

## REPUBLIC OF SOUTH AFRICA

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# MINUTES OF PROCEEDINGS

OF

# NATIONAL ASSEMBLY

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TUESDAY, 3 MARCH 2015

1. The House met at 14:03.
2. House Chairperson Mr C T Frolick took the Chair and requested members to observe a moment of silence for prayer or meditation.
3. [14:04] Notices of motion.
4. [14:25] Mr D D D van Rooyen moved without notice: That the House –
  - (1) notes that on Saturday, 28 February 2015, Dr Sizwe Mabizela was inaugurated as the sixth Principal and Vice-Chancellor of Rhodes University in Grahamstown;
  - (2) further notes that Dr Mabizela was appointed late last year following the resignation of Dr Saleem Badat, who accepted a post in New York with the prestigious Andrew W Mellon Foundation;
  - (3) recalls that Dr Mabizela enjoys a solid standing as a mathematician among his peers and that his professional, global contribution to the discipline of mathematics is considerable;
  - (4) acknowledges that this appointment is for a period of seven years and that it may be extended for a further term at the discretion of the Council of the University;

- (5) believes that Dr Mabizela will make history by being the first black African to head the institution, and that he is eminently worthy of his appointment as Vice-Chancellor of this prestigious University; and
- (6) congratulates him on his new appointment and wishes him well in his commitment to transform this institution even further.

Agreed to.

5. Mr Z N Mbhele moved without notice: That the House –

- (1) notes that runaway fires have devastated large parts of the Cape Peninsula since Sunday, 1 March;
- (2) further notes that, even as we sit here today, several fires are still raging across Cape Town as fire-fighters battle to extinguish the flames;
- (3) acknowledges the bravery and diligence of the men and women of the Cape Town Fire and Rescue Services;
- (4) further acknowledges that the Cape Town Fire and Rescue Services encounter danger daily to ensure that the residents of the city are kept safe;
- (5) recognises that the Cape Town Fire and Rescue Services serves a population of 3.5 million people and covers an area of 2 561 square kilometres;
- (6) applauds the residents of Cape Town for showing incredible generosity by dropping off supplies for residents and fire fighters, helping those who have been evacuated and assisting hundreds of stray animals who try to escape the path of the fire; and
- (7) calls upon those who are willing and able to assist to drop off supplies at the Newlands Fire Base, Lakeside Fire Station or Fish Hoek Fire Station.

Agreed to.

6. Mr M S Mabika moved without notice: That the House –

- (1) notes that last week, Proteas cricketer, AB de Villiers, hit the fastest ever 150 in One-Day International cricket, off 64 balls against the West Indies; and

- (2) further notes that just last month, de Villiers made two additional records, achieving the fastest 50 in a One-Day International in 16 balls, and the fastest hundred in a One-Day International in 31 balls; both also against the unfortunate West Indies.

Agreed to.

7. Ms J M Maluleke moved without notice: That the House –

- (1) welcomes the repatriation of Moses Kotane and John Beaver Marks whose remains arrived at the Waterkloof Air Force Base on Sunday, 1 March 2015;
- (2) recalls that their families and supporters were there to receive them, five decades after they had died and were buried in Russia;
- (3) acknowledges that both Kotane and Marks were from the North West Province, and that they will be reburied in state funerals on 14 and 22 March respectively;
- (4) believes that the repatriation of the two anti-apartheid heroes will bring much needed closure and relief to the Marks and Kotane families; and
- (5) calls upon all South Africans to participate in the programmes, which will take place as part of the build-up towards the ultimate reburial ceremonies and which will finally lay these icons of our struggle to rest.

Agreed to.

8. Mr M Hlengwa moved without notice: That the House –

- (1) recognises World Wildlife Day marked on March 3 of this year and that it is the anniversary of the adoption of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES);
- (2) acknowledges that illegal wildlife trade undermines the rule of law and threatens national security and it degrades ecosystems; and it is a major obstacle to the efforts of rural communities and indigenous people striving to sustain and manage their natural resources;
- (3) further acknowledges illegal trade in wildlife has become a sophisticated transnational form of crime, comparable to other

pernicious examples, such as trafficking of drugs, humans, counterfeit items and oil;

- (4) calls upon the Government and the appropriate departments to tackle the issues of poaching, transport and consumption of illegally traded wildlife; and in so doing use the same sorts of enforcement tools, techniques and penalties used to combat other serious crimes, such as trafficking in drugs or persons to bring these poachers to justice; and
- (5) applauds the efforts of the Department of Environmental Affairs as it chairs the Rhino Protection Programme together with its various other partners.

Agreed to.

9. Mr S C Mncwabe moved without notice: That the House –

- (1) notes that Namibian President, Hifikepunye Pohamba, has won the 2014 Ibrahim Prize for African Leadership;
- (2) further notes that he is the first African leader deemed worthy of the honour since 2011;
- (3) recognises that the prize is awarded for democratically elected African leaders, who excel in governance and who step down from office at the end of their term;
- (4) further recognises that the annual prize was first awarded in 2007, when Nelson Mandela was named the inaugural honorary laureate;
- (5) congratulates Namibian President, Hifikepunye Pohamba, on receiving this exceptional honour; and
- (6) wishes him a peaceful and well-earned retirement as President of Namibia on 21 March 2015.

Agreed to.

10. Mr D D D van Rooyen moved without notice: That the House –

- (1) notes with sadness the passing of the struggle veteran Ntate Frank Sexwale at the age of 97;
- (2) further notes that Ntate Frank Sexwale, who is the father of former Minister of Human Settlements, Mr Tokyo Sexwale, was buried in Heroes Acre at Avalon Cemetery in Soweto on Saturday, 21 February 2015;

- (3) acknowledges that he is one of the few veterans who fought in the Second World War;
- (4) recognises that Ntate Sexwale and his generation ensured the successful defeat of the apartheid government and delivered political freedom to the nation as a whole;
- (5) believes that the departure of Ntate Sexwale represents an immensely sad moment as he remains one of the many compatriots who were prepared to pay the highest price for the liberation of South Africa and her people; and
- (6) extends its heartfelt condolences to his wife Mhe Sexwale and the entire Sexwale family.

Agreed to.

11. Mr J Vos moved without notice: That the House –

- (1) notes that the OR Tambo International Airport received the African Airport of the Year Award at a ceremony earlier this week;
- (2) further notes that OR Tambo International Airport is used by over 50 airlines with services to approximately 100 destinations, locally, regionally and internationally;
- (3) acknowledges that one of the most important modes of transport in tourism is air travel, and it is therefore critical for our country to have state of the art and internationally competitive airports;
- (4) further acknowledges that tourism, as earmarked in the National Development Plan (NDP), is a vital contributor to the South African economy, contributing more to our gross domestic product than the automotive industry and sustaining more direct and indirect jobs than the mining industry;
- (5) congratulates the Airports Company of South Africa and the hardworking staff of the OR Tambo International Airport for this remarkable achievement; and
- (6) wishes our airports well as they continue to go from strength to strength.

Agreed to.

## 12. Mr M S Mbatha moved without notice: That the House –

- (1) notes that hundreds of university students marched to the office of the Minister of Higher Education to demand free education on Monday, 2 March 2015;
- (2) notes that the students were mainly from Tshwane University of Technology, Durban University of Technology and Vaal University of Technology;
- (3) notes that due to government's failure the students may not return to university given the lack of National Financial Student Aid Scheme (NFSAS) funding for poor students;
- (4) acknowledges that NFSAS traps thousands of students into debt, and the government simply refuses to give free quality education as demanded by the Freedom Charter;
- (5) acknowledges that the current NFSAS funding is a student loan and therefore opposed to the principles of the Freedom Charter which declares that "education shall be free, compulsory, universal and equal for all children; Higher education and technical training shall be opened to all by means of state allowances and scholarships awarded on the basis of merit";
- (6) acknowledges that the reality today is that education is not free for all children and the post 1994 government has dismally failed in guaranteeing universal access to a critical and a vital component of any education system, which forms part of Early Childhood Development (ECD);
- (7) notes that the EFF commits to make education free up to undergraduate level and all pupils and students will be provided with adequate learning and teacher-support materials when we are in government;
- (8) acknowledges as a matter of principle that the state must build capacity at post-secondary education and training level that will put the state in a position to absorb all learners who pass their senior certificates and/or leave school from grades 10 and 11. which is currently not the case; and
- (9) calls upon the state to heavily invest in the qualitative and quantitative expansion of higher education institutions, FET colleges, SMME mentorship programmes and other vocational training programmes and institutions accompanied

by a comprehensive strategy aimed at realising free education.

Agreed to.

13. Ms C N Majeke moved without notice: That the House –

- (1) notes with grief the continuous inhuman murder of farmers in South Africa as retired doctor, Louis John Botha (64 years of age), was reported to have been brutally murdered on his compound game farm in Limpopo on Monday, 2 March 2015;
- (2) further notes that this year Mr Botha is the second farmer to be killed in the Waterberg District of Limpopo, after a woman farmer, Suzan Kotze (76 years of age) was murdered on her farm near Lephalale in January;
- (3) condemns these uncivilised and barbaric murderers, who murder innocent farmers, and states very explicitly that no historical justification can justify these atrocities; and
- (4) calls on the authorities to make sure that the perpetrators are caught and punished for their acts.

Agreed to.

14. Mr M L Shelembe moved without notice: That the House –

- (1) notes that five people have been arrested by the Hawks during a raid on a “perlemoen” (abalone) drying facility at a house in Kuilsriver, Cape Town;
- (2) further notes that the value of the confiscated “perlemoen” is approximately R3.2 million;
- (3) acknowledges that the Hawks also confiscated equipment to the value of R50 000 and R23 000 in cash during the arrests;
- (4) further acknowledges that three of the persons arrested are Chinese nationals and two are Zimbabwean nationals;
- (5) congratulates the Hawks for their sterling investigation of the plundering of our marine resources; and
- (6) encourages the Hawks to continue with their on-going countrywide investigations to combat the scourge of syndicated “perlemoen” smuggling in our country with vigour.

Agreed to.

## 15. Ms J M Maluleke moved without notice: That the House –

- (1) notes that every year, 8 March is celebrated worldwide as International Women's Day;
- (2) further notes that this year's theme is "Empowering Women - Empowering Humanity: Picture It!", which envisions a world where each woman and girl can exercise her choices, such as participating in politics, getting an education, having an income, and living in societies free from violence and discrimination;
- (3) understands that this day is dedicated to societies to reflect on progress that has been made since the signing of the Beijing Declaration and Platform for Action by 189 Governments 20 year ago;
- (4) further understands that this day calls for the celebration of acts of courage and determination by ordinary women, who have played an extraordinary role in the history of their countries and communities;
- (5) acknowledges that in 2015, International Women's Day will also highlight the Beijing Declaration and Platform for Action, which is a historic roadmap that has set the agenda for realising women's rights;
- (6) further acknowledges that while there have been many achievements since then, many serious gaps still remain; and
- (7) calls on Government, women formations, political organizations, civil society and religious formations to organise events to celebrate and uphold women's achievements, and recognise their challenges, as well as focus greater attention on women's rights and gender equality, as well as mobilising all people to do more to fight against women and child abuse.

Agreed to.

## 16. Mr M L W Filtane moved without notice: That the House –

- (1) notes that on Tuesday, 24 February 2015, there were suicide bombings at bus stations in two major commercial city centres in Northern Nigeria, namely Potiskum and Kano, where 27 people died;



- (2) further notes that Nigerian President, Goodluck Jonathan, associated the targeted attacks with the militant rebel group Boko Haram;
- (3) condemns these human rights violations and the loss of innocent lives; and
- (4) calls on the international community to intensify its efforts and solve this conflict between the Nigerian Government and Boko Haram.

Agreed to.

17. Mr M Q Ndlozi moved without notice: That the House –

- (1) notes that 2 March marks the 208th year since the Congress of the United States of America passed an act to “prohibit the importation of slaves into any port or place within the jurisdiction of the United States from any foreign kingdom, place, or country”;
- (2) notes that Great Britain also enacted the abolition of the transatlantic African slave trade in the same year and that despite this the trading of Africans into slavery continued in the rest of the Americas until the 1860s, particularly in Cuba and Brazil;
- (3) notes that by 1865 an estimated 12 million Africans had been shipped across the Atlantic Ocean to the Americas and more than one million of these individuals died from abuse and at times torture during the voyage;
- (4) notes that an unknown number of Africans died in slave wars and forced marches directly resulting from the Western Hemisphere’s demand for African slaves;
- (5) notes that despite the abolition of the transatlantic slave trade, slavery continued in the Americas well into the mid 19th century. That the 12 million Africans who settled in that part of the world evolved into generations and generations of slaves who toiled in chains as a hated and despised people, all for the benefit of the rise of the American civilisation and empire;
- (6) further notes that these generations of African slaves in the Americas laboured in the coffee, tobacco, cocoa, sugar and cotton plantations, the gold and silver mines, rice fields, construction industry, cutting timber for ships, in skilled labour, and as domestic servants and that the decedents of these who now live as freed peoples, continue to suffer indignity as shack- and slum dwellers in inner cities of New

York, Washington, London, other cities and town, doing menial work as cheap and easily disposable labour;

- (7) acknowledges that the colonisation of Africa followed the same pattern of exploitation, extraction and marginalisation which characterised slavery, leaving the continent under centuries of strife, instability, war, genocide and economic degradation;
- (8) acknowledges that the relationship of the West with Africa still remains structured in the image of slavery and colonisation: that it is about extraction of African resources, talents and skills in the advancement of the West, to the total detriment of Africa and its people wherever they are; and
- (9) further acknowledges that the economic emancipation of the continent of Africa will be incomplete until its diaspora populations are also free from economic bondage and the legacies of slavery in the USA, in Haiti, in Cuba, in Martinique and everywhere in the world.

Agreed to.

18. Ms N V Nqweniso moved without notice: That the House –

- (1) notes that since 8 May 2002, over 147 members of a farming community in Bonnievale in the Western Cape benefited from the land reform scheme under the Ashton Small Scale Farmers Trust;
- (2) further notes that the community to this day still has no access to water - the most essential resource for running a successful farming business;
- (3) acknowledges that, almost 13 years later, a once successful and highly productive dairy and wheat farm that had brought joy in its recipients' lives and had helped heal scars and fix injustices of the apartheid era, is now struggling without government support;
- (4) further acknowledges that the farming community have approached and exhausted every government channel they have been referred to, for over a decade, and that all they have received were empty promises;
- (5) recognises that a successful land redistribution programme requires strong government support to ensure sustained success;

- (6) calls upon government to provide the beneficiaries of the Ashton Small Scale Farmers Trust with funding, subsidies, skills development and other resources to ensure production on the land; and
- (7) calls on the Langeberg Municipality to further support small scale farmers in the area by buying at least 50% of the food they produce for service provision in school feeding schemes, hospitals and prisons, and for government to legislate for all its institutions to do the same.

Agreed to.

19. [14:51] Members' statements.

20. FIRST ORDER [15:35]

Consideration of Person Recommended for Appointment to Electoral Commission (Report of Portfolio Committee on Home Affairs on Filling of Vacancy in Electoral Commission, see Announcements, Tablings and Committee Reports, 24 February 2015, p 177).

Mr B L Mashile, as Chairperson of the Committee, introduced the Report.

There was no debate.

Declarations of vote made on behalf of the Democratic Alliance, Economic Freedom Fighters, Inkatha Freedom Party, Freedom Front Plus, Congress of the People, African National Congress, National Freedom Party and AgangSA.

[16:17] Mr J J McGluwa, having disregarded the authority of the Chair, the Deputy Speaker named him in terms of Rule 52(b).

Question put: That the nomination of Mr Vuma Glenton Mashinini to serve on the Electoral Commission be approved.

Division demanded.

The House divided.

AYES - 223: Abrahams, B L; Adams, F; Adams, P E; Bam-Mugwanya, V; Bapela, K O; Basson, J V; Bekwa, S D; Beukman, F; Bhengu, P; Bhengu, N R; Bhengu, F; Bilankulu, N K; Bongo, B T; Bonhomme, T J; Booi, M S; Boroto, M G; Boshielo, S P; Brown, L; Capa, R N; Capa, N; Carrim, Y I; Cele, B H; Cele, M A; Chabane, O C; Chikunga, L S; Chohan, F I; Chueu, M P; Coleman, E M; Cronin, J P; Davies, R H; Didiza, A T; Dirks, M A; Dlakude, D E; Dlamini, B O; Dlamini-Dubazana, Z S; Dlomo, B J; Dlulane, B N; Dunjwa, M L; Ebrahim, E S; Faku, Z C; Frolick, C T; Fubbs, J L; Gamede, D

D; Gcwabaza, N E; Gigaba, K M N; Gina, N; Godi, N T; Goqwana, M B; Gordhan, P J; Gumede, D M; Jeffery, J H; Joemat-Pettersson, T M; Johnson, M; Jonas, M H; Kalako, M U; Kekana, H B; Kekana, P S; Kekana, C D; Kekana, M D; Kenye, T E; Khoarai, L P; Khosa, D H; Khoza, T Z M; Khoza, M B; Kilian, J D; Koornhof, G W; Kota-Fredricks, Z A; Lesoma, R M M; Letsatsi-Duba, D B; Loliwe, F S; Luzipo, S; Maake, J J; Mabasa, X; Mabe, B P; Mabe, P P; Mabija, L; Mabilo, S P; Mabudafhasi, T R; Madella, A F; Madlopha, C Q; Maesela, P; Mafolo, M V; Mafu, N N; Magadla, N W; Magadzi, D P; Magwanishe, G; Mahambehlala, T; Mahlalela, A F; Mahlangu, D G; Mahlangu, J L; Mahlobo, M D; Maila, M S A; Majola, F Z; Makhubela-Mashele, L S; Makhubele, Z S; Makondo, T; Makwetla, S P; Malgas, H H; Maluleke, J M; Manamela, K B; Manana, M N S; Manana, D P; Mandela, Z M D; Mantashe, P T; Maphatsoe, E R K; Mapisa-Nqakula, N N; Mapulane, M P; Martins, B A D; Masango, M S A; Masehela, E K M; Maseko, L M; Mashatile, S P; Mashego-Dlamini, K C; Mashile, B L; Masina, M C; Masondo, N A; Masuku, M B; Masutha, T M; Mathale, C C; Mathebe, D H; Matlala, M H; Matshoba, M O; Matsimbi, C; Mavunda, R T; Maxegwana, C H M; Mbalula, F A; Mbete, B; Mchunu, S; Mdakane, M R; Memela, T C; Mfeketo, N C; Mjobo, L N; Mkongi, B M; Mmemezi, H M Z; Mmola, M P; Mmusi, S G; Mnganga - Gcabashe, L A; Mnguni, P J; Mogotsi, V P; Mokoto, N R; Molebatsi, M A; Molewa, B E E; Moloi-Moropa, J C; Morutoa, M R; Mosala, I; Mothapo, M R M; Motshekga, M A; Motsoaledi, P A; Mpumlwana, L K B; Mthembu, J M; Mthembu, N; Mthethwa, E M; Mudau, A M; Muthambi, A F; Nchabeleng, M E; Ndaba, C N; Ndabeni-Abrahams, S T; Ndongeni, N; Nel, A C; Nene, N M; Nesi, B A; Ngcobo, B T; Ngwenya-Mabila, P C; Nkadimeng, M F; Nkwinti, G E; Nobanda, G N; November, N T; Nqakula, C; Ntombela, M L D; Nxesi, T W; Nyalungu, R E; Nyambi, H V; Nzimande, B E; Oliphant, M N; Oliphant, G G; Oosthuizen, G C; Pandor, G N M; Patel, E; Peters, E D; Phaahla, M J; Phosa, Y N; Pikinini, I A; Pilane-Majake, M C C; Qikani, A D N; Radebe, J T; Radebe, G S; Ralegoma, S M; Ramaphosa, M C; Ramatlakane, L; Ramokhoase, T R J E; Rantho, D Z; Raphuti, D D; Scheepers, M A; September, C C; Shope-Sithole, S C N; Sibande, M P; Sisulu, L N; Siwela, E K; Sizani, P S; Skosana, J J; Skwatsha, M; Smith, V G; Surty, M E; Thabethe, E; Thomson, B; Tleane, S A; Tobias, T V; Tom, X S; Tongwane, T M A; Tseke, G K; Tseli, R M; Tshwete, P; Tsoleli, S P; Tsotetsi, D R; v R Koornhof, N J J; Van Rooyen, D D D; Van Schalkwyk, S R; Williams, A J; Xasa, T; Xego-Sovita, S T; Yengeni, L E; Zokwana, S Zulu, L D.

NOES-127: Alberts, A; America, D; Atkinson, P G; Bagraim, M; Baker, T E; Balindlela, Z B N; Basson, L J; Bergman, D; Bhangana, B M; Boshoff, H S; Bozzoli, B; Brauteseth, T J; Breytenbach, G; Buthelezi, M G; Cardo, M J; Carter, D; Cassim, Y; Chance, R W T; Davis, G R; De Freitas, M S F; De Kock, K; Dreyer, A M; Dudley, C; Esau, S; Esterhuizen, J A; Figg, M J; Figlan, A M; Filtane, M L W; Gana, S M; Gardee, G A; George, D T; Gqada, T; Groenewald, P

J; Grootboom, G A; Hadebe, T Z; Hill-Lewis, G G; Hlengwa, M; Holomisa, B H; Hoosen, M H; Horn, W; Hunsinger, C H H; Jafta, S M; James, W G; Jongbloed, Z; Joseph, B D; Kalyan, S V; Kethebale, V; Khawula, M S; Khoza, N P; Khubisa, N M; Kohler, D; Kopane, S P; Krumbock, G R; Lees, R A; Lekota, M G P; Lorimer, J R B; Lotriet, A; Louw, E N; Lovemore, A T; Mabika, M S; Mackay, G; Mackenzie, C; Macpherson, D W; Maimane, M A; Majola, T R; Malatsi, M S; Marais, E J; Marais, S J F; Masango, S J; Mashabela, N R; Matiase, N S; Matlhoko, A M; Matsepe, C D; Matshobeni, A; Maxon, H O; Maynier, D J; Mazzone, N W A; Mbatha, M S; Mbhele, Z N; Mc Gluwa, J J; Mcloughlin, A R; Mhlongo, T W; Mileham, K J; Mncwabe, S C; Mokgalapa, S; Morapela, K Z; Motau, S C; Moteka, P G; Mpontshane, A M; Msimang, C T; Mulaudzi, T E; Ndlozi, M Q; Nkomo, S J; Nqweniso, N V; Ollis, I M; Plouamma, M A; Rabotapi, M W; Redelinghuys, M H; Robinson, D; Ross, D C; Schmidt, H C; Selfe, J; Shelembe, M L; Shinn, M R; Shivambu, N F; Sithole, K P; Sonti, N P; Stander, T; Steenhuisen, J H; Steenkamp, J; Steyn, A; Stubbe, D J; Swart, S N; Tarabella Marchesi, N I; Terblanche, J F; Tshishonga, M M; Van Damme, P T; Van Der Merwe, L L; Van Der Walt, D; Van Der Westhuizen, A P; Van Dyk, V; Volmink, H C; Vos, J; Walters, T C R; Waters, M; Whitfield, A G; Wilson, E R.

ABSTAIN - 2: Galo, M P; Majeke, C N.

Question agreed to.

Nomination of Mr Vuma Glenton Mashinini accordingly agreed to in accordance with section 6(2)(c) of the Electoral Commission Act, 1996.

21. [16:29] Mr M A Plouamma, after having been afforded an opportunity to move the motion of no confidence in the President, in his name on the Order Paper, declined to move the motion.

The Speaker afforded political parties an opportunity to address the House on the matter.

The motion, with leave, was withdrawn in terms of Rule 102.

22. The House adjourned at 16:53.

G MGIDLANA  
Secretary to Parliament