

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS

OF

NATIONAL ASSEMBLY

THURSDAY, 12 NOVEMBER 2009

1. The House met at 14:02.
2. The Speaker took the Chair and requested members to observe a moment of silence for prayers or meditation.
3. [14:03] Questions—President.
4. PRECEDENCE GIVEN TO ORDER NO 1 ON THE ORDER PAPER.
5. FIRST ORDER [15:36]

Consideration of **Candidate nominated for appointment as Inspector General of Intelligence Services** (Report of Joint Standing Committee on Intelligence, see Announcements, Tablings and Committee Reports, 10 November 2009, p 1503).

Mr C V Burgess, as Chairperson of the Committee, introduced the Report.

There was no debate.

Question put: That the nomination of Adv F D Radebe for appointment as Inspector General of Intelligence Services be approved.

AYES – 234: Abram, S; Adams, P E; Ainslie, A R; Baloyi, M R; Bam-Mugwanyana, V; Bapela, K O; Bhengu, P; Bikani, F C; Blaai, B C; Bogopane-Zulu, H I; Bonhomme, T J; Borman, G M; Boshigo, D F; Bosman, L L; Botha, Y R; Burgess, C V; Carrim, Y I; Cebekhulu, R N; Chauke, H P; Chikunga, L S; Chohan, F I; Coetzee, T W; Coleman, E M; Cronin, J P; Davidson, I O; Diale, L N; Ditshetelo, I C; Dlamini, B O; Dlamini-Zuma, N C; Dlulane, B N; Doidge, G Q M; Doman, W P; Dubazana, Z S; Dube, M C; Dudley, C; Dunjwa, M L; Farisani, T S; Figlan, A M; Fihla, N B; Fransman, M L; Fubbs, J L; Gasebonwe, T M A; Gcwabaza, N E; Gelderblom, J P; George, D T; George, M E; Gigaba, K M N; Gina, N; Godongwana, E; Gololo, C L; Gona, M F; Greyling, L W; Gumede, D M; Gungubele, M; Hanekom, D A; Hangana, N E; Hogan, B A; Huang, S-B; Jeffery, J H; Johnson, M; Kalyan, S V; Kekane, C D; Kenye, T E; Kholwane, S E; Khumalo, F E; Kilian, J D; Kloppers-Lourens, J C; Kohler-Barnard, D; Komphela, B M; Kopane, S P; Krumbock, G R; Kubayi, M T; Landers, L T; Lebonya- Ntanzu, S P; Lekgetho, G; Lishivha, T E; Lorimer, J R B; Luthuli, A N; Luyenge, Z; Maake, J J; Mabasa, X; MacKenzie, G D; Madasa, Z L; Mafolo, M V; Magama, H T; Magazi, M N; Magwanishe, G; Mahlangu-Nkabinde, G L; Makasi, X C; Makhubela-Mashele, L S; Makhubele, Z S; Malgas, H H; Maluleka, H P; Maluleke, J M; Manana, M C; Mandela, Z M D; Manganye, J; Mangena, M S; Manuel, T A; Marais, S J F; Martins, B A D; Mashishi, A C; Masutha, T M; Mathebe, D H; Mathebe, P M; Mathibela, N F; Matladi, M N; Matshoba, J M; Maunye, M M; Mavunda, D W; Mayende-Sibiya, N A; Maynier, D J; Mazibuko, L D; Mbalula, F A; Mbili, M E; Mdaka, M N; Mdakane, M R; Mdladlana, M M S; Mentor, M P; Mjobo, L N; Mkhize, H B; Mkhize, L N; Mmusi, S G; Mnguni, P B; Mnisi, N A; Mngasela, M; Mocumi, P A; Mohale, M C; Molebatsi, M A; Moloi-Moropa, J C; Morgan, G R; Morutoa, M R; Motlanthe, K P; Motshekga, M S; Mpontshane, A M; Msimang, C T; Mthethwa, E M; Mtshali, E; Mufamadi, T A; Mushwana, F F; Nchabeleng, M E; Ndabandaba, L B G; Ndabeni, S T; Ndebele, J S; Ndlovu, V B; Nene, N M; Ngcengwane, N D; Ngcobo, B T; Ngcobo, E N N; Ngele, N J; Nhlengethwa, D G; Njikelana, S J; Njobe, M A A; Nkwinti, G E; November, N T; Ntapane, S Z; Ntuli, Z C; Nxesi, T W; Nxumalo, M D; Nyama, M M A; Nyanda, M F; Nyanda, S; Nyekemba, E; Nzimande, B E; Oliphant, G G; Oliphant, M N; Oosthuizen, G C; Pandor, G N M; Petersen-Maduna, P; Poho, P; Pretorius, P J C; Pule, D D; Rabie, P J; Rabotapi, M W; Radebe, B A; Radebe, J T; Rantsolase, M A; Robinson, D; Rwexana, S P; Schafer, D A; Scheemann, G D; Schmidt, J; Sefularo, M; Segale-Diswai, M J; Selau, G J; Selfe, J; Shabangu, S; Shiceka, S; Shinn, M R; Sibanyoni, J B; Sisulu, M V; Sithole, S C N; Sizani, P S; Skosana, J J; Smith, P F; Smith, V G; Smuts, M; Snell, G T; Sogoni, E M; Sosibo, J E; Soty, M M; Steele, M H; Stofile, M A; Suka, L; Sulliman, E M; Sunduza, T B; Surty, M E; Swart, M; Thomson, B; Tinto, B; Tlake, M F; Tobias, T V; Trollip, R A P; Tsebe, S R; Tseke, G K; Tsenoli, S L; Tshivhase, T J; Tshwete, P; Tsotetsi, D R; Turok, B; Twala, N M; Vadi, I; Van Dalen, P; Van der Merwe, J H; Van der Merwe, S C; Van der Walt, D; Van der Westhuizen, A P; Van Dyk, S M; Van Wyk, A; Vukuza-Linda, N Y; Wenger, M; Williams, A J; Xaba, P P; Yengeni, L E.

The two-thirds majority required in terms of section 7(1) of the Intelligence Services Oversight Act, 1994 (Act No 40 of 1994), not being obtained, decision of question postponed.

6. [15:56] The Chief Whip of the Majority Party moved without notice: That the House, in terms of section 2 of the Judges' Remuneration and Conditions of Employment Act, 2001 (Act No 47 of 2001), approves the draft notice and schedule received from the President of the Republic on 12 November 2009, determining the total remuneration of Constitutional Court Judges and Judges with effect from 1 April 2009.

Agreed to.

7. The Chief Whip of the Majority Party moved without notice: That the House, in terms of section 12 of the Magistrates Act, 1993 (Act No 90 of 1993), approves the draft notice and schedule received from the President of the Republic on 12 November 2009, determining the total remuneration of Magistrates with effect from 1 April 2009.

Agreed to.

8. The Chief Whip of the Majority Party moved without notice: 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 remuneration payable to the President of the Republic of South Africa at two million two hundred and fifty four thousand seven hundred and thirty rand (R2 254 730,00) per annum, with effect from 1 April 2009; and
- (2) resolves that the total remuneration package mentioned above shall include the following elements:
 - (a) a basic salary component equal to 60 per cent of the total package, which constitutes the pensionable salary;
 - (b) an amount of one hundred and twenty thousand rand (R120 000,00) per annum, which is an amount to which section 8(1)(d) of the Income Tax Act, 1962, applies; and
 - (c) a flexible portion for the remaining amount of the total remuneration.

Agreed to.

9. The Chief Whip of the Majority Party moved without notice: That the House –

- (1) notes that the President has appointed five of the six candidates recommended by the National Assembly for the South African Human Rights Commission, namely: Adv B J Malatji, Ms L Mokate, Adv L M Mushwana, Ms J Love and Dr T Titus;
- (2) further notes that the President has not appointed Adv L K B Mpumlwana in order to allow the National Assembly an opportunity to reconsider his nomination;
- (3) amends its resolution of 22 September 2009, by omitting the nomination of Adv Mpumlwana pending its reconsideration; and
- (4) refers the matter of the nomination to the Portfolio Committee of Justice and Constitutional Development for further consideration and report.

Agreed to.

10. The Chief Whip of the Majority Party moved without notice: That the House –

- (1) notes that yesterday, 11 November 2009, marked the fifth anniversary of the passing away of the great Palestinian leader, the late chairman Yasser Arafat;
- (2) further notes that 29 November was declared by the United Nations General Assembly as the International Day of Solidarity with Palestinian People in 1977;
- (3) believes that only a just solution that takes into consideration the strengthening of a sovereign, independent Palestinian state, co-existing along side Israel will help to bring about peace to the region and an end to the conflict between the Palestinians and Israeli's;
- (4) acknowledges the Governments resolve to encourage an inclusive peaceful process towards a negotiated settlement between the concerned parties; and
- (5) welcomes the efforts aimed at engaging all parties in Israel and Palestine to find an amicable resolution towards the settlement of the Palestinian question and peace in the Middle East, and therefore the fulfilment of the aspirations and dreams of the late leader of the Palestinian people, Yasser Arafat: A dream to which he has dedicated his entire life.

Agreed to.

11. The Chief Whip of the Opposition moved without notice: That the House –

- (1) notes that 3 December is the International Day for Disabled persons;
- (2) further notes that the annual observance of the day aims to increase understanding and awareness of disability issues and trends, and to mobilise support for practical action at all levels by, with and for persons with disabilities;
- (3) recognises the oftentimes unnecessarily difficult circumstances these citizens are faced with due to a lack of compassion and willingness to accommodate their needs in our country;
- (4) calls on all South Africans, and especially on those in positions of power, to do more to assist persons with disabilities and to ensure that whatever actions they undertake do not add to create a disabling environment for anyone.

Agreed to.

12. The Chief Whip of the Majority Party moved without notice: That the House –

- (1) notes that 16 December is the Day of Reconciliation, a day which celebrates the common determination of all our people to overcome the forces of prejudice, conflict and division;
- (2) remembers that on this day that many South Africans lost their lives, suffered and sacrificed for a non-racial, non-sexist, democratic and prosperous South Africa in which the value of every citizen is measured by their common humanity;
- (3) congratulates the nation's people for working hard over the years in strengthening democracy, deepening and entrenching values of a caring society such as human and social solidarity without regard to race, class and gender; and
- (4) calls on all South Africans to celebrate the outstanding achievements of our young democracy, as we commit ourselves to work with renewed vigour and determination to improve the quality of life of all the people of the nation, both black and white.

Agreed to.

13. The Chief Whip of the Majority Party moved without notice: That the House –

- (1) notes that 1 December is regarded as World Aids Day and that World Aids Day is an important reminder to people that HIV/Aids has not gone away;
- (2) further notes that the theme for World Aids Day 2009 is “*Universal Access and Human Rights*”, meaning that the recognition of universal access to HIV/Aids prevention, treatment and care, are fundamental human rights;
- (3) believes that World Aids Day provides an opportunity for all of us to take action and ensure that human rights are protected and global targets for HIV/Aids prevention, treatment and care are met;
- (4) commits itself to the reduction of the rate of new infections by 50 percent, and the extension of the antiretroviral programme to 80 percent of those who need it, both by 2011; and
- (5) urges people to work harder with renewed focus and move with urgency and purpose to confront this enormous challenge as we approach 1 December 2009.

Agreed to.

14. [16:10] The Chief Whip of the Majority Party moved: That the House, suspends Rule 253(1), which provides *inter alia* that the debate on the Second Reading of a Bill may not commence before at least three working days have elapsed since the committee’s report was tabled, for the purposes of conducting the Second Reading debate today on the **Repeal of Black Administration Act and Amendment of Certain Laws Amendment Bill** [B 15 – 2009].

Agreed to.

15. The Chief Whip of the Majority Party moved: That the House, notwithstanding its resolution adopted on 22 September 2009, extends the deadline by which the Ad Hoc Committee to conduct coordinated Oversight on Service Delivery under the Theme: “**Working together to ensure the delivery of quality service to communities**” has to report, to 26 February 2010.

Agreed to.

16. [16:14] The Minister of Public Enterprises made a statement on recent developments at Eskom.

Debate concluded.

17. [16:48] The Minister of Communications made a statement on mobile termination rates.

Debate concluded.

18. SECOND AND THIRD ORDERS [17:16]

Consideration of **National House of Traditional Leaders Bill** [B 56D – 2008] (National Assembly – sec 76(1)) and of Report of Portfolio Committee on Cooperative Governance and Traditional Affairs thereon (Announcements, Tablings and Committee Reports, 11 November 2009, p 1608).

Consideration of **Traditional Leadership and Governance Framework Amendment Bill** [B 57D – 2008] (National Assembly – sec 76(1)) and of Report of Portfolio Committee on Cooperative Governance and Traditional Affairs thereon (Announcements, Tablings and Committee Reports, 11 November 2009, p 1608).

Debate concluded.

The Deputy Chief Whip of the Majority Party moved: That the Bills be passed.

Question put: That the **National House of Traditional Leaders Bill** be passed.

Division demanded.

The House divided:

AYES - 201: Abram, S; Adams, L H; Adams, P E; Ainslie, A R; Bam-Mugwanya, V; Bapela, K O; Bhengu, P; Bhoola, R B; Bikani, F C; Bonhomme, T J; Borman, G M; Boshigo, D F; Botha, T; Botha, Y R; Burgess, C V; Carrim, Y I; Carter, D; Chauke, H P; Chikunga, L S; Chohan, F I; Coetzee, T W; Coleman, E M; Dandala, H M; Davidson, I O; Davies, R H; Diale, L N; Dikgacwi, M M; Ditshetelo, I C; Dlamini, B O; Doman, W P; Dubazana, Z S; Dube, M C; Dudley, C; Dunjwa, M L; Ellis, M J; Farisani, T S; Figlan, A M; Fihla, N B; Fransman, M L; Fubbs, J L; Gaehler, L B; Gasebonwe, T M A; Gcume, N P; Gcwabaza, N E; Gelderblom, J P; George, D T; George, M E; Gina, N; Gololo, C L; Gona, M F; Greyling, L W; Gumede, D M; Gungubele, M; Hajaig, F; Johnson, M; Kalyan, S V; Kekane, C D; Kenye, T E; Khoarai, L P; Kholwane, S E; Khumalo, F E; Kilian, J D; Kohler-Barnard, D; Komphela, B M; Koornhof, N J J v R; Krumbock, G R; Kubayi, M T; Lekgetho, G; Lotriet, A; Luthuli, A N; Luyenge, Z; Maake, J J; Mabasa, X; Mabedla, N R; Madasa, Z L; Mafolo, M V; Magau, K R; Magazi, M N; Magwanishe, G; Makasi, X C; Makhubela-Mashele, L S; Makhubele, Z S; Malale, M I; Malgas, H H; Maluleka, H P; Maluleke, J M; Manamela, K B; Manana, M C; Manganye, J; Mangena, M S; Manuel, T A; Mashishi, A C; Masutha, T M; Mataboge, D K; Mathebe, D H; Mathebe, P M; Mathibela, N F; Matladi, M N; Matshoba, J M; Maunye, M M; Mavunda, D W; Mazibuko, L D; Mbalula, F A; Mbili, M E; Mdakane, M R; Mdladlana, M M S; Mfeketo, N C; Mjobo, L N; Mkhize, L N;

Mnguni, P B; Mnisi, N A; Mnqasela, M; Mocumi, P A; Mohale, M C; Molao, S P; Molebatsi, M A; Morutoa, M R; Motshekga, M S; Mthethwa, E M; Mufamadi, T A; Nchabeleng, M E; Ndabandaba, L B G; Ndabeni, S T; Ndude, H N; Newhoudt-Druchen, W S; Ngcengwane, N D; Ngcobo, B T; Ngcobo, E N N; Ngele, N J; Ngonyama, L S; Nhlengethwa, D G; Njikelana, S J; Njobe, M A A; Nkwinti, G E; November, N T; Ntapane, S Z; Ntshiqela, P; Ntuli, Z C; Nxesi, T W; Nxumalo, M D; Nyama, M M A; Nyekemba, E; Oliphant, G G; Oosthuizen, G C; Petersen-Maduna, P; Poho, P; Pretorius, P J C; Radebe, B A; Ramatlakane, L; Rantsolase, M A; Rwxana, S P; Scheemann, G D; Sefularo, M; Segale-Diswai, M J; Selau, G J; Selfe, J; Shinn, M R; Sibanyoni, J B; Sibhidla, N N; Sithole, S C N; Sizani, P S; Skosana, J J; Smith, V G; Smuts, M; Snell, G T; Sogoni, E M; Sosibo, J E; Sotyu, M M; Steele, M H; Stofile, M A; Suka, L; Sulliman, E M; Sunduza, T B; Surty, M E; Thabethe, E; Thomson, B; Tinto, B; Tlake, M F; Tolo, L J; Trollip, R A P; Tsebe, S R; Tsenoli, S L; Tshivhase, T J; Tshwete, P; Tsotetsi, D R; Twala, N M; Vadi, I; Van Dalen, P; Van den Berg, N J; Van der Linde, J J; Van der Merwe, S C; Van der Walt, D; Van Dyk, S M; Van Rooyen, D D; Van Schalkwyk, H C; Van Wyk, A; Vukuza-Linda, N Y; Wenger, M; Williams, A J; Xaba, P P; Yengeni, L E.

NOES – 11: Cebekhulu, R N; Lebenya- Ntanzi, S P; Lovemore, A T; Magama, H T; Mpontshane, A M; Msimang, C T; Msweli, H S; Ndlovu, V B; Oriani-Ambrosini, M G; Singh, N; Smith, P F.

Question agreed to.

National House of Traditional Leaders Bill accordingly passed.

Question put: That the **Traditional Leadership and Governance Framework Amendment Bill** be passed.

Division demanded.

The House divided:

AYES – 212: Abram, S; Adams, L H; Adams, P E; Ainslie, A R; Bam-Mugwanya, V; Bapela, K O; Bhengu, P; Bhoola, R B; Bikani, F C; Bonhomme, T J; Borman, G M; Boshigo, D F; Botha, T; Botha, Y R; Burgess, C V; Carrim, Y I; Carter, D; Chauke, H P; Chikunga, L S; Chohan, F I; Coetzee, T W; Coleman, E M; Dandala, H M; Davidson, I O; Davies, R H; De Freitas, M S F; Diale, L N; Ditshetelo, I C; Dlamini, B O; Doman, W P; Dubazana, Z S; Dube, M C; Dudley, C; Duncan, P C; Dunjwa, M L; Ellis, M J; Farisani, T S; Figlan, A M; Fihla, N B; Fransman, M L; Fritz, A T; Fubbs, J L; Gaehler, L B; Gasebonwe, T M A; Gwabaza, N E; Gelderblom, J P; George, D T; George, M E; Gina, N; Gololo, C L; Gona, M F; Greyling, L W;

Gumede, D M; Gungubele, M; Hajaig, F; Hanekom, D A; Johnson, M; Kalyan, S V; Kenye, T E; Khoarai, L P; Kholwane, S E; Khumalo, F E; Kilian, J D; Kloppers-Lourens, J C; Kohler-Barnard, D; Komphela, B M; Koornhof, N J J v R; Kopane, S P; Krumbock, G R; Kubayi, M T; Lekgetho, G; Lotriet, A; Luthuli, A N; Luyenge, Z; Maake, J J; Mabasa, X; Mabedla, N R; Madasa, Z L; Madisha, W M; Mafolo, M V; Magau, K R; Magazi, M N; Magwanishe, G; Makasi, X C; Makhubela-Mashele, L S; Makhubele, Z S; Malale, M I; Malgas, H H; Maluleka, H P; Maluleke, J M; Manamela, K B; Manana, M C; Manganye, J; Mangena, M S; Manuel, T A; Marais, E J; Masango, S J; Mashishi, A C; Masutha, T M; Mataboge, D K; Mathebe, D H; Mathebe, P M; Mathibela, N F; Matladi, M N; Matshoba, J M; Maunye, M M; Mavunda, D W; Maynier, D J; Mazibuko, L D; Mbalula, F A; Mbili, M E; Mdakane, M R; Mdladlana, M M S; Mfeketo, N C; Mjobo, L N; Mkhize, H B; Mkhize, L N; Mnisi, N A; Mnqasela, M; Mocumi, P A; Mohale, M C; Mokgalapa, S; Molao, S P; Molebatsi, M A; Morutoa, M R; Motshekga, M S; Mtshali, E; Mufamadi, T A; Nchabeleng, M E; Ndabandaba, L B G; Ndabeni, S T; Ndude, H N; Newhoudt-Druchen, W S; Ngcengwane, N D; Ngcobo, B T; Ngcobo, E N N; Ngele, N J; Ngonyama, L S; Nhlengethwa, D G; Njikelana, S J; Njobe, M A A; Nkwinti, G E; November, N T; Ntapane, S Z; Ntshiqela, P; Ntuli, Z C; Nxesi, T W; Nxumalo, M D; Nyama, M M A; Nyekemba, E; Oliphant, G G; Oosthuizen, G C; Petersen-Maduna, P; Poho, P; Pretorius, P J C; Radebe, B A; Ramatlakane, L; Rantsolase, M A; Rwexana, S P; Schafer, D A; Scheemann, G D; Schmidt, J; Sefularo, M; Segale-Diswai, M J; Selau, G J; Selfe, J; Shinn, M R; Sibanyoni, J B; Sibhidla, N N; Sithole, S C N; Sizani, P S; Skosana, J J; Smith, V G; Smuts, M; Snell, G T; Sogoni, E M; Sosibo, J E; Sotyu, M M; Steele, M H; Steyn, A; Stofile, M A; Suka, L; Sulliman, E M; Sunduza, T B; Swar, M; Swathe, M M; Terblanche, J F; Thabethe, E; Thomson, B; Tinto, B; Tlake, M F; Tolo, L J; Tsebe, S R; Tsenoli, S L; Tshivhase, T J; Tshwete, P; Tsotetsi, D R; Twala, N M; Van Dalen, P; Van den Berg, N J; Van der Linde, J J; Van der Merwe, S C; Van der Walt, D; Van Dyk, S M; Van Rooyen, D D; Van Schalkwyk, H C; Van Wyk, A; Waters, M; Wenger, M; Williams, A J; Xaba, P P; Yengeni, L E.

NOES - 10: Cebekhulu, R N; Lebenya-Ntanzu, S P; Motau, S C; Mpontshane, A M; Msimang, C T; Msweli, H S; Ndlovu, V B; Oriani-Ambrosini, M G; Singh, N; Smith, P F.

Question agreed to.

Traditional Leadership and Governance Framework Amendment Bill accordingly passed.

19. FOURTH ORDER [17:55]

Consideration of Report of Portfolio Committee on Justice and Constitutional Development on **Repeal of Black Administration Act and Amendment of Certain Laws Amendment Bill** [B 15 – 2009] (National Assembly – sec 75) (Announcements, Tablings and Committee Reports, 10 November 2009, p 1509).

There was no debate.

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

Motion agreed to.

Report accordingly adopted.

20. FIFTH ORDER [17:55]

Second Reading debate - **Repeal of Black Administration Act and Amendment of Certain Laws Amendment Bill** [B 15 – 2009] (National Assembly – sec 75).

There was no debate.

Bill read a second time.

21. SIXTH ORDER [17:58]

Consideration of Report of Ad Hoc Committee to consider and report on Green Paper on National Strategic Planning, September 2009, on **Green Paper on National Strategic Planning, September 2009** (Announcements, Tablings and Committee Reports, 11 November 2009, p 1614).

Debate concluded.

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

Motion agreed to.

Report accordingly noted.

22. SEVENTH AND EIGHTH ORDERS [19:13]

Consideration of request for approval by Parliament of **Agreement between the Government of the Republic of South Africa and the Government of the Hong Kong Special Administrative Region of the People's Republic of China concerning Mutual Legal Assistance in Criminal Matters** (Report of Portfolio Committee on Justice and Constitutional Development, see Announcements, Tablings and Committee Reports, 11 November 2009, p 1609).

Consideration of request for approval by Parliament of **Agreement between the Government of the Republic of South Africa and the Government of the Hong Kong Special Administrative Region of the People's Republic of China concerning Surrender of Fugitive Offenders** (Report of Portfolio Committee on Justice and Constitutional Development, see Announcements, Tablings and Committee Reports, 11 November 2009, p 1609).

There was no debate.

Agreement between the Government of the Republic of South Africa and the Government of the Hong Kong Special Administrative Region of the People's Republic of China concerning Mutual Legal Assistance in Criminal Matters approved.

Agreement between the Government of the Republic of South Africa and the Government of the Hong Kong Special Administrative Region of the People's Republic of China concerning Surrender of Fugitive Offenders approved.

23. NINTH ORDER [19:17]

Consideration of request for approval by Parliament of **Accession to the revised Cotonou Partnership Agreement: Agreement Amending the Partnership Agreement between the Members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part** (Report of Portfolio Committee on International Relations and Cooperation, see Announcements, Tablings and Committee Reports, 10 November 2009, p 1508).

Mr T W Nxesi, as Chairperson of the Committee, introduced the Report.

There was no debate.

Accession to the revised Cotonou Partnership Agreement: Agreement Amending the Partnership Agreement between the Members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part approved.

24. TENTH TO THIRTEENTH ORDERS [19:20]

Consideration of request for approval by Parliament of **Provisional suspension of a magistrate: Mrs N E Ndamase, an additional magistrate at Pretoria** (Report of Portfolio Committee on Justice and Constitutional Development, see Announcements, Tablings and Committee Reports, 11 November 2009, p 1603).

Consideration of request for approval by Parliament of **Provisional suspension of a magistrate: Mr C M Dumani, a magistrate at Graaff Reinet** (Report of Portfolio Committee on Justice and Constitutional Development, see Announcements, Tablings and Committee Reports, 11 November 2009, p 1602).

Consideration of request for approval by Parliament of **Removal from office of Magistrate T C Oliphant** (Report of Portfolio Committee on Justice and Constitutional Development, see Announcements, Tablings and Committee Reports, 11 November 2009, p 1604).

Consideration of request for approval by Parliament of **Upliftment of provisional suspension from office of Magistrate A Bacharam** (Report of Portfolio Committee on Justice and Constitutional Development, see Announcements, Tablings and Committee Reports, 11 November 2009, p 1607).

Mr M Gungubele, on behalf of the Committee, introduced the Reports.

There was no debate.

Question put: That the recommendation of the Committee be adopted, namely that the provisional suspension of Magistrate N E Ndamase not be confirmed.

Agreed to (Democratic Alliance and Congress of the People abstaining, and Inkatha Freedom Party dissenting).

Provisional suspension of Magistrate N E Ndamase accordingly not confirmed.

Question put: That the recommendation of the Committee be adopted, namely that the provisional suspension of Magistrate C M Dumani be confirmed.

Agreed to.

Provisional suspension of Magistrate C M Dumani accordingly confirmed.

Question put: That the recommendation of the Committee be adopted, namely that the restoration of Magistrate T C Oliphant to office not be confirmed.

Agreed to (Inkatha Freedom Party dissenting).

Restoration to office of Magistrate T C Oliphant accordingly not confirmed.

Question put: That the recommendation of the Committee be adopted, namely that the upliftment of provisional suspension from office of Magistrate A Bacharam be confirmed.

Agreed to.

Upliftment of provisional suspension from office of Magistrate A Bacharam accordingly confirmed.

25. FOURTEENTH ORDER [19:29]

Consideration of Report of Portfolio Committee on Human Settlements on **Oversight visit to the Eastern Cape Province to oversee the state of the province on human settlement delivery acceleration** (Announcements, Tablings and Committee Reports, 10 November 2009, p 1510).

There was no debate.

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

Motion agreed to.

Report accordingly adopted.

26. [19:29] The Deputy Speaker afforded members an opportunity to address the House on the occasion of the end of the session.

27. The House adjourned at 20:13.

Z A DINGANI
Secretary to Parliament