Zulu Natal. Chiefs there are independent. Bakgatla ba ga Kgafela ba nale bothata ba kgosi. But kgosi o ntse a ya a tsena metseletsele ya dikopano ga go buiwe sepe

and go senyegile kwa. Bogosi ba kgosi Hailane and ga re intervene as the province re intervene very late. Go setse go dubegile ke gone o tla bonang batho ba tabogakaka o sa itse gore go diragalang ka gore go dubegile.

Youth commission ga ise e ripote. Ga ke itse gore ba exempted or what. But is interesting o tla utlwa ba re ba fa batho di awards but re emetse ripote. Award e benefita baša ba rona ka eng mo Porofenseng ya rona ya Bokone Bophirima? Ga ba ripote ba fa batho di awards, ke tsa eng? Rona re batla ripoto re le Ntlo gore ba re bolelele gore ba dirile eng. Ga ke gopole ba tshwara metseletsele e e tletseng go empowera baša ba rona. (Interrupted)

**HON. DEP. SPEAKER:**

Honourable Baloyi you are suppose to be moving towards conclusion.

**HON. BALOYI:**

2010 updates. Re kgopela updates. Is not a matter of portfolio committee ya ntate Mahlangu or ya MEC Duma Ndleleni. A re fiweng update re itse gore go diragala eng. Re

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bona batho ba lwa bo Molefi bo mang mang but rona mo ga re a tshwara selo re le baetapele, is so strange. What is the role of government then? Your BEE, re a e dumela gore yone e a tsereganya maar nna ke ne ke kopa gore a re le beleleng The Crossing le mall o o tlisang Sams re lebelele pila gore a batho ba rona, letlalo le le ntsho le teng naa. All these strategic business shops your spazas are they benefiting the emerging entrepreneurs. We see Whites, Colourds, Indians, Greek and Portuguese. There is no black skin there. Our own people bao e leng gore re dumellane gore re saena le bona konteraka ya gore re tla ba direla, we are not interested in seeing development e e leng gore e exclusive ga e aterese le le ntsho that is not black economic empowerment. Is something else that I cannot even mention?

We need to define what we mean by saying black economic empowerment. And we must locate it within the micro economic strategy in terms of addressing the small medium enterprise linked into the black socio economic empowerment. The balances of forces in terms

of seemo sa batho bantsho se eme jang, not one person a empowariwa ba re ke black economic empowerment ale mongwe o kgattha ke ene a taboga ntho enngwe le engwe ba e fa ene as if he's the best person [Interrupted]

**HON. DEP. SPEAKER:**

Honourable Baloyi I am forced to ...[ inaudible] ... because I have given you an extra minute you want to take more extra. In my list I've got Honourable Groenewald who is also allocated five minutes.

**HON. GROENEWALD:**

Thank you Honourable Deputy Speaker, Honourable Premier, Honourable Members of the Legislature; I will calm the House down after Honourable Baloyi. All of us who are sitting in this august House of the North West Province know what important role the Office of the Premier is playing on all levels of community life in any department of this institution. Therefore the new appointment of Mr. Mahlangu at the Office of the Premier it is the lead that the high level of staff turn over at senior level will be addressed. To be the Premier,

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and that is only for you Honourable Premier, to be here in the North West Province takes a lot of energy from a human being.

To be a Premier with a lot of initiatives enthusiasm and energy as we have in the North West Province, demand departments with a role that is positive to succeed and reach a goal without fraud and corruption. These objectives and targets have been structured with the new programme structure prescribed for all provincial offices of the Premier. The strategic annual performance done must continue to support ASGISA through the following, service delivery, challenges of reducing poverty, unemployment and underdevelopment. Honourable Deputy Speaker the way some of the departments perform in the previous financial year ended at March 2008 is shocking and really to the disadvantage of people of our province. When we look at the Auditor General's report on the performing of the departments and the spending of money on their budgets, the DA is worried about the discipline in the departments by the MECs.

At the end of the day every thing that happens in the Legislature, is the responsibility of the head of the institution, the Premier of the province. It is never too late to address and show the MECs and the departments that they have the responsibility to the people and to the tax payers of the province and South Africa. Although the Office of the Premier had strategic focus areas such as poverty, promoting public and private investing drive of nearby or nearly seven billion and programmes carried forward. Soccer World Cup programme. Greater Mafikeng grows and I must say that Mafikeng very good after four since 2004 when I arrive in this Legislature. Buildings are arising in our industrial site.

The DA wants to remind you Honourable Deputy Speaker that there are still a lot to be done before we are going to reach these strategic focus areas. The problem and I am so glad that Honourable MEC of Education is still in the House because I noticed a lot of things going wrong in Education. The problem is that we have a huge a overspending of nearby R12b

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renovation and maintenance of schools, shortage of educators in certain subjects, management in schools, safety in schools, scholar transport, nutrition programmes and many more.

The bad service delivery from the local government is nothing to be proud of. Mismanagement of tax payer's money, fraud, corruption, bad Auditor General's report, collapsing of infrastructure in towns. The Khutsong issue. The people want an answer from the government. People want to go on with their lives. The DA wants to congratulate the Premier and the Department of Transport and roads and Safety with the upgrading of the Mmabatho Airport by receiving an international license. With positive management it may bring a lot of opportunities and new investments to our province. The provincial roads need a lot attention and the Premier must intervene into this situation and see if the Department of Transport Roads and Safety can get more money from national or other institutions.

The Office of the Premier must also see that the imbizos are

attended by all culture groups in the province and that the advertisements are in all news papers when the imbizos are advertised as well as in different languages. Honourable Deputy Speaker as Honourable Matladi has said, let our province move up on a ranking list of the provinces and let the people of the province get proud of the job been done by the Office of the Premier. I thank you.

**HON. DEP. SPEAKER:**

Thank you very much Honourable Groenewald. I now invite the Premier to respond.

**HON. PREMIER:**

Thank you Honourable Deputy Speaker. I have already greeted as well. Let me start by acknowledging all inputs and go straight into responses. Issues of translation of official documents require a lot of money. We would like to do that but we are unable to do that even as this Legislature. Until such times that allocation funds we will then be able to do it. So we would like to ask the Honourable House to be patient on this matter if it is for that reason that we ensure that where ever we go at least we can do verbal transla-

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tions until there is adequate money to can be able to translate every function just like ourselves here in this august House where we are not able to translate these documents because of shortage of funds.

Issues of lack of delivery, the Office of the Premier is not having any responsibility to deliver on disability and appointments of gender focal points. They are dealt within the various departments and therefore accounting that is detailed will always be found there in the various departmental reports. With regard to issues of unregistered entities I noticed that the report thus says that we will have to revert back to this august House and to that committee about clarifying that particular matter. We will thus say this contention in even understanding of this matter. So we will come back to have that discussion and align when is necessary and ensure that we register where necessary.

Whiles I am here colleagues let me deal with the issues of traditional leaders. We are been asked to actually separate the House of Traditional Leaders

from the functionality of the Office of the Premier. If that is the case in terms of PFMA it means that we have to make it a public entity. I am not ensure if that is what we are been asked to do. There is no and cannot be any public entity called House of Traditional Leaders. However we have agreed with the House of Traditional Leaders, the executive and everybody that their budget will be managed under the secretary to that House like we do and account. They are going to be expected to account like all of us. There is no area in our country, no province that has got the House of Traditional Leaders as a public entity. It doesn't exist Honourable Members.

With regard to issue of the powers of the director general (DG) , I want to ask Honourable Member Baloyi in particular to also go and read what is known as the Public Service Act. Because the DG functions is not in terms of that constitution only. The chapters and the sections read are about executing authorities and the functioning of the executive council. Where you will find the issues raised

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about the DG is in the Public Service Commission. There was a time in our lives here in this Legislature we were also part of processing the amendment to that law. Previously when Professor Mokgoro was a DG in this province, the arrangement used to be like that.

That he is responsible for everybody who is the head of the department. But now there has been a change in the Public Service Commission law that says "the DG is responsible for overall coordination but does not have to actually say you can't and you can do in the department". However I have always argued and I still say it like Honourable Member is saying that indeed the DG has to act as support to the Premier. There's a big difference can't instruct HoDs but can work through the Premier who will then has to instruct MECs to instruct their HoDs. That's the only way we can work. Unfortunately is going to be repeated until such time we do something about this Public Service Act. It is an Act that we have to abide to. We can't be asked to disobey the law.

Issues of the traditional authorities colleagues, Honourable Members, there is no issue that give us heart ache problem like this particular matter. As I speak, there are people in Premier's Office who are now busy at Bapo ba Mogale where a clinic has actually been stopped to be built. Is just that we don't report these things in details everyday. All these interventions that the oversight did, you will find that if you asked for proper reports that are detailed, because I don't think I have time to deal with them here. Bakgatla ba Pilane, ba ga Kgafela the cases are in court. What do we do? The part of the community writes a letter to the Premier and says remove that kgosi. In terms of which Act? Is just a small section of community, the tribal authority the Sebeso Serobe is divided into two? One part writes and say remove the kgosi the other says do not remove that kgosi. The only thing we do there is to intervene. Indeed we have intervened.

In these past two /three weeks we had three meetings. Personally I have been there with Bakgatla ba ga Kgafela. I

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can say it about every other matter here there is no any other place where I have not been. The issue is that we ourselves must encourage our communities not to be divided. Because where there is division you do talk and talk and try and intervene but if people have resolved not to actually work together there is very little that you can do. This issue of Bakgatla ba Kgafela for instance come as far back as 1956 colleagues. I was already on earth fortunately. Thus the battle from that time. There were no minerals Act. There was no platinum then. Kgobakgo was there in the Bakgatla ba ga Kgafela. We had to cross this border to go to Kgosi Lentswe to go and get this issue resolved. It was resolved now the mines are emerging and they are fighting again. I don't know what we do.

Rre Kgosi Segwagwa is not kgosi with all due respect. I can't give a certificate to somebody who is not kgosi. Let's not be misleading. Kgosi there is a young child whose father has passed away. Rre Segwagwa was acting kgosi. He was acting on behalf of somebody else. The child is now grown up.

When he was acting, three people were fighting for acting. All of them want a certificate. The council is divided. They write three letters to the Premier saying give that one certificate, give that one certificate. When the actual kgosi is in waiting.

He is in school we will give recognition to that young boy, he is very old not young boy I am sorry he is now kgosi, he is old he is over eighteen. Let him take over his chieftainship. Let these others who are fighting for the certificate from me not get it because they are not the kgosi. I cannot give rangwane to the kgosi, not even rangwane to the kgosi, the granddaddy to the kgosi. Rangwane to his father. Is not right. There are those who are not even kgosi. Bogosana who are now saying let us be recognized as the kgosi. Traditional Authorities' Commission has been set up by the President. Please let them go there. We have referred them they have filed their cases they are being attended to.

The Barokologadi and Hailane those who were marching now in Kagisano recently they say recognize us as kgosi when in

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fact they are dikgosana in the system of our traditional leadership. So I am just saying colleagues that we need more time to actually go deep and say what we are doing on a daily basis, on a monthly basis.

These is indeed the truth that in many communities here at Bodibe they now fighting because there are minerals. Is true. Minerals are there somebody says now I want to be a kgosi. In Bapo ba Mogale they say remove this kgosi because he is not educated. Now I don't know whether there is ever been a qualification of a kgosi being appointed because he is educated. They are born. That kgosi is they are kgosi.

Unfortunately we can't take him to school now, we have resolved through Standard Bank to work with them, we will educate people around him so that they can actually support him and that education will not take us three months, will not take us two years because they've got to do BCom degrees, minerals industry and so on understanding those issue..

There are very difficult staffs in these issues colleagues. It is not

an easy thing to deal with and it is not like we are sitting and doing nothing about it. I want to say that the issues of traditional leaders please let's deal with it as it should be. We have agreed with dikgosi lets not again be misinterpreting this thing. Their budget will be managed there but they will still have to account through the secretary. They are not the public entity.

I think that we really need to say that the issue of the Youth Commission the report that is not here, we take responsibility and accept blame for it that we have to do all in our power to that but yes they do actually go to communities to do this work amongst youth members. They have been to Lekwa Taemane they have been all over. That may not be enough, but yes they are trying within the limited resources as well.

2010 updates will be certainly provided to this august House. It is led by the Department of Sport, Arts and Culture but it is our responsibility also as the Office of the Premier to deal with it. I thank you and I think we accept the proposal to adopt the report colleagues. Thank you.

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**HON. DEP. SPEAKER:**

Honourable Mahlakeng must listen carefully I now check with the House whether the House adopts this report? [Adopted] I am reminding Honourable Mahlakeng because earlier on he said there was some confusion. Honourable Members we had planned that this Sitting will go up to 13hrs and at that time we will break for lunch and come back at 14hrs to proceed with the second session of the Sitting. But my calculations are such that we may complete even before 13hrs if only Honourable Members become honourable and stick to their allocated time. I am raising this because I want to indicate to you, I don't want to take you by surprise that I am going to be very strict in the remaining Honourable Members who are going to speak. The reason why I am strict is because I want us to be on time. I now invite Honourable Mahlakeng once again on the debate on traditional leadership report. We have only three speakers with very little time. We will finish quickly if they can stick to time.

**HON. MAHLAKENG:**

Thank you Honourable Deputy

Speaker. The Portfolio Committee on Developmental Local Government and Housing and Provincial Affairs met with the leadership on the 23rd of April 2008 here in the Legislature. Amongst other discussions is that they were looking at, was to brief the new portfolio committee on various issues that are a challenge to the traditional leadership itself. Amongst the other key important issue is that the traditional leadership raised through EXCO were matters relating to the traditional leadership be autonomous from the Office of the Premier.

The refurbishment of traditional leadership council offices, the amendment of the Traditional Leadership Act of 2005 and the feedback on the commission on traditional issues and also relating to the lifespan of the Office of the Traditional Leadership and involvement of Bahumagadi as well. The traditional leadership has raised that being under the Office of the Premier is making them powerless as they do not have control over the matters affecting them as an institution. The budget allocation is managed from this important

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Office of the Premier and they usually would have no idea how much is involved and allocated to them.

The institution has also raised an issue regarding trust fund which was taken from them by the government after the 1994 elections and the same trust fund is kept somewhere where they do not access to. They have met various MECs formerly Honourable Darcky Africa present in the House who could not give clear answers with regard to this particular amount of money, Honourable MEC Modiselle has not also been able to assist in this regard in this complex matter as Honourable Darcky Africa think it is and they would like to access this kind of money. You can mention all sorts of people who have been the MECs for Finance. This is an important matter.

The other issue that is a challenge Honourable Deputy Speaker relates to the refurbishment of the traditional leadership council offices. The traditional leadership understands that the decision is that there has to be two offices that have

got to be done per annum and that means they are going to take a very long time to complete the refurbishment of this offices through out the province because only two is done per annum. There is also an issue with regard to staffing in the traditional leadership offices where they think that there has to be an appointment of administrative staff and the government once again has to refurbish their offices, to buy them new furniture, to buy them cars and to cater for their staff members. But to date things are not happening. They have negotiated a successful deal as their own initiative with the Nissan Motor Vehicle Company to buy cars on dealership prize.

They also went on to make other deals with Old Mutual Insurance Company to arrange for a group scheme on funeral policy. The government was only approached to assist in effective stop orders to this effect. On the amendment of the Traditional Leadership Act of 2005, the traditional leadership institution has identified some loop holes in the Act and they are asking the Office of the Premier to assist on ensuring

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that this Act is amended. They identified clause 6 will be finalized with the legal advises of their choice and the matter will be referred to the portfolio committee for scrutiny at some point during this year. According to traditional leadership the Act has misplace them and took away the powers they once possessed. They believe that the amendments which they will make will bring back their dignity to the traditional leadership.

Traditional Leadership submitted before the committee that their life span in the office as the executive has been made to tally with that of the Honourable Members in this august House. However the situation in various other provinces including national is different. It then requested the portfolio committee to convey this message to the relevant authorities that is the Office of the Premier to put that life span in line with the national and other provinces. This is influenced by the fact that the national government is in interacting frequently with them rather than the provincial government. The feed back on the Nhlapo Commission on traditional issues is a matter that is

been raised. I notice you Honourable Deputy Speaker.

The recommendations of the portfolio committee Honourable Deputy Speaker are that the provincial government should ensure that the parity on the salaries of the traditional leadership and those parities should match with the other provinces. You would be aware as you go through the details of this report that the only municipality in this province that is treating the traditional leadership is that of Ngaka Modiri Molema which the traditional leadership is comfortable and happy with that and they would like that [inaudible]... [Interrupted]

**HON. DEP. SPEAKER:**

Ntate Mahlakeng you are supposed to be finishing now.

**HON. MAHLAKENG:**

Ee ntate ke a qetela o itimidatile completely. Honourable Members we look at the recommendations and in conclusion Deputy Speaker, the portfolio committee commends the Executive Committee on the traditional Leadership for the effort they took in trying to restore their dignity and presenting their

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case in confidence. The committee also applauded the traditional leadership for being able to combat crimes in their communities and assisting municipalities to achieve development in their communities. The committee therefore requests the House to adopt this report and further pledges its support in all the future endeavors of the traditional institution. I thank you sir.

**HON. DEP. SPEAKER:**

Thank you Honourable Mahlakeng. The next speaker is Honourable Groenewald. Please Honourable keep on time.

**HON. GROENEWALD:**

Honourable Deputy Speaker, the Office of the Premier must not only take responsibility of all the departments in the province but also to the several entities under the departments jurisdiction. The DA believes that one of the most important entities in the department is the traditional leaders. Now after I listen to the Premier I must change my facts here. The fact that they are in 95% of the cases stability in the rural areas of the province are to be laid in front of the +/- 54 courses in the province. So if I listen to you Honourable Premier it

seems to me I must change that percentage to 50%.

Therefore it is of utmost importance that the Office of the Premier must look into the key issues raised by the committee of dikgosi. However promises were made by the Premier in her State of the Province 15 February 2008 that transfer available for paying of sitting allowance for traditional councilors that is not happening in all councils or it is paid very late. Honourable Deputy Speaker the DA would like to see that the following issues get urgent attention. This august House must remember that the traditional leaders are another form of government and the national government and Legislature must take them serious.

The traditional leaders also want to see that they are taken up into local council. A strong feeling was that nothing has change since 1994 except establishing of Houses for the traditional leaders. Local Government must help and support traditional leaders. They want to become autonomous being under the Office of the Premier is making powerless. Refurbishment of

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Traditional Leader's Council Offices is too slow and communities lost confidence in their leaders. Building of two offices per annum is too slow and it will take 27 years for all of them to have and office.

General service delivery at Office of Traditional Leaders they are under staffed if we look into the organogram for the traditional leaders. Not enough or any telephones in offices. Amendment of Traditional Leadership Act of 2005. The feeling is that the Act took the powers they once possessed away. Involvement of Bahumagadi. Broadcasting stations need to be improved and reopened. Traditional leaders had a trust fund before 1994 and Honourable Darcky Africa I looked at you and I see you react on that and they have no access to it. Possibility of subsidising the traditional leader's vehicles as well as the funeral scheme, Honourable Speaker the Office of the Premier must also see that the traditional leaders of the North West Province enjoy the same benefits as their counter parts in the other eight provinces. The DA support the strategic plan of the

office of the Premier I thank you.

**HON. DEP. SPEAKER:**

Honourable Members I now take this opportunity to invite the Premier to respond. I would also be very comfortable if the Premier could be brief.

**HON. PREMIER:**

Thank you Honourable Deputy Speaker indeed I will be very brief. Just to thank Honourable Members for your participation. The reports are there we have listened we have understood but I think we have already responded to some of the issues stated especially about the autonomy. We will continually engage with the House of Traditional Leaders. Issues of staffing, perhaps I should inform the House very quickly that the organogram was finalized on recently and that part of dealing with that process of submission of requests to that committee that I spoke about which has to actually authorize the posts so that the advertisements happen and then we fill in once they are funded.

The issue of the trust fund I think is the one that I must spend a little bit one minute on

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it. Colleagues we have a trust fund Honourable Members of traditional leaders which were open very long time ago during the times of the former Bophuthatswana government. There were reasons why this trust funds were opened and even currently in the Act as stands, Act that governs the traditional authorities matters in our province, after very through consultation our dikgosi agreed that indeed there is necessity that the management of funds of the various traditional leaders be done also within government and capacitate the various communities in the processes so that they too become like Bafokeng who are able to manage their trust fund.

One of the reasons that we stated is the one that I stated earlier on, the conflict within the communities and so on. But the reality of the matter is that these trust funds are accessible to the communities. They do submit their budget from this particular fund, their income from various forces come into this account, they do know how much there is.

We have not quite audited all of

them. I think that's where the problem is. The challenge is to actually capacitate all our traditional leaders and communities so that they can be able to manage these funds. The issue of vehicles and all other amenities that are required, I think that we should really say as this provincial Legislature and accept that there is a need to have a look at national level at the kind of standardization of the services that we've got to provide to our traditional leaders. Indeed sometimes it becomes problem. A problem that Eastern Cape for instance will start from tomorrow buying cars for our traditional leaders when in the North West we are not able to that.

So there is a need for national policy on how we can approach this so it easy even national allocation to these issues. Sometimes Eastern Cape may have money, we may not have money and we are also required to the same and allocate same functions same everything. In the North West Province for instance we have been able to do certain things like the training of the traditional leaders through skills development working with one SETA. We have provided

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funds in that regard whereas the Eastern Cape hasn't or any other province. So there is a need to standardize all these issues.

Refurbishment it's a pity Honourable Members that we really trying to find more funds to cover the ground faster than we should. Unfortunately we are doing those two or three offices at a time again because of budget constraints. We are allocated not more than R10m per annum I think if I recollect well for this particular function. And again we said the kgosi should decide on their own where we should refurbish. Some of the offices are in existence in as far back as then government of Bophuthatswana but we tasked where there haven't really been offices.

We believe that if we all understanding that the task of developmental challenge issue is not the thing that you will win over night. We will actually by the time we have build people houses in this country which is some years to come we shall have also covered those areas of building the traditional authorities. We have given computers;

other provinces have not given computers. So all these resources issues will continue to be engage on and I believe that indeed there is a need for national policy and national directive which we will continue to discuss. Thank you very much Honourable Deputy Speaker.

**HON. DEP. SPEAKER:**

Thank you very much Honourable Premier. We are doing very well. As promised earlier on there is a possibility that we are finished before 13h00. We now go to the last debate. But before we go there, does the House adopt this report [Adopted] if the House does let me then now invite Honourable Mahlakeng. He is now speaking for the fourth time I thought you will say I am tired.

**HON. MAHLAKENG:**

Honourable Deputy Speaker sir, good afternoon and thank you very much for inviting me. The portfolio committee met the A re Ageng Forum on the 22nd of April 2008 when many of the Honourable Members were on recess; they continue to do this important work of this institution. Are Ageng Forum was formed

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as we understand 10 years ago and it has not been registered which is an important challenge. However the very forum was given some R790 000 from the Office of the Premier even though they were not registered entity. The forum had a good intention of operating like NADLEC where you invite various stakeholders to come and look at other issues.

The Are Ageng Forum as we understand it as a committee is that it should ensure that they are registered as this will open doors for opportunities and investment for them that the Premier's Office should ensure that the monitoring and evaluation of entities falling under their competences is done on quarterly basis to avoid using tax monies on illegal entities. Illegal it is assumed of course we were not having lawyers in that meeting Honourable Premier must make that point. However our contestation was the fact that there was some R790 000 given to this entity which was an entity that was not registered.

The Office of the Premier should ensure that the six member representatives from government

are actively involved in the activities of Are Ageng Forum because they have not been there. The same office should ensure that there are enough resources for the entity. The Department of Finance should try to assist the development and growth of the forum since the forum is established by the said department. As I conclude Honourable Deputy Speaker the portfolio committee would like to take this opportunity to pledge their support to the Are Ageng forum in all their endeavors.

The committee believes that they are actually a good structure which needs guidance and support from the government as it aim at assisting our province to grow its economy. The research made as shown that the forum is the only initiative of its kind which is fully in existence in our province as compared to some of the provinces like Mpumalanga which tried to establish the same structure but it collapsed in their hands. The committee therefore moves that the House should adopt the forum's report and thank you very much Deputy Speaker I hope I am on time now.

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**HON. DEP. SPEAKER:**

You are on time. The next speaker is Honourable Baloyi. This time I am going to make sure that Honourable Baloyi is on time.

**HON. BALOYI:**

Re makgabe a dipapetla re siile dipitsa di tthatlegilwe. Mothusa Mmusakgotla ke re ke inyalantse le ntate modulasetilo wa komiti Honourable Mahlakeng Mahlakeng. But ke re re ne re kopa thata gore ga re bua ka Are Ageng Forum, ba re ke social dialogue and ntlha enngwe e e bontshitsweng ke gore ga o kake wa tlogela law makers "us" because you are dealing with social matters, issues that affect civilians. Therefore we are saying we should be invited to their gatherings.

But Deputy Speaker we need also to change their organizational structure in terms of checking the material conditions so as to suit the duo geographical political situation. We must avoid creating bodies that are not even functioning that are not even contributing to the gross domestic production of the province. We have what we call

the North West Advisory Council, their terms of reference are not clear. We need to define. Now what we are saying as the portfolio committee is that there has to be amalgamation of these bodies, a signage so that we know exactly their modus operandi in terms of accountability, accelerating service delivery to poorest of the poor.

I don't want to raise an issue as highlighted by my chairperson. There is a sentence Honourable Deputy Speaker that the Premier's Office will with her discretion report the activities of the forum. That should be deleted. Anybody who is been given government's funds whether is R100 000 should account in line with the PFMA. We can't. it means if you are not happy you will not even report to us. With your discretion? Is wrong.

Are ageng is not a listed entity. It has to be a listed entity in terms of the requirements of the PFMA. Re ne re kopa thata gore k obo felong re sekaseke role ya di entities tse di leng mo Porofenseng ya Bokone Bophirima. Re buile thata ka Housing Corp. re nale di entities tse di ntsi mo porofenseng ya

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rona. Mme ga o tlhokomela sa bo ne go ja tšhelete e be ba siya. Ga ke bue ka di MIDZ. Ke bua fela ka tseo ke di itseng tseo go naleng maragaraga. Are Ageng Forum re e fa blessing and re kopa go re ba nne le board e e nono fileng e seng ya go tshwana le ya PAC e e leng gore ga e itse le gore maikarabelo a yona ke eng.

E eleng hore ha e tsebe hore maikarabelo a yona ke eng. Jaanong rare e nne le boto e e tsepameng, e nne le modulasetilo e a khaonte dibuka tsa rona di seka tsa odiriwa ke PriceWaterCoopers di ye ko auditor because go nale contradiction. Independent auditors ba oditha dibuka tsa Are Ageng, ga go kgonagale. Jaanong we are saying hore re ya e sapota Mmusakgotla re e sapota ka gore re kopa gore mo dikopanong tsa rona le metseletsele ba thuse go improve ekonomi ya rona ya porofense ya bokone bophirima e seka ya nna fela bare ba nale achievements only to find that ba tsene dikopano tse 100 fa o lebelela it was about eating lunch, going home it is not an achievement that thing.

We can attend meetings, does not even attempted to appoint the PGDS resolutions, to attend meetings is not an achievement. What did you do in terms of the resolution taken at that particular meeting for you to move forward? So we are saying, we support Are Ageng and re tle go kopa report on quarterly basis ba nne ba tle ba tle go re tlhalosetsa gore mathata a bona ke eng ba tsamaya jang. Ke a leboga.

**HON. DEP. SPEAKER:**

Thank you very much Honourable Baloyi. My speaker's list were only two people I'm now inviting the Premier to respond.

**HON. PREMIER:**

Thank you Honourable Deputy Speaker, when I came to this Legislature today I didn't know that I was going to work this hard. Very quickly we need to clarify again it's a matter that I raised earlier on the issue of the public entity. At the end memo there is a word that says forum and not a public entity. So, we really need to dialogue on this matter because I think we are missing each other on that. It is one thing that I think we should

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adopt a resolution that says that as per previous report.

Invitation to law makers, to the gathering of Are Ageng especially the summit I think it is a valid point we should do that. We will certainly with the Director General because the Are Ageng works through the Director General it has no CEO, it has no staff it is really functioning under something that supported by the Premier's Office a forum outside. A forum of social dialogue where people just talk, they don't implement they talk about how to coordinate, how to agree and disagree and inform one another about policies and so on. It is not meant for any other it is not another MIDZ, its not another investment forum and I do notice that in the recommendations we say recommendation 1 that the Are Ageng must open the doors for opportunities and investments for them.

I'm not sure whether we want to have Are Ageng doing investments unless if we missing a point. I really want to plead that we understand Are Ageng to be a forum social dialogue just like GETNET where people meet

and agree or disagree and tease out policies and understand one another with regard to issues of policy. We do support and need to support Are Ageng I must concede more than we do right now because if we recollect some few years ago when some of us were still serving 6 member representative Are Ageng in the previous two terms of our government, Are Ageng was well known because their summits were well known and I suppose it had to do also with the character and of the leadership at the time.

But we will certainly support them to lift their kind of participatory ability for them to be known and actually to be engaged by all other people particularly from the representative constituencies of Are Ageng. I think that there hasn't been much issues that have been raised. The 6 member participation will be attended to, I am aware indeed that off late there hasn't been adequate attention we will certainly attend to that issue. I want to thank Honourable Members also for their participation for also having make us work as we do keeping us on our toes. Thank you very

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much.

**HON. DEP. SPEAKER:**

Thank you very much Honourable Premier. Let me read through this announcement. There is an arrangement made in fact the Deputy Speaker is extending an invitation to chairpersons of committee to have a lunch together in the restaurant immediately after this sitting, chairpersons of portfolio committees. Next item,

next item is there item number 8.

**SECRETARY: ITEM NO.8  
CLOSURE**

**HON. DEP. SPEAKER:**

I'm saying this House is adjourned until further notice and chairpersons of portfolio committees are invited to a lunch.

**THE HOUSE ADJOURNED**

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