

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS

OF

NATIONAL ASSEMBLY

THURSDAY, 4 JUNE 2015

1. The House met at 14:00.
2. House Chairperson Mr C T Frolick, took the Chair and requested members to observe a moment of silence for prayer or meditation.
3. [14:00] Notices of motion.
4. [14:09] Ms L S Makhubela-Mashele moved without notice: That the House –
 - (1) notes with great pride the conferring of a Legacy Award on Letta Mbulu by the International Women's Forum on Friday, 22 May 2015, at the Sandton Convention Centre;
 - (2) further notes that this is due to her contribution to music and her role in the struggle for a just and democratic society;
 - (3) recalls that this world acclaimed artist used her passion for music to provide hope, and tell a story that captivates many of her supporters;
 - (4) further recalls that her contributions have also been widely and internationally acknowledged;
 - (5) believes that South Africa is enriched by the tapestry of music and culture that embodies her songs and dance; and
 - (6) congratulates Letta Mbulu for the award, and wishes her more success in her future endeavours.

Agreed to.

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

- (1) congratulates A B de Villiers on winning five awards last night at the Cricket South Africa Awards;
- (2) notes that Mr de Villiers has won the prestigious South African Cricketer of the Year award for the second successive year;
- (3) acknowledges that it is important that such accolades are awarded to our sporting heroes as it keeps them motivated, and thus they always aim to succeed even more; and
- (4) wishes all the winners including umpires, grounds staff and scorers, without whose contribution the game cannot be played, another great year on the field and that they keep shining bright.

Agreed to.

6. Mr N L S Kwankwa moved without notice: That the House –

- (1) notes that on 23 May 2015, it was reported that mathematician and Nobel Prize winner, John Nash, was killed in a car crash along with his wife in New Jersey in the United States;
- (2) recalls that Mr Nash received his PhD from Princeton in 1950 and he spent much of his time there;
- (3) further notes that Mr Nash was awarded a Nobel Prize for economics in 1994, for his work on game theory and the mathematics of decision making;
- (4) acknowledges that according to his biography, he began experiencing what he describe as “mental disturbance” in 1959 after marrying Alicia, and a film *A Beautiful Mind* was loosely based on his battle with schizophrenia;
- (5) further acknowledges that the story of Mr Nash and his wife moved millions of readers and moviegoers who marveled at their courage in the face of daunting challenges;
- (6) conveys its sincere condolences to the Nash family, friends and former colleagues of Mr Nash, and that his passing is a great loss to the mathematics community.

Agreed to.

7. Ms S J Nkomo moved without notice: That the House –

- (1) congratulates South African Airways (SAA) Cargo for issuing an embargo on the transportation of hunting trophies which became effective from 21 April 2015;
- (2) acknowledges that this is the first major airline to put the embargo in place sending the South African trophy hunting industry into a tailspin;

- (3) further acknowledges that global aviation giant, Emirates Airlines, has also put in place this embargo which will come into effect from 15 May 2015;
- (4) appreciates that this is a brave move by SAA Cargo which is a major stakeholder in the tourism industry in Africa and it has taken a proactive decision to help protect and conserve our rich and diverse natural heritage; and
- (5) hopes that other international airlines will follow suit and refuse to play a part in the wildlife trafficking supply chain.

Agreed to.

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

- (1) notes that a small, solemn memorial service was held close to a recently discovered shipwreck where over 200 African slaves drowned to the bottom of the sea;
- (2) further notes that the Portuguese ship, the *Sao Jose-Paquete de Africa*, was sailing from Mozambique to Brazil when it sank in turbulent waters near Cape Town in December 1794;
- (3) acknowledges that researches say it is the first time that the remains of a slave ship that went down with slaves aboard has been identified;
- (4) further acknowledges that the Director of the National Museum of African American History will be attending the public symposium, called *Bringing The Sao Jose Into Memory* in Cape Town today; and he has stated that “*Locating, documenting, and preserving this cultural heritage through the Sao Jose has the potential to reshape our understandings of a part of history that has been considered unknowable*”; and
- (5) congratulates the researchers who have dedicated their time to restoring a part of history that is essential for Africans to know.

Agreed to.

9. Ms D Carter moved without notice: That the House –

- (1) notes that Mr Mathew ‘Bushy’ McKelvey, a resident of Pietermaritzburg has officially broken a Guinness World Record for the longest distance covered on a motorcycle in a period of 24 hours;
- (2) further notes that Mr McKelvey achieved this feat on the Phakisa Freeway in Welkom, covering a staggering 3 257.5 km at an average speed of 200 km per hour;
- (3) recognises that Mr McKelvey accomplished this remarkable achievement despite being a double amputee;

- (4) commends Mr McKelvey for dedicating the new world record to the awareness of Multiple Sclerosis (MS) and the help he can afford to the sufferers of MS; and
- (5) congratulates Mr McKelvey for his success, his endurance and his singular commitment to the betterment of humanity.

Agreed to.

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

- (1) notes the tragic death of a 12 year old student in KwaZulu-Natal Primary school who was shot dead during crossfire, after three gunmen entered their classroom to kill a teacher, Vusi Ntombela, a 47 year old who was also the Speaker of the Nguthu Municipality;
- (2) further notes that this incident took place whilst the students were in the class writing their examination;
- (3) condemns these killings that took place in an environment that is meant for acquiring knowledge;
- (4) commends police for their speedy reaction in catching up with the alleged suspects who killed the teacher and the student; and
- (5) calls for a collective effort between the responsible departments to double up security in ensuring safety at all our institution of learning.

Agreed to.

11. [14:39] The Chief Whip of the Majority Party moved: That the House, notwithstanding Rule 29, which provides for the sequence of proceedings, resolves that there will be no notices of motion and motions as referred to in Rule 97(g) on 9 and 10 June 2015.

Agreed to.

12. [14:40] The Chief Whip of the Majority Party moved: That the House –

- (1) in terms of section 2(1) of the Remuneration of Public Office Bearers Act, 1998 (Act No 20 of 1998), and having due regard to the criteria listed in that subsection, determines the salary payable to the President of the Republic of South Africa at two million seven hundred and fifty three thousand six hundred and eighty nine rand (R2,753,689) per annum with effect from 1 April 2014; and
- (2) in terms of section 2(1) of the said Act, determines the amount of hundred and twenty thousand rand (R120 000) per annum as that portion of the remuneration of the President to which section 8(1)(d) of the Income Tax Act, 1962 (Act No 58 of 1962) shall apply.

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

Dr C P Mulder moved as an amendment: To omit all the words after ‘‘That’’ and substitute with: the salary of the President be reduced to R1.00.

Question put: That the amendment as moved by Dr C P Mulder be agreed to.

Division demanded.

The House divided.

AYES - 89: America, D; Atkinson, P G; Bagraim, M; Balindlela, Z B N; Basson, L J; Bergman, D; Bhanga, B M; Bozzoli, B; Brauteseth, T J; Breytenbach, G; Cardo, M J; Carter, D; Chance, R W T; Chewane, H; Davis, G R; De Freitas, M S F; De Kock, K; Dreyer, A M; Dudley, C; Esau, S; Figg, M J; Figlan, A M; Gana, S M; Groenewald, P J; Grootboom, G A; Hadebe, T Z; Hill-Lewis, G G; Hoosen, M H; Horn, W; Hunsinger, C H H; James, L V; Jongbloed, Z; Kalyan, S V; Kohler, D; Kruger, H C C; Krumbock, G R; Lees, R A; Lekota, M G P; Lorimer, J R B; Lotriet, A; Louw, E N; Mackay, G; Mackenzie, C; Macpherson, D W; Madisha, W M; Maimane, M A; Majola, T R; Marais, S J F; Marais, E J; Matlhoko, A M; Matsepe, C D; 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; Mokgalapa, S; Motau, S C; Mubu, K S; Mulder, P W A; Mulder, C P; Ndlozi, M Q; Nqweniso, N V; Paulsen, M N; Rabotapi, M W; Robinson, D; Shinn, M R; Shivambu, N F; Stander, T; Steenhuisen, J H; Steenkamp, J; Stubbe, D J; Swart, S N; Terblanche, J F; Twala, D L; Van Dalen, P; Van Damme, P T; Van Der Walt, D; Van Der Westhuizen, A P; Van Dyk, V; Volmink, H C; Vos, J; Waters, M; Whitfield, A G; Wilson, E R.

NOES - 201: Abrahams, B L; Adams, F; Adams, P E; Bam-Mugwanyana, 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; Booï, M S; Boroto, M G; Brown, L; Capa, R N; Capa, N; Carrim, Y I; Cele, M A; Chikunga, L S; Chiloane, T D; Chohan, F I; Chueu, M P; Coleman, E M; Didiza, A T; Dlakude, D E; Dlamini, B O; Dlamini-Dubazana, Z S; Dlodlo, A; Dlomo, B J; Dunjwa, M L; Faku, Z C; Fubbs, J L; Galo, M P; Gamede, D D; Gwabaza, N E; Gigaba, K M N; Godi, N T; Goqwana, M B; Gumede, D M; Hlengwa, M; Holomisa, S P; Jafta, S M; Joemat-Pettersson, T M; Johnson, M; 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; Khubisa, N M; Khunou, N P; Kilian, J D; Koornhof, G W; Kota-Fredricks, Z A; Kubayi, M T; Kwankwa, N L S; Landers, L T; Lesoma, R M M; Letsatsi-Duba, D B; Luzipo, S; Maake, J J; Mabasa, X; Mabe, B P; Mabe, P P; Mabija, L; Madella, A F; Madlopha, C Q; Maesela, P; Mafolo, M V; Mafu, N N; Magadzi, D P; Mahambehllala, T; Mahlalela, A F; Mahlangu, D G; Mahlangu, J L; Maila, M S A; Majola, F Z; Makhubela-Mashele, L S; Makhubele, Z S; Makondo, T; Malgas, H H; Maluleke, J M; Manana, D P;

Manana, M N S; 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; Mathale, C C; Mathebe, D H; Matlala, M H; Matsimbi, C; Mavunda, R T; Maxegwana, C H M; Mbete, B; Mbinda, L R; Mchunu, S; Mdakane, M R; Memela, T C; Mjobo, L N; Mkhize, H B; Mkongi, B M; Mmemezi, H M Z; Mmola, M P; Mmusi, S G; Mncwabe, S C; Mncwango, M A; Mnganga - Gcabashe, L A; Mnguni, P J; Mnguni, D; Mnisi, N A; Mokoto, N R; Molebatsi, M A; Moloi-Moropa, J C; Morutoa, M R; Mothapo, M R M; Motimele, M S; Mpontshane, A M; Mpumlwana, L K B; Msimang, C T; Mthembu, J M; Mthethwa, E N; Mthethwa, E M; Mudau, A M; Nchabeleng, M E; Ndaba, C N; Ndabeni-Abrahams, S T; Ndongeni, N; Nel, A C; Nesi, B A; Ngcobo, B T; Ngwenya-Mabila, P C; Nkadimeng, M F; Nkomo, S J; Nkwinti, G E; Nobanda, G N; November, N T; Ntombela, M L D; Nxesi, T W; Nyalungu, R E; Nyambi, H V; Oliphant, G G; Oosthuizen, G C; Peters, E D; Phaahla, M J; Phosa, Y N; Pikinini, I A; Pilane-Majake, M C C; Plouamma, M A; Qikani, A D N; Radebe, B A; Radebe, G S; Ralegoma, S M; Ramatlakane, L; Ramokhoase, T R J E; Rantho, D Z; Raphuti, D D; Scheepers, M A; Semanya, M R; Shabangu, S; Shope-Sithole, S C N; Sibande, M P; Sithole, K P; Siwela, E K; Sizani, P S; Skosana, J J; Smith, V G; Soty, M M; Thabethe, E; Tleane, S A; Tobias, T V; Tom, X S; Tongwane, T M A; Tseke, G K; Tseli, R M; Tsoleli, S P; Tsotetsi, D R; Tuck, A; v R Koornhof, N J J; Van Der Merwe, L L; Van Rooyen, D D D; Van Schalkwyk, S R; Xasa, T; Xego-Sovita, S T; Zulu, L D.

ABSTAIN - 2: Buthelezi, M G; Esterhuizen, J A.

Question not agreed to.

Amendment accordingly negated.

Question put: That the motion moved by the Chief Whip of the Majority Party be agreed to.

Division demanded.

The House divided.

AYES - 203: Abrahams, B L; Adams, F; Adams, P E; Bam-Mugwanyana, 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; Booi, M S; Boroto, M G; Brown, L; Buthelezi, M G; Capa, R N; Capa, N; Carrim, Y I; Cele, M A; Chikunga, L S; Chiloane, T D; Chohan, F I; Chueu, M P; Coleman, E M; Didiza, A T; Dlakude, D E; Dlamini, B O; Dlamini-Dubazana, Z S; Dlodlo, A; Dlomo, B J; Dunjwa, M L; Faku, Z C; Fubbs, J L; Galo, M P; Gamede, D D; Gcwabaza, N E; Gigaba, K M N; Godi, N T; Goqwana, M B; Gumede, D M; Hlengwa, M; Holomisa, S P; Jafta, S M; Joemat-Pettersson, T M; Johnson, M; 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; Khubisa, N M; Khunou, N P; Kilian, J D; Koornhof, G W; Kota-Fredricks, Z A; Kubayi, M T; Kwankwa, N L S; Landers, L T; Lesoma, R M M; Letsatsi-Duba, D B; Luzipo, S; Maake, J J; Mabasa, X; Mabe, B P; Mabe, P P; Mabija, L; Madella, A F; Madlopha, C Q; Maesela, P; Mafolo, M V; Mafu, N N; Magadzi, D P; Mahambehla, T; Mahlalela, A F; Mahlangu,

D G; Mahlangu, J L; Maila, M S A; Majola, F Z; Makhubela-Mashele, L S; Makhubele, Z S; Makondo, T; Malgas, H H; Maluleke, J M; Manana, D P; Manana, M N S; 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; Mathale, C C; Mathebe, D H; Matlala, M H; Matsimbi, C; Mavunda, R T; Maxegwana, C H M; Mbete, B; Mbinda, L R; Mchunu, S; Mdakane, M R; Memela, T C; Mjobo, L N; Mkhize, H B; Mkongi, B M; Mmemezi, H M Z; Mmola, M P; Mmusi, S G; Mncwabe, S C; Mncwango, M A; Mnganga - Gcabashe, L A; Mnguni, P J; Mnguni, D; Mnisi, N A; Mokoto, N R; Molebatsi, M A; Moloi-Moropa, J C; Morutoa, M R; Mothapo, M R M; Motimele, M S; Mpontshane, A M; Mpumlwana, L K B; Msimang, C T; Mthembu, J M; Mthethwa, E N; Mthethwa, E M; Mudau, A M; Nchabeleng, M E; Ndaba, C N; Ndabeni-Abrahams, S T; Ndongeni, N; Nel, A C; Nesi, B A; Ngcobo, B T; Ngwenya-Mabila, P C; Nkadimeng, M F; Nkomo, S J; Nkwinti, G E; Nobanda, G N; November, N T; Ntombela, M L D; Nxesi, T W; Nyalungu, R E; Nyambi, H V; Oliphant, G G; Oosthuizen, G C; Peters, E D; Phaahla, M J; Phosa, Y N; Pikinini, I A; Pilane-Majake, M C C; Plouamma, M A; Qikani, A D N; Radebe, B A; Radebe, G S; Ralegoma, S M; Ramatlakane, L; Ramokhoase, T R J E; Rantho, D Z; Raphuti, D D; Scheepers, M A; Semanya, M R; Shabangu, S; Shelembe, M L; Shope-Sithole, S C N; Sibande, M P; Sithole, K P; Siwela, E K; Sizani, P S; Skosana, J J; Smith, V G; Soty, M M; Thabethe, E; Tleane, S A; Tobias, T V; Tom, X S; Tongwane, T M A; Tseke, G K; Tseli, R M; Tsoleli, S P; Tsotetsi, D R; Tuck, A; v R Koornhof, N J J; Van Der Merwe, L L; Van Rooyen, D D D; Van Schalkwyk, S R; Xasa, T; Xego-Sovita, S T; Zulu, L D.

NOES - 88: America, D; Atkinson, P G; Bagraim, M; Balindlela, Z B N; Basson, L J; Bergman, D; Bhanga, B M; Bozzoli, B; Brauteseth, T J; Breytenbach, G; Cardo, M J; Carter, D; Chance, R W T; Chewane, H; Davis, G R; De Freitas, M S F; De Kock, K; Dreyer, A M; Dudley, C; Esau, S; Figg, M J; Figlan, A M; Gana, S M; Groenewald, P J; Grootboom, G A; Hadebe, T Z; Hill-Lewis, G G; Hoosen, M H; Horn, W; Hunsinger, C H H; Jongbloed, Z; Kalyan, S V; Kohler, D; Kruger, H C C; Krumbock, G R; Lees, R A; Lekota, M G P; Lorimer, J R B; Lotriet, A; Louw, E N; Mackay, G; Mackenzie, C; Macpherson, D W; Madisha, W M; Maimane, M A; Majola, T R; Marais, E J; Marais, S J F; Matlhoko, A M; Matsepe, C D; 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; Mokgalapa, S; Motau, S C; Mubu, K S; Mulder, P W A; Mulder, C P; Ndlozi, M Q; Nqweniso, N V; Paulsen, M N; Rabotapi, M W; Robinson, D; Shinn, M R; Shivambu, N F; Stander, T; Steenhuisen, J H; Stubbe, D J; Swart, S N; Terblanche, J F; Twala, D L; Van Dalen, P; Van Damme, P T; 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.

Question agreed to.

Motion accordingly agreed to.

13. [15:10] Members' statements.

14. FIRST ORDER [15:45]

Consideration of Report of Joint Standing Committee on Defence on **SA Defence Review 2014** (Announcements, Tablings and Committee Reports, 30 April 2015, p 759).

Debate concluded.

The Chief Whip of the Majority Party moved: That the Report be adopted.

Motion agreed to.

Report accordingly adopted (Democratic Alliance, Economic Freedom Fighters and Freedom Front Plus dissenting).

15. SECOND ORDER [16:48]

Consideration of Report of Portfolio Committee on Environmental Affairs on **Strategic Plan 2015/16—2019/20, Annual Performance Plans and Budget Vote 27 of Department of Environmental Affairs and Entities** (Announcements, Tablings and Committee Reports, 5 May 2015, p 980).

There was no debate.

The Chief Whip of the Majority Party moved: That the report be adopted.

Motion agreed to.

Report accordingly adopted.

16. THIRD ORDER [16:49]

Consideration of request for **Permission in terms of Rule 249(3)(b) to inquire into amending other provisions of Medicines and Related Substances (Act No 101 of 1965)** (Interim Report of Portfolio Committee on Health on Medicines and Related Substances Amendment Bill [B6 – 2014] (National Assembly – sec 76), see Announcements, Tablings and Committee Reports, 13 May 2015, p 1537).

Mr A F Mahlalela, as a member of the Committee, introduced the Report.

There was no debate.

Permission accordingly granted to the Portfolio Committee on Health to inquire into amending other provisions of **Medicines and Related Substances Act (No 101 of 1965)** in terms of Rule 249(3)(b).

17. FOURTH ORDER [16:54]

Consideration of legislative proposal to amend the **Refugees Act, 1998 (Act No 130 of 1998)**, submitted by Portfolio Committee on Home Affairs (Announcements, Tablings and Committee Reports, 20 May 2015, p 1949).

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

There was no debate.

The Chief Whip of the Majority Party moved: That the House, in terms of Rule 238(3), give permission that the legislative proposal be proceeded with.

Motion agreed to.

Permission accordingly given to the Portfolio Committee on Home Affairs to proceed with the legislative proposal.

18. FIFTH ORDER [16:57]

Debate on **the relevance of symbols in building a new democratic heritage in light of recent campaigns to remove certain statues.**

Debate concluded.

19. The House adjourned at 18:20.

G MGIDLANA
Secretary to Parliament