
DEBATES AND PROCEEDINGS OF THE THIRD

KWAZULU-NATAL LEGISLATURE

FIFTH SESSION

THIRD LEGISLATURE

TUESDAY, 24 FEBRUARY 2009

**THE HOUSE MET AT THE 12:10 IN THE LEGISLATIVE CHAMBER,
PIETERMARITZBURG.**

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

The Speaker, Mr T W Mchunu, took the Chair and read the prayer.

2. OBITUARIES AND OTHER CEREMONIAL MATTERS

THE SPEAKER: There are quite a number of staff members who lost loved ones from the period December 2008 leading up to February 2009. We want to express our condolences to all of them on the loss of their loved ones during that period. Those staff members are Mr Mqondisi Ngcobo who lost his brother; Mr S T Nkabinde who lost his mother; Mr B Mazibuko who lost his sister; Mr E S Sibiya who lost his mother; Mr D M Khumalo who lost his brother; Mrs E K Chonco who lost her mother; Mrs T Dlungele and Mrs Z Sithole, who are sisters, who lost their mother; Mrs B G Ngubane who lost a brother; Mrs T I Sibisi who lost her uncle and Mrs S Botha who lost a nephew. I would request that hon members stand for a minute of silence in recognition of these staff members who have lost their loved ones.

Members of the House observed a minute of silence.

THE SPEAKER: May their souls rest in peace. Amen.

3. ANNOUNCEMENTS BY THE SPEAKER

THE SPEAKER: The first announcement that I need to make is that members of the Portfolio Committee on Health are requested to attend a special meeting of the portfolio committee in Committee Room 1 immediately after the House adjourns for lunch. [IsiZulu 12:14:10](#). You now know about this, but please remind one another of that meeting.

Secondly, a number of MECs have apologised for being absent due to other work commitments relating to their portfolios. These are the hon Mrs L Johnson, MEC for Public Works; the hon Mr M E Mthimkhulu, MEC for Agriculture and Environmental Affairs; the hon Dr Z L Mkhize, who is the MEC for Finance and Economic Development and also the Leader of Government Business; the hon B H Cele, MEC for Transport, Community Safety and Liaison; the hon Mr M Mabuyakhulu, MEC for Local Government, Housing and Traditional Affairs. All these MECs have tendered their apologies for today's sitting.

The Chief Whip of the Opposition, Mr H L Combrinck, and Mr G B Bhengu are also away. We have been advised that Mr M R Mzobe stands in for the Chief Whip today. [Siyabonga. Siyabonga, ubaba uMzobe](#). So, when you are dealing with Mr Mzobe today, please treat him as the Chief Whip of the Opposition. [Laughter]

I must also indicate that we have been informed that the hon Deputy Speaker, Mr L B G Ndabandaba, is unwell and has been booked off-sick. At this point I must immediately apologise to the Chairperson of Committees. It is highly likely that he would have to replace me as Speaker in the House immediately after the preliminaries.

I now wish to acknowledge the birthday of the hon iNkosi Mathaba. I am informed that the hon iNkosi was born on 22 January. The year has not been indicated. I am sure he was born some time in the Sixties. [Laughter] This announcement was mistakenly omitted during my previous announcements. We do apologise, iNkosi Mathaba. It was just an oversight on our part.

Today is the hon Mr Moodley's birthday. I don't see the hon member here, but it is the hon Mr Moodley's birthday. I therefore wish to take this opportunity to wish both hon

members well, not only for today, but also for the future. May you still have your best days ahead of you. [Interjections]

I now wish to make the last announcement under this item. You will remember that, when I made my last input during the symposium just before this sitting, I did pose a challenge to Accord, which is an organisation which will monitor and observe the elections in KwaZulu-Natal. Mr Gounden of Accord has responded to my challenge to them by giving me this note. The note is from Accord and it reads:

Mr Speaker, we have agreed with the IEC to field and observe our mission in KwaZulu-Natal.

On behalf of this House - and I hope Mr Gounden is still around here - I want to say that this was what we were hoping for. Thank you very much. We hope it will be a sizeable effort, and we hope it will be very effective.

Mr Gounden also writes:

We are hosting the former OAU Secretary-General, Mr Salim Ahmed Salim, in KwaZulu-Natal today and tomorrow. He is here as a representative of the African Union to meet with the political leadership in South Africa.

Again, we must thank you for that, Mr Gounden. We just hope that Mr Salim will be interested in political tolerance or intolerance in KwaZulu-Natal. We hope he is interested on behalf of the African Union. Do convey our welcome to him on behalf of the KwaZulu-Natal Legislature, and please indicate that it would be a great pleasure if he, as one of the very experienced statesmen of Africa, were to look at the issue of political tolerance in KwaZulu-Natal. Thank you very much, and thank you also for responding to my challenge in such a positive manner.

4. ANNOUNCEMENTS OR REPORTS BY THE PREMIER

THE SPEAKER: The hon Premier is not here today. The two MECs seem to be still busy. I therefore will assume that there is no report on behalf of the Premier.

MRS N P NKONYENI (MEC for Health): Mr Speaker, there is no report to the best of my knowledge.

THE SPEAKER: Thank you, hon MEC.

5. TABLING OF REPORTS OR PAPERS

THE SPEAKER: Are there any reports or papers to be tabled?

MR V C XABA (Chief Whip of the Legislature): Mr Speaker, I apologise for interrupting. I crave your indulgence.

THE SPEAKER: Please proceed, hon Chief Whip.

MR V C XABA (Chief Whip of the Legislature): Mr Speaker, I have just received a sick note from the hon Dr B M Radebe, the MEC for Social Development. Also, hon Mr E S Mchunu is away on party business. Thank you.

THE SPEAKER: Thank you for those two notices. Hon members, are there any reports to table?

MS Z M LUDIDI (Chairperson of the Portfolio Committee on Health): Mr Speaker, in terms of Standing Rule 200, I hereby wish to table the Report by the Portfolio Committee on Health on the KwaZulu-Natal Health Bill, 2009.

THE SPEAKER: If there are no further reports to be tabled, I wish to officially table the following reports:

The Auditor-General's Report: Provincial General Report of the Auditor-General on Audit Outcomes of the KZN Provincial Departments, Public Entities and other entities for the Financial Year 2007-08.

I also wish to table the Auditor-General: General Report of the Auditor-General on the Audit of the KwaZulu-Natal Local Government Municipalities for the financial year 2006/07.

Lastly, I wish to table the Public Service Commission: Report on the Management of Gifts in the Public Service: PSC March 2008.

6. FORMAL MOTIONS AND NOTICES BY THE CHIEF WHIP

MR V C XABA (Chief Whip of the Legislature): Mr Speaker, I have no motion to raise. However, there is another motion which need to kick-start the debate on political tolerance.

THE SPEAKER: Thank you for alerting us to that, Chief Whip.

7. NOTICES OF BILLS OR MOTIONS

THE SPEAKER: Hon members, I do believe that I have captured all your names. If there are mistakes, I will apologise. We will start with Mr P N Ngcobo.

MR P N NGCOBO (ANC): [Ngiyabonga Somlomo ... Insert isiZulu 12:24:58](#)

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

This House noting:

That in his final State of the Province Address, the hon Premier once again reiterated his government's commitment to fighting corruption and exposing bad management practices.

Therefore resolves:

To call on the hon Premier to give substance to that commitment by releasing the long overdue forensic audit report into mismanagement, fraud and corruption in

the Department of Agriculture and Environmental Affairs to allow this House to debate its merits before the end of the current legislative cycle.

MR R E KEYS (DA): Mr Speaker, I hereby given notice that I shall move on the next sitting day of the House as follows:

This House noting:

That the uMngeni Speaker continues to defy the instruction by the MEC for Local Government to table a forensic report before the full council;

That the Speaker has refused to do so since September 2008, and

That this ANC-controlled council is in defiance of an ANC MEC's instruction.

Therefore resolves:

To condemn his lack of action against deviant ANC speakers and councils, while he is very proactive when it comes to non-ANC Speakers and councils in the province - perhaps this report will disappear because the uMngeni mayor is on the ANC's list.

PROF J S MAPHALALA (NADECO): Mr Speaker, I hereby given notice that I shall move on the next sitting day of the House as follows:

Le Ndlu:

Ivumelana ngokugcwele ne-SA Institute for Race Relations ngokufananisa izinga lemfundo yabantu abamnyama nelesikhathi sobandlululo. Nokugcizelela ukuthi izinga lemfundo yabeLungu, amaNdiya namaKhaladi lisaphakeme njengoba lalinjalo ngesikhathi se-*apartheid*. Nokugcizelela ukuthi izinga lezingane zabaMnyama liyohlala liphansi ngoba azifundiswa ngolimi ezaluncela futhi ezinye zifundela phansi kwezihlahla. Nokuphonsela inselelo labo abakuphikisayo lokhu ukuthi bakhiphe imiphumela kamethriki ngokwezinhlanga.

[This House:

Fully concurs with the SA Institute for Race Relations in its comparison between the current standard of Black education and that of Black education during the apartheid era. It should also be emphasised that the standard of education for Whites, Indians and Coloureds is still as high as it was during the apartheid period. The standard of education for Black learners will remain low because they are not taught in their mother-tongue and others are being taught under the trees. Those who are denying this fact are challenged to examine matric results in respect of the races.]

MR T JEEBODH (ANC): Mr Speaker, I hereby given notice that I shall move on the next sitting day of the House as follows:

This House noting:

That during a function of the Department of Agriculture at Ntabamhlophe, security police had to ask local political office bearers - in this case the IFP mayor of Estcourt and the IFP deputy mayor of Imbabazane - to leave the area with their guns, as well as those disrupting the event so that the function could proceed orderly.

Therefore resolves:

To call upon the supporters of political parties to heed the call of leaders - in this case hon Dr M G Buthelezi and Jacob Zuma - for tolerance and peace.

MRS L RAJKUMAR (IFP): Mr Speaker, I hereby given notice that I shall move on the next sitting day of the House as follows:

This House noting:

That the recent Miss India pageant has contributed to tourism in this province, including temporary employment;

That the benefits of this event have created an economic hub and in future will secure a platform for further events; and

That a proposal for funding to the Department of Arts and Culture was declined, forcing the event to be funded by locals and isolating government from successfully incorporating the magnitude of the economic benefits into the province.

Therefore resolves:

To call upon government to interact and co-operate in the funding of all cultural events.

MRS M H AMBLER-MOORE (DA): Mr Speaker, I hereby given notice that I shall move on the next sitting day of the House as follows:

This House noting:

The action which the acting HOD of Health, Dr Mbele, has taken with regard to allegations of corruption involving staff members at Mahatma Gandhi Hospital;

That with the R2,5 billion overspend, these allegations could be the tip of a very big corrupt iceberg, and

That, despite this overspend and allegations of fraud against the MEC for Health, the Premier has no interest in tackling the issues at the heart of this department.

Therefore resolves:

To call on the Premier to appoint an independent team to turn around this department and, if necessary, uncover any other fraudulent activities.

MR J H SLABBERT (ANC): Mr Speaker, I hereby given notice that I shall move on the next sitting day of the House as follows:

This House noting:

The discussions about political intolerance that took place with all stakeholders this morning, and

That it is sad that, after 15 years of democracy, this issue still needs to be debated and attended to, and

That the people who are causing this violence did not attend this symposium today.

Therefore resolves:

To do more to take the message of peace forward to the people out there.

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

This House noting:

Previous calls and motions to close the M13 through Hillcrest, Kloof and Pinetown to road users who wish to avoid toll fees;

The serious accidents that occur weekly on that road, with the loss of life and serious injury to people;

The latest accident that closed the road for at least three hours during peak traffic, and

The drastic deterioration of the road surface as a result of overloaded trucks and frequency of heavy traffic.

Therefore resolves:

To call on the MEC for Transport to control access to this road and to limit heavy vehicles.

MS L F SHABALALA (ANC): Mr Speaker, I hereby given notice that I shall move on the next sitting day of the House as follows:

Umkhankaso oqalwe wuMongameli omusha waseMelika u-Barak Obama wokuvuselela nokuhlenga izwe lakhe elisezikweletini eziyizigidi ngenxa yempi ebigqugquzelwa wuMongameli oshiyile, emazweni anjengo Afganistan ne-Iraq. Okuholele ekutheni kukhuphuke izintela ngokuphindiwe. Lokhu kuyisifundo sokuthi impi iwuhlelo olubizayo kakhulu njengabantu sikhokha ngemali, ngokomoya kanjalo nangokomqondo.

Le Ndlu inquma kanje:

Ukubongela lesi siShayamthetho ngokuvula izingxoxo nezinsika zomphakathi ukuvuselela onembeza bethu.

[This House noting:

The campaign initiated by the new American president, Barack Obama, to restore and rescue his country from debts incurred as a result of the wars against Afghanistan and Iraq which were supported by his predecessor and led to increased interest rates. This is a lesson that war is an exorbitant exercise, with ordinary people paying the price financially, spiritually, as well as psychologically.

Therefore resolves:

To congratulate this Legislature for providing a platform for entering into a debate with community structures and for re-awakening our collective conscience.]

MRS N MTETWA (ANC): Mr Speaker, I hereby given notice that I shall move on the next sitting day of the House as follows:

Le Ndlu:

Iyakunaka ngokuncoma isenzo sikaSomlomo esihle sokuvula inkundla yokuxoxa ngokubekezelelana kule Ndlu nobuholi bezinhlaka zangaphandle kwayo.

Ubuholi obuhle obomholi ohola ngezenzo zakhe ngokuthola ulwazi okuyilona, elalela abanye ngokubonisana nangokubekezelelana, ngaphandle kwenkani, ulaka, nobudlova.

Le Ndlu inquma ukuthi:

Abaholi bale Ndlu bonke benze kanjalo; kanye

Nokuthi iKhomishana Yokhetho Ezimele (i-IEC) yenze kwenzeke njengokwamandla eyawanikwa umthetho; futh

Inxusa ukuthula kusuka ekhaya komakhelwane nasemphakathini ukwakha isizwe nobunye egqugquzela ukuthula noxolo.

[This House noting:

The Speaker's admirable gesture of allowing a platform for a debate calling for political tolerance in this House, and

That a good leader is someone who leads by example through acquiring correct information, listening, consulting and tolerating others without being prone to intransigence, anger and violent outbursts.

Therefore resolves:

To call on all leaders in this House to do likewise;

To call on the IEC to exercise the powers vested in it by law, and

To call for tranquillity and peace, starting at home, among neighbours and within communities in order to build the nation and foster unity.]

8. ORDERS OF THE DAY

8.1. Debate on Political Tolerance

THE SPEAKER: Hon members, as I have announced earlier, this debate will be chaired by the Chairperson of Committees.

THE CHAIRPERSON OF COMMITTEES (Mr S N Mtetwa): Thank you very much, hon Speaker. Greetings to you all, colleagues and guests. Without wasting any more time, let us continue with the Debate on Political Tolerance. The introduction of the debate will be done by the Chief Whip, the hon Mr V C Xaba.

MR V C XABA (Chief Whip of the Legislature): Thank you very much, Mr Chair. Thank you very much for allowing us to participate in this debate. I said earlier on the debate on this issue is not only important, but very crucial because we are about six weeks away from the elections.

We are started to see acts of political intolerance and we are all concerned that this is happening in this day and age.

Political intolerance is described as the unwillingness to extend expressive rights to groups that you dislike. Simply put, it says to a person because you happen to have control or hegemony of the area therefore you must not allow another party or any other person to come and campaign in your area. That is very wrong. We must respect views that are contrary to our own. Not only should we respect them, but we must ensure that we actually protect them. In that way we will deepen our democracy.

The motion I would like to read out today, which members will comment on as they deliberate is as follows:

The Bill of Rights enjoins everyone to play his or her part in the creation of a climate conducive to free political activity. Clause 19 in particular guarantees political rights.

It provides that:

Clause 19: Every citizen is free to make political choices, which includes the right

- (a) to form a political party
- (b) to participate in the activities of or recruit members for , a political party
- (c) to campaign for a political party or cause.

This suggests that every individual has the same rights as everyone else has.

To this end the parties represented in this House, individually and collectively, commit:

- (i) to protect the right to convince others of the correctness of their positions
- (ii) to promote respect and accommodation for others in the exercise of their constitutionally guaranteed political rights
- (iii) to denounce incitement of violence
- (iv) to condemn all acts that inhibit free political activity and promote no go areas; and
- (v) to uphold the electoral Code of Conduct

Therefore, this House calls on:

1. The IEC to exercise all its constitutional powers to ensure free political choices by the electorate in the forthcoming elections.
2. The SAPS and the Army must to use its full authority and power to protect the lives of voters and prevent all obstructions to their free political activity, and freedom of association.
3. Organizations of Civil Society to monitor political intolerance and observe elections.

With those words, I think we can now debate the matter

THE CHAIRPERSON OF COMMITTEES (Mr S N Mtetwa): Thank you very much, hon Mr Xaba. The next speaker have three minutes is hon M B Gwala.

MR M B GWALA (IFP): Mr Chairperson, it must be stated from the outset that the IFP was incensed by the inappropriate comments on the part of the ruling party about war talk in this province.

I heard of the upcoming elections, which sparked this very debate about political violence. We objected not because we do not want to debate the subject of Political Tolerance, but because the implication was that all the unfortunate instances of political intolerance which have surrounded the ongoing election campaign in KwaZulu-Natal have been, unsurprisingly, once again blamed on the IFP.

All the hard evidence of what has happened on the ground in Nongoma and elsewhere, however, points to the contrary. The IFP, as often in the past, have been the target and the victim of violence rather than its perpetrator.

A pluralist democracy such as ours by definition requires tolerance. Voltaire's timeless dictum when writing in defence of free speech: "I disagree with what you say, but I will defend to the death your right to say it."

As far as the IFP is concerned, this is not a newly acquired belief. Even at the peak of apartheid we consistently advocated a multi-pronged approach to the struggle against it. Unlike our opponents in the ANC, we never monopolised the struggle by doing our best to cut out and deny everyone else's contribution. We were quite prepared to tolerate alternative political views even if we did not approve of them.

This is precisely what my party and I mean by embracing political tolerance. It is the willingness to extend basic rights and civil liberties to persons and organisations whose viewpoint differs from one's own. The individual rights and freedoms that we cherish in the new South Africa encourage a wide array of ideas and beliefs. Some of which not all of us can identify with. The expression of this belief is protected by another core democratic principle – that of majority rule with respect for the rights of individuals or groups in the minority.

I thank you.

THE CHAIRPERSON OF COMMITTEES (MR S N MTETWA): Thank you very much hon M B Gwala. The next speaker to speak is hon P N Ngcobo for eight minutes. Now that hon Ngcobo ... [Interjections]

MR V C XABA (CHIEF WHIP): Mr Speaker, Mr Ngcobo has just left.

THE CHAIRPERSON OF COMMITTEES (MR S N MTETWA): I take it that Mr Ngcobo is not in the House.... [Interjections]

MR V C XABA (CHIEF WHIP): He has forfeited his time, Nyambose. You may go on.

THE CHAIRPERSON OF COMMITTEES (MR S N MTETWA): That leads to the next speaker, which is the ...[Interjections]

MR S J GCABASHE (ANC): [Bengicela ukubuza.](#)

THE CHAIRPERSON OF COMMITTEES (MR S N MTETWA): Just hold on, just hold on, and just hold on. Order colleagues! Mr Gcabashe.

MR S J GCABASHE (ANC): [Sihlalo, bengithi ngoba si-debate udaba olubalekile lwe-political tolerance. Ngibona ingasekho nje siqala ukuthi bekungafanele ukuthi mhlawumbe siyi-aplaye ukuze i-debate iqhubeke kahle?](#)

THE CHAIRPERSON OF COMMITTEES (MR S N MTETWA): Mr Gcabashe that was a comment. Colleagues, now that Ngcobo just popped in while we were discussing, I will therefore allow you with a warning. You have eight minutes.

MR P N NGCOBO (ANC): [Siyathokoza Sihlalo, ngixolise kakhulu la eNdlini. Uyabona Somlomo ukuhloniphana uma sikhankasa kubaluleke kakhulu ngoba sonke sisuke siyoshela. Ingwe idla ngamabala ukuze intombi iqome lapho ithanda khona. Udaba lwakwaNongoma alulusha njengoba seluxoxwe isikhathi eside. Siyazi ukuthi umfowethu uNgcobo oyilungu lika-ANC wadutshulwa yiKhansela uMavundla owatholakala nesibhamu esingekho emthethweni. Umuntu lona okufanele engabe uyena ogcina umthetho kodwa wuyena owenza okuphambana nomthetho.](#)

Uma le Ndlu isikhohliwe, oLundi ngaphambili kuka-1994 kwabulawa ama-comrades aka-COSATU efaka amaphosta. Kufanele ngiyikhumbuze le Ndlu ukuthi lezo zinto akufanele siphinde sizibone. Angifuni ukukhuluma ngombiko we-TRC owacacisa ukuthi ozakwethu balibamba iqhaza odlameni njengoba sazi ukuthi bayo-challenge i-report kodwa bangaphumelela. Bawochwepheshe-ke kuleyo ndima. Yasho ukuthi ya-sue i-report.

Uyabona umhlonishwa uMakhaye wayethi uma esihabulisa athi: “No violence, no IFP”, ngoba uma abantu bezikhethela ngesihle batshengisa ngokusobala ukuthi abayiphiwe iNkatha kodwa uma bephoqwa, Inkatha iyawathola amavoti ngaphansi kodlame. MtakaMaNdlovu, amagama akho nanamhlanje ase-relevant. Ungangiphikisa-ke ungasho ukuthi cha lokho okwakushiwo umfowethu uMakhaye akusilona iqiniso.

Ake sibuke izigameko ezintsha. Omama bakwaKhongolose bahambe bayokhankasa e-Bamshela beyonika ama-food parcels abantu abahlaselwa yizimvula ezinkulu. Bavakashela izigodi ezimbalwa ngomhlaka 10 ku-February kulo nyaka. Baya lapho okwashona khona abantu abane beshaywa yizulu. Njengoba sazi ukuthi emakhaya imigwaqo mincane, izimoto azikwazi ukuphambana. Uma sebebuya bavinjwa yiKhansela leNkatha okwaze kwadingeka ukuthi abahlonishwa omama uThusi nomama u-Johnson, bayoxoxisana nalesi sigebengu esasibavimba ngemoto.

Enseleni uKhongolose uhlele i-rally. Inkatha yenza edume ngakho yathi izoba ne-rally yendawo okufana nokwakaNongoma. Uma umholi weNkatha uMagwaza-Msibi ethi emsakazweni, “I-ANC ayingakhali ngoba nayo ikwenzile kwi-COPE e-East London. Ningakhali ngoba nikwenzile nani.” Akasho ukuthi uyakukhondema lokhu okwenzekayo.

Asidlule lapho siye eMvoti lapho i-ANC beyenza khona ivakashela umuzi nomuzi eMatimatolo. Uma sifika ngoMgqibelo sithola umfana esibuza ukuthi sifunani lapha ngoba yindawo yeNkatha lena? Ehlo mile ngesibhamu esikhulu, kanti akabuzanga elangeni ukuthi ngemuva kwethu kukhona abakwasidlodlo. Wamemeza abalandeli babo ukuthi abasivimbe. Pho uxamu akavinjelwa. Sabiza amaphoyisa, sawafaka amaphosta kaKhongolose. Okuhlekisayo ukuthi babiza uKhansela uDudu Zondi naye owasibuza ukuthi sibekwa yini lapha ngoba asinawo amalungu. Uhlanganaphi yena nalokho? Wathi asingawafaki amaphosta ngoba yindawo yeNkatha lena .

Emavikini edlule, sathi sinomhlangano kwafika induna uKhansela uShangase. Uyikhansela lendawo aphinde abe yikhansela – political animal. Wafaka abantu esikoleni lapho esasizobambela khona umhlangano, wathi senilethe ngisho umlungu, kwakukhona umhlonishwa u-Mike Tarr eduze kwami. Wathi senilethe ngisho umlungu? Saxakeka ukuthi bekufanele sithole i-permit kubani ebe ewubani uShangase lo othi asithole imvume yokuthi sizobambela umhlangano ngoba siwucelile. Ngiyaphinda ngithi wathi uMakhaye, “No violence, no IFP”. He was correct.

When there is intimidation, you strive. EMtubatuba bekuhambela isekela likaNgqongqoshe wakwa-Home Affairs, uBaba uMalusi. Lapho Inkatha yashaya imibhobho ibiza abalandeli bayo ukuthi baye lapho uKhongolose aye-campaign khona. Wawushaya nakoLihhohho naseNkolokotho, izindawo ezazihanjelwa yithina. Uyabona Inkatha kufanele iyeke ikakhulukazi ezinduneni, uyabona laphaya uKhansela uShangase wathi kubantu akazifuni izinhlangano zepolitiki. Wasitshela ukuthi, “Uyabona la endaweni yami, angali lutho kodwa into engingayifuni ukuthi abantu bepolitiki beze la endaweni yami.” I was surprised to hear this... I nearly said something which is not allowed in the House. Uthi akabafuni abantu abayipolitiki kodwa yena uhola eMkhandlwini waseMvoti, uyikhansela kodwa uthi thina asingezi ukuzo-campaign.

The IFP is identical to what Mugabe has done in Zimbabwe ngokuthi kuvinjelwe abantu uma ngabe befuna ukwenza intando yabo, sibabone behlukunyezwa. Lalela Ndabezitha! Lalela Nkosi yaseMacambini! Anihlukile naye – nambona u-Tsvangirai wamenzani? The IFP is identical to Mugabe. Uthi uMntwana, uMalema akeze kwakhe uyomlinda... Ya! Niyaphinda nani nisho leyo nto. Kodwa uZanele Magwaza wahamba waya kwaBhungane wayobamba ikhehla lempesheni engekho ngisho uBhungane. UBhungane akazange abaqulise athi ningangeni ekhaya ngoba uyazi ukuthi banelungelo lokuthi bazo-campaign emzini kaBhungane. Wabadedela ba-campaign wasitshela uZanele ukuthi uyile laphaya wanika ikhehla izingubo nayo yonke leyo nto ayeyisho. Engikushoyo ukuthi waya emzini wa-comrade wami la eNdlini, wangavinjwa elapho kodwa uma uMalema ethi uyogqugquzela emzini kaShenge kuthiwa woza sizukulinda njengoba esho umfowethu uMbatha ethi akafike somlinda, nizomlinda ngani?

Asibuke into eyenzeke kumhlonishwa uMthimkhulu Escourt, eNtabamhlophe lapho uSomlomo uJiyane wafika nabantu abahlomile abazingovolo bevathe izingubo ze-IFP. Bangena ngenkani etendeni kade bebona inhlalaluhide yezimoto ethi abantu abangayi emicimbini. Kufanele nibatshela laba bantu enithi abanivotele ukuthi uma belethelwa intuthuko, yinina eniyivimbayo.

Ngiyama ngithi mpo lapho. Ngibuza ukuthi yimuphi uNgqongqoshe koNgqongqoshe bami abahloniphekile be la oseke wamenywa umoya wase-Zululand nize nibe ngaka? Siyaqeda manje. Uwu-Operation Vula Zonke, nezingamdingi uzenzela yena whether ukhuluma nge-education, uyena; ukhuluma ngamaklinikhi, uyena. Akamemi lutho. Umfowethu uzakwethu uGwala, Mphephethwa sihlobo sami, nawe kade uvula amanzi. Ngikubonile eSolezwe, nawe usuwu-Operation Vula Amanzi eMvoti, uyogiya ngesihlangu senye indoda! Siyazi sonke ukuthi amanzi does not belong to this House, kowa ubuvula nawe. Awusho emphakathini ukuthi uyazi sigiya ngesihlangu senye indoda la...[Interjections]

THE CHAIRPERSON OF COMMITTEES (MR S N MTETWA): Just hold on, just hold on. Hon member, Mr Mcoyi.

MR S W MCOYI (IFP): Ngisukuma esigabanyeni esincane somthetho u-113 lapho ngithola khona ilungu elihloniphekile uFuze e-mislead(a) le House ngokuba athi uMavundla wadubula umuntu watholakala nesibhamu esingekho emthethweni kuyena and icala futhi lisengaphansi kwezinkantolo. Okwesibili...[Interjections]

THE CHAIRPERSON OF COMMITTEES (MR S N MTETWA): Uthini u-Rule 113?

MR S W MCOYI (IFP): Misleading the House. Hhayi bo! Usulaphaya yini manje wena? Usuhlezi laphaya wena?

THE CHAIRPERSON OF COMMITTEES (MR S N MTETWA): U-Rule 113 awusho kanjalo. Ngakho-ke lokho okushoyo angiboni ukuthi kufanele ngikuthathe Mcoyi.

MR S W MCOYI (IFP): Ngiyakuzwa uma ngikhumbula u-245, awuvule lapho. Misleading this House, 245 2(g).

THE CHAIRPERSON OF COMMITTEES (MR S N MTETWA): Ngicela uhlale phansi-ke baba. Uma loko okushoyo kamuva ngoba kuyangilibazisa mina ukubona ukuthi kuyiqiniso kukona ngizocela ukuthi ubhale phansi ukulethe okwale nombolo oyishoyo ukuze ngibe ngiqhubeka mina ngoba ubuye udideke Mcoyi. Qhubeka hon member Ngcobo.

MR P N NGCOBO (ANC): This is the product of Bantu Education Chair, please forgive them [Time expired]. Ewu wasinda! You will go heavy! Uyahamba usinda!

THE CHAIRPERSON OF COMMITTEES (MR S N MTETWA): Awu noma ubusafisa ukuqhubeka kodwa-ke insimbi ayisavumi. The next hon member to speak is R M Burrows, for four minutes.

THE CHAIRPERSON OF COMMITTEES (Mr S N Mtetwa): The next member to speak is Mr R M Burrows.

MR R M BURROWS (DA): Thank you, Mr Chairperson. If you listen to the ANC you will think that sugar will not melt in their mouths they are so sweet.

The problem is we are all guilty, including the ANC. Even if the DA has somebody who tears down Jacob Zuma posters, charge him or charge her. I must be the only person in this House who has actually appeared before an electoral court. We were then the DP and we were fined R10 000 because we insulted the Administrator of the then Natal, Pim Botha. The electoral court found against us and we had to pay R10 000.

I just asked Mawetui Moserey, what has happened since 1994? Not one party, not one person, fined or found guilty. That is the problem with political tolerance. We are actually doing nothing about it. It does not matter which party you are. If you are the ANC, then we should have charged you for the actions you took at the Helen Zille meeting at Northdale where you threw stones at the old age people while they were going to the buses. We should have charged you over the Clermont active deeds, and Mr Xaba knows all bout them. That you took for our meetings in Clermont. On Sunday night your party with T-shirts and flags mocking Cope people, mocking DA people, mocking MF people, mocking the IFP as they came out of the Lotus studios. That is the ANC!

However, the IFP is not innocent. Helen Zille goes and visit a clinic, what happens? The local IFP councillor locks it up. It was a good clinic. A clinic yes ... We were saying how good things were.

Let us make sure that we are in fact following what we should be doing. Political intolerance is bad wherever it occurs. In this House, you will be aware. We have members assassinated. We had two members of this House pulled guns in the car park outside. That is political intolerance.

Winston Churchill very famously said he will rather r have jaw-jaw than war-war. We talk things out. It does not matter which party it is and if we have to do so, we do so through the IEC. There must be an organised process to handle objections, to handle the problems. Let us take people before the electoral court. Let us make sure that parties get fined a R150 000 if they break the code of conduct. Then people will stop doing it. Let us make quit sure that the code of conduct and the offences are clearly listed and everybody understands them.

We are intolerant, because we think that people should put up with us, but we will not put up with other people. Remember what old Voltaire used to say: I may not agree with what you are saying, but I will defend to the death your right to say it.

I will say it about the ANC. The ANC have a perfect right to say. So do SOPA (Socialist Party of Azania), so do the IFP, so does every party, but then you have to tolerate us as well. You have to tolerate us in Clermont and in Northdale and in Umlazi and in Imbali and in Nongoma and in Ulundi.

It is true of all of us. So let us make quite sure that when we go to elections, we do not act like another political party, which banned political parties, which imprisoned political leaders. Do you remember those days, 15 years ago? Let us never go down that road again. Let us be tolerant, but when we break the law, let us have people fined for those offenses.

Thank you, Mr Chairperson.

THE CHAIRPERSON OF COMMITTEES (Mr S N Mtetwa): [Insert isiZulu](#). Prof J S Maphalala for six minutes.

THE CHAIRPERSON OF COMMITTEES (Mr S N Mtetwa): Angibonge kumnumzane u-Burrows. Ngibize isikhulumi esilandelayo umhlonishwa u-J S Maphalala for six minutes.

PROF J S MAPHALALA (NADECO): Ngiyabonga Sihlalo ohloniphekile. Udaba lwethu kufanele silufingqe ngokuhlaziya the nature of the problem, IFP and ANC. We focus there up to the conclusion. Yilabo abantu abenza kube nenxushunxushu lapha esifundazweni beqhatha abantu, beqhatha futhi abantu abangamaZulu kanye nokuthi uma kuyiwa kokhankaswa wena owabona izinkunzi ziqhathwa thina esalusa, nomunye abeke inkunzi yakhe lapha eceleni bese zidumelana. Abeke umhlangano wakhe nomunye awubeke la eceleni bese zidumelana. Lawa maqembu amabili i-IFP ne-ANC besicabanga ukuthi kufanele engabe sebebonile – angifuni ukuwafaka lawa amancane – bekufanele engabe sebebonile ukuthi asikho isidingo sokuthi bona babuyisele inqola emuva lapho kwachitheka khona igazi lezinkulungwane nezinkulungwane kuso lesi sifundazwe. Lichithwa yiwo futhi lawa maqembu amabili.

Manje-ke inkinga enkulu engibona ukuthi ingenzeka engakenzeki ukuthi kufanele kuyiwe kulabo bantu abaphansi bona abangakazi lutho bathole ukufundiseka ukuthi njengoba nila – mhlawumbe kothatha isikhathi lokho, - njengoba nilapha kufanele nimyeke umuntu noma yimuphi ozayo ukuzokhankasa ningamuvimbi. Abakwenzi-ke lokho ngamabomu. Bese sichitha isikhathi la sivumelane ngoba kuthiwe naba abakhulumeli bebe bezikhulumela nje abaholi bengaqondi. Yini yona leyo nto yokuthi baqeda impi? Laba baholi abaphezulu abashongo ukuthi bayayiqeda impi ngoba impi ilaphayana phansi. Lapho bedubulana ngezibhamu, kudutshulwane njengoba kade ubona kwaNongoma eNseleni, uyibona ishaya esandleni, enye inhlamvu ingene la ekhanda, kulamule uNgqongqoshe wezamaphoyisa. Nisho ukuthi lawa maqembu amabili i-ANC ne-IFP, ayikuboni lokho? Pho angena kuphi lawa amaqembu amancane?

Ngiyamuzwa nje ekhuluma umhlonishwa u-Burrows ekhuluma ngamancane ewabala nje. Ukube ngiyamaka ubengeke awathole amamaki. Obezothola amamaki yilo ozokhuluma ngalaba abalwayo ababili ukuthi bayoyiqeda nini impi yokuqhatha abantu lapha esifundazweni saKwaZulu-Natali. Ngisho ngabe kukhulume abaholi babo, umhlonishwa u-Jacob Zuma noMongameli weNkatha, u-MG Buthelezi. Bayazikhulumela nje kodwa hhayi ukuthi baqeda impi. Uma kuthiwa abakhulume bese kuphuma kuthelivishini, akusho lutho ngoba uma beya laphaya bezodumelana ngoba bakhandwe

kanjalo. Angazi baze bayofika kuphi lapho beyofika khona belwa! Futhi bayakwazi laba bantu ngisho naloyo okhulumayo, bayazi ukuthi sizothinta ezangakithi kuzotholwana phezu. Sebeze baku-dramatise bakuqhakambisa ngesiZulu ngokuthi uzothi uyobeka laphaya nami ngibeke eceleni. Yini-ke le kuthina amaqembu amancane abukelayo? Yini uma kungesikho ukuqhatha impi ngokudweba umugqa? Udwebe umugqa wakho bese uthi ngizokulungisa mina, bese kuthi uma ethi hambani ngoba sizonikhipha ngemali. Anemali amaqembu ekade ehagana la eqabulana kuhlukaniswa u-R20 million. Kade njengoba kusho kanje uGcabashe, kade bebhoka bethi yebo nina maqembu nina nizophela nina enibancane! Kade besho njalo bethi nina nizophela nina enibancane! Beqabulana laba bantu! Manje, manje, manje! Kade behagana beqabulana! Lawa maqembu amabili, kade eqabulana ethi ubani owathi thina singathandani? Ubani owathi thina singathandani? Nathi siyothandana! Ubani owathi thina siyohlala silwa? Namhlanje kunjani? Inhlamvu ihlala enyameni, ihlala esandleni.

Siyacela maqembu amabili ningasichitheli isikhathi njengoba si-debate nje lapha kanti impi nina niyibasile emuva. Sonke sakhulela emakhaya, siyayazi impi yezigodi. Iyalwa impi yezigodi le kithi eMaNgwaneni. Yimpi yezigodi le yokuthi isigodi saseQhekwane silwe nesaseHofentali. Isigodi sendawo ethile – yinto yezigodi. Isigodi se-ANC, isigodi se-IFP. Yilapho impi la ibambeka khona. Kuyoze kuyofika ukhetho futhi. Mhlawumbe into ezobalamula ukuthi benze le coalition mbumbulu lapho kufakwa oNgqongqoshe bebambana ngamakhanda...[Laughter] Kusho ukuthi mhlawumbe-ke le nto izobasiza. I-coalition ebhedayo. Sengisho ukuthi mhlawumbe lokho kungabasiza kodwa nakhona lapha balwa khona sebhagiwe lapho, balwe. Simangale ukuthi ngoba laba bantu kuthiwa bahagiwe? Ashaye ngamatshe omunye. Nangu owashaywa ngamatshe ele, washaywa ngamatshe – u-Speaker lo! UMchunu – uMacingwane! Washaywa ngamatshe le e-Vryheid! Wagxotshwa ngamatshe, wasinda kodwa. Kwakuphushwa impi!

Nithi-ke lapha sizoxoxa. Ngifuna bakhulume baxolise oGcabashe laba, ngifuna bakhulume oGcabashe namhlanje. Bonke laba bantu nalaba abangapha laba abacupha impi belola imikhonto bonke laba bantu. Ngiyabonga Sihlalo, ngibonga kakhulu Macingwane.

MR B J MSOMI (UDM): Somlomo, ngiphatheka kabi ukuthi nangalesi sikhathi emva kweminyaka eyishumi nesihlanu sisakhuluma ngokungabekezelelani kwezombusazwe. Ngiyafisa futhi ukuthi uma ngiqala i-debate yami ngisho somlomo ukuthi ngingomunye wabantu owaba yi-victim yokungabekezelelani kwezombusazwe. Ngenxa yokungabekezelelani kwezombusazwe, ngalahlekelwa yiyo yonke into engayisebenzela iminyaka eminingi. Angifisike ukuthi sibyele kuleso sikhathi, sesihambe indima ende kangaka. Ngiyazi abanye ukuthi bayathanda ukuthi bahlekise ngale nkulumo esikhuluma ngayo ngoba bona abazange baze bathinteki odlameni noma kulesi simo sokungabekezelelani kwezombusazwe. Bangahleka, bahlekise, kodwa okubuhlungu ukuthi ekugcineni yigazi labantu bakithi elichithekiya, impahla yabantu bakithi abayisebenzele kanzima elimalayo, yizingane zethu esizizalayo ezilimayo. Nesiingafisike ukuthi kubuyele kuleso sikhathi.

Kungiphatha kabi Somlomo ngoba singene kwezombusazwe siqonda kahle ukuthi ezombusazwe zihambisana namandla. Okubike ukuthi umuntu waba semandleni, noma osemandleni akafuni ukuwabona amandla ephela, noma encinzeka. Okuyikhona engikubona kudala lesi simo sokungabekezelelani. Ngiyazihlonipha futhi izinkulumo zabaholi balamaqembu osekukhulunye ngawo la, ikakhulukazi phakathi kwe ANC kanye ne IFP. Uma ezingeni lobuholi bekhuluma, bakhuluma kahle ukuthi abahambisani nodlame, abahambisani nokungabekezelelani. Kodwa okufike kungiphathe kabi ukuthi lapha emazingeni aphantsi ngazu kuthi le miyalezo yabo ayifinyeleli khona.

Ngiyafisa ukuchaza Somlomo, ukubekela le Ndlu isithombe sokuthi nami iqembu lami kulezi zinsuku njengoba kuyiwa okhethweni alikutholi ukuthula la lithi lisebenza khona, esikubona futhi kungagcina kudale ukuthi lolu khetho esiya kulona singathi wukhetho olukhululekile noluhambe kahle. Endaweni yaseLamontville ngaloMgqibelo Somlomo, abantu be UDM bavinjwa, bathukwa, kwasuka iKhansela le ANC kuward 74, lingagqokile lifake i-nightdress ngoba kwakusekuseni, lazoma phakathi kwabantu bethu, ladistributor amat-shirt e-ANC, labathuka lasha zonke izinto, labhala namagama abo, esingazi ukuthi laliwabhalelani amagama abo. Anginqni futhi ukukusho Somlomo ngoba lo muntu uyaziwa, uNobabalwa wakwa Mthembu, oyi-ward Counselor, kakwa 74. Ngiyafisa futhi ukuba i-ANC ithathe iinyathelo ngalesi simo ukuthi lalikwenzelani.

Endaweni yase Mayville, ward 29 nakhona futhi ukhansela wewadi ohamba phambili, uLindiwe Mntaka. Uthuka abantu bethu, uthi abantu bethu abaphume. Sinomyalezo esithunyelelwe wona wokuthi asitshela abantu bethu baphume eMayville, sinikwe isonto. Kuthiwa uma singakwenzanga kuleli sonto, bazozibona ukuthi bafana nobani. So ngiyafisake ukuthi okubi okwenzek kwaNongoma makube kube futhi uma kwnezeka eLamonti, akube kubi futhi uma kwenzeka eMayville.

EClaremont, abantu bethu bayakhunyuliswa izikibha ngoba kuthiwa izikibha ezifakwa khona ezenhlangano eyodwa okuyi ANC. KwaCeza Somlomo, sinenkinga kwaCeza, asikwazi ukuhlangana kwaCeza ngoba ubaba uMtshali oyibambabukhosi uvimbile uthi angeke sikwazi ukubamba imihlangano khona.

MR R E KEYS (DA): Thank you Mr Speaker. Tolerance is not just merely being tolerant of opposition or other points of view but it is accepting the reality that there are differences between us. There is no problem with accepting. That is what tolerance is; accepting we are different and accepting that difference. It is a recognition of our Constitutional principle of full South African citizenship for everybody. On the other hand, intolerance resulting violence and in insult are the fruit of a mindset that says no one has a right to oppose us; no one may differ from what we say or provide alternative views. We are the only true citizens of this country. The weapons of intolerance are violence and insult.

How often has it happened that we raise a question in this House and because it is an alternative view point the loyalty is questioned, or the race card is played - there is an insult because the issue cannot be dealt with. Political intolerance breeds animosity and hatred. It breeds dehumanising of one's opponents. It creates out of opponents enemies and by definition enemies are to be annihilated. This is the intolerance to the extreme. Where in a democracy we have opposition, we have different points of views but intolerance will create enemies out of opponents. Therefore, when we have a meeting in Eastwood, DA members are threatened and told by ANC members: You cannot live in the area or they will burn your house down if you stay with the DA. This is the intolerance that breeds enemies and South Africa cannot afford enemies within neither without. It is a disregard for human rights. By definition, if you are an enemy you are justifying the murder of that person - justification of the right to use violence as a means

of achieving one's ends.

Political leaders in this House and the followers of political parties can either build our democracy or it can lead to its downfall and to its destruction. We have a choice – we can lead a democracy that grows or we can lead a democracy that will become a failed state and a dictatorship. Our choice is for a successful state in a democratic state. Those who choose the latter must be hounded by the forces of law. The IEC - and I raise again what my hon colleague Mr Burrows has said, no action has been taken against intolerant behaviour. It is about time that the IEC and the criminal justice system take action. I thank you. [Time expired]

MR S J GCABASHE (ANC): Sihlalo sithi asibonge leli thuba esilitholayo. Okokuqala nje, ngijoyine laba esebeke basho ngaphambi kwami ukuthi siyambonga uSpeaker wale ndlu, ukuthi avule ithuba elifana naleli lokuthi ngaphambi kokuthi amalungu aleNdlu athole ithuba lokuthi axoxe ngalolu daba kodwa nabo bonke abanye, izinhlangano zepolitiki ezimelelekile lapha, nezinhlangano ezisemphakathini nazo zikwazi ukuveza ilaka lazo. Uma singalalela lokho okade bekukhuluma ekuseni, uthola ukuthi manje asisizi ngalutho. Kulento nje ebikade icelwa ekuseni, asisizi ngalutho ngoba sisaqhubeka khona lapho sisakhomba, sisakhombana emehlweni, senza konke okungezokusiza ngalutho ngaphandle. Yebo kona singama-politicians, siholela kona ukuthi sibange umsindo, siphikisane nani, kodwa uma sesiceliwe ukuthi asakhe, kubalulekile ukuthi sibheke ukuthi zindlela zini esingazisebenzisa ukuthi sakhe.

Okokuqala indlela engiyibona ukuthi ifanele ukuthi siyenze, ukuvuma ukuthi cha layindlini, ayikho ingelosi. Wonke ama-political parties ala, kulonyaka nje selokhu siqalile kuma elections, asiziphethe ngendlela efanelekile. Akekho futhi omunye umuntu ongablenywa ngalokhu okwenzeka ngaphandle, ngaphandle kokuthi abantu bayasibona ukuthi asiziphethe ngendlela. Kubalulekile-ke ukuthi siku correcthe lokho, sisonke, kubonakale ukuthi sifuna ukwenzani ngakho.

Okwesibili, njengeqembu le ANC, siyakusaphotha ukuthi kubalulekile, kuwukhiye futhi ukuthi kube khona ukubekezelelana kwezepolitiki. Ngoba konke lokhu esikhuluma ngakho sithi sizokwazi ukukwenza nesifuna ukukwenza, uma kungekho

ukubekezelelana kwezepolitiki, angeke kukwazi ukuthi kwenzeke. Namanye amaqembu akhuluma ngakho, nalawa angakwazi ukukhuluma kodwa ubona ukuthi ayafuna ukukhuluma, angeke akwenze kwayilokho afuna ukukwenza uma kungukuthi ukubekezelelana kwezepolitiki akukho. Kodwa-ke angeke sikwazi ukuthi siku achieve lokho ngelanga elilodwa. Kuyehla kuyenyuka. Uma ungabheka isikhathi esisuka kusona ngezikhathi zama 1980's kuza kulesi simo esikusona, umuntu olayindlini ongathi isimo siyafana, ngabe kusho ukuthi akaboni. Yinde indlela esihanjiwe, kukhona esikuzuzile, kodwa uyabona manje ukuthi into ebalulekile ukuthi sijulise phela izimpande ze democracy, abantu bawabone ama-fruits ezinto ababenzile.

Ngakho-ke angeke kube yinto yelanga elilodwa. Kufanele kube yi- issue le ehlala ngaso sonke isikhathi, hhayi ngoba kunama elections kuphela, ikwi agenda yezinhlangano zethu, sikwenza, sixoxa ngakho, sonke isikhathi. Ngaphandle-ke kwalokho, ngizovumelana noMnu Barrows ukuthi mhlawunbe ngempela kwagcina ngaye la kwiprovinci ukuthi avele ngaphambi kwe Electoral Court kodwa uma ngase ngikhumbule kahle, akhona amanye amacala la izinhlangano eziningi zike zafaneleka ukuthi zivele khona, noma zingavelanga aqulwa amacala. Kodwa ikakhulukazi bekuyilapho kutholakala khona ukuthi kunama infringements in terms of ama-procedures nani nani, kwi Electoral Act. Akukho la sekuke kwaba khona ngempela umuntu ofaka icala liqonde ngqo njengoba kwakenzekile, ukuthi ubani wenze lokhu, nalokhu nalokhu. Mina angiboni ukuthi lokho sesingakwethwesa ngempela i-IEC. Yithina phela amaqembu okufanele ukuthi ngabe sifaka amacala, sibe specific ukuthi ubani wenzeni, u-violateni uma kukuphi, ukuze labo Bantu bathathwe bavele phambi kwenkantolo. Singathi nathi la singawenzile khona umsebenzi si-expecthe ukuthi kukhona abanye abantu okufanele ukuthi basenzele wona.

Ngidlula-ke ngiya laphaya kwiphuzu elibekwe ngabafowethu ikakhulukazi u-Professor uMaphalala, ilungu elihloniphekile benoNomndayi. Ngizodila nani ngokungafani. Kodwa bengizothi la ku-Professor uMaphalala, cha siyazibonga izeluleko zakho Professor. Esikhathini esiningi ziyakha, la ufike ungidide khona, ukuthi ngikuhlonipha kakhulu mina ngowazi umlando. Manje uma usukudida ekuseni nje okuka festiye ngivele ngidideke ukuthi usukudida kanjani futhi ukudida ngamabomu. Ngoba phela iNADECO into yayizolo, wena ubuwuKapteni, uphaka impi okwangempela. Abantu nanamhlanje owashiya ubakhile awuzange uphindele kubona uthi cha ke kushintshileke manje.

Basaqhubeka lapho wawugcine khona wena. Bekufanele uphindeleke kulabo Bantu uyobalandisa.

MR S J MAPHALALA (NADECO) Sihlalo, igama lika phakimpi...

MR S N MTETWA (CHAIR OF CHAIRS): Angikakuniki ithuba. Woza Maphalala. Ufuna ukuthini Maphalala?

MR S J MAPHALALA (NADECO): Ngiphakamisa igama likaphakimpi. Warlord ngeSingisi. Cha bakwethu hhayi! Ngithi akalihoxise

MR S N MTETWA (CHAIR OF CHAIRS): Cha ubencokola nje esivimbela ukuthi singasheshi siye elantshini. Akukho mthetho osukume ngaphansi kwawo, ngakho ngicela uqhubeke lungu elihloniphekile.

MR S J GCABASHE (ANC): Cha sihlalo, ngizolihoxise leli gama ngoba angithandi sixabane no Professor. Kodwa uyazi ukuthi ngisho ukuthini. Ngiyalihoxisa-ke leli likaphakimpi, kodwa akakaze aphindele emuva ukuyomboncula lezo zikhonkwane. Nempi akhuluma ngayo yale ngakubo eMangwaneni, akuyona impi ye ANC ne IFP. Empeleni nje umuntu owazi umlando wala KwaZulu-Natal, yizinto ezindala ezazikhona zemibango. Kungathi ngoba nakhu sekukhona alama qembu bese zithatha leyo shape, kuthiwe yi ANC ne IFP. La sone khona sizovuma sithi sonile, asikwesabi lokho. Kodwa la singazange sone khona angeke sivume ukuthi sivese sinembenjwe nje ngodaka. Uma kuwukuthi sasihagana kulokho, sisazohagana namanje.

Bese-ke sidlula-ke sibheke laphaya kule nkulumo eke yabekwa ngaphambili abafowethu akade bekhona ekuseni, ikakhulukazi uKhabazela weSOPA. Ubaba uKhabazela weSOPA ikhona into ayibekile and ubengaqali ukuyibeka, uhlala eyibeka namanye amaqembu ahlale eyibeka. Ukuthi uhulumeni okhona njengamanje noma i-rulling party inabantu eba diployayo emsebenzini kahulumeni noma kuma institutions athile. Bese kuthi ngoba kudiploywe labo bantu bese kuba sengathi kukhona ukwenzelela ngakwezinye izinhlangothi noma umphakathi wonke. Inkinga ekhona, kakhulukazi leyonto uyoyithola ivela kakhulu kuma political parties. Akhona-ne ama political parties lawa abeshiwo yilungu elihloniphekile ubaba uMaphalala ukuthi wona azoba khona nje

nathi ukuqhuba isikhathi. Kodwa lawa ake aphantsa nangaphambili ayazi ukuthi lento yenzeka kanjani. Awukwazi ukuthi uhale phansi nepeni ubheke ukuthi umuntu politically uqhamukaphi. Uhulumeni okhona namhlanje, singabala abantu abaningi abangeyona i-ANC, ababhilonga kuzona lezi nhlango nezinye ebezikhona ekuseni. Ngakho-ke kungathi uma ngabe kukhona lokho okukodwa noma okubili, bese kuvele engathithi nje konke konakele. Into ebalulekile kithina ukuthi asikhulume nabantu base South Africa njengabantu base South Africa, sithi uma sithi ku-wrong lokhu kube wrong, kungabi engathi ku-wrong ngoba nakhu uvela kwi party ethile. Eqinisweni kuzoba lukhuni ukuthola umuntu o-neutral eSouth Africa. It is either ukuleliya qembu noma ukuleli. Into okufanele sizitshela yona ukuthi balunge benjalo bevela kulawo maqembu. Kodwa uma sebenza umsebenzi kahulumeni abawenze umsebenzi kahulumeni ngokwethembeka. Ngoba uma singathi sizohamba ngale ndlela eshiwoyo njengamanje, yindlela engezokusifikisa ndawo, sohluleka ukuthi siyisaphotho. Kodwa uma kuwukuthi sikhuluma ngokwakha, sifuna ukwakha, sizosebenza ndawonye sonke sibambisane, kubheke phambili.

Mphephethe, ngizwile ukhala ngokuthi kukhona ukuvimbela uma kusetshenzwa, sikhombane emehlweni, nakho khonke. Kuyiqiniso phela ukuthi kuyenziwa lokho, kuyiqiniso. Uyabona iNkosi uMathaba nje, ilungu elihloniphekile, wayene strategy esihle kabi. Sasingahlala thina singa campaign thina aze adlule ama elections endaweni yakhe ngoba wayengalwi. Wayevele athi nje “cha, sisazohlangu isigungu sami salapha eMacambini sidisayde ukuthi singanibona nini”. Aninikeze i-date engale kwama elections. Uma eninikezile engaphambi kwakhona, uma senifika athi “hhayi, asikwazanga ukuhlangu, kodwa hhayi akonakele wena Gcabashe sohlangu ngaleliya langa.” Okusho ukuthi uma kungaba njalo kunganenkinga yokuthi kufanele kube khona umuntu ozokunika i-permit yokuthi sebenza. Nani futhi ngeke nikwazi ukusebenza uma kunjalo, nathi ngeke sikwazi ukusebenza. Ngakho-ke into ebalulekile, uma sisezikhundleni asiyeke ukusebenzisa amandla lawa esiwanikeziwe ukuvimbela amanye amaqembu ukuthi enze umsebenzi wawo ngendlela efanelekile.

Kodwa ngivumelana no Speaker, ekuseni kade e-analyza izinkulamo zabantu ebebe layi ndlini. Ukuthi izinkinga eziningi Speaker esibhekene nazo kule province yaKwaZulu-Natal, uma ngase kube khona ukuzimisela kulabantu abalayindlini, singayikhulumi indaba yabantu abangaphandle, honestly kube wukuthi sifuna ukudila nale issue,

singabe sesizisolivile izinkinga eziningi esibhekene nazo KwaZulu-Natali, yalezi zinkinga esizibonayo njengoba sikhampeyna nje. Kuseqinisweni ukuthi sonke siyafuna ukuthi siwine, kodwa futhi silahla amavoti amaningi ngendlela esi behavior ngayo ngoba abantu baKwaZulu-Natali abaluthandi udlame, abawuthandi umsindo, abakuthandi ukubona ukuchitheka kwegazi.

Lana ayikho inhlangothi engathi yona igeza izandla ithi ayenzanga lutho Mr Barrows. Ngiyakuzwa baba uMaphalala ukhuluma, uyabona manje angifuni ukuya kuleyo ekuwena ngiyakuhlonipha ngoba phela nina niyinhlangano eyakheke ngenye indlela. So angifuni ukungena kulokho. Manje-ke laphaya uma ungabheka... Ya manje abazi lutho ukuthi ama elections yini, bakhekile nje ngendlela ethile manje ufanele-ke ukukhuluma ngale ndlela akhuluma ngayo. Ima ezoqala ukubona ama elections manje. Manjeke akasabuyi, besizozwa-ke uma esebuya ukuthi bathinike. So ke inkinga esibhekene nayo ukuthi ubona ama-posters..., ne ANC ikhompleyna ngendlela efanayo, ama-posters ethu ayadatshulwa. Ama-posters ethu athelwa ngegazi, nazo zonke izinto ezingezinhle, amanye afakwa izinhamba nakho konke. Akwakhi. Noma ngabe futhi ukwenza kwi DA, noma ngabe ulenza kwelikabani, akwakhi. Into ezobaluleka kithina njengoba futhi sike senza esikhathini esingaphambili, ukuthi asikhulume sibe serious nabantu baikithi ukuthi yisikhathi lesi sokuthi iSouth Africa iqhubekele phambili, yisikhathi sokuthi iKwaZulu-Natali iqhubekele phambili, yisikhathi sokuthi abantu bakithi baphume ebubheni nakwi poverty, babone intuthuko ngendlela eyiyona, abazikheleke ukuthi obani abazokwenza lokho. Sebeqalileke bayabonake kwezinye izindawo ukuthi kwenzakaleni abantu. Angeke ngibakhulumele, bazozikhulumela ngomhalaka 22. Ubaba uHawu Mbatha, umholi weNADECO uthe kobe kuyimpi yangalelo langa phakathi kuka Goliyathi, angazi nobani-ke. Kodwa-ke kusho ukuthi uyazi ukuthi kukhona uGoliyathi. Angazi ukuthi uGoliyitha uyena okuyimuphi, kodwa-ke uzisholo yena kuqala ukuthi uGoliyathi ubona kwiyi ANC.

Angibongeke ukuthi isazoqhubeka-ke i- ANC. Siyathemba futhi ukuthi sizobe sibambisene nangokhetho sikwazi ukuthi abantu bakithi bathole izidingo ngendlela efanelekile. Kodwa nje ake siziphathe njengabantu siyeke ukuhamba sivuka ekuseni simemeza, siklewula, sikhuluma izinto abantu abangenandaba nazo kuma radio nakuma tv. Ngiyabonga.

MR M B GWALA (IFP): Mr Speaker, without safeguard from the free expression of divergent opinions, we risk the tyranny of the majority in a free and open society by contrast, unhindered public debates exposes non conformist ideas instead of suppressing them. The main challenge of making political tolerance a viable reality in a democratic society is ability and willingness on the part of the politicians to establish and nurture explicit connections between abstract civil liberties and concrete situations. Taking a tolerance stance is a one of the more difficult tasks citizens face in a society. We are probably non-born tolerant but must learn to be tolerant. As public representatives, we politicians are expected and quite rightly so, to lead by example.

A few days ago my party leader, Prince Mangosuthu Buthelezi, and ANC President, Mr Jacob Zuma, met in Durban to discuss matters common to our two parties with the context of national interest – that is a peaceful and a tolerant political climate befitting and aspiring consolidated democracy. They then issued a joint statement. In it, the two party leaders recalled the hard work of their respective organisations in promoting peace. And, peace means more than the absence of violence especially in KwaZulu-Natal where many thousands of lives have been lost unnecessarily as a result of internecine violence. In his part of the statement, Prince Buthelezi emphasized that; “the recent event at Nongoma where the IFP and the ANC held election rallies concurrently and where their supporters briefly clashed and an example of behaviour that we do not wish to see repeated.” On this and many other occasions in the past the IFP reaffirmed with respect for the right of all political parties to campaign anywhere and elsewhere without hindrance. Prince Buthelezi’s part of the joint statement ended on an optimistic note; “that 15 years of democracy have gone some way towards curbing political intolerance which rocked the province and the country in the 1980s and early 1990s.”

The IFP believes that the upcoming elections are an opportunity to prove that political intolerance is a thing of the past. The situation at the moment is however, compounded by the court action brought by the MEC of Community Safety and Liaison, the hon Bheki Cele, against the IFP pertaining to claims made by one or two of our public representatives about Mr Cele during the Nongoma conflagration. In recent days, the ANC went as far as to secure an interdict to restrict the election activities of its political opponents at Inseleni. The IFP wishes to reiterate that. It abides by its own election campaign schedule which was agreed on by its leadership last year and which runs independently of the ANC’s campaign activities. We are not privy to the ANC’s campaign

plans and we have no business whatsoever interfering with the ANC's election events.

The ANC would give solid proof of its commitment to political tolerance if it is agreed to synchronise its election activities so as to avoid holding rallies concurrently with the IFP. Instead, the ANC appears to prefer running to the IEC at the slightest pretext without even attempting to first communicate with the IFP. Various incidents that we have witnessed in KwaZulu-Natal in recent weeks, created an imbalance between imperative of a democratic society and obligations of political parties to live up to these imperatives. Some political players have somehow assumed that the election campaigns can only aloft on their terms. It is no wonder that under such circumstances confrontation and conflict have ensured.

The upcoming elections are an opportunity for our democratic system to regain equilibrium. This can only happen however, if the elections are free and fair. We are determined not to give the ANC any pretext to portray the IFP as a perpetrator of the politically most prohibited violence in KwaZulu-Natal ahead of the 2009 elections. Since Nongoma, we have repeatedly pledged not to be drawn into incidents of political intolerance which are clearly orchestrated by the ANC for its own propaganda purposes. We once again commit our party to ensuring that we adhere to the highest standard of fair play. We will unreservedly attach our signature to the IEC's code of electoral conduct as soon as we are called upon to do so and we appeal to all other party leaders to do the same. Tolerance can only prevail if all participants in the political arena adhere to its basic penance. It only takes one party to accept the balance and I can assure you that one party will not be the IFP.

I know that these people who are vocal about violence and intimidation have paid lip service to a commitment to non violence. There is a disjuncture between work and deed. The IFP believes that the media also plays a very critical role in working towards ensuring peaceful elections. The IFP always defends itself against false claims relating to political intolerance. Take an example of the murder of Inkosi uMbongeleni Zondi which has nothing to do with him parting ways with the IFP to join the ANC. So the false claims based on unjustified information only served one purpose and that is to fuel political tension and intolerance.

Sikhuluma lolu daba nje iqembu leNkatha yeNkululeko liyopha kusukela ngeminyaka yo

1980. Kubantu ababalelwa ku-20 000 abafayo thina safelwa ziphathimandla zeqembu eziwu 440 kuze kubenamhlanje akukaze kuboshwe muntu. Ngisho iNkosi uMagongo Bhekinkosi kaDlivanane Gwala inkosane yobaba, wanqunyiswa okwembuzi enkantolo yesizwe eMaphephetheni yitsha yeqembu elizishaya isifuba ngokuba ngcwele kune IFP. Ngenxa yesikhathi ngibona kufanele ngethule umbhalo-sethulo wethu njenge IFP esiwethule ku IEC ekuseni namhlanje. Nanku lomqulu okufanele abantu bazifundele amanyala enziwa yilaba abazishaya isifuba njengoba kade bezishaya manje. Ngingebale okuningi kodwa ukuhlutshulwa kwama bill boards ethu njengakwaDabeka izolo nakwezinye izindawo, ukuhlakazwa kwemihlangano yethukwenza simangale uma kukhulunywa kanje. Njengoba ngake ngachaza phambilini udlame aluqali ngenkathi kunokunqubuzana kwabalandeli bamaqembu enkundleni ngosuku lomhlangano kodwa kuqala ngempi yamazwi ukuchukuluzana kanye nokubukelana phansi ngaphezu kwakho konke zinhlamba ezihlwanyelwa ezindlebeni zabantu bese kwakheka umoya oshubileyo emphakathini. Ake sibuka Ongoye kunokhetholwama SRC's lapho amalunga e-SANCO ayegcona amalunga e-SADESMO ecula iculo eliyinhlamba ngomholi we-IFP elithi ngenkathi uMandela esejele uNkesi uButhelezi wayelibeke ukwemwaya amasende. Ngakubika lokhu ngisho ku Sekela- Sihlalo we-ANC la KwaZulu-Natal kodwa kuze kube namhlanje akuzange kubuye kuphendulwe. Leli culo liphinde laculwa o-Thukela ngomhlaziyi 8 kuFebhuwari kubhaliselwa ukuvotwa kwesinye zezikhungo okwakhona uNgqongqoshe u Ina Cronje. Ulindlele ukuthini-ke Somlomo ziyabikwa lezi zinto kodwa akwenziwa lutho ngazo.

Okunye ukuthi kukhona izibhubhunyeka ezinjengo Mnumzane u-Julias malema abakhuluma noma yini esuka kubona emakhanda bayisho ngendlela abangase bayisho ngayo kodwa-ke lokho siyokubuka ngelinye ilanga ngoba asimazi ukuthi ubanjwe ubani ngoba umdlwane ungawushayi uma ungaboni ukuthi ubani owubambe ngoqhotho. Kulabo baholi uNgcobo osephumile akhuluma ngabo o-operation vula zonke uMfundisi Jacob Gedleyihlekisa Zuma okunguyena onguvula zonke. Odlula bonke abantu. Ngiyabonga, Sihlalo.

THE CHAIRPERSON OF COMMITTEES: The next speaker to respond to the debate, hon T W Mchunu, for 15 minutes.

MR T W MCHUNU (The Speaker): *Ngiyabonga kakhulu Somlomo ngemizuzwana embalwa umuntu angakwazi ukuthi agcine ngayo. Kodwa-ke ngifuna ukuphinda amazwi kamfowethu uGcabashe* it is very disappointing because this morning we started with a symposium wherein we called members of organisations that are not in the legislature. All contributions that they made have never been referred to even by one of the members who were debating here, very important contributions. Their style of contribution has been totally different from our style of debate. They identified what they perceived to be the causes of the problems, they indicated how they see the problems manifesting themselves, but more than anything else, they tried to propose solutions and that is the one thing that is lacking in every one of the debates that we have made here, except for just one suggestion from Mr Burrows, as well as a proposed resolution by the Chief Whip. Even that proposed resolution has not been referred to and no principle in that proposed resolution has been referred to.

Now, these are the people in this House who are the top leadership of this province, there is no other leader that is beyond these leaders here, they are the top leaders, but they cannot for once construct a direct method of dealing with political intolerance in the province. It is an indictment and I find it very difficult that a legislature that is supposed to be the most important custodian of democracy in this province, should be the only one that fails to provide interaction on the protection of democracy. That is a worry, Mr Speaker, it is a worry, but it will not stop us from consistently raising the issue of political tolerance and political intolerance – it will not stop us. Those of us who have borne the brunt of political violence and political intolerance, understand what that means. We understand it because we know it physically. Now we are therefore not going to wish it for our future children and that is what we are going to have to promote - the culture of political tolerance is going to be promoted as we go on.

I have been listening carefully to Mphephethwa, my equal, my cousin and a very old person in the politics of KwaZulu-Natal. Instead of coming with constructive proposals, Mphephethwa goes back to politicking, which in its own way is not going to contribute to anything that we expect. There may be good statements that he has made. There is a very good statement that he has made, “Let’s make these elections of 2009 the turning point” – on that one we agree, Mphephethwa. Can we commit ourselves to making them a turning point? But commitment does not mean implementation.

Can we ensure as we go out of here, that there are practical ways and means of implementing that commitment? That is why the resolution proposed by the Chief Whip seems to me to be the only method that if we all support, at least there are mechanisms there that are proposing how we go forward as a province, not just these members, but as the social fabric of this province. That is why I will suggest, Mr Speaker, that you put the proposed resolution to the House for adoption. Let those who think it will help, pronounce themselves and let those who are not supportive of those very noble suggestions, say "No". That is why I am therefore saying all of that.

If we want to, we could all go back to history and check everything that has happened to all of us. We could all cite the numbers of casualties that we have suffered, but are those numbers going to assist us going forward? They are not. However, nonetheless, I still want to say that the symposium was a good start and I thank all those who have contributed to the symposium. I want to officially now during this debate suggest that we explore ways and means of making that arrangement a permanent feature of the life of this legislature, where we are able to engage with the members of political parties that are outside of this political institution, for the purposes of making sure that in this province those necessary organisations have a voice on matters that have to do with the society they represent.

I also want to condemn as some have said, but in particular uMnguni ubaba uGcabashe. One of the worst things is the denial of the political leaders of the existence of political intolerance in their parties. That is one of the worst things. We destroy life by denying that there is anything wrong that we have done. That is why it is correct that we must accept that thusfar there is nobody who could call themselves an angel in this issue of political tolerance, but that is why we should all then say, it is better to turn over a new leaf, let KwaZulu-Natal turn a new page in its political history and that new page must be to open space for pre-political activity, for free political choices by the electorate – that is what we are pleading for today in this debate.

Let us commit ourselves to promote outside of this House, free political activity and free political debate and leadership in this House must be the first ones who do not perpetuate political intolerance, but must be the first ones who then promote political tolerance, both in our parties but as well as outside of our parties in social life. If we make that a start, we are likely to end up somewhere.

There are many incidents that I can cite of recent history, that are clear examples of what should not be done. One of them is what Professor Maphalala was saying. I mean to stone a Speaker of a legislature, to stone that Speaker when the Speaker has come on government business! I am not saying because it is me who is the Speaker, I am not saying that, I am just saying that, to stone a Speaker is a total undermining of this institution, it is incorrect, it does not have to be done. To disrupt activities of MECs when they deliver government delivery, cannot be condoned. It cannot in any event, in whatever you do, but to prevent government from delivering, is actually undermining the presence of that government. We are just lucky that not many people have died in these skirmishes, otherwise we nearly, nearly, like Mr Burrows was saying, we are on the verge of getting public representatives being killed in the service of a government. It cannot be claimed that there is any democratic right for us to do that, it cannot be claimed. Such wrong has to be condemned and we must not promote it.

The question of media, Chairperson, I am happy that somebody has spoken about the media. Yes, we have a right to expect the media to report fairly and in a balanced manner, but what we should not accept is a balance that starts obscuring the truth. For instance, I was listening to Mphethe talking about what happened in Nongoma. Even in his speech it is wrongly indicated that in Nongoma the ANC and the IFP were fighting. Incorrect, totally incorrect, even the media accepts that and feeds it to the public, but all those who know what happened in Nongoma can tell you, not even a single IFP person was ever touched, not even a single one.

Now, to then report – dishonesty is one of the worst things, dishonesty by any member who claims they are honourable in this House, is one of the worst things. No IFP member has ever been reported to have suffered at the hands of an ANC person in Nongoma, none, because that is the truth! [Interjections]

THE CHAIRPERSON OF COMMITTEES: Hon members...

MR T W MCHUNU: Now, these are hon members who are now... [Interjections] Can we stop, Mr Speaker, can we stop at 2:50 because I really do not believe that these hon members are being right.

THE CHAIRPERSON OF COMMITTEES: Just hold on, Mr Mchunu.

MR M R MZOBE (IFP): Hon Speaker...

THE CHAIRPERSON OF COMMITTEES: Hon member Mr Mchunu, can you sit down and let us hear what the Acting Chief Whip of the Opposition has to say.

MR M R MZOBE (IFP): Sir, can the hon member refer to the Speaker, not to us and not to point fingers at us. Can he refer to the Chair then? Thank you. [Interjections]

THE CHAIRPERSON OF COMMITTEES: Okay, hon Mr Mchunu, can you please carry on, because hon member Mr Gwala cannot ask point of order after point of order in terms of our rules, therefore hon Mchunu, continue. [Interjections]

MR T W MCHUNU: Ngithi-ke Somlomo nginesiqiniseko ukuthi akukho nelilodwa ilungu le-IFP elabuye lathinteka ezandleni zomuntu ka-ANC. Nalabo abakhulumayo laba abangidistebhayo bathi ama rubber bullets

THE CHAIRPERSON OF COMMITTEES: Nansi enye i-Member isimile Macingwana ake siyizwe ukuthi ithini Hon Gwala?

MR M B GWALA (IFP): Point of order, Speaker, point of order. Uyabona angikaze ngikhulume mina ngodaba lakwaNongoma. I have quoted izitatimende zabaholi umholi we IFP nomholi we ANC angikaze ngikhulume ngokuthi kwenzekeni kwaNongoma ngoba angikwazi ukukhuluma ngoba sithothobele thina be IFP siboshwe I ANC.

THE CHAIRPERSON OF COMMITTEES: Hon Gwala, can you please sit down because you are now responding to the debate from Mchunu – let us not do that, let us speak to our rules as per our agreement. Macingwana qhubeka Baba.

MR T W MCHUNU: Cha usho kahle futhi uthi ukhowuthile mina ngikhuluma nge speech sakhe la ekhowuthe khona. That is what I am saying therefore uyisipoyila and he should not be ngoba kwakungu Chairperson of Committees njalo lo. He is not just an ordinary member. This used to be the Chairperson of Committees, who should understand the rules of debate, but this is the manner in which he acts, [Interjections] but all I am saying, Mr Speaker, where we talk about incidents, the truth is always obscured, the victim is made unclear, the perpetrator is made unclear. They are all made to be the same and that is the point I am making and I am saying it is wrong for us to do it as leaders, it is wrong for the media to do it. We must be clear who is the perpetrator, who

is the victim and the perpetrator must suffer the consequences of their perpetration – that is what we must do this time round.

The only way to uphold this democratic right is that people must be sanctioned. If it is an individual, they must suffer. If we go beyond an individual and the party has to suffer, the party must suffer. That is where I fully support Mr Burrows – it is about time the institutions of our state are used properly and the authority and the power they have, is fully utilised in the interest of defending this democracy, in the interest of defending the rights of the electorate. It should not be about us as political parties, it should not be about us as leaders, it should be about us defending the rights of people to choose freely which government they want. Therefore, Mr Speaker, I suggest that from now on this House commits itself to that resolution proposed by the Chief Whip – the principles of it are correct. I thank you.

END OF TAKE BBB11

CHAIRPERSON OF COMMITTEES (Mr S N Mtetwa): The next member to speak is Mr R M Burrows.

THE CHAIRPERSON OF COMMITTEES (Mr S N Mtetwa): Thank you very much hon T W Mchunu, the Speaker of this House - the real Speaker of this House. In conclusion, I intend to put the motion to this House for a vote in terms of Rule 93(g) on Motions without Notice. I was informed through the Chief Whip that that all parties have agreed to adopt that resolution, but I would like to check for myself.

Chief Whip, on behalf of the ANC?

Mr C V XABA (Chief Whip of the Majority Party): The ANC agrees.

THE CHAIRPERSON OF COMMITTEES (Mr S N Mtetwa): Thank you very much. The IFP?

MR M R MZOBE (IFP): Mr Chairperson, the IFP is and it has been committed to political tolerance since its inception. Thank you.

THE CHAIRPERSON OF COMMITTEES (Mr S N Mtetwa): Therefore agreed, thank you very much. The DA?

MR R E KEYS (DA): We agree to this, Mr Chairperson.

THE CHAIRPERSON OF COMMITTEES (Mr S N Mtetwa): Thank you very much. Nadeco?

PROF J S MAPHALALA (NADECO): [insert isiZulu \(1:58:47\)](#).

THE CHAIRPERSON OF COMMITTEES (Mr S N Mtetwa): Therefore agreed. The ACDP and the MF is not here. UDM?

MR B J MSOMI (UDM): The UDM agrees.

THE CHAIRPERSON OF COMMITTEES (Mr S N Mtetwa): Thank you very much. I therefore put the motions before a vote. All those who support the motion, say "yes". And all those against say "nee"?

Motion is adopted, thank you very much.

We are running behind time therefore I am requesting your indulgence. We are now going to adjourn for lunch. The usual time is going to be shortened so that we finish earlier. We are adjourning from now till a quarter to three. We also invite our guests right on top there on the gallery to have lunch with us. The House adjourns till a quarter to three.

BBB13

THE SPEAKER: Thank you hon *Baba uMthethwa*. Now that I am no longer debating, [Insert isiZULU XXX02:48:57](#)

Hon members, let us proceed to item number 8.2 - Questions for oral reply. There are standing over questions like Question number 5 to the Premier. In the absence of the Premier, is there anybody to reply on behalf of the Premier?

MRS N P NKONYENI (ANC): Mr Speaker, we have nothing from our side.

THE SPEAKER: OK, there is no... the Premier is not around and there is nothing that indicates that we can deal with that matter. Yes Mr Keys?

MR R KEYS (DA): Mr Speaker, regarding Question number 5 could I request that your

office acquires an answer to this question before the election. [Laughter]

THE SPEAKER: Well, thank you for making that suggestion. We will consider whether it is feasible. We will do our best to get the answer before the elections. Ok? Thank you.

The next question on the Order Paper is Question number 1, which is the question to the MEC for Finance. It is one of those questions that we have received requests from MECs that they need more time extension. And therefore, we have agreed to that. It is a question that needs a little bit of more detail.

Let us go to new questions. Question number 11 - MEC for Education do you have an answer to that question? Yes *Mam' uThusi*?

MRS W G THUSI (ANC): Yes Mr Speaker. Thank you Mr Speaker. Question number 11 of 2009 says whether for Mr Burrows it is the intention of the Department of Education to erect a school on the vacant land in Hesketh Drive boarder in Murray Road, Pietermaritzburg. If so, when will the erection of the school commence? Whether the Department of Education or any agent on behalf of the Department has given notice to vacate to persons occupying temporary houses on the land zoned for education in Hesketh Drive. If so, why? And, whether the MEC will make a statement concerning the use of the vacant land in Hesketh Drive.

The response to this concern is; yes the above mentioned sight is zoned for education. The construction of a Primary School is due to commence, possible in the 2010/2011 financial year subject to available funds. The agent that is managing this sight is the Department of Public Works. We suggest that the honourable member forward this question to the Department of Public Works.

Number 4 is not applicable.

Number 5 is No.

We trust that this answers your queries. Thank you.

THE SPEAKER: Hon members, that concludes that answer to Question 11. Question 12, Mrs Thusi again?

MRS W G THUSI: Question 12 of 2009; Mr Burrows to ask the MEC for Education

whether the staff members all are in part of the FET Colleges in KwaZulu-Natal; have been paid out their capped leave as promised, if not why not? Whether the Department of Education has paid over to all or any of the FET Colleges any sum of money for the onward payment of capped leave of their staff members and, whether the MEC will make a statement on the payment of capped leave for FET Colleges including any interest owing to staff.

The response is No. The payment of capped leave must be preceded by the signing of contract which has not happened in KwaZulu-Natal because teacher Unions objected to it.

Concern Number 3; No, because the failure by lecturers to sign contract has delayed the payment of capped leave. The teacher unions CTU, SADTU and SAWU requested a meeting with the Department and the General Secretary of the Education Labour Relations Council to scrutinize the contract document. In a meeting that took place on Friday 6 February 2009, it was resolved that the Unions will consult their members on the contract and submit their input to the Department for transmission to the General Secretary to effect amendments in the contract document. The payment will be made as soon as the contracts have signed.

The answer to concern Number 4 is No.

THE SPEAKER: Thank you Mrs Thusi. The next question is Question 13, 14 and 15 have also been requested extension of time and I have granted the extension.

MR R E KEYS (DA): Mr Speaker, on questions 13 and 14 posed to the MEC of Local Government, can I request that a written answer be supplied within two weeks?

AN HON MEMBER: Well that is obvious!

THE SPEAKER: Thank you, we will record your request and we will try our best to get it complied with by the MEC.

MR R E KEYS (DA): Thank you very much.

THE SPEAKER: Thank you. Mr Mari?

MR G MARI (DA): Mr Speaker, in respect of question 15, can I request an answer

within two weeks and before the elections?

THE SPEAKER: Thank you, Mr Mari. We will record your request and we will do our best to get the MEC to reply to it within two weeks.

Hon members, thank you, we have concluded item 8.2. We now go on to item 8.3 which is also our final item for the day. [Interjection] You were saying? [Interjection] Oh, ja... [Interjection] No, you are right, Mr Burrows, I am fighting with my papers here. [Laughs] Thank you.

Members, we are debating the KZN Health Bill and to introduce the Bill will be the MEC who has 15 minutes to do so. Hon MEC?

MRS N P NKONYENI (MEC for Health): Thank you, hon Speaker. Mr Speaker and hon members, it gives me great pleasure to undertake the second reading of the KZN Health Bill to this House.

Members will recall that this Bill was introduced into this House on 4 December 2008 and this House resolved that the Bill be referred to the KwaZulu-Natal Portfolio Committee for Health. I am pleased to note that the Bill was adopted by the portfolio committee following the process of public hearings and submissions received from the public. The hon Chairperson of the portfolio committee has briefed this House on the consultative process embarked upon leading to the adoption of the Bill by all the members of the portfolio committee who were present.

Mr Speaker, the KwaZulu-Natal Health Bill seeks to give effect to the inalienable right of every citizen of the province of KwaZulu-Natal to have their dignity restored and respected, to have access to healthcare services, including reproductive healthcare, not to be refused emergency medical treatment and to have an environment that is not harmful to their health or wellbeing. In addition, the Bill also seeks to respect, protect, promote and fulfil every child's right to basic healthcare services and more significantly, for all of the above to be provided within the available resources of the province.

In his State of the Nation address, the President of the Republic of South Africa, President Kgaleme Motlanthe, acknowledged that 95% of all South Africans should live within five kilometres of health facilities. This is giving effect and impetus to the inalienable right of every citizen to have access to healthcare services. In his State of

the Province address for 2009, our hon Premier, Dr Sbusiso Ndebele, said that “*together we can do more*” and that “*having a healthy and productive population is an important building block*”. I agree and acknowledge that whilst we have made tremendous and commendable strides in providing access to quality healthcare services as per our constitutional mandate and imperatives, with this Bill we can do more. This is because the Bill as we have it now, provides for the Member of the Executive Council to determine provincial policy, provincial norms and standards for the delivery of healthcare services in the province with due regard to national policy, norms and standards and after consultation with the provincial health sector.

Our President has acknowledged further that improvement in the quality of services in health is a question that confronts us all on a daily basis. The Minister of Finance, Mr Trevor Manuel, has addressed this very urgent concern of our hon President specifically and our government in general, by providing for funding for the setting up of the unit called the National Office for Standards Compliance which will have the critical task of setting and auditing norms and standards for hospitals and primary care centres.

The KwaZulu-Natal Health Bill has a provision in Sections 63 and 64 for the establishment and inspections by a health inspectorate which will be established for the overall purpose and objective of improving the quality of healthcare services within the province. This noble vision on quality assurance and control will be effectuated by not only monitoring the implementation of national and provincial norms and standards, but by also recommending remedial action where such norms and standards are not adhered to.

In 2004, our province adopted as its motto “*Masisukume Sakhe*” and followed up with a theme every year to programmatically respond to the challenges as identified in our provincial priorities for achieving comprehensive service delivery in the province of KwaZulu-Natal. The theme for this year as was spelt out by our hon Premier is: “*A solid foundation for a democratic and prosperous KwaZulu-Natal has been laid*”.

The Department of Health has stood up and built on its legal mandate of providing access to the people of our province. Therefore by passing this Bill, you will be consolidating the *Health is a Human Right* principle and strengthening the “*Solid foundation for a democratic and prosperous KwaZulu-Natal*” which has already been

laid.

Hon Speaker and members, with those words I advise that the clause by clause provisions of the Bill as has been adopted by the Portfolio Committee for Health on 18 February 2009, are available in your pack and I humbly request that you refer to those provisions. I thank you.

THE SPEAKER: Thank you, MEC. I now call upon the Chairperson of the Portfolio Committee, Ms Z M Ludidi. You have 10 minutes.

END OF TAKES BBB 14-15

BBB16

MRS Z M LUDIDI (ANC): Thank you Mr Speaker. The KwaZulu-Natal Health Bill 2009 seeks to provide for, among other things, the restructuring of the provincial health care delivery system, to provide a framework for the development and implementation of Provincial Health Policy, provincial norms and standards, to provide for the achievements of progressive realization of the right of access to health care services through the **XXX03:06:09** accessible comprehensive provincial health care services within the available resources of the province.

After the first reading in this House on 4 December 2008, the Health Portfolio Committee began its preparation for the work processes associated with the KZN Health Bill Activist Sitting. Mainly four public hearings were scheduled for 29 and 30 January in Newcastle, Richardsbay, Durban and Portshepstone. A week prior to the hearings, the Bill and details of the hearings were widely advertised in the print media and on air. Copies of the Bill in isiZulu, English and Afrikaans were also distributed to all municipal districts and were also made available at the KZN Legislature offices. Details of the Bill and hearings were also posted on the KZN Legislature website. The Bill was also featured on East-Coast Radio and Ukhozi FM. Relevant stakeholders were contacted and invited to submit oral or written submissions. Only two written submissions were received from Doctors for Life and Professor **R XXX03:07:36** from the Nelson Mandela School of Medicine at the public hearing held in Durban.

Oral submissions from all hearings were noted and recorded; however, most were unrelated to the Bill per se. the Committee held a special meeting on 11 February 2009

in order to consider proposals and submissions it received during the public participation process. Some amendments were adopted and incorporated in the bill. A meeting was held again on 18 February 2009 wherein the members of the Committee unanimously voted in favour of the Bill with amendments and recommended the approval of the amended Bill by this august House.

I am satisfied that all Constitutional obligations have been met in arriving at this decision by the Health Portfolio Committee's unanimous support for this bill with amendments and request the House to support the KZN Health Bill of 2009. The Bill as agreed to by the committee and the relevant documents as prescribed in Rule 200 I hear by table. The amendments to the Bill are annexed here in as Annexure A. I thank you hon Speaker.

DR B T BUTHELEZI (IFP): Mr Speaker, members of the Provincial Legislature, we welcome the MEC's second reading of the KZN Health Bill. But, we have a serious problem with her quotation of the ANC's slogan for the elections that together they can do more. The question is; more what? Are we here referring to over expenditure in the Department of Health or something else?

As the IFP objected to the MEC's rushed introduction of this Bill before the Legislature late last year - because we did not have the chance to scrutinise it, and the Bill was never tabled before the Health Portfolio Committee prior to the tabling of it in this House. However, today we have the opportunity to debate this piece of legislation after the public hearings which were held in Newcastle, Richardsbay, Portshepstone and Durban. It is our view as the IFP that the Bill has the potential to complement the broad legislative framework provided by the National Health Act of 2003 and it has the potential to provide much of the needed detail in respect of which the National Health Act expressly authorises provinces to legislate thereby enabling Provincial and Local Government authorities to render health care services in accordance with the needs of the people of KwaZulu-Natal.

Chapter 3 of the Bill deals with the KZN Provincial Health Research and Ethics Committee and aims to give power to the MEC to control and manage health research in the province and makes provision that all research proposals must be submitted to the Committee for approval. However, we know that at present approval is granted by the

University of KwaZulu-Natal's Ethics Committee and the IFP finds the comments of the hon MEC for Health very unfortunate that this state of affairs has led to impoverish communities used as guinea pigs in research. That does not assist the Department of Health to meet its priorities. Casting aspersions and ethical health professionals by some unethical politician is a major cause for concern and it will not assist to breach a level of distrust which exists between the provincial department of health and the academia in the health sector whereby each party keeps the other at arms' length and the situation is unacceptable. The Department of Health must recognise that health professionals are valuable resources with expertise in every aspect of health which when harnessed will raise their moral and most importantly improve the standard of health promotion, disease prevention and rehabilitation at every level of health care.

The IFP believes that Section 5 of the KZN Health Bill, dealing with powers and functions of the MEC will stop the abuse of health professionals and Mr Speaker I will come on second round – my time is up.

MRS P M McKAY (ANC): Thank you, Mr Speaker. I would like to emphasise that this Bill was agreed to unanimously by the portfolio committee, that the public hearings were positive and that it was seen to be a sound piece of legislation. So hon Dr Buthelezi's comments did not come up in that way at our portfolio committee.

The Bill is a sound piece of legislation which seeks to strengthen the Health system in the province and to improve service delivery and it is aligned with the national Health Act.

To focus as has been done on the State of the Province address, on the overspend on Health in this province and tried to create a picture of this being an exceptional happening, is to deny the overspends in the other eight provinces. R1.8 million was overspent in Gauteng and we are all aware, because the MEC has told us time and again about the Occupational Specific Dispensations, the strikes and the other problems that have contributed to this in this province and nationally. [Interjection]

There are problems of understaffing, especially in the rural areas. Again this Bill is seeking to address that and, yes, we can do it, we will do more. [Laughter / interjections]

The problems in this province cannot be solved by money alone. The exodus of staff

had not been predicted, but we hear that some of the staff that have gone to countries like the UK, are now coming back to South Africa because of the global economic crisis. So hopefully we will regain some of our resources with extra expertise now.

We cannot have predicted the impact of HIV & Aids, of Diabetes, of the demands and needs of cross-border patients on the economy of this department. Nevertheless, we have tried to address the situation and the MEC has kept us informed at every meeting and on every occasion that she is able to.

The Bill also seeks to address the attitude and commitment of staff. It looks at patients' rights and staff responsibilities. Yes, staff have rights, they are protected by unions, labour law, etc, but at no time do staff rights overtake patient rights and the Bill is very strong on this issue. The implementation of this Bill will ensure the right and dignity of each person to have quality healthcare and thereby improving their quality of life and it is pleasing to note that children's rights to healthcare are entrenched in this Bill. At one of the hearings it was said it was not emphasised sufficiently, but if you match this Bill with the national Health Act, the rights of children are thoroughly protected.

The Bill does state that the provision of services depends on available resources. In other words, this has to be factored in at all times by the MEC and the department and is being paid attention to. As the hon Dr Buthelezi said, there are some questions around how this Bill deals with research, medical ethics and other issues, but again twinning it with the national Health Act, this is catered for.

I would really like to say that this is a Bill that seeks to improve the quality of health in this province and I would really like to say that we need to work together on this not to try and undermine what is contained in the Bill and that if we work together, we can accept the ANC manifesto. Together we can do it and we can do more and we will do more. Thank you. [Interjections]

THE SPEAKER: Thank you, let us proceed. Hon member Mrs Ambler-Moore?

MS M H AMBLER-MOORE (DA): Thank you, Mr Speaker, and I would really ask your indulgence as I am delighted that this is a Health debate, because it gives me a chance to say farewell to you all and the hon Chairperson of this committee did not use all her minutes so maybe you can just let her donate... [Laughter]

I am very happy to tell this House that the Democratic Alliance will be supporting the KwaZulu-Natal Health Bill. We had some reservations but not sufficient to oppose the Bill and I would like to take this opportunity to thank the members of staff of the Health Department and of the legislature who put so much effort into compiling this Bill, both with the national Health Bill and the Constitution of South Africa.

As I sat down to prepare this, I did not know where to begin or end and I concluded that it was probably the hardest speech that I ever had to prepare. Then I thought back to the first speech that I gave in the Durban City Council in 1978, that was 31 years ago. Traditionally, maiden speeches are not supposed to be controversial. My first speech, as I recall, was to open all libraries to all races. Shock and horror followed and the liberals were defeated! Little did I know then that it would take yet another 12 years before Mr Mandela would be released and another four years to 1994 when the first democratic elections would be held!

Like my colleague, Roger Burrows, I got involved in politics to get rid of apartheid and that was 49 years ago. I helped in the Vote "No" Campaign in 1960 to leave the Commonwealth and have pretty well worked in every election since then. I was very involved in the Black Sash and we always joked that there was hardly a street corner I had not protested on and somehow I always seemed to end up next to Archbishop Hurley with our placards.

By 27 April this year (Freedom Day and my grandson's second birthday), we will know who will be returning to this House and as I thought about it, I wondered what I would wish for you all and for KwaZulu-Natal.

When I first came to this House, things were pretty hostile - I often went home and had a good cry! However, we have learnt to respect one another, to accept one another for who we are. Last week the ANC Youth League leader urged his supporters to fight the enemy and amongst the enemy he included Helen Zille and Joe Seramane and I presume it's our garden boy who is the Youth League leader, but we are not enemies, we are all South Africans wanting this country to succeed and I would wish that the incoming members remember this and the respect and the courtesy that has been shown in this House, continues. I would wish too that it filters down to local government level. Members of that body will be coming to this House in April and it would be good if

the leadership of all parties could instil in their members the need to cooperate in the interest of the cities and towns and especially the eThekweni metro.

I would wish that all members of this legislature take their oversight role far more seriously. Too often I have heard in committee meetings, "Hon MEC, we are with you and your department". What we should have been saying is, "We want you, MEC and your department, to be running efficiently, honestly, transparently and financially sound. We are watching you and if you are not achieving what we think you should be, we will be holding you, MEC and the HOD, accountable.

I would wish that the portfolio committees play a far bigger role in ensuring financial stability, instead of sitting back and letting the Finance Committee and SCOPA do the work for us. A classic example, and I hold myself culpable, is the financial chaos and mismanagement in the Department of Health.

I would also wish that Chairpersons of committees be chosen for their skills, not for the part they played in the bad days of the struggle. The future of this province is too important for those kinds of appointments. We need dedicated, competent people who will lead. In the selection of HODs, I would wish the incoming Premier to appoint the best people to fill the job, irrespective of their struggle days, the colour of their skin or family relationships.

I would wish for a dramatic turnaround in the Education Department. Hon Cronjé has worked miracles in that department in what I believe were extremely difficult circumstances, but there is a long way to go. As we all know, education is the key to a successful economy. Other countries like Korea, achieved a massive turnaround in education and if they can do it, we can too or as Barack Obama would say, "Yes, we can!" and maybe we will need to get hon Burrows in to give them some advice.

I would wish that instead of praising ourselves for what we have achieved, we acknowledge what has not been achieved and pledge to work together to achieve the successes that we need, as was said by hon McKay.

I would wish for a bigger budget for Safety and a commitment across the board to fight crime. I welcome the ban on the abuse of the "Blue Light Brigade" - because of dangerous arrogant driving, people have been injured and killed. I would wish for a

strong Premier who will insist his or her MECs abide by the laws of the land.

In Psalm 26:12 the psalmist says, "*My feet stand on level ground*". This might seem an obvious statement, but to face the challenges of this province, we need our feet firmly on the ground and our eyes wide open. If we ourselves are not in a position of stability, our likelihood of success is diminished.

I say this in relation to setting priorities for the next five years. Yes, people are better off than they were 15 years ago, but there is a long way to go.

I do not have time to list them all, but my wish is that incoming members will take a deep breath, refocus and really see the way so many of our people in this province have to live and as I have said, with feet on level ground.

Mr Speaker, building a new legislature building is not in anyone's book a priority. [Interjections] Costs escalate and we know it is going to cost a lot more than the R800 million. We cannot justify that kind of expenditure when we have so many buildings servicing this legislature already.

Some of us went to Gabon last year – what did we see? We saw the most appalling poverty and unemployment, roads which should not be called roads, in one place where there was an animal laboratory, ask hon McKay, there was no toilet, but wow, we saw wonderful and beautiful government buildings!

If I can touch on a personal note, Mr Speaker, my daughters were seven and four when I went to join the Durban City Council and like Roger's family, they made many sacrifices, - a couple of times they even knew that their mother was getting death threats and I am grateful to them for their support.

I do not have a lot of success with husbands, but the ones I did have supported me in my work!

I do want to end by saying thank you to you all for your many kindnesses to me, the political squabbles were never dull and I will miss you all. I am privileged to have had such an exciting time in politics and my wish is that it is less exciting in the future! Roger has told me I am not allowed to cry.

I cannot close without thanking St Paul for his words in 1 Thessalonians 5. He says: *“Be joyful, pray continually and give thanks in all circumstances, for this is God’s will for you”*. I have tried to be joyful, I do pray continually and I have learnt to give thanks in all circumstances. This has only been possible through God’s grace and mercy and to Him go all my thanks. Thank you, Mr Speaker. [Hear, hear / applause]

THE SPEAKER: Thank you, Mrs Ambler-Moore, but you must alert us in advance if you are saying goodbye, so we know you are saying goodbye.

THE SPEAKER: Thank you Mrs Ambler-Moore, but you must alert us in advance if you are saying good-bye, so that we know that you are saying good-bye. There is an amendment here, which may not be in your speakers list, but it is here in my copy, the next member to speak will be hon Mr T Dlodla instead of the hon AH Mbatha. [Insert isiZulu \(3:27:27\)](#)

MR T DLUDLA (NADECO): Hon Speaker as well as members ...

THE SPEAKER: [Insert isiZulu \(3:27:38\)](#)

MR T DLUDLA (NADECO): Let me first express my gratitude to Nadeco as well as to you, hon Speaker, for enabling me to represent my people at this important structure of our democracy. As Nadeco mandates, I will execute,

Nadeco supports the Health Bill of 2009. We support this Bill simply because it will improve the health care services to our people. Also a word of caution to the Health Department; It should seek professionals when making appointments and not appoint only people who are aligned to the ruling Party when setting up the controlling structures as set out in the Bill.

I would also like to acknowledge the strides that have been made by the Department of Health, but I must also state that the five kilometre careage is still not a reality in some rural parts of our KZN.

I originally come from Melmoth at Ekuthuleni Mission. There is a clinic there that was built in the 1970s and that clinic has never operated as a clinic. The structure is there but people use it as a bus stop and also use it as a pension pay point. [Interjections.]

THE SPEAKER: Musani ukumhlupha bakwethu nizomdida.

In Ekuthuleni still travel about 25 kilometres to KwaMagwaza Hospital for health care. I just pose this as a challenge. I hope the hon MEC for Health will look into this matter. Thank you.

MS R NAIDOO (ANC): Thank you **hon Chair**. This Bill is to provide for the restriction of the provincial health care system delivery and to provide the framework for the development and implementation of provincial health policy, provincial norms and standards to provide the achievement of progressive realization of rights of access to health care services in the available responses of the province. To create an able environment for the realization of mutual respectful rights and duties of health care users. To provide for the establishment of an integrated provincial health care system. To be managed appropriate structures in accordance with the Constitutional Principles and to provide with the facilitation of improved management in the provision of public sector health care service delivery. To provide the community participation in the formulation of provincial policy, Legislation and provincial health care providers. To provide an establishment of an inspectorate for health establishments. To provide opposed duties and functions of the expectorate for health establishment. To provide for a pure mechanism. To provide with transparency and accountability in the development and establishment of health policy and practices.

The province of KwaZulu-Natal in accordance with the Constitution and International Convention and Treaties, National Policies and Statutory Health Framework acknowledge the basic need for the provision of health care in the province. The Constitution obliges that the province should respect, protect, promote and fulfil the rights enshrined in the Bill of Rights which is a cornerstone of democracy in South Africa. With the contents of the general health and well being of people of South Africa the Constitution obliged to the provincial government to take all necessary legislative and other measures with its available resources, achieve the progressive realisation of the enabled right of every person to have their dignity respected and protected, to have access to health care including reproductive health care – not to refuse emergency health treatment to an environment that is not harmful to their health or well being, in order to maintain with appropriate circumstances to experience a sustainable improvement in their personal health.

The three spheres of government opened up state as well as structures, institutions and service providers established, authorised and recognised in terms of this Act and within the framework of intergovernmental relations. Incorporate government into an extent that we are involved in the provision of health care services in the province. I am obliged to respect the integrity of national and provincial Legislature and to cooperate with institutions, establish support in Constitutional democracy as contemplated in Chapter 9 of the Constitution.

This Bill was researched well by our Legal Advisors and the Bill has covered even K Users and Personnel. The health care user has a right to health care service, to participate in the decision making affecting the personal health and treatment and to get that informed consent prior to any health care service including health treatment rendered, unless the user is unable to have informed consent in which case a provision of Section 7 of the National Health Act will than be applicable.

To emergency medical service at any health establishment to refuse health treatment provided that the condition concerned does not cause a serious risk to the health of the public in general. To confidential treatment of all information in written, verbal, or electronic form regarding the uses general health, any medical condition diagnosis, prognosis and related health treatment.

Hon Speaker, this Bill here says; rights and duties for health care personnel. Health care Personnel must be treated with dignity and respect. The Health care Personnel must be provided with healthy and safe working environment. They must assist the health care user to understand all information relating to the treatment of the user. They may not be unfairly discriminated against on account of their health, status, race, gender, pregnancy, sex, marital status, ethnic or social origin, colour or sexual orientation, age, disability, religion, beliefs, culture, language and any other basis. This Act also includes public participation and maintenance and confidentiality of patient recourse.

I just touched on some of the functions on this Bill and to say together we can do more.

MR B J MSOMI (UDM): [Somlomo, Inhlangano engiyimele la i-United Democratic Movement iyohlala njalo ikwesekela ukwenza ngcono kwezimpilo njengoba naku](#)

manifesto yayisho ukuthi iyakholelwa ngezempilo ezisezingeni elifanele. Yini wena tshela, wena thula.

Somlomo, ngokuthi lo Mthethosivivinywa uzokwenza ngcono isimo samalungelo eziguli nokwenza ngcono ingqalasizinda Inhlango le engiyimele izokuwusekela iyahambisana nawo. Ngiyathemba ukuthi lezi zikhalo eziningi ebesihlale sizithola la kunobudedengu bodokotela bejova abantu uma ufunda amaphepha uyathola ukuthi seziningi izigameko la uthola khona abantu benikwe imishanguze engafanele. Ngiyakhumbula kungekudala khona omunye umama owayekhala ngokuthi ingane yakhe ivele yajovwa esibhedlela yaphuma amagwebu ngomlomo yagcina ishonile, kuyadabukisa lokho.

Uma ubheka futhi emaphepheni kakhulukazi lawo esiwafundayo uyathola ukuthi kunabantu abaningi abavela sebonakalelwe izisu zabo sezinamaqhubu angabukeki sebesesimweni esingabukeki ngenxa yemithungo abasuke beyithole ezibhedlela ukuthi lokho kuzophela. Siyacabanga futhi ukuthi lezi zikhalo ezike zavela noma lesi esinye esike senzeka esibhedlela esikhulu kule-province nengikholwa ukuthi siwu nombolo 2 noma 3 kulelizwe lakithi i-King Edward la sibone khona zingekho izinsiza ukuthi kuzoba into engumlando. Ngiyafisa ukuwubonga uMnyango ngendaba yase King Edward ngoba usukumile wakhuluma kwezwakala ukuthi awuhambisani nalesiya simo esenzeke eKing Edward. Ngiyafisa futhi Somlomo ukuthi kuzoba umlando ukuthi abantu bakithi uma beyolashwa ezibhedlela zakithi nasemaklinikhi ngakithi baxoshwe kuthiwe kade behlaleleni sonke lesi sikhathi ngoba ezindaweni eziningi uma abantu bakithi befika ngezikhathi zantambama noma ebusuku kubuzwa ukuthi bebehlelani emini. Ilungelo labo linganakwa.

Ngiyethemba ukuthi isibhedlela esifana nalesi i-Mahatma Ghandi esise Phoenix lezi zikhalo ebesizizwa khona njalo abantu bekhala ngokuthi abalutholi usizo olufanele kuzoba izinto ezingumlando. Ukuba khona kwethimba elizohamba libheka ukuthi izindawo zokulaphela abantu bakithi zisezingeni sikushayela ihlombe ngoba uyabona ukuthi kukhona abanye abantu abathi beqashiwe bewufundele umsebenzi kodwa ubone ukuthi abanalo uthando.

Ngelinye ilanga ngake ngakhuluma la Somlomo ngesimo engake ngasifika esibhedlela e-King Edward lapho okwakumukelwa abantu abalime kunodokotela oyedwa. Odokotela okwakufanele babekhona bengekho kwaze kwaphoqelega ukuthi udokotela owayekhona

asho ukuthi ngokomthetho kufane sibe ngu-seveni lapha kodwa abanye angibazi ukuthi bashonephi ngingedwa. Ngalelo langa ngaze ngakwazi ukuthi ngivuse umphathi waso isibhedlela uMnumzane Bhekisani ngikhala ngaleso simo lesa noNgqongqoshe ngazama ukumthinta mhlambe uzokhumbula. Ngiyethemba ukuthi lo Mthethosivivinywa uzokwazi ukuthi ubhekane naleso simo esinjalo ukuze abantu bakithi bazi ukuthi uma beye kulezi zikhungo zezempilo bakwazi ukuthola usizo olufanele ngesikhathi futhi esifanele ngaphandle kokuthi bahlukunyezwe. Ngiyakhumbula ngalelo langa engikhuluma ngalo kwafika omunye umuntu wazihambela wangaluthola usizo wasizwa ngabanye abantu baze bamshotshela izinto zakhe ayefike edutshuliwe khona esibhedlela. Zonke lezinto ngiyethemba zizoba izinto zesikhathi esedlule abantu bakithi bathole ukwelashwa ngendlela efanele ngiyabonga.

THE SPEAKER: Siyabonga Nomndayi. Siqhubeke nalo ilunga elihloniphekile, u-hon V V Tambo.

[THE SPEAKER: Thank you, Nomndayi. Let us proceed to the next hon member, Ms V V Tambo.]

MS V V TAMBO (ANC): Ngiyabonga Somlomo ngaleli thuba. Somlomo, ngicela nje ukudlula kancane la. Somlomo la eNdlini kukhona ukugula okuthile okubangelwa ngamabomu abantu bengaguli. Ekomidini sikhuluma okunye sivumelane, uma sifika laNa odokotela abavunyiweyo bazame ukutshintsha konke esikhululumile okuhle bokuyisa phambili, **bafakele izinto zemiqala yabo ezingeke zibasize ngalutho. Kanti-ke dokotela...**

[MS V V TAMBO (ANC): Thank you, Mr Speaker, for the opportunity. Mr Speaker, let me comment on something before I go on. Mr Speaker, in this House there is a certain sickness which is caused deliberately by people who are not sick. During the committee meetings we discuss and agree on matters, but when we come here qualified doctors try to change everything that is progressive. [isiXhosa]]

THE SPEAKER: Ake ume lunga elihloniphekile ke sizwe nansi i-point of order.

[THE SPEAKER: Can you stop for a moment, hon member, so that we can hear the point of order.]

DR B T BUTHELEZI (IFP): Mr Speaker, on a point of order I will....bekuthiwe akahlale

phansi umama uTambo! Mr Speaker I will request ukuthi u-Speaker aphenye lokhu okushiwo yilunga elikhulumayo njengamanje ngoba yimina kuphela osekhulumile la *who is a medical professional* and therefore whatever she is speaking about she is speaking directly to me and investigate what she is saying uma ethi kunodokotela abagulayo la, because implication is that she is referring to me. And I would want ukuthi u-Speaker arule against that.

[DR B T BUTHELEZI (IFP): *Mr Speaker, I rise on a point of order. I will ... Ms Tambo was instructed to sit down! Mr Speaker, I will request that you investigate what the member who is speaking now has just said, because I am the only medical professional who has spoken here, and therefore whatever she is speaking about now, she is speaking directly to me, and investigate what she is saying when she says there are sick doctors here, because the implication is that she is referring to me, and I would want the Speaker to rule against that.]*

THE SPEAKER: Ngizo-investigata lunga elihloniphekile.

[THE SPEAKER: *I will investigate, hon member.]*

MS V V TAMBO (ANC): Kanti-ke dokotela uKhongolose uqinisile uma esithi ukusebenza ngokuhlanganisela singenza nangaphezulu.

[MS V V TAMBO (ANC): *Doctor, the African National Congress is right when it says: By working together, we can do more.]*

Kuyintokozo kimina ukuthi ngibe ngomunye okhulumayo kule *Bill*, ekhuluma ngokuphucuzwa nangokwengezwa nokufakelwa kwezichibiyelo ezifanelekileyo zokusiza imiphakathi.

[It is a pleasure for me to be one of the people debating on this Bill which talks about improvements and the addition of relevant amendments in order to assist communities.]

Mangibonge Somlomo amalunga ekomidi ebesidingida nawo lesi sichibiyelo ukuthi sikhulume ngazwi linye sivumelane sonke kungabi kho abaphuma ecaleni. I must also thank the three Legal Advisors that were giving us the guidance during the discussions on this Bill. Lesi sichibiyelo sizakusiza imiphakathi ngokuthi silungise ezinye izinto imiphakathi ibingaboni zihamba kahle ngokuthi ibe yingxenye kwizinto ezithinta impilo

yayo. Kuhle-ke futhi ngoba siyile kubantu sabanika lonke ithuba lokuphefumula ngalesi sichibiyelo. Umoya ubumuhle kakhulu Somlomo. Abantu bephakamisa konke abafuna kufakelwe kule-*Bill*. Nangona siyilo hulumeni sinazo izingqinambi ngalo mnyango, kepha sibashayela ihlombe abomnyango noNgqongqoshe abakwenzayo ukuthi basize abantu baKwaZulu-Natali ukuthi bahlale bephephile kwizigulo ezithi zihlasele imiphakathi yethu. I-overspending ayisho lutho kunokuthi kufe abantu ngoba sesaba ukuthi kuzothiwa si-overspendile. Sibonga nokunikezwa kukaNgqongqoshe amandla athile kulesi sichibiyelo, kepha Somlomo, ngifuna ukwedlula lapha, ukwentuleka kwamanzi kwindawo ezithile angazi noma ngenziwa ukuba ngihlala ezilalini yini. Kuseyinkinga emnyangweni ngoba phela amanzi ahlanzekileyo adingeka kakhulu empilweni yomuntu. Ngiyawuphakamisa lo mba wamanzi nangona sisazi ukuthi kuwumsebenzi womasipala, ama-district municipalities, kepha noMnyango Wezempilo uyathinteka. Somlomo, ngisincoma kakhulu isinyathelo salo Mnyango Wezempilo ukuthi nokuba unaziphi na izinkinga ophila phansi kwazo kepha bawugcine umphakathi uphephile ezifeni ngokuthi usebenzisane noma nabani oletha imibono engase yenze inqubekelaphambili kwezempilo. Lokhu ngikusho ngokuthi engikubone ngo see xa bengisendaweni yaseKhilimoni ngaphansi koMkhandlu wase Ingwe, ngaphansi kweSisonke District Municipality, kwindawo yasemakhaya eyenye yezindawo ezihlwempuzeke kakhulu, indawo ebhuqwa yindlala engenagesi, amanzi nezindlu zangasese, i.e toilets.

[Mr Speaker, let me thank the members of the committee with whom we have been discussing this amendment and with whom we agreed unanimously. I must also thank the three legal advisors who were giving us guidance during the discussions on this Bill. This amendment is going to assist communities by correcting certain things which communities did not regard as relevant. They will now be part of matters that affect their lives. It is also good that we went to the people and gave them an opportunity to comment on this amendment. The atmosphere was good. People raised all matters that they wanted to be included in this Bill. Even though we still face some obstacles regarding this department, we commend the department and the hon MEC for what they have done to help the people of KwaZulu-Natal so that they will always be shielded against diseases which may attack our communities. Overspending is preferable to the death of our people. We cannot let our people die just because we are afraid of the fact that other people will say we have overspent. We also appreciate certain powers that were given to the hon MEC in his amendment. However, Mr Speaker, I want to touch on

the lack of water in certain areas ... I don't know because I also come from a rural area, but it is still a problem for this department, because clean water is a requirement in the life of any person and I raise this issue of water, even though we know that it is a responsibility of municipalities, district municipalities, but the Department of Health is also affected. Mr Speaker, I commend what this department is doing in that, whatever problems they have, they are still keeping our communities safe from diseases through working with anyone who comes up with a suggestion that will bring about progress in the health sector. I am saying this because I saw this firsthand, when I visited an area called Khilimoni under Ingwe Municipality which falls under the Sisonke District Municipality in a rural area, which is one of the poorest places, a place that is affected by hunger, an absence of electricity, water and toilets.]

Ngifike Somlomo kukhona le nhlanganisela yodokotela ezibiza ngokuthi yi-Vuka Afrika, ihlasele khona, idokotela abantu kwesinye sezikolo. Odokotela abawu *fifteen* bedokotela abantu ngokwezigulo zabo ezahlukene. Abantu befumana amayeza abafanele ukuwafumana. Abafanele ukusiwa esibhedlele bahanjiswa khona kungakhokhwa ngisho nozukwa lo. Abantu ababelapho *they were plus or minus 1500*. Lokhu kuyabonisa ukuthi abantu bayazithanda izinhlelo zalo hulumente okhokhelwa yi-*African National Congress* ngoba sebeyabona ukuthi ubhekele ekuphuculeni impilo zabantu ngaphezu kokupolitika, ekudala baphila ngaphansi kwencindezelo ingakumbi abasemakhaya. Isikhathi sokupolitika sadlula siku *phase two*, sapolitika yangena i-*democracy*, manje sesithi abantu bathola ntoni na? Asisaxoxi ngepolitiksi zokubulala abantu nayo yonke leyo nto ngoba phela abantu bayazi ukuthi yeyiphi inhlango ebakhiphile eJiphuta. And bazoyovotela yona. Ungatsho ngoku ukuthi abazovotela wena bayobonwa laphaya evotini. Bayibona ngo see abantu intuthuko.

[When I got there, Mr Speaker, there was a doctors' organisation called "Vuka Afrika". It was giving medical attention to people in one of the schools. There were 15 doctors helping people who suffered from various illnesses. People were given relevant medicines. Those who were supposed to be taken to hospital were taken to hospital, without paying even one cent. There were some 1 500 people there. This indicates that people appreciate the programmes brought about by the ANC-led government, because now they can see for themselves that this government is determined to improve their lives, rather than playing politics. They have been living under oppression for a very long time, especially those people in rural areas. The time for politics has passed. We are

now in phase 2. We were involved in politics and eventually achieved democracy. Now we are asking what benefits people should be getting. We are not talking about the politics of killing people and all those things, because people know which party led them out of Egypt. They will vote for that party. Don't say now that people will vote for you! We will see what happens during the election. People can now see what development has taken place.]

Sengiqeda Somlomo, bengicela ukuthi kungakuhle Ngqongqoshe ukuthi uma leli thimba lodokotela lihambela imiphakathi emakhaya ithimba lakwa Home Affairs nelakwa Social Development ababe yingxenye yalo mkhankaso.

[In conclusion, Mr Speaker, I would request the hon MEC that when this team of doctors visits communities in rural areas, the Department of Home Affairs and the Department of Social Development should be part of that visit.]

Somlomo, I support the Bill.

[Mr Speaker, I support the Bill.]

END OF TAKE BBB 23

BBB24

DR B T BUTHELEZI (IFP): Hon Speaker I will withdraw the statement with regard to what you have ruled but, according to the context with which I wrote this statement I will still stand by what I have said. I will just withdraw it with regard to your ruling.

THE SPEAKER: The last part of your statement is telling me that you are not withdrawing your statement. And, if you are not withdrawing your statement, say so. If you are withdrawing your statement, just withdraw it with no qualifications.

DR B T BUTHELEZI: Statement withdrawn.

THE SPEAKER: Insert isiZULU **XXX03:53:25**

I have said to you before withdrawing your statement, withdraw it. Any member of this House who has to speak; stands up, switches on the microphone and speak. If you want to do so, do so – but if you do not want to do so you have a right. I will then respect it but

I will also have to rule on your conduct. Hon Dr Buthelezi?

DR B T BUTHELEZI: Statement withdrawn.

THE SPEAKER: Thank you Dr Buthelezi. Please sit down and I hope that such statements do not get made again. They are very wrong. I am now referring generally to all members. It is incorrect to use issues in this House that are offensive to other members. And we know they are offensive. It is not correct. I am asking all members respect other people's rights. I therefore give you an opportunity to have your ten minutes hon member.

DR B T BUTHELEZI: Thank you Mr Speaker. I hope Mr Speaker will be in a position also to address the issue of the hon Tambo.

I will start with the comments of the hon Miss McKay that my comments were not made in the Portfolio Committee. **Insert isiZULU XXX03:55:31**

Neither will I behave like an excited person who has an over-secretion of thyroxin in this room and start changing my behaviour in a way that she would suggest that we do. I will fast forward and go to the comments made by Ms R Naidoo and concur with the sentiment she has put here in that Health Professionals must be treated with dignity. I think her comments will assist and they will be welcomed by doctors Blaylock and Pfaff of Manguzi Hospital. We therefore, welcome your comments hon member.

On the issue raised by the hon VV Tambo, they are very unfortunate in that as she has publicly diagnosed me with some kind of an illness, I will honour the Hippocratic Oath which I took on 22 November 2000 and not disclose her own infirmities in this House because I do not want to stoop so low to the level where I would do exactly what she wants me to do. So, I am an honourable member. I am an ethical person; I will not stoop to that level.

Going back to my debate which is important in this House; the IFP believes that Section 5 of the KZN Health Bill, dealing with the powers and functions of the MEC will stop the abuse of health professionals such as we have seen in the headlines referring to the Manguzi doctors. We sincerely hope that the Bill will address the challenges besetting the province and KwaZulu-Natal is faced with double trouble on the Health fund with the pandemic of HIV and Aids and TB. This time around, the state of health for this

Department is poor and the progress is not good at all. The reasons are not hard to find why the state of health for this Department is poor. The first reason are years of focussing on peripheral issues in health, poor management systems and the province displays the worst health indicators overall with the highest mortality rates for both adults and children, with the greatest number of HIV infections, with the greatest number of Aids deaths – there are 300 deaths per day in this province resulting from HIV and Aids. With the greatest number of reported cases of TB, clearly the Health care system in this province is in crisis and urgent attention needs to be paid in order to deal with the huge burden of disease. We hope that this could be done after the general elections on 22 April 2009.

On the other end of the spectrum, the Western Cape Province has effectively and efficiently dealt with the Aids pandemic by introducing the ARV programme and dual therapy early enough and they have the best health indicators in this country. We know by now that the Department of Health will overrun its budget by at least R2 billion in this financial year 2008 and 2009 yet tertiary hospitals continue to function with doctor shortages of more than 60% seriously compromising service delivery. The situation is so serious that the adjustment budget of a further R740 million this year will hardly make any impact.

As far as the IFP is concerned, anyone who overspends by this much should be fired from her job. To further complicate matters, the Head Office at Natalia is also mired in a debilitating corruption scandal. Now, we want to say that the leadership vacuum which currently exists in the Department of Health has plugged on an ad-hoc basis ever since Dr Yoliswa Mbele was tasked with steering an obviously sinking ship. Annual reports from 2006 to 2008 show a growth in departmental staff numbers of some 13 360 and a budget spending increase of R5,5 billion including the R1,2 billion which was overspent in the last financial year 2007/2008.

One of the great downfalls of the KwaZulu-Natal public Health care system is that public hospitals struggle to fill vacant posts in spite of the province's mounting disease burden, the medical officers' vacancies have increased and the net shortage of medical staff came to a head in November last year after five months of angry finger pointing between senior public health physicians and political health leadership over the freezing of a post which was outlined in a June 2008 departmental circular. It was only in late November

that a crisis meeting led to a mutually agreed upon appointment process. However, by then it was so late that many doctors who would have been welcomed with open arms, had made applications elsewhere, resulting in at best a weak mitigation. We cannot over estimate how important it is to fill vacancies in the health sector. Where there are enough doctors and nurses available to see patients, the benefits to the health of the population are plain to see.

There is a staggering high number of technical advisors who are employed at Natalia as we speak and other highly paid civil servants in the last five years. Recently there was an advertisement of nine posts at head office for non-clinical personnel paid the same salaries as the clinical specialists which re-enforces the impression of a top-heavy gravy train for the health administration. The Department of Health must tell us how much money was being spent on administrative staff versus clinical staff now and five years ago. The Chief Whip must just control himself and just compose himself.

[Interjections] MBChB [Insert isiZulu](#)

Besides these factors, the Department justifies the cost over-runs by saying that National Treasury has allocated too little money to begin with. Whatever the case, ... Mr Speaker can you protect me from the Chief Whip who does not behave like a Chief Whip? [Laugh]

THE SPEAKER: [Insert isiZULU XXX04:02:49](#)

CHIEF WHIP: I was reminding him about the Rule that deals with issues of relevance. We are debating a Bill. Thank you.

THE SPEAKER: [Insert isiZULU XXX04:03:09](#)

Do not remind him because you do not have that authority. OK?

DR B T BUTHELEZI: Mr Speaker it is unfortunate that sometimes...[Interjections]

THE SPEAKER: [Insert isiZULU XXX04:03:18](#)

WHIP: [Insert isiZULU XXX04:03:24](#)

THE SPEAKER: [Insert isiZULU XXX04:03:35](#)

DR B T BUTHELEZI: *Ngiyathokoza* Speaker. It is unfortunate that sometimes we speak over the heads of some people and therefore they will begin to... **Insert isiZULU XXX04:04:10** irrelevant because we are speaking obviously over their heads.

The Department must tell us how much money was being spent on administrative staff versus clinical staff now and five years ago. Besides these factors, the department justifies the cost over-runs by saying that national Treasury has allocated too little money to begin with. Whatever the case, the Department of Health's subsequent hurried and clumsy bids to slash has led to serious income vacancies and has worsened service delivery in this province. Therefore, although as the IFP we support the Bill, we want to say that our state of health is in dire need of some changes and therefore we believe that, the Bill on its own will not address these matters but the change of the administration will bring about the change in the lives of the people of KwaZulu-Natal.

I will also take this opportunity and say in deed that administration we refer to it as the best tested and tried alternative. Thank you.

THE SPEAKER: We will now have the response from the MEC for 15 minutes.

MRS N P NKONYENI (MEC for Health): Thank you very much, hon Speaker. I will start off by thanking all the hon members for their progressive contributions to the Bill. I also wish to bid farewell to the hon member, Mrs Ambler-Moore. Indeed we are going to miss you and thank you very much for all your contributions that you have made – you have really contributed tremendously to the provincial Department of Health. Thank you very much, we are proud of you.

To the hon member, Dr B T Buthelezi, I wish to indicate that I will not respond to all your concerns that you have raised. In fact I do have all responses, but I will decide not to respond to you, besides saying that in my whole lifetime I have never seen such a hypocrite. [Interjections]

DR B T BUTHELEZI (IFP): On a point of order, Speaker...

THE SPEAKER: Hon MEC, I have just ruled that we should not say offensive things against persons who are members in this House. Your statement of referring to another hon member directly as a hypocrite is offensive and withdraw it.

MRS N P NKONYENI (MEC for Health): I humbly and honestly withdraw, hon Speaker.

To all the hon members, I wish to express our sincerest gratitude as the provincial Department of Health, for having worked with us. Indeed even the hon Dr B T Buthelezi has contributed tremendously to all the discussions that we have held as the Department of Health in the portfolio committee and outside of the portfolio committee, because whenever he realised that there were problems in any of our healthcare facilities, he would call, he would sensitise us and we appreciate it as the provincial Department of Health. We also acknowledge that it is election time, so whatever he has raised, it is because of that.

The Bill is straightforward, the Bill is going to promote quality healthcare services in the province of KwaZulu-Natal and every political party has realised that. There are no controversies in the Bill, hon Speaker, and indeed it shows that together we have done more. Thank you very much, hon Speaker.

THE SPEAKER: Thank you, hon MEC.

THE SPEAKER: Thank you, hon MEC.

Hon members, we have concluded this debate and as we conclude this debate, I just quickly want to get us to ... [Insert isiZulu \(4:10:22\)](#), because what I want to do now, is to put the question to the House. Will those who support the Bill say "aye". [Aye!] . Will those who oppose it say "no"? The "ayes" have it and therefore the Bill is supported and passed unanimously. That is all I wanted Inkosi [Insert isiZulu \(4:10:51\)](#).

Dr Buthulezi, you have asked me to look into the matter as raised by Miss Tambo. I have subsequently solicited what she said. Now what has been written here says: What happens in this House is funny. Members speak one language in the committee meeting and agree on everything. Then there is a sickness that qualified doctors speak [Insert isiZulu \(4:11:53\)](#). It is true that the ANC subscribes to the slogan: 'Working together we can do more.'

Now I have not been able to solicit directly what this means. I did not have that opportunity yet, but at the next sitting day of this House, I will rule on this matter. I also try to get the proper transcripts, because when I rule on it, I want to be sure that I have addressed every aspect thereof, not just one aspect. So, I hope you will bear with me

and at the next sitting you will be here. If you are not, I will still make the ruling. You do have a whip that will then explain it to you.

There is an omission in this morning's announcement, which I will now make because we have come to the end of our debate and our Order Paper. The omission was that hon M J Mazibuko was omitted from a list of those members who were born somewhere in this period from December till today. The information that we did get from Mr Mazibuko is that he was in fact born on 20 February 2009. I firstly want to apologise for that omission, but secondly thank you for bringing it to my attention, but more so that you brought it to my attention in a spirit of brotherhood. I do not think he would have minded it, because in the spirit of brotherhood it was a sincere omission. It was not done deliberately. Good luck. We also wish you well in the years ahead and in the immediate days before you.

Hon members, I now thank you and want to ascertain if there are any further announcements to be made. No.

The House was adjourned at ... **[Take in from the Minutes]**