

DEBATES AND PROCEEDINGS OF THE FOURTH

KWAZULU-NATAL LEGISLATURE

FIRST SESSION

FOURTH LEGISLATURE

TUESDAY, 12 MAY 2009

**THE HOUSE MET AT 10:09 IN THE LEGISLATIVE CHAMBER,
PIETERMARITZBURG.**

**1. SILENT PRAYER OR MEDITATION, OR READING OF THE PRAYER IN
SCHEDULE 2.**

The Speaker, Mrs N P Nkonyeni, took the Chair and read the prayer.

2. OBITUARIES AND OTHER CEREMONIAL MATTERS

THE SPEAKER: Hon members, I am saddened to announce the passing away of hon member Khelinah Nomvula Shoba who was a former member of the Mpumalanga Legislature. The hon Shoba was recently sworn in as a member of the National Assembly. She passed away on Saturday, 9 May 2009, after the inauguration of the President of the Republic. Funeral arrangements have not yet been confirmed and upon confirmation, hon members will be informed accordingly.

Hon members might also have heard about this when the hon President conveyed his condolences during the announcement of the Cabinet on Sunday afternoon. May we remember the Shoba family during this sad episode that has befallen them. May we all rise and observe a moment of silence, please?

Members of the House observed a minute of silence.

THE SPEAKER: May her soul rest in peace.

HON MEMBERS: Amen.

3. ANNOUNCEMENTS BY THE SPEAKER

THE SPEAKER: Hon members, may I take this opportunity to wish the following returning members belated birthday wishes: The hon Mr B H Cele was born on 22 April; the hon Inkosi M Z N Madlala was born on 4 May; the hon Ms G N Swartbooi was born on 8 May and the hon Mr T W Mchunu, the former Speaker, was born on 11 May. Happy belated birthdays!

Of course there has been a practice that the Speaker acknowledges and wishes hon members well on their birthdays. However, the Administration is still busy processing new members' information for various purposes. There may have been some new members whose birthdays fall between 28 April and today, so I take this opportunity to also wish them well. Thank you very much.

Any announcements or reports by our hon brand new Premier, Dr Zweli Mkhize? I wish to congratulate you, before you make any announcements, hon Premier. Thank you.

4. ANNOUNCEMENTS OR REPORTS BY THE PREMIER

DR Z L MKHIZE (Premier of KwaZulu-Natal): Thank you very much, Madam Speaker. The first announcement will be to thank all hon members of this House for their support, both in the election of the Premier, as well as the inauguration ceremony. Indeed, your presence, hon colleagues, lent a lot of dignity to the occasion.

I want to thank hon members of the ANC for their support. I want to thank our partners and our colleague Rajbansi for their support. I want to thank hon members of the DA who are present, as well as the hon member of the ACDP. I do not see her here. I also want to thank the leaders of the IFP for all their support. My colleague, the former Premier, who has been with us for most of the day and particularly with the other former Premiers, thank you very much. Your presence did lend dignity to the event. I want to thank my other colleague, Dr Buthelezi, very much for his support as the Leader of the Official Opposition. Indeed, it looks as if the number of doctors in this House is increasing! [Laughter] One of these days we might be able to hold a medical council meeting inside this House. [Interjections] No, but we can give you an honorary doctorate, comrade! [Laughter]

Colleagues, now that I have thanked all of you for your support, I now have the pleasure of announcing the new Executive Council. I will give the names as I have them on record here. The first is the hon Mr T W Mchunu, MEC for Local Government and Traditional Affairs. He is also our Leader of Government Business. [Interjections] [Laughter]

Madam Speaker, I do not know if this will constitute a breach of protocol in the House, but there is a request from the Official Opposition. I would be pleased to oblige. They want to see the hon member stand, so if it pleases you, I will comply.

THE SPEAKER: Hon Premier, they may rise. I do not...

DR Z L MKHIZE (Premier of KwaZulu-Natal): Oh, please rise... [Laughter] It looks like the communist propaganda is moving across to the Official Opposition! [Laughter]

The hon Mr B H Cele is the MEC for Transport, Community Safety and Liaison. Please rise. [Interjections] Yes. [Insert isiZulu 10:18:04](#)

The hon Mr Michael Mabuyakhulu is the new MEC for Economic Development and Tourism. [Laughter]

MR S GCABASHE (ANC): [Insert isiZulu 10:18:58](#)

DR Z L MKHIZE (Premier of KwaZulu-Natal): The hon Mr E S Mchunu is the new MEC for Education. [Interjection] [Laughter] Oh, sorry ... [Interjections] You know, there must be equality in this House. [Insert isiZulu 10:19:23](#) [Laughter]

The hon Mrs C M Cronjé is the new MEC for Finance. Thank you.

The hon Ms Weziwe Thusi is the MEC for Arts, Culture, Sports and Recreation. [Interjections]

The hon Dr B M Radebe is the MEC for Social Development. [Interjections] [Laughter] [Insert isiZulu 10:20:08](#) [Laughter]

Then, the hon Mrs Lydia Johnson is the MEC for Agriculture, Environmental Affairs and Rural Development.

The hon Dr Sibongiseni Dhlomo is the MEC for Health.

The hon Magesvari Govender is the MEC for Human Settlements and Public Works.

Madam Speaker, this then is the team that constitutes the Executive Council, and I therefore take this opportunity to formally congratulate them in this House on their appointment. I wish to indicate my confidence in them. As a team we will be able to do our best to improve the lives of the people of KwaZulu-Natal.

I also wish to thank the Office of the Speaker for all the support and the work that it has done with regard to the ceremonies that we have been through. Thank you very much. Thank you, Madam Speaker.

THE SPEAKER: Thank you very much, hon Premier. We also wish to convey our good wishes to all the Members of the Executive Council. Congratulations and good luck!

5. TABLING OF REPORTS OR PAPERS

THE SPEAKER: Are there any reports or papers to be tabled? None.

6. FORMAL MOTIONS AND NOTICES BY THE CHIEF WHIP

THE SPEAKER: Hon members, I wish to introduce to you the Chief Whip from the ruling party, the African National Congress, the hon Ms Nomusa Dube, and the Deputy Chief Whip, the hon Mr Ravi Pillay. Other Whips will be introduced in due course.

I wish to introduce the hon Chief Whip from the Official Opposition, the hon Mr Combrinck. I have no knowledge of the other Whips from the Official Opposition. [Interjections] Ja, I will check. Congratulations to you all. Chief Whip, are you ready?

MS N DUBE (Chief Whip of the Legislature): Madam Speaker, I hereby wish to move a motion without notice under Standing Rule 93(g) with the unanimous concurrence of all hon members present in the House:

This House noting:

That the Standing Rules of the KwaZulu-Natal Legislature were adopted on Wednesday, the 6th of May 2009;

That Rule 122(a) and (b) of the Standing Rules states that the Legislature has four management committees, four standing committees and various portfolio committees;

That the four management committees and four standing committees have been automatically established by the House;

That it is required that portfolio committees be established by the House, and

That Rule 172 of the Standing Rules states that:

The House may by resolution –

- establish or disestablish a range of Portfolio Committees;
- assign a portfolio, or part thereof, of government affairs to each committee; and
- determine a name of each committee.

Therefore resolves:

To establish the following committees:

Portfolio Committee on the Premier & the Royal Household
Portfolio Committee on Agriculture and Rural Development
Portfolio Committee on Conservation and Environmental Affairs
Portfolio Committee on Education
Portfolio Committee on Arts and Culture
Portfolio Committee on Sports and Recreation
Portfolio Committee on Finance
Portfolio Committee on Economic Development and Tourism
Portfolio Committee on Health
Portfolio Committee on Human Settlements
Portfolio Committee on Works
Portfolio Committee on Local Government and Traditional Affairs

Portfolio Committee on Transport
Portfolio Committee on Community Safety and Liaison
Portfolio Committee on Social Development.

THE SPEAKER: Thank you, Chief Whip. Can I check with the other political parties whether there is unanimous agreement on this Motion? IFP?

MR H L COMBRINCK (Chief Whip of the Opposition): Madam Speaker, I have not seen the motion, although we were told to support it. We do not have a problem with that. However, I have not seen the motion yet.

THE SPEAKER: Copies of the motion are being distributed now. I will start with the IFP.

MR H L COMBRINCK (Chief Whip of the Opposition): Madam Speaker, thank you. Ja, I have now seen the motion. We in the IFP will support the motion. Thank you.

THE SPEAKER: Thank you. DA?

MR R E KEYS (DA) We support the motion without notice.

THE SPEAKER: Thank you. Minority Front?

MR A RAJBANSI (MF): Do you now see the importance of a small party? If we say "No", you cannot discuss this motion. [Interjections]

Madam Speaker, Mr Johann Krog needled me. However, on the first day I will not attack the DA. We will concur with the following reservations which I expressed on 6 December, namely that the Standing Rules do not conform to the policy of the ANC at national level and should be revisited. Also, we should consider establishing a portfolio committee to deal with the concerns of minorities. With these reservations, but in the spirit of co-operative co-existence we concur.

THE SPEAKER: Thank you. ACDP? The ACDP representative is not in the House. COPE? The COPE representative is not in the House. ANC? Oh, of course! The motion was presented by you.

Hon members, there is concurrence. Can I now put the motion to the vote? Those who

are in support of the motion, say "Aye".

HON MEMBERS: Aye!

THE SPEAKER: Those who are against, say "No".

The Ayes have it.

Hon members, I now request the hon Chief Whip to move the second motion without notice.

MS N DUBE (Chief Whip of the Legislature): Madam Speaker, I hereby move the next motion without notice under Standing Rule 93(g) with the unanimous concurrence of all hon members present in the House:

This House noting:

That Rule 15 provides as follows:

Election of Chairperson of Committees and Deputy Chairperson of Committees

As soon as possible after an election or whenever the position of Chairperson of Committees or Deputy Chairperson of Committees is vacant, the House must elect a Member as Chairperson of Committees and another Member as Deputy Chairperson of Committees, the duration of the Legislature;

That the 2009 general elections took place on the 22nd of April 2009;

That the posts of Chairperson of Committees and Deputy Chairperson of Committees have not been filled yet and are vacant, and

That it is therefore required in terms of Rule 15 to elect a member as Chairperson of Committees and another member as Deputy Chairperson of Committees.

Therefore resolves:

To appoint Samuel Nkosiyezwe Mtetwa as Chairperson of Committees,
and

To appoint Happy Mamlile Blose as Deputy Chairperson of Committees.

THE SPEAKER: Thank you very much, Chief Whip. Can I check with the other parties whether there is concurrence? Chief Whip of the Opposition? IFP?

MR H L COMBRINCK (Chief Whip of the Opposition): Madam Speaker, do I have a choice? I do not think so. They are the ruling party. That is what they want. What should I decide? [Laughter] Ja, we have to do it.

THE SPEAKER: Thank you. DA?

MR R E KEYS (DA): Madam Speaker, the composition of the Committee of Chairpersons is exclusively the domain of the ANC, and members of opposition parties are therefore denied access to this committee. We have reservations in terms of the composition of the committee, but not in terms of its Chairperson.

THE SPEAKER: Thank you. MF?

MR A RAJBANSI (MF): Hon Speaker, the proposal is divided into two parts. One is that we must concur that we decide on the matter and we concur as far as that is concerned. Whether we agree with the names or not, the majority vote will decide. However, we will support the proposal of the name of the Chairperson and the Deputy Chairperson, because the Chairperson is a very, very knowledgeable person who has served 15 years and who, like me, qualifies for pension, but we are prepared to remain here. I also believe that one day he should be an MEC.

THE SPEAKER: Thank you, MF. ACDP? There is no ACDP representative in the House. COPE? There is no COPE representative in the House. The ANC is the one that has raised the motion. Can I check, hon members, whether this motion is supported by the House? All those who are in favour of the Motion, say "Aye".

HON MEMBERS: Aye!

THE SPEAKER: All those who are against, say "No".

The Ayes have it. Thank you very much.

7. NOTICES OF BILLS OR MOTIONS

THE SPEAKER: You are allocated 30 minutes, hon members. I just want to remind you on that. Hon members, I believe I have recorded all your names.

MR M MABUAKHULU (ANC): Madam Speaker, I hereby give notice that I shall move on the next sitting day of the House as follows:

This House noting:

That on the 8th May 2009, all local Houses of Traditional Leaders elected their executive committees and representatives of each House to the Provincial House of Traditional leaders, and

That on 22 May 2009 the Provincial House of Traditional Leaders will have its election.

Therefore resolves:

To applaud the peaceful manner in which these elections were conducted, and

To congratulate the Department of Local Government and Traditional Affairs on a job well done.

DR B T BUTHELEZI (IFP): Madam Speaker, I hereby give notice that I shall move on the next sitting day of the House as follows:

This House noting:

That today is International Nurses' Day when we celebrate the important contribution of nurses all over the world, and

That Dr Sibongiseni Dhlomo has been appointed as the new MEC for Health in KwaZulu-Natal.

Therefore resolves:

To wish all nurses in South Africa and KZN in particular well on this historic day and call on them to commit themselves to that noble philosophy of Florence Nightingale, the founder of the nursing profession, and

To call on the new Health administration to prioritise the issue of Occupation Specific Dispensation (OSD) for all categories of health personnel, including nurses and doctors.

MRS C M CRONJÉ (ANC): Madam Speaker, I hereby give notice that I shall move on the next sitting day of the House as follows:

This House noting:

That the DA Premier of the Western Cape, Premier Helen Zille, has established the Tafelberg Boys Choir as her Cabinet by appointing 10 choir boys to Cabinet, and

That the 10 choir boys consist of six white choir boys, three so-called coloured choir boys and one lone African choir boy.

Therefore resolves:

To condemn such sexist, racist on anti nation-building action by the DA Premier in the Western Cape in the strongest possible terms, and

To remind the DA Premier and the DA that we live in a democratic country, free from discriminating of any kind, as clearly set out in the Constitution of the Republic of South Africa.

MR J STEENHUISEN (DA): Madam Speaker, I hereby give notice that I shall move on the next sitting day of the House as follows:

This House noting:

The successful and peaceful elections which took place on the 22nd of April 2009.

Therefore resolves:

To congratulate all hon members on their election to this House, and

To congratulate the Premier and all MECs on their election and appointment to the Executive Council.

MR S N MTETWA (ANC): [\[Insert isiZulu 10:40:43\]](#)

MR B H CELE (ANC): Madam Speaker, I rise on a point of order.

THE SPEAKER: Please resume your seat, hon member. What is the point of order?

MR B H CELE (ANC): Madam Speaker, I heard the speaker calling you “Somlomo baba” and I do not see any “Somlomo baba”. [Laughter]

THE SPEAKER: I thought he had said “Somlomo mama”. You may proceed, hon member.

MR S N MTETWA (ANC): [\[Insert isiZulu 10:40\]](#)

DR L P H M MTSHALI (IFP): Madam Speaker, I hereby give notice that I shall move on the next sitting day of the House as follows:

This House noting:

The more practical realignment of the provincial cabinet according to the commonality of portfolios, one example of which is the split of the Department of Finance and Economic Development between the separate departments of Finance and Economic

Development and Tourism, pioneered under the last IFP administration of KwaZulu-Natal.

Therefore resolves:

To express the hope that this arrangement will, under the new ANC government, result in accelerated service delivery and that additional entities such as the Planning Commission will not simply constitute an extra layer of bureaucracy.

MRS W S THUSI (ANC) Insert isiZulu [10:42:36]

MR J Z MCHUNU (ANC): Madam Speaker, I hereby give notice that I shall move on the next sitting day of the House as follows:

This House noting:

To congratulate the ANC on being gender sensitive by implementing our 50/50 policy as a means of promoting women in this country.

Therefore resolves:

To condemn the male-only executive appointed by the hon Madam Zille;

To remind the DA that Western Cape is not an island; it is part of South Africa whose president is the very same person they wanted to stop: Jacob Gedleyihlekisa Zuma,

To remind the DA that we are unstoppable, and that 50/50 gender equality will be enforced in Western Cape.

THE SPEAKER: The next speaker is the hon Marais.

MR G MARI (DA): Madam Speaker, it is Mari.

THE SPEAKER: I am sorry. The hon Mari.

MR G MARI (DA): Yebo! Thank you!

Madam Speaker, I hereby give notice that I shall move on the next sitting day of the House as follows:

This House noting:

The recent deaths of babies and mothers after childbirth at the Mahatma Gandhi Hospital in Phoenix.

The public outcry and allegations of negligence resulting in these deaths, and

The history of complaints and poor service delivery at this hospital.

Therefore resolves:

To call on the MEC for Health to immediately investigate these incidents with a view to instituting an enquiring into the poor service at the Mahatma Gandhi hospital.

MS G N SWARTBOOI (ANC): [\[Insert isiZulu 10:45:05\]](#)

THE SPEAKER: Hon member Mr Gwala.

MR R E KEYS (DA): Madam Speaker, may I request that the motion be checked for 100 words?

THE SPEAKER: It will be checked. Hon Gwala?

MR M B GWALA (IFP): Madam Speaker, I hereby give notice that I shall move on the next sitting day of the House as follows:

This House noting:

That yesterday's inauguration of the KwaZulu-Natal Premier, organised by the Office of the Premier, was largely conceived as a lavish ANC rally without any significant input from other political parties whose supporters the Premier has pledged to represent.

Therefore resolves:

To urge the incoming provincial administration to show greater sensitivity to the multi-party character of KwaZulu-Natal, as well as to the precarious circumstances of the global economic meltdown which have already claimed considerable job losses in the province.

MRS P M MCKAY (ANC): Madam Speaker, I hereby give notice that I shall move on the next sitting day of the House as follows:

This House noting:

That the inauguration of the Premier was a vibrant event, alive with a feeling of belonging, and

That the inauguration celebration has set the tone for the way in which we interact with the people of the province.

Therefore resolves:

To remain an involved participant with members of the community and they with us;

To congratulate the Premier on his inauguration, and

To urge all parties to participate in these events in the future and not to boycott them.

MR A SINGH (ANC): Madam Speaker, I hereby give notice that I shall move on the next sitting day of the House as follows:

This House noting:

That today is International Nurses' Day.

Therefore resolves:

To salute all male and female nurses for the loyalty and dedication these caring individuals display in their profession.

MR A RAJBANSI (MF): Madam Speaker, I rise on a point of order. Normally you have turns of political parties.

THE SPEAKER: On which rule are you rising?

MR A RAJBANSI (MF): I stand on the rule of convention. The MF has two speakers who have stood up. None of us have been called on to move our motions. I am afraid that the 30 minutes may expire soon.

THE SPEAKER: The MF is the next party that will be called.

MR N W NGCOBO (ANC): Madam Speaker, I hereby give notice that I shall move on the next sitting day of the House as follows:

This House noting:

A job well done by the ANC-led government in implementing and fulfilling the important policy of gender balance in almost all government structures, as well as in government departments;

That some political parties in this House keep on talking about it, but are far away in terms of implementation and fulfillment.

Therefore resolves:

To call on all parties, especially in this House, to join the ruling party in working harder towards the achievement of this task.

MRS S THAKUR-RAJBANSI (MF): Madam Speaker, I hereby give notice that I shall move on the next sitting day of the House as follows:

This House noting:

That 15 years into South Africa's democracy we still see a varied political culture due to a heterogeneous society, and

The importance of the social composition of public office holders.

Therefore resolves:

To ensure that in the future, KwaZulu-Natal should lead by example and embrace social representation so that government institutions do not become out of tune with public opinion, which could be seen as an anachronistic defender of the *status quo* when the provincial and national mood demands reform and innovation.

INKOSI N J NGUBANE (IFP): [Insert isiZulu 10:51:11]

MR A RAJBANSI (MF): Madam Speaker, I hereby give notice that I shall move on the next sitting day of the House as follows:

This House noting:

That His Excellency President Jacob Zuma did not sacrifice merit, competency and inclusiveness in the appointment of the national Cabinet, and

That the Premier of Western Cape, Helen Zille, offered minor political parties seats in the Western Cape provincial Cabinet.

Therefore resolves:

To laud the efforts of His Excellency President Jacob Zuma and the Western Cape Premier, the hon Helen Zille, for their respect for multi-party democracy, and

To call upon our Premier, the hon Dr Z L Mkhize, to appoint an independent person, like that of the level of the Auditor General, to be in charge of the monitoring and evaluation of all political office bearers, like the recently introduced Rules for Public Service, where all political appointees should be subject to passing vigorous competency tests before confirmation of appointments.

MR J KROG (DA): Madam Speaker, I hereby give notice that I shall move on the next sitting day of the House as follows:

This House noting:

That the occupiers of 40% of land in KwaZulu-Natal have no access to finance;

That it is necessary that some form of title acceptable to financial institution be given to these occupiers to unlock economic development, and

That agriculture production has reduced to make us a net importer for the first time in our country's history.

Therefore resolves:

To call on the Premier to urgently call an Indaba between himself, the MEC for Economic Development, the MEC for Traditional Affairs, the MEC for Agriculture, the House of Traditional Leaders and major banking institutions to unlock economic development and access to finance in rural areas.

MS L X H HLONGWA (ANC): Madam Speaker, I hereby give notice that I shall move on the next sitting day of the House as follows:

This House noting:

The President's call that there will be no space for laziness, cynicism and excuses, and

That the ANC expects public servants to excel in all that they are doing.

Therefore resolves:

To call upon all the citizens of this Province to embrace the ANC's campaigns slogan of "Working together we can do more" because it embodies the spirit of unity, hope and victory;

To congratulate Dr Zwelini Lawrence Mkhize on his election as the Premier of this Province, and

To congratulate all MECs, especially the newly appointed MEC Govender, MEC Mchunu and as Dr Dhlomo.

MS M V NOEL (ANC): Madam Speaker, I hereby give notice that I shall move on the next sitting day of the House as follows:

This House noting:

The excellent voter turn-out by mature and disciplined citizens of our great country who turned out in their thousands, standing in queues for up to three or four hours in order to put their cross on the ballot papers;

The excellent voter turn-out among the youth who also turned out in their thousands to vote;

The women of our country who are owed a great debt of gratitude, because they were clearly in the majority, loyal as always, and

That the people have spoken and that our country has come of age.

Therefore resolves:

To congratulate the IEC on a job well done.

MS V TAMBO (ANC): Madam Speaker, I hereby give notice that I shall move on the next sitting day of the House as follows:

This House noting:

That the people of this province have put their belief, faith and hope in you, Khabazela.

Therefore resolves:

To congratulate our beloved organisation, the African National Congress in its victory, and

To say to you: March on, Khabazela, soldier of the people of this province.

INKOSI B N MDLETSHE (IFP): Madam Speaker, I hereby give notice that I shall move on the next sitting day of the House as follows:

This House noting:

The numerous instances of cheque-book politics in the run-up to the elections;

The leadership positions within the district Houses of Traditional Leaders last weekend, and

The ongoing attempts to manipulate the outcome of the election of leadership of the provincial House of Traditional Leaders on 22 May.

Therefore resolves:

To condemn the practice of buying votes which became institutionalised in KwaZulu-Natal through the cynical distribution of government-sponsored food parcels in the rural areas ahead of last month's provincial and national elections.

MS W P ZONDI (ANC): Insert isiZulu 10:57:57.

INKOSI B N MDLETSHE (IFP): Madam Speaker, I rise on a point of order.

THE SPEAKER: Please take your seat, hon Zondi. What is your point of order?

INKOSI B N MDLETSHE (IFP): Insert isiZulu 10:58:50. [Interjections]

THE SPEAKER: That was the last motion to be raised by the hon member Ms Zondi.

8. ORDERS OF THE DAY

8.1 Establishment of Committees

THE SPEAKER: Hon members, this Item will fall off the Order Paper as we have already dealt with it.

8.2 Ruling of Speaker in respect of the Determination of the Composition of Committees.

THE SPEAKER: Hon members, this item concerns the appointment of full and alternate members of all portfolio committees, the Standing Committee on Public Accounts, the

Standing Committee on Private Members' Legislative Proposals and Petitions, and the Standing Committee on the Quality of Life and Status of Women, Children, Youth and Disabled Persons. Now that the portfolio committees have been established, it is necessary to appoint hon members to those committees and to the standing committees I have just listed.

In terms of Standing Rule 126(1), parties must appoint full and alternate members to the committees I have just listed and advise the Speaker accordingly.

In terms of Standing Rule 125(1), each of those committees consists of 10 members. Parties are entitled to proportional representation on each of those committees. Proportional representation of minority parties (that is, parties with less than 10% representation in the Legislature) is determined by their collective representation in the Legislature.

In terms of Standing Rule 125(2), minority parties may not appoint more than one member as either a full or alternate member to a committee. Considering the representation of parties in the Legislature, parties are accordingly entitled to appoint full members as follows: ANC (six members): IFP (two members) and all other minority parties collectively (two members).

In terms of standing Rule 127(1), parties may appoint three alternate members to each of the above committees, and minority parties may collectively appoint three alternates to each of those committees. However, considering the current party-political representation in the Legislature, a literal application of the provisions of Rule 127(1), relating to the appointment of alternates by minority parties, would be in conflict with the provision of Rule 125(2) mentioned above, allowing a minority party to appoint more than one full or alternate member per committee.

In terms of Standing Rule 2(1), the Speaker may give a ruling in respect of an eventuality for which the Rules do not provide. The Standing Rules adopted by this House on Wednesday, 6 May 2009, were drafted and adopted in the previous term. The party-political representation was different then. The Legislature previously consisted of five minority parties, as opposed to the current four. Standing Rule 127(1) was drafted to cater for the circumstances which were prevailing then. Those circumstances have now changed and the Rule can no longer be applied without modification.

Rule 127(1) must be read subject to the provisions of Standing Rule 125(2). In doing so, I determine that the four minority parties are collectively entitled to appoint two alternates per committee and not three.

Parties are accordingly requested to appoint their full and alternate members within seven days from today, to enable the Secretary to the Legislature to convene the first meeting of those committees. Thank you very much. That is my ruling, hon members.

MR A RAJBANSI (MF): Madam Speaker, I thank you for your ruling. However, when these Rules were drafted there was general consensus amongst minor political parties that, should there be a dispute, such a dispute would be resolved by the hon Speaker. Last time the hon Mr Radley Keys grabbed the cream of the committees. We are not going to allow ...

THE SPEAKER: Hon member, you just decided to talk without the Speaker having recognised you. I would like to afford this opportunity to the hon Mr Combrinck of the IFP.

MR H L COMBRINCK (Chief Whip of the Official Opposition): Madam Speaker, I accept your ruling. I just want to bring to your attention - and I have already spoken to the Deputy Speaker and some other hon members - that the Chairperson of Committees needs to sit down and think about this matter fairly soon. Remember, in the previous Legislature we had a clustering of committees. It made it very difficult for parties to appoint members to committees where there were going to be clashes. So, we seriously need to get that information from the parties and work out how the system is going to work so that we can appoint members to those committees. So, I think I will speak to the legal advisors, as well. We just need to get that as soon as possible, otherwise the seven days could be in jeopardy. Thank you, Madam Speaker.

THE SPEAKER: Thank you very much. There is a commitment from the Administration that that will be done before the end of today. Hon Mr Rajbansi?

MR A RAJBANSI (MF): Thank you, Madam Speaker. In respect of the allocation of seats for minor political parties, the Rules are silent if there is a dispute, but there was an agreement at the drafting stage that if there is a dispute about fairness of equitability, those dispute will be sorted out by the hon Speaker. So, we just want to place that on

record, in case I have to overpower Radley Keys.

THE SPEAKER: Hon member, I have already said it. It is clear to me that you were not listening. That was the ruling, hon members.

8.3 Election of Chairperson of Committees

THE SPEAKER: Hon members, that item now falls off the agenda because we have already taken that resolution.

That brings us to the conclusion of what we were supposed to be doing today.

Hon Premier ... I am not sure who is representing the Premier. Hon Mchunu, are there any announcements from the Premier?

MR T W MCHUNU (Leader of Government Business): Madam Speaker, the only announcement is that the hon Premier has apologised for his absence. He has urgent business to attend to. That is why he is not in the House. It is not out of disrespect. That is the only announcement. Thank you.

THE SPEAKER: Thank you, hon MEC Mchunu.

9. ADJOURNMENT

THE SPEAKER: Hon members, please note that from 18 to 20 May 2009 we will be conducting inductions of all hon members of the Provincial Legislature. The starting time will be 09h00 and the venue is this Chamber. You are all expected to attend. Another announcement is that we envisage hosting a Workers' Parliament, but you will be informed about the dates in due course. That is all for now. Without any further ado, I think it is proper for the Speaker to declare this House adjourned until 11 June 2009.

The House was adjourned at 11:10.