

**BUDGET SPEECH FOR THE KWAZULU-NATAL LEGISLATURE DELIVERED
ON 16 APRIL 2008 BY THE HONOURABLE SPEAKER, THEMBINKOSI
WILLIES MCHUNU [MPL]**

Chairperson of the Committee of the House,
Deputy Speaker,
Honourable Premier,
MEC's,
Members of the Legislature,
Secretary of the Legislature
Management and Staff of the Legislature
Distinguished guests,
Members of the Media,
Ladies and Gentlemen.

Please allow me to preface my speech by declaring that:-

THE FINEST HOUR IS UPON US

On the 23 July, 2004, I delivered my maiden Budget Speech after the historic victory of the African National Congress [ANC] in the 2004 general elections and my subsequent election as Speaker. During that address, I proclaimed boldly that, "The Past is Gone". The Past I referred to, Hon. Members was the end of ten years in which the Legislature had not been vibrant. Ten years in which it lacked the necessary assertiveness in its work. I declared then that the Legislature was henceforth poised to be vibrant and assertive in its approach.

When I became Speaker, the Legislature had been limping from one disaster to the next. It had lost its Secretary as well as its Deputy Secretary. It was struggling with the issues affecting its staff and therefore its administration capacity. It was furthermore lacking a clear and coherent Annual Programme.

To illustrate my point, let me paraphrase Charles Dickens (1812-1870), the English Victorian era author who wrote numerous highly acclaimed works including, "A Tale of Two Cities." The Legislature had come from the worst of times, the age of foolishness, the season of Darkness, the winter of despair, we had nothing before us, and we were all going directly against the rest of the country.

1. STAFFING MATTERS

1.1 Appointment of the Secretary

Honourable Members, our finest hour began when the Legislature under the present Speaker's leadership adopted a change strategy aptly named, "Agenda for Change Management". Our finest hour accelerated when we appointed a new management team led by the current Secretary, Ms Nerusha Naidoo.

1.2 Review Of The Organogram, Job Grading and Evaluation

Honourable Members, as some of you will recall, as a result of deadlock in negotiations between the Speaker and NEHAWU around the implementation of job evaluation and grading results done in 2005, the Speaker and then Parliamentary Executive Board approved that Performance Solutions Africa be engaged to consider that process and recommend a way forward. In October 2006, PSA recommended, *inter alia* that the structure of the Legislature should again be reviewed in order to meet high standards of efficiency and effectiveness, and that jobs should be re-profiled.

PSA was subsequently appointed in February 2007 to develop and implement a process which would:

- Assess and recommend an appropriate (fit for purpose) staff establishment for the Legislature
- Profile posts in that structure (which had not been adequately profiled previously)
- Ensure the grading of these posts using the Patterson system
- Develop a training and development plan for the Legislature
- Develop various HR policies – remuneration, recruitment and selection, etc.

I am happy to report to this legislature that PSA has completed the above process and tabled its report. It is presently being considered by the Rules Committee. Parallel to this process was a thorough consultation process with the Union, which has now resulted in a historic agreement to adopt the organogram. We are convinced that we will have finalized the whole staff related process by the end of May 2008.

Notwithstanding the restructuring process, as the Legislature, we saw it fit to strengthen the capacity of our Administration in critical areas. We did this by employing dedicated professionals to make our institution more efficient. These professionals have contributed immensely to the process of us reach our Finest Hour.

2 PUBLIC INVOLVEMENT INITIATIVES

2.1 Public Participation

In the last two Legislatures, public participation was confined to consultation on draft legislation only. We recognized, when I became Speaker, that public participation was more than legislation; it had to include participation by different sectors of society in the processes of the Legislature, as distinct entities

representing unique interests. That was the birth of the Taking Legislature to the People and sectoral legislatures in their current formats.

This also resulted in the setting up of the Public Participation Unit, whose main task is to oversee the initiation and implementation of all Public Participation Programmes.

I am pleased to announce that through the Legislature Support Programme, we have employed five interns to work within the Public Participation Unit. While this venture allows us to empower young and unemployed graduates to gain work experience, it also adds to our capacity to drive the public participation mandate. The present interns graduated from DUT and UKZN institutions.

2.2 Taking Legislature to The People Programme

It was indeed our finest hour when we launched our “Taking Legislature to the People” in October, 2005, in uThukela District, culminating in-a-four-day sitting in Estcourt

It became even distinctly clear to me that the **Finest Hour Is Upon Us** when the results of a thorough scientific Research undertaken independently by our Research Department, indicated that the KZN Legislature’s programme of “Taking Legislature to the People” is a winner.

This research came about when we realised that, because of time constraints and large numbers of attendees to the, “Taking the Legislature to the People”, not all people were able to voice their concerns. The research ensured that we get as much input from as many citizens as possible. Our Research Department began to administer Questionnaires to all attendees during the “Taking Legislature to the People” held in the Districts of uThukela, uMkhanyakude and

uMzinyathi. These Questionnaires intended to elicit not only demographic data, but also concerns and opinions of the people.

The responses of the people were overwhelmingly enthusiastic and provided the Legislature with 11500 completed Questionnaires. These gave both quantitative as well as qualitative analyses. The analyses of the three Districts were interpreted, and written up as Reports which would give guidance to the Legislature as to the needs of the poorest of the poor. After these reports were completed and submitted to the Speaker and office-bearers of the Legislature, it was resolved to submit the same to the relevant National Ministers in-order to draw attention to dire circumstances in which many of our people in these three Districts live. We also went further with our oversight role by inviting these National Ministers to brief this Legislature on how they were responding to service delivery issues raised by communities during this programme.

With all the information at our disposal and extra resources for the people of KwaZulu-Natal, we are convinced more than ever that, "Taking Legislature to the People Programme" is not only deepening democracy but is also bearing real fruits for our people. It in fact is the best mechanism of promoting Parliamentary Democracy. As a result, therefore, the KwaZulu-Natal Legislature will further hold two, "Taking Legislature to the People Programmes" this financial year, 2008/9 in uThungulu & Amajuba Districts.

...

We will also continue calling upon National Ministers to come and account to the Legislature on their programmes in the province. The first Minister that we intend to call in this regard will be the Minister for Land Affairs & Agriculture, Ms Lulu Xingwana. We are hoping that she will be able to give clarity to the Legislature on the land redistribution programme, land claims issues as well as the farming community related matters.

Having said the above, as a dynamic institution, we continuously review initiatives such as this in order to improve on our processes. The Rules Standing Committee has now approved measures to ensure that these sittings have a bias towards more public interaction. This will be seen at the next sitting at Dondothea in Uthungulu District Municipality.

The new format of the program follows what has been dubbed the six step process plan. This is as follows:

(i) Develop a project plan 5-6 months before the sitting in the chosen community

The project plan identifies and specifies roles for all participants and stakeholders. It also determines specifications to influence sourcing of service providers. A report on the project plan is forwarded to the Strategic Leadership i.e. the Chief Whip, Chair of Chairs and the Office Bearers to keep them on board and to allow for direction to be drawn.

(ii) Start addressing logistical requirements 4-5 months before the sitting

Preparatory meetings are held with the leadership of the relevant areas. The management and staff of the Legislature establish communication sub-committees, security sub-committees and the like. These should be composed of legislature representatives as well as district or local municipality representatives to ensure smooth running of the Taking Legislature to the People programme. This is intended to address the issue of consultation as well as ensure harmonious working relations and co-operative government between the two spheres of government.

(iii) Run community readiness and awareness programmes 2-3 months before the Multi-Party Delegation Visits

The main purpose for this step is to inform the communities about the TLTP and prepare them to meet the Multi-Party Delegation. This step may require the Public Participation Unit to hold workshops on the workings of the Legislature and the role that it plays in the government chain of service delivery.

(iv) Conduct Multi-Party Delegation Visits 1-2 months before the sitting and send relevant reports to the Executive to prepare responses and subjects for the debates at the sitting.

The Committees Directorate prepares a plan for the Multi-Party Delegation visits. The visits are meant to give the communities opportunities to speak directly to the MPLs about the level of service delivery by government. Immediately after the Multi-Party Delegation visits, reports detailing the views of the community are sent to the Executive seeking responses. The said reports then inform the debates for the actual sitting of the Legislature in that particular community.

To enhance the debates, the Research unit of the Legislature conducts independent fact finding missions within the same community whose reports are sent together with that of the Multi-Party Delegation to the Executive.

(v) Hold a 2-3 day sitting of the Legislature to deliberate on the issues raised during the Multi-Party Delegation Visits.

The Proceedings and Committees units then prepare a programme and organize a 3 day sitting (maximum) of the Legislature to deliberate on the issues raised during the visits. This is when the reports of the Multi-Party

Delegations' report gets debated and the Executive is asked to respond directly to the community. The role of portfolio committees is central to the said sitting. The programme is structured as follows:-

Day 1 –The tabling of responses and the Chair of Chairs addresses the public in the presence of the MECs.

Day 2 – The house sits to debate the reports from the Delegations and MECs

Day 3 – This day is dedicated to the Speaker's Social Responsibility Programme

(vi) Follow-up visits 5-6 months after the sitting to check progress on commitments/promises made by both the Legislature & Executive.

The Research, Committees and Public Participation Units then prepare a plan for follow up visits to examine the developmental needs of the public and to check progress on promises made by the Legislature and the Executive. The emphasis is that MEC's should guard against the temptation of raising unrealistic service delivery expectations.

(vii) Events Management

To avoid the different standards set by different events co-coordinators, as well as to cut costs, the Legislature Administration has adopted a policy of using one events coordinator to service all of its outside Sittings.

2.3 Sectoral Legislatures

The sectoral legislatures were established to give a voice to workers, youth and women in the province. We were the first Legislature to give a platform to organized labour through the Workers Legislature in May 2004. Other

legislatures have followed our example as they have also seen the benefit of listening to these important sectors of our society.

We have stuck to our resolution to engage workers through the 3 federations that participate in NEDLAC and have a presence in the province; these are COSATU, FEDUSA and NACTU. This representation will be reviewed only if a convincing reason is advanced and there is agreement with the three federations.

The sittings of the sectoral legislatures will take place as follows:

- a) Workers Legislature – **Zululand Municipality (AbaQulusi)**;
- b) Youth Legislature – **uMkhanyakude District (Exact location to be confirmed)**
- c) Women’s legislature – **eThekweni Metropole (Clermont)**.

2.4 Public Participation in Committees

Whilst one of our wishes was to see an increase in the number of members of the public and civil society participating in committees, due to inter alia the venue constraints within the Legislature, this has not been possible.

3. OVERSIGHT

3.1 Strengthening Oversight Role of Committees

Of main concern when I took office as the Speaker, was the disparity in the manner and level in which various Portfolio Committees conducted oversight. After the appointment of Mr S N Mtwetwa as the Chairperson of Committees, an oversight model for committees was adopted by the Committee of Chairpersons.

This guides the committees in the manner in which they perform their oversight role. The implementation plan for such was produced. It is as follows:-

1. Strategic Plans were produced for all Portfolio Committees in the latter part of 2007;
2. Budgets were developed for all Portfolio and Standing Committees;
3. A Pro-forma agenda which is in line with the budget cycle was developed for Portfolio Committees;
4. As of January 2008, the Portfolio Committees were expected to start operating according to the Pro-forma Agenda
5. Reporting has been made a requirement by the Chairperson of Committees, where Chairpersons have to report on the performance of their committees
6. Going forward, the Committees are expected to produce their Annual Operational Plans which will be factored into the future programme of the Legislature.

3.2 Standing Committees

On the plans for the current financial year 2008/09 is the development of the strategic plans for the Standing Committees (Quality of Life & PPP). In line with the Mandating procedures Act, there will need to be a political determination on the future of the NCOP Committee which to some extent is being made redundant by this legislation.

3.3 Multiparty Oversight Delegation

This structure has gone from strength to strength since it was established. We have been able through this structure and its predecessor in-title to cover the following districts:

Ugu, UThukela, UMkhanyakude, Umzinyathi and Zululand.

The plan was for the Delegation to pay return visits to the districts already covered through Taking Legislature to the People, as of January 2008. I am sad to report that due to reports not being received timeously from the Executive, these have not materialized. The matter is however being dealt with through the Office of the Leader of Government Business.

5. PROGRAMME OF THE LEGISLATURE

5.1 Annual Legislature Programme

We managed for the first time to adhere to a standard structure of the programme of Legislature activities. Prior to 2004 there was no certainty on the Programme of the Legislature because it was prepared on a month-by-month basis. Since 2007 under the leadership of the Chief Whip Mr Cyril Xaba, the legislature functions on a programme which covers the whole year. This has brought more certainty to Members and their Committees as to how they should plan their work.

We have had to improve the programming in order to minimize the number of days that some MEC's who head more than one vote, spend at the Legislature attending committee meetings.

5.2 Study Tours

In line with our quest to benchmark against the best practices in the world, our Committees have been able to undertake study tours to African and other countries. As at the end of the 2007/2008 financial year only the Agriculture & Conservation, Transport, Works and the Social Development committees were still to undertake their study tours. These also have an obligation to undertake

their tours by July 2008. It is necessary at this stage for me to report that the IFP has informed me that none of their members are permitted to undertake overseas trips anymore.

6. STANDING RULES REVIEW

The last review of the Rules of our Legislature took place in 2006. Between then and now, we have identified gaps in them. We have thus started a comprehensive process of review. The Sub Committee has done some work and it is anticipated that the review will be concluded before July this year. This exercise is to improve as much as possible on our rules

7. LEGISLATURE INFRASTRUCTURE MATTERS

7.1 Modern Legislature Facilities

Last year I shared with you a dire need for new legislature facilities. Whilst there is a constant and consistent desire to professionalize the institution, the facilities within which we operate are not conducive to the kind of professionalism that is intended.

I cited a number of practical constraints that we are currently facing with the current facilities and I concluded by saying that “the building of the new Legislature Complex, boasting of adequate facilities to accommodate the needs of a modern Legislature is not a matter of choice. It just has to be done”. Today, I wish to inform this house that this is going to be a reality.

In March 2007, the Provincial Executive Council appointed Transaction Advisors to conduct a needs assessment. Members will recall that the Adjustments Estimate for 2007 made provision for an amount of R10, 5 million to be transferred to the Legislature; that was for payment for the needs assessment report. The report has been concluded and submitted to National Treasury in October 2007. Discussions between Provincial and National Treasury are ongoing.

7.2 Information Technology Initiatives

I am pleased to inform the House that the Electronic Content Management system is now in place and allows us to manage all the information produced in the Legislature and makes this available to all the user community within it. There is also a component known as workflows which will enable us to work smarter. These include the Travel Management (for all our air travel and accommodation) and Bill Tracking (to enable us to know at any given time the stages of provincial legislation). A presentation on the system has been made to the Whips Forum; and it will extend to all Members. Party staff has been trained on the usage of the Travel Workflow so that they can make arrangements for Members.

The next important step will be to ensure that everyone in the Legislature is computer literate. A room has been set aside as an in-house computer training facility and it will be used mainly for training Members. Staff will use the room during Members recess. We are negotiating with SITA to ensure that by the end of this term, all Members are 100% technology compliant. Such a step will take us nearer to our goal of an institution which uses less paper.

7.3 Language Services

The Legislature now has a fully functional Hansard Unit. All sittings of the House are now recorded digitally, and the audio data is being transferred and stored

digitally, as well. Since having an in-house Hansard Unit , the turnaround time for transcripts of debates has improved dramatically, with the Hansard Unit ensuring that all debates are transcribed within 72 hours. The Hansard Unit has recently purchased two portable digital recorders for use at off-site sittings and other meetings of the KZN Legislature.

7.4 Video Conferencing

I wish also to report, Chairperson that a video-conferencing facility which links Legislatures and Parliament was launched on 7 February 2008 in Cape Town. This initiative was funded by the Legislature Support Programme (European Union). I am pleased to announce that KwaZulu Natal was the first Legislature to meet the requirements of room readiness to ensure smooth link-up with Parliament. A protocol of holding visual meetings with other Legislatures is being completed and will be tabled before the Speakers Forum soon. This system will mean that there will be less and less need for Members to regularly commute to Cape Town for briefings and meetings on section 76 legislation.

8. DONOR FUNDING

Funding received by Legislatures from the European Union officially ended in December 2007. The legislative sector is negotiating with the European Union for new funding. The sector has organized and defined itself through the formulation of the budget sector policy, strategic framework and memorandum of understanding. These documents are a joint effort of Legislatures and Parliament which will nurture a stronger relationship within the legislative sector at both the political and administrative levels. Parallel to this, there is a national audit being conducted by the sector to determine systems and procedures that exist in each legislature in order to set national norms and standards.

I wish to take this opportunity to thank one of our partners i.e. Standard Bank for sponsoring our Official Opening in the past years

9. SPEAKER'S SOCIAL RESPONSIBILITY PROGRAMME

Honourable Chairperson, allow me to record my gratitude to a few of our partners who supported this Legislature by donating to a benevolent initiative, i.e. the Speakers Social Responsibility Programme of which I am a Patron. Due to time constraints, I may be able to read them out but their names are on the speech in front of you.

ABSA	R50 000,00 – uniform for 100 children in distress
SIBAYA RESORT	For hosting the launch – the Speaker's Responsibility Programme
PROVINCIAL WELFARE DEPARTMENT	Joint project to alleviate poverty – food parcels for orphanages at eMondlo - Vryheid
FUNCTIONS R US	R10 000,00 bursary for Slindokuhle Matriculants
INTERGRATE CONSULTANTS	R30 000,00 – bursary for Slindokuhle Matriculants
MAYOR EMNAMBITHI	For partnership with the Speaker on Slindokuhle Matriculants

10. 2008/09 BUDGET

It is with this in mind, Chairperson, Hon. Deputy Speaker Sir, and Hon. Members that I declare that, the, "Past is Buried" and, **The Finest Hour is Upon Us**. We

have reached, to paraphrase Dickens again, “the best of times, the age of wisdom, the epoch of belief, the season of Light; the spring of hope”.

Chairperson, allow me to thank our administration wing, the Secretary, her management team and the entire staff complement for assisting us to achieve our goal. I would like to thank officials in the Office of the Speaker, the Chief Whip and Chair of Chairs for working so well jointly to achieve our objectives as the Legislature.

Chairperson, I present to this Third Legislature the budget for 2008/09 financial year. I wish to declare that this year of this Legislature will be dedicated to consolidating the gains we have made and to discarding that which has not functioned well for us.

Chairperson, I now present the budget for 2008/2009 financial year as follows:-

Provincial Legislature

Operational budget	R 166 547 000
Remuneration of the Speaker and Deputy Speaker	R 1 590 000
Statutory amount (MPLs remuneration)	R 40 571 000
Total amount to be appropriated	R 208 708 000
Responsible MEC	Speaker of the Provincial
Administrating department	The Provincial Legislature
Accounting officer	Secretary: Provincial Legislature

I propose the adoption of the budget as tabled.

Thank you, Chairperson.