

DEBATES AND PROCEEDINGS OF THE

KWAZULU-NATAL LEGISLATURE

FIRST SESSION

FOURTH LEGISLATURE

WEDNESDAY, 6 MAY 2009

**THE HOUSE MET AT THE 10:15 IN THE LEGISLATIVE CHAMBER,
PIETERMARITZBURG.**

1. COMMENCEMENT OF SITTING

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn):

Ladies and gentlemen, we now invite religious leaders to say brief prayers.

Religious leaders Pastor Sylvester Cele, Ms Ela Gandhi and Rabbi P Zekry said their prayers from the podium, in turn.

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn):

Please be seated.

2. SWEARING IN OF MEMBERS

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn):

Good morning, ladies and gentlemen. The first sitting of the Fourth Legislature of KwaZulu-Natal has been convened by me as the Judge designated by the Chief Justice of the Constitutional Court, in terms of Section 110(1) of the Constitution of the Republic of South Africa, 1996, Act 108 of 1996.

The purpose of this sitting is to swear in members of this House and to elect members of the House to be Premier of the Province of KwaZulu-Natal, Speaker and Deputy Speaker, as envisaged by Section 111 and Section 128 of the Constitution.

The Judge designated by the Chief Justice has approved the Rules for the conduct of the meeting, as contemplated in Item 9 of Part A to Schedule 3 of the Constitution. Copies of the Rules are on your desks.

I have appointed the following persons to be Returning Officer and two Assistant Returning Officers, respectively, to assist me in the proceedings of this meeting. They are:

1. Nerusha Naidoo
2. Nomkhosi Patience Catherine Ndaba, and
3. Bongani David Sibisi

They individually took an Oath for such office before me this morning. I now request the Returning Officer to read the notice whereby this meeting has been called.

THE RETURNING OFFICER (Ms N Naidoo): Thank you, Mr Judge President. The notice reads as follows:

I, Phillip Levinsohn, Acting Judge President of the High Court of KwaZulu-Natal, being the Judge designated by the Chief Justice of the Constitutional Court, hereby, under the powers vested in me by Section 110(1) of the Constitution of the Republic of South Africa, 1996, determine Wednesday, the 6th day of May 2009 at 10:00 as the date of, and the time for, the first sitting of the Fourth Legislature of KwaZulu-Natal.

Further, as advised by the Secretary to the KwaZulu-Natal legislature, the venue of the first sitting of the Fourth Legislature of KwaZulu-Natal shall be the Legislative Chamber, situated at 239 Langalibalele Street, Pietermaritzburg.

Given under my hand at Durban, this 23rd day of April 2009.

This document was signed by Acting Judge President Mr P Levinsohn. Thank you.

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Thank you, Returning Officer. I will now call a short time-out to allow the press to come into the House and to take photographs.

[Time allowed for photographs]

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn):

Thank you, members of the press.

3. SWEARING IN OF MEMBERS

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): In terms of Section 107 of the Constitution, members of the KwaZulu-Natal Legislature must swear or affirm faithfulness to the Republic of South Africa and obedience to the Constitution of the Republic of South Africa before they begin to perform their functions.

We therefore commence with the administering of the Oath or Solemn Affirmation to members.

The procedure for the ceremony will be as follows:

The Returning Officer will call out the names of members in accordance with the list drawn up by prior arrangement with the parties. Members must come to the Table in groups of up to five, in response to their names, to take the Oath or Solemn Affirmation.

I will read out the Oath or Solemn Affirmation, as the case may be. Thereafter each person must state his or her name separately and consecutively in the order as you stand before the Table. Each member taking the Oath must, at the end of the Oath, raise his or her hand and say, "So help me God" or affirm, as the case may be.

Members must kindly, after taking the Oath, step forward and individually sign the oath form handed to them by the assistant.

The Returning Officer will now call the names of the members.

3.1 ADMINISTERING OF OATH/SOLEMN AFFIRMATION

THE RETURNING OFFICER (Ms N Naidoo): Jo-Ann Mary Downs (ACDP).

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Do you swear that you will be faithful to the Republic of South Africa and will obey, respect and uphold the Constitution and all other laws of the Republic; and do you solemnly

promise to perform your functions as a member of the Legislature of KwaZulu-Natal to the best of your ability? Raise your right hand and say "So help me God."

[Member sworn in]

THE RETURNING OFFICER (Ms N Naidoo): Zwelini Lawrence Mkhize (ANC); Catharina Magdalena Cronjé (ANC); Edward Senzo Mchunu (ANC); Neliswa Peggy Nkonyeni (ANC) and Thembinkosi Willies Mchunu (ANC).

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Do you swear that you will be faithful to the Republic of South Africa and will obey, respect and uphold the Constitution and all other laws of the Republic; and do you solemnly promise to perform your functions as members of the Legislature of KwaZulu-Natal to the best of your ability? Raise your right hands and say "So help me God."

[Members sworn in]

THE RETURNING OFFICER (Ms N Naidoo): Lydia Johnson (ANC); Bhekokwakhe Hamilton Cele (ANC); Weziwe Gcotyelwa Thusa (ANC); Michael Mabuyakhulu (ANC) and Belinda Francis Scott (ANC).

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Do you swear that you will be faithful to the Republic of South Africa and will obey, respect and uphold the Constitution and all other laws of the Republic; and do you solemnly promise to perform your functions as members of the Legislature of KwaZulu-Natal to the best of your ability? Raise your right hands and say "So help me God."

[Members sworn in]

THE RETURNING OFFICER (Ms N Naidoo): Bonginkosi Meshack Radebe (ANC); Nomsa Dube (ANC); Zakehle John Mchunu (ANC) and Makhosi Busisiwe Khoza (ANC).

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Do you swear that you will be faithful to the Republic of South Africa and will obey, respect and uphold the Constitution and all other laws of the Republic; and do you solemnly promise to perform your functions as members of the Legislature of KwaZulu-Natal to the best of your ability? Raise your right hands and say "So help me God."

[Members sworn in]

THE RETURNING OFFICER (Ms N Naidoo): Yatima Makhosazana Nahara (ANC); Thomas Mxolisi Kaunda (ANC); Zanele Maria Ludidi (ANC); Mtholephi Emmanuel Mthimkhulu (ANC) and Nhlakanipho Ntombela (ANC).

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Do you swear that you will be faithful to the Republic of South Africa and will obey, respect and uphold the Constitution and all other laws of the Republic; and do you solemnly promise to perform your functions as members of the Legislature of KwaZulu-Natal to the best of your ability? Raise your right hands and say "So help me God."

[Members sworn in]

THE RETURNING OFFICER (Ms N Naidoo): Happy Mamlili Blose (ANC); Siphosiphiso Joseph Gcabashe (ANC); Lindiwe Christabola Bebee (ANC); Muntukayise Bhekuyise Ntuli (ANC) and Gloria Nonzwakazi Swartbooi (ANC).

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Do you swear that you will be faithful to the Republic of South Africa and will obey, respect and uphold the Constitution and all other laws of the Republic; and do you solemnly promise to perform your functions as members of the Legislature of KwaZulu-Natal to the best of your ability? Raise your right hands and say "So help me God."

[Members sworn in]

THE RETURNING OFFICER (Ms N Naidoo): Siphosiphiso Caiphas Nkosi (ANC); Vuyelwa Vivian Tambo (ANC); Samuel Nkosiyezwe Mtetwa (ANC); Winile Prudence Zondi (ANC) and Michael Ashton Tarr (ANC).

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Do you swear that you will be faithful to the Republic of South Africa and will obey, respect and uphold the Constitution and all other laws of the Republic; and do you solemnly promise to perform your functions as members of the Legislature of KwaZulu-Natal to the best of your ability? Raise your right hands and say "So help me God."

[Members sworn in]

THE RETURNING OFFICER (Ms N Naidoo): Linda Xolelwa Hlobisile Hlongwa (ANC); Marlene Virginia Noel (ANC); Sihlangu Joffrey Vilane (ANC); Nomakiki Roseline Majola (ANC) and Dumisani Nicholas Khuzwayo (ANC).

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Do you swear that you will be faithful to the Republic of South Africa and will obey, respect and uphold the Constitution and all other laws of the Republic; and do you solemnly promise to perform your functions as members of the Legislature of KwaZulu-Natal to the best of your ability? Raise your right hands and say “So help me God.”

[Members sworn in]

THE RETURNING OFFICER (Ms N Naidoo): Rampathie Naidoo (ANC); Aumsensingh Singh (ANC); Mbalenhle Cleopatra Frazer (ANC); Jan Hendrik Slabbert (ANC) and Lungelwa Lynette Zwane (ANC).

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Do you swear that you will be faithful to the Republic of South Africa and will obey, respect and uphold the Constitution and all other laws of the Republic; and do you solemnly promise to perform your functions as members of the Legislature of KwaZulu-Natal to the best of your ability? Raise your right hands and say “So help me God.”

[Members sworn in]

THE RETURNING OFFICER (Ms N Naidoo): Sibongiseni Maxwell Dhlomo (ANC); Lizzie Fikelephi Shabalala (ANC); Siboniso Armstrong Duma (ANC); Ntombizodwa Doris Sikosana (ANC) and Ravigasen Ranganathan Pillay (ANC). [Interjections]

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Members, can we please have some order?

Do you swear that you will be faithful to the Republic of South Africa and will obey, respect and uphold the Constitution and all other laws of the Republic; and do you solemnly promise to perform your functions as members of the Legislature of KwaZulu-Natal to the best of your ability? Raise your right hands and say “So help me God.”

[Members sworn in]

THE RETURNING OFFICER (Ms N Naidoo): Makhoni Maria Ntuli (ANC); Ramarak Maharaj (ANC); Priscilla Mary McKay (ANC) and Ndawoyakhe Wilson Ngcobo (ANC).
[Interjections]

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn):
Order, please!

Do you swear that you will be faithful to the Republic of South Africa and will obey, respect and uphold the Constitution and all other laws of the Republic; and do you solemnly promise to perform your functions as members of the Legislature of KwaZulu-Natal to the best of your ability? Raise your right hands and say "So help me God."

[Members sworn in]

THE RETURNING OFFICER (Ms N Naidoo): Dora Dunana Dlamini (ANC).

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Do you swear that you will be faithful to the Republic of South Africa and will obey, respect and uphold the Constitution and all other laws of the Republic; and do you solemnly promise to perform your functions as a member of the Legislature of KwaZulu-Natal to the best of your ability? Raise your right hand and say "So help me God."

[Member sworn in]

THE RETURNING OFFICER (Ms N Naidoo): Magesvari Govender (ANC) and Richard Themba Mthembu (ANC).

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Do you solemnly affirm that you will be faithful to the Republic of South Africa and that you will obey, respect and uphold the Constitution and all other laws of the Republic; and do you solemnly promise to perform your functions as members of the Legislature of KwaZulu-Natal to the best of your ability?

[Members sworn in]

THE RETURNING OFFICER (Ms N Naidoo): Lucky Sifiso Gabela (COPE).

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Do

you swear that you will be faithful to the Republic of South Africa and will obey, respect and uphold the Constitution and all other laws of the Republic; and do you solemnly promise to perform your functions as a member of the Legislature of KwaZulu-Natal to the best of your ability? Raise your right hand and say "So help me God."

[Member sworn in]

THE RETURNING OFFICER (Ms N Naidoo): John Henry Steenhuisen (DA); Sizwe Wiseman Mchunu (DA); Thomas Francis Norman Stokes (DA) and Radley Edward Keys (DA).

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Do you swear that you will be faithful to the Republic of South Africa and will obey, respect and uphold the Constitution and all other laws of the Republic; and do you solemnly promise to perform your functions as members of the Legislature of KwaZulu-Natal to the best of your ability? Raise your right hands and say "So help me God."

[Members sworn in]

THE RETURNING OFFICER (Ms N Naidoo): Makhosazana Mpho Mdlalose (DA).

THE PRESIDING OFFICER (Acting Judge President Mr P Levinsohn): Do you mind reading out the Oath? Thereafter please say "So help me God."

MS M M MDLALOSE (DA): Mina ngiyafunga ngokuzithoba ukuthi ngizokwethembeka kwiRiphabhuliki yaseNingizimu Afrika futhi ngizothobela, ngihloniphe futhi ngesekele uMthethosisekelo kanye nayo yonke eminye imithetho yaseRiphabhuliki; futhi ngethembisa ngokuzithoba ukuthi ngizokwenza imisebenzi yami njengelungu lesiShayamthetho saKwaZulu-Natali ngawo wonke amandla ami. Inkosi ingisize.

[Interjections]

[Member sworn in]

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Order, please! Order!

THE RETURNING OFFICER (Ms N Naidoo): Johann Krog (DA).

DIE VOORSITTENDE BEAMPTE (Waarnemende Regter-President Sy Edele Regter P Levinsohn): Sweer u trou aan die Republiek van Suid-Afrika en sweer u dat u die Grondwet en alle ander wette van die Republiek sal gehoorsaam, eerbiedig en onderhou; en belowe u plegtig om u funksies as 'n lid van die Wetgewer van KwaZulu-Natal na die beste van u vermoë uit te voer? Indien wel, met u regterhand omhoog, sê asseblief "So help my God."

[Lid ingehuldig]

THE RETURNING OFFICER (Ms N Naidoo): Ganesan Mari.

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Do you solemnly affirm that you will be faithful to the Republic of South Africa and that you will obey, respect and uphold the Constitution and all other laws of the Republic; and do you solemnly promise to perform your functions as a member of the Legislature of KwaZulu-Natal to the best of your ability?

[Member sworn in]

THE RETURNING OFFICER (Ms N Naidoo): Lionel Percival Hercules Mbeki Mtshali (IFP); Mntomuhle Khawula (IFP); Nyanga James Ngubane (IFP); Muziwekosi Blessed Gwala (IFP) and Bonginkosi Thomas Buthelezi (IFP).

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Do you swear that you will be faithful to the Republic of South Africa and will obey, respect and uphold the Constitution and all other laws of the Republic; and do you solemnly promise to perform your functions as members of the Legislature of KwaZulu-Natal to the best of your ability? Raise your right hands and say "So help me God."

[Members sworn in]

THE RETURNING OFFICER (Ms N Naidoo): Bonga Nkanyiso Mdletshe (IFP); Henry Leach Combrinck (IFP); Alexander James Hamilton (IFP); Lindani Agnes Mncwango (IFP) and Thulasizwe Dominic Buthelezi (IFP).

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Do you swear that you will be faithful to the Republic of South Africa and will obey, respect

and uphold the Constitution and all other laws of the Republic; and do you solemnly promise to perform your functions as members of the Legislature of KwaZulu-Natal to the best of your ability? Raise your right hands and say "So help me God."

[Members sworn in]

THE RETURNING OFFICER (Ms N Naidoo): Roman Liptak (IFP); Mfuniselwa John Bhengu (IFP); Moses Zamindlela Ngamizizwe Madlala (IFP); Lourens Johannes de Klerk (IFP) and Soobramoney Vythilingam Naicker (IFP).

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Do you swear that you will be faithful to the Republic of South Africa and will obey, respect and uphold the Constitution and all other laws of the Republic; and do you solemnly promise to perform your functions as members of the Legislature of KwaZulu-Natal to the best of your ability? Raise your right hands and say "So help me God."

[Members sworn in]

THE RETURNING OFFICER (Ms N Naidoo): Mpikayipheli Joel Mthethwa (IFP); Usha Roopnarain (IFP) and Nthandoyenkosi Bisset Shabalala (IFP).

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Do you swear that you will be faithful to the Republic of South Africa and will obey, respect and uphold the Constitution and all other laws of the Republic; and do you solemnly promise to perform your functions as members of the Legislature of KwaZulu-Natal to the best of your ability? Raise your right hands and say "So help me God."

[Members sworn in]

THE RETURNING OFFICER (Ms N Naidoo): Amichand Rajbansi (MF) and Shameen Thakur-Rajbansi (MF).

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Do you swear that you will be faithful to the Republic of South Africa and will obey, respect and uphold the Constitution and all other laws of the Republic; and do you solemnly promise to perform your functions as members of the Legislature of KwaZulu-Natal to the best of your ability? Raise your right hands and say "So help me God."

[Members sworn in] [Interjections]

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn):

Order, please!

Hon members, this concludes the procedure for administering the Oath and the Solemn Affirmation.

4. ELECTION OF PREMIER

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): The meeting will now proceed with the election of the Premier of the Province of KwaZulu-Natal.

Before I call for nominations, I must remind hon members that, in terms of Section 128(1) of the Constitution, no person may be elected as Premier unless he or she is a member of the provincial Legislature.

Further, in terms of Item 3 of Part A to Schedule 3 of the Constitution, each nomination must be submitted on the prescribed form and duly seconded.

I draw the attention of hon members to Item 4 of Part A to Schedule 3 of the Constitution, in terms of which there may be no debate.

Hon members are further advised that the voting procedures in this House today are to be determined in terms of Section 112(1)(c) of the Constitution, that is, all voting decisions will be decided by a majority of votes cast.

There will now be an opportunity for nominations for Premier of the KwaZulu-Natal Legislature.

MR B H CELE (ANC): Mr Acting Judge President, I hereby nominate Dr Zwelini Lawrence Mkhize for election as Premier.

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Zwelini Lawrence Mkhize has been nominated. Is this nomination seconded?

MRS C M CRONJÉ (ANC): Mr Acting Judge President, I second the proposal.

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn):

Thank you. Please present the nomination form to the Returning Officer.

Returning Officer, do you have the nomination form?

THE RETURNING OFFICER (Ms N Naidoo): Yes, Mr Acting Judge President. I have the nomination form.

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Are you satisfied as to the identity of every signatory to the nomination paper, and that the nomination paper has been properly completed?

THE RETURNING OFFICER (Ms N Naidoo): Yes, Acting Judge President, I am so satisfied.

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Are there any further nominations? [Interjections]

MR S W MCHUNU (DA): Honourable Acting Judge President, I hereby nominate John Henry Steenhuisen for election as Premier. [Interjections]

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Is that nomination seconded?

MR G MARI (DA): Honourable Acting Judge President, I have pleasure in seconding the proposal.

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Thank you. Would you present the nomination form to the Returning Officer, please?

Returning Officer, do you have the nomination form?

THE RETURNING OFFICER (Ms N Naidoo): Yes, Mr Acting Judge President. I have the nomination form.

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Are you satisfied that it has been properly completed?

THE RETURNING OFFICER (Ms N Naidoo): Yes, Acting Judge President, I am so

satisfied.

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Hon members, more than one candidate has been nominated. In accordance with Item 6, Part A, Schedule 3 of the Constitution, a vote must now be taken by secret ballot. Each hon member present at this meeting is entitled to one vote. The candidates who have been nominated are Zwelini Lawrence Mkhize and John Henry Steenhuisen.

I will now suspend the election for a period sufficient to prepare for the voting. Once the preparations are concluded, the bells will be rung for five minutes. Hon members are requested to report promptly to the House when the bells are rung. The doors will then be locked and the voting will continue. The election is therefore suspended.

The Sergeant-at-Arms led the procession out of the House.

After the bells were rung, the Sergeant-at-Arms led the procession into the House.

Upon resumption:

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Hon members, we resume the election. The procedure will be as follows –

The Returning Officer will call out the name of an hon member who is eligible to vote from a list that she has with her.

When the Returning Officer calls out the name of that hon member, he or she must please proceed towards the polling booth. At the polling booth, the First Assistant Returning Officer will immediately hand out a ballot form to the hon member whose name has been called, whereupon that Returning Officer must indicate that the Member in question has received a ballot form by placing a mark, on the list, against the hon member's name.

The hon member must then record his or her secret vote on the ballot paper, in the space provided, against the name of the candidate for whom he or she desires to vote.

The hon member must thereafter fold the ballot paper such that the official mark on the reverse of the ballot paper is visible. On exiting the polling booth, the hon member must show the official mark to the Second Assistant Returning Officer, who will be in

attendance with the ballot box. The hon member must then insert the completed ballot paper into the ballot box.

If an hon member has inadvertently spoiled his or her ballot paper, he or she must bring it to my attention so that I can request the Returning Officer to bring the spoiled ballot paper to me for inspection, cancellation and the issuing to that hon member of a new ballot paper.

I now call upon the Returning Officer to call out the names of the eligible hon members, and I call upon the First and Second Assistant Returning Officers to commence their duties.

Voting commenced and was concluded.

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Hon members, I now suspend the election for a period sufficient to allow for the counting of the votes. The election will resume upon the bells being rung for a period of five minutes.

The Sergeant-at-Arms led the procession out of the House.

After the bells were rung, the Sergeant-at-Arms led the procession into the House.

Upon resumption:

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Hon members, the election will resume. The votes have been counted and the result is as follows:

| | |
|-------------------------|----|
| Spoilt votes: | 4 |
| Abstentions: | 1 |
| Zwelini Lawrence Mkhize | 68 |
| John Henry Steenhuisen | 7 |

In terms of Item 6(c) of Part A of Schedule 3 to the Constitution, I accordingly declare Zwelini Lawrence Mkhize the duly elected Premier of the Province of KwaZulu-Natal. [Applause] Order! Order! Order!

On behalf of all here present, I congratulate you on your election as Premier. I now declare the election of the Premier to be closed.

In am informed that the Premier will be sworn in in accordance with Schedule 2 to the Constitution on the 11th of May 2009. A formal announcement in this regard will be made at the end of this sitting. At this stage I invite members of the press to come into the Chamber and to take pictures of the Premier. [Singing]

Hon members, I now call on the hon Premier to say a few words.

DR Z L MKHIZE (Premier of KwaZulu-Natal): Thank you, honourable Acting Judge President. Thank you also to the hon Acting Premier, my hon colleague comrade Mike Mabuyakhulu; comrades and hon members of the African National Congress; hon Leader of the Opposition; hon members of the IFP; the DA; the MF; the ACDP and COPE.

Honourable Acting Judge President, may I start by thanking you for taking the time to be with us today for the purpose of officiating in this first sitting of our House, and for the purposes of overseeing the election of the Premier, the Speaker and the Deputy Speaker. We thank you very much for your time. Kindly convey our gratitude to the honourable Judge President, as well.

I also wish to congratulate all hon members of this House on having been elected as members of this House. We congratulate you and we want to say that we, together and collectively, are the representation of the will of the people of KwaZulu-Natal.

It is with great humility that I accept the nomination as Premier of KwaZulu-Natal. I wish to thank hon members of this House for having the confidence in nominating me to the position of leadership in our beautiful province. I thank my party, the African National Congress, whose support my nomination also represents.

More importantly, I wish to thank all the people of this province who have voted and renewed their confidence and mandate in our government. Their enthusiasm demonstrated in the long, patient queues meandering in different voting stations, recorded one of the highest voter turn-outs in the history of our democracy. We pay tribute to our alliance partners who have helped us to achieve this electoral victory that the ANC scored.

I wish to pay tribute to my predecessor, the former Premier S'bu Ndebele. I wish to thank him for a job well done when he was the Premier of the Province. He conducted himself in a manner that bestowed dignity to the office of the first citizen of our province. He leaves behind a catalogue of achievements and a wonderful spirit of camaraderie amongst colleagues and comrades. As we wish him well in his career, we commit to build on the foundation he laid in his leadership and service delivery to achieve higher levels of development for our people.

The fact that the African National Congress has appointed the second Premier in the Province of KwaZulu-Natal is a reflection of the growing level of confidence that people of KwaZulu-Natal have for our party. We undertake to use the power and authority bestowed by our people on us solely for their upliftment and the realisation of a better life for all our people.

These are huge responsibilities, but with the support of hon members of this House, our partners in the labour movement, in the business community and civil society, as well as the citizens who came to the polls in great numbers to reaffirm the mandate of this government, our duty will be made easier.

I thank you for your nomination, and I know that I can count on the support of all hon members of this House as we work together on the government's agenda and the priorities in the coming five years: improving service delivery, fighting poverty, unemployment, crime and corruption, promoting rural development and revamping our health and education systems.

I look forward to a period of robust debate, engaging on issues of governance and creating a better life for all our people in this province.

In closing, I would also like to extend warm words of congratulations to His Excellency Jacob Zuma for having been elected as President of South Africa today. I thank you, ladies and gentlemen.

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn):
Thank you, hon Premier.

5. ELECTION OF SPEAKER

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Hon members, this meeting will now proceed with the election of the Speaker of this House.

Before I call for nominations, I will remind hon members once again that no person may be elected as Speaker unless he or she is an hon member of the provincial Legislature.

Further, in terms of Item 3 of Part A to Schedule 3 to the Constitution, each nomination must be submitted on the prescribed form and duly seconded.

I draw the attention of hon members to Item 4 of Part A to Schedule 3 of the Constitution, in terms of which there may be no debate.

Hon members are further advised that the voting procedures in this House today are to be determined in terms of Section 112(1)(c) of the Constitution, that is, all voting decisions will be decided by a majority of votes cast.

There will now be an opportunity for nominations for Speaker of the KwaZulu-Natal Legislature.

MR T W MCHUNU (ANC): Honourable Acting Judge President, I hereby nominate Ms Neliswa Peggy Nkonyeni for election as Speaker.

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Is this nomination seconded?

MRS W G THUSE (ANC): Thank you, honourable Acting Judge President. I second the proposal.

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Thank you. Please present the nomination form to the Returning Officer.

Returning Officer, are you satisfied with the nomination form?

THE RETURNING OFFICER (Ms N Naidoo): Yes, Mr Acting Judge President, I am so satisfied.

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Are

there any further nominations? [Interjections]

MR J H STEENHUISEN (DA): Mr Acting Judge President, I hereby nominate Mr Radley Edward Keys for election as Speaker. Thank you.

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Is this nomination seconded?

MR G MARI (DA): Thank you, Acting Judge President. I second the nomination.

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Thank you. Kindly present the nomination form to the Returning Officer.

Returning Officer, are you satisfied with the nomination form?

THE RETURNING OFFICER (Ms N Naidoo): Yes, Mr Acting Judge President, I am so satisfied.

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): May I have the nomination forms, please?

Hon members, there are two nominations, namely Neliswa Peggy Nkonyeni and Radley Edward Keys. There will have to be an election, as previously. I hereby suspend the election until the ballot papers have been prepared. Oh, I believe that the ballot papers are ready, so we will proceed with the election straight away. The names of the persons voting will be called out, as previously, and the ballot will take place.

Voting commenced and was concluded.

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Hon members, I now suspend the election for a period sufficient to allow for the counting of the votes. The election will resume upon the bells being rung for a period of five minutes.

The Sergeant-at-Arms led the procession out of the House.

After the bells were rung, the Sergeant-at-Arms led the procession into the House.

Upon resumption:

THE PRESIDING OFFICER (Acting Judge President Mr Justice P Levinsohn): Hon members, the election will resume. The votes have been counted and the result is as follows:

| | |
|------------------------|----|
| Spoilt votes | 3 |
| Abstentions | 2 |
| Neliswa Peggy Nkonyeni | 67 |
| Radley Edward Keys | 7 |

In terms of Item 6(c) of Part A of Schedule 3 to the Constitution, I accordingly declare Neliswa Peggy Nkonyeni the duly elected Speaker of the KwaZulu-Natal Legislature.

On behalf of all of us present here, I congratulate you on your election as Speaker. I now declare the election of the Speaker to be closed and call upon the hon Speaker to take up the Speaker's Chair. [Singing]

The Speaker will now have an opportunity to say a few words, after which she will preside over the election of the Deputy Speaker.

[The Speaker takes the Chair.]

THE SPEAKER: Thank you very much, Acting Judge President. Acting Premier, hon Premier-elect, Dr Zweli Mkhize, religious leaders present here today, hon members of this House, I wish to thank you for the honour and privilege of having elected me as Speaker. As I assume this position, I follow the line of distinguished individuals who have held this position before me. In fact, I am the fourth democratically elected Speaker in the fourth term of our provincial Legislature.

Our province has distinguished itself as having one of the most vibrant legislatures in the country. My immediate predecessor presided over a House consisting of seven political parties - a feat in the history of our country's legislatures. As I take this baton, there are six political parties represented here. All this shows that ours is indeed a truly multiparty democracy.

I am honoured to be elected as Speaker of this House, and I am equally convinced that

together we cannot fail the people of KwaZulu-Natal who have entrusted us with the responsibility to improve their lot.

It is the role of Speaker to ensure that the business of the Legislature is conducted in an orderly manner so it is fair to all parties represented in this House. I follow in the path of many distinguished Speakers, none more so than the first Speaker, the late Mr Gideon Mdlalose and, more recently, Mr Willies Thembinkhosi Mchunu who set the standard for all those who followed him. Together they combined an ability to be firm and impartial. They also had a very good temper. I shall therefore endeavour to be a worthy successor in that regard. [Interjections]

The strength of our democracy lies not in what we say or do not say during the debates, but rather in what we do or do not do as elected public representatives. Collectively we carry the will of the people. Therefore, regardless of our political affiliations, we should not lose of the fact that people of KwaZulu-Natal have seen it fit to elect us as their leaders. They look upon us as people who will free them from the shackles of poverty and underdevelopment. In a nutshell, their hopes and aspirations rest on our shoulders.

I was humbled by an earlier input from the Secretary when I held a meeting with her. She, together with her administration, promised us their unwavering support as we execute our mandate. I want to vow that, as Speaker, I will work towards creating a platform wherein the Legislature's administrative wing will be able to showcase its competence, its professionalism and its excellence. In doing so, I will be mindful of the fact that the success of this institution collectively resides within the political and administrative wing of the institution working together. As I look forward to the next five years, I am cognisant of the mandate given to us by the people of KwaZulu-Natal. I daresay, collectively we should not be found wanting, for history will judge us very harshly if we do so.

I thank the African National Congress for having confidence in me by having exposed me to both the Executive Council and the Legislature of the Province of KwaZulu-Natal. As Speaker I accept the honour and look forward to working with you for the betterment of our people. I thank you. [Applause]

6. ELECTION OF DEPUTY SPEAKER

THE SPEAKER: Hon members, the meeting will now proceed with the election of the Deputy Speaker of this House.

Before I call for nominations, I remind hon members that in terms of Section 111(1) of the Constitution, no person may be elected as Deputy Speaker unless he or she is a member of the provincial Legislature.

Further, in terms of Item 3 of Part A to Schedule 3 to the Constitution, each nomination must be submitted on the prescribed form and duly seconded.

I draw the attention of hon members to Item 4 of Part A to Schedule 3 of the Constitution, in terms of which there may be no debate.

Hon members are further advised that the voting procedures in this House today are to be determined in terms of Section 112(1)(c) of the Constitution, that is, all voting decisions will be decided by a majority of votes cast.

There will now be an opportunity for nominations for Deputy Speaker of the KwaZulu-Natal Legislature.

MRS L JOHNSON (ANC): Madam Speaker, I nominate Mtholephe Emmanuel Mthimkhulu for election as Deputy Speaker.

THE SPEAKER: Thank you, hon member. Mr Mtholephe Emmanuel Mthimkhulu has been nominated. Is this nomination seconded?

MR M MABUYAKHULU (ANC): Madam Speaker, I second the proposal.

THE SPEAKER: Thank you. Please present the nomination form to the Returning Officer.

Returning Officer, are you satisfied as to the identity of every signatory to the nomination paper, and that the nomination paper has been properly completed?

THE RETURNING OFFICER (Ms N Naidoo): Yes Madam Speaker, I am so satisfied.

THE SPEAKER: Thank you. Are there any further nominations?

In view of the fact that a single candidate has been nominated, in accordance with Item 5, Part A, Schedule 3 to the Constitution, I declare Mr Mtolephe Mthimkhulu the elected Deputy Speaker of the KwaZulu-Natal Legislature. [Singing]

On behalf of all here present, I congratulate you on your election as Deputy Speaker, hon colleague. I now declare the election of the Deputy Speaker to be closed.

[The Deputy Speaker takes the Deputy Speaker's Chair]

THE SPEAKER: The hon Deputy Speaker will now have an opportunity to say a few words.

THE DEPUTY SPEAKER: Madam Speaker, Acting Judge President of KwaZulu-Natal, hon Acting Premier, hon Premier Elect, hon members, religious leaders, ladies and gentlemen, firstly I would like to accept this election as your Deputy Speaker with profound humility. I take it as a real honour to serve you and the people of our beautiful Province of KwaZulu-Natal.

I would like to thank my party, the mighty African National Congress, for having had full confidence in us by nominating us as Speaker and Deputy Speaker of this House.

I also want to thank all members from all parties for having voted us into this office, and we commit ourselves to serve you with dignity and with distinction in the interests of the people of our province and of our country in general. I thank you, Madam Speaker. [Applause]

THE SPEAKER: Thank you very much, Deputy Speaker.

7. CONFERRAL OF MANDATE ON NCOP DELEGATION TO NOMINATE OR VOTE FOR CHAIRPERSON OF THE NCOP

THE SPEAKER: Hon members, at this juncture I deem it appropriate to seek a proposer and a seconder for the adoption of a resolution, conferring a mandate on the KwaZulu-Natal provincial delegation to the National Council of Provinces to nominate a chairperson of the National Council of Provinces and to vote for that nominee, if required, in accordance with Section 64 of the Constitution and the procedure prescribed in Part A of Schedule 3 to the Constitution. Hon member, can you propose?

MRS C M CRONJÉ (ANC): Madam Speaker, I hereby propose as follows:

This House noting:

That in accordance with section 64(1) of the Constitution of the Republic of South Africa, 1996, the National Council of Provinces, must elect a Chairperson from amongst the provincial delegates;

That in accordance with section 64(2) of the Constitution, the Chairperson is elected for a term of five years, and

That in accordance with the prescribed procedure set out in item 3(2)(b) and 6(a) and (b) of Part A of Schedule 3 to the Constitution -

- (a) the nomination forms must be signed on behalf of two provincial delegations;
- (b) if more than one candidate is nominated, a vote must be taken by secret ballot, and
- (c) each province represented at the meeting may cast one vote.

Therefore resolves:

To mandate the KwaZulu-Natal provincial delegation to the National Council of Provinces to nominate Mninwa Johannes Mahlangu as Chairperson in terms of section 64(2) of the Constitution, and

To vote for the person so nominated as Chairperson at a meeting of the NCOP, if voting is required.

I so move, Madam Speaker.

THE SPEAKER: Hon members, you are reminded that the voting procedures are determined by Section 112(1)(c) of the Constitution, that is, all voting decisions will be decided by a majority of votes cast. Once I put the resolution to the vote, I will request those members in favour of the resolution to stand and to remain standing until the counting of votes has been concluded. Those against the resolution must be seated and

remain seated until the counting of votes has been concluded.

The Returning Officer and the two Assistant Returning Officers will count the votes on each side of the question. I will now put the resolution to the vote.

All those in favour should stand and all those who are against should remain seated.

Hon members, the "Ayes" have it. You may resume your seats. [Interjections] Yes, hon member Mr Keys?

MR R E KEYS (DA): Madam Speaker, we request that the DA's opposition to this resolution be recorded.

THE SPEAKER: Thank you.

8. APPOINTMENT OF PERMANENT NCOP DELEGATES

THE SPEAKER: Hon members, I now move to the third procedural matter of the day, and that is the appointment of the permanent delegates in the KwaZulu-Natal provincial delegation to the National Council of Provinces. I will accordingly request a representative from each of the parties entitled to permanent delegates to put to the House his or her party's motions regarding the determination of the number of delegates and their appointment in accordance with that party's nomination.

We will, of course, begin with the African National Congress. I will now request a representative of the ANC to put the resolution concerning the appointment of permanent ANC delegates to the NCOP. Hon member Mrs Cronjé?

MRS C M CRONJÉ (ANC): Madam Speaker, I hereby move the resolution as follows:

This House noting:

That the African National Congress is a party represented in the KwaZulu-Natal Legislature;

That in accordance with section 61(1) of the Constitution of the Republic of South Africa, 1996, and in applying the formula set out in part B of Schedule 3 of the Constitution, the ANC is entitled to a total of seven delegates in the KwaZulu-

Natal provincial delegation to the National Council of Provinces;

That according to the formula set out in Section 2(2) of the Determination of Delegates (National Council of Provinces) Act, the ANC is entitled to four permanent delegates in the KwaZulu-Natal provincial delegation to the National Council of Provinces, and

That in terms of section 2(3) of Act 69 of 1998, the ANC is entitled to three special delegates, this being the remaining number of the total number of delegates in the KwaZulu-Natal provincial delegation to the National Council of Provinces to which the ANC is entitled.

Therefore resolves in terms of section 61(2) of the Constitution:

To declare that the ANC is entitled to four permanent, as well as three special delegates in the KwaZulu-Natal provincial delegation to the National Council of Provinces, as determined by the Constitution and Act 69 of 1998, and

To appoint Dumisane Dennis Gamede; Lewis Nzimande, Thandi Cecilia Memela and Nosilivele Magadla as permanent delegates to the KwaZulu-Natal provincial delegation to the National Council of Provinces as nominated by this party.

Madam Speaker, I so move.

THE SPEAKER: Thank you, hon member. I now put this resolution to the vote. All those in favour, please say "Aye".

HON MEMBERS: Aye!

THE SPEAKER: Those against will say "No".

THE SPEAKER: The Ayes have it.

We now proceed to the next motion on the appointment of permanent NCOP delegates. I will now request a representative of the IFP to put the resolution concerning its appointment of permanent delegates.

MR M B GWALA (IFP): Madam Speaker, I hereby wish to move as follows:

This House noting:

That the Inkatha Freedom Party is a party represented in the KwaZulu-Natal Legislature;

That in accordance with section 61(1) of the Constitution of the Republic of South Africa, 1996, and in applying the formula set out in part B of Schedule 3 of the Constitution, the IFP is entitled to a total of two delegates in the KwaZulu-Natal provincial delegation to the National Council of Provinces;

That according to the formula set out in Section 2(2) of the Determination of Delegates (National Council of Provinces) Act, 1998 (Act 69 of 1998), the IFP is entitled to one permanent delegate in the KwaZulu-Natal provincial delegation to the National Council of Provinces, and

That in terms of section 2(3) of Act 69 of 1998, the IFP is entitled to one special delegate, this being the remaining number of the total number of delegates in the KwaZulu-Natal provincial delegation to the National Council of Provinces to which the IFP is entitled.

Therefore resolves in terms of section 61(2) of the Constitution:

To declare that the IFP is entitled to one permanent, as well as one special delegate in the KwaZulu-Natal provincial delegation to the National Council of Provinces as determined by the Constitution and Act 69 of 1998, and

To appoint Prince Muntukaphiwana Milton Mbongiseni Zulu as permanent delegate to the KwaZulu-Natal provincial delegation to the National Council of Provinces as nominated by this party.

Madam Speaker, I so move.

THE SPEAKER: Thank you, hon member. I now put this resolution to the vote. All those in favour, please say "Aye".

HON MEMBERS: Aye!

THE SPEAKER: All those against will say "No".

THE SPEAKER: The Ayes have it.

We now proceed to the next motion on the appointment of permanent NCOP delegates. I will now call upon a representative of the DA to put the resolution concerning its appointment of a permanent NCOP delegate. Hon Keys?

MR R E KEYS (DA): Thank you, Madam Speaker.

This House noting:

That the Democratic Alliance is a party represented in the KwaZulu-Natal Legislature;

That in accordance with section 61(1) of the Constitution of the Republic of South Africa, 1996, and in applying the formula set out in part B of Schedule 3 of the Constitution, the DA is entitled to one delegate of the KwaZulu-Natal provincial delegation to the National Council of Provinces, and

That in accordance with section 2(1) of the Determination of Delegates (National Council of Provinces) Act, 1998 (Act No 69 of 1998), that delegate in the KwaZulu-Natal provincial delegation to the National Council of Provinces to which the DA is entitled must be a permanent delegate.

Therefore resolves in terms of section 61(2) of the Constitution:

To declare that the DA is entitled to a permanent delegate in the KwaZulu-Natal provincial delegation to the National Council of Provinces, as determined by the Constitution and Act 69 of 1998, and

To appoint Rory Dean MacPherson as permanent delegate to the KwaZulu-Natal provincial delegation to the National Council of Provinces as nominated by this party.

Madam Speaker, I so move.

THE SPEAKER: Thank you, hon member. I now put the resolution to the vote. All those in favour, please say "Aye" ...

HON MEMBERS: Aye!

THE SPEAKER: ... and all those not in favour say “No”.

HON MEMBERS: No! [Laughter]

THE SPEAKER: Is that in order? Hon members, you are out of order.

MR A RAJBANSI (MF): Madam Speaker ...

THE SPEAKER: No, let us do it again. All those in favour say “Aye”.

HON MEMBERS: Aye!

THE SPEAKER: All those who are against say “No”.

MR A RAJBANSI (MF): No! [Laughter]

THE SPEAKER: The Ayes have it.

MR A RAJBANSI (MF): Madam Speaker, we request that the vote of the MF against this choice be recorded because I have a mandate ...[Inaudible] The DA’s choice must come from Phoenix and not from Durban North.

THE SPEAKER: It is noted, hon member.

9. ADOPTION OF THE STANDING RULES

THE SPEAKER: I now deem it appropriate to seek a proposer and a seconder for the adoption of the Standing Rules of the KwaZulu-Natal Legislature, as previously adopted on the 21st of June 2006 and amended on the 12th of June 2008. Which hon member will propose the adoption of the Standing Rules?

MRS C M CRONJÉ (ANC): Madam Speaker, I hereby move as follows:

This House noting:

That in accordance with section 116(1)(a) of the Constitution of the Republic of South Africa, 1996, a provincial legislature may –

- (a) determine and control its internal arrangements, proceedings and procedures, and
- (b) make rules and orders concerning its business;

That the Third Legislature of KwaZulu-Natal adopted new Standing Rules on the 21st of June 2006 to govern its internal arrangements, proceedings, procedures and business, and further amended those Standing Rules on the 12th of June 2008, and

That the Standing Rules remain in operation until expiry of the term of the Third Legislature.

Therefore resolves:

To adopt the Standing Rules adopted by the Third Legislature of KwaZulu-Natal on the 21st of June 2006, as mended on the 12th of June 2008.

Madam Speaker, I so move.

THE SPEAKER: Thank you very much. I will now put the resolution to the vote. Those in favour say "Aye ..."

HON MEMBERS: Aye!

THE SPEAKER: ... and those against say "No". The Ayes have it.

MR A RAJBANSI (MF): Madam Speaker, we want the concern of the MF to be noted that these Rules do not follow the treatment which the ANC metes out to minority parties in the National Assembly, and that they revisit the Rules to follow the ANC does to minority parties in the National Assembly.

THE SPEAKER: Noted, hon member.

10. ANNOUNCEMENTS BY THE SPEAKER:

THE SPEAKER: Hon members, the matters of the day have been concluded.

Mr Acting Judge President, I wish to express our most sincere gratitude for your being

present here today to play a vital role in the election of our hon Premier and that of the Speaker, and for allowing me to preside over the election of the Deputy Speaker.

I also want to thank the religious leaders who have rendered ceremonies in this House today. Most importantly, I do thank all invited guests for blessing this occasion by being present here today.

I will now permit each of the parties to say a few words. In fact, it is important for me to remind you that it will be congratulatory remarks and I will only afford you three minutes ... not more than three minutes. I will start with COPE.

MR L S GABELA (COPE): Ngiyabonga Mama Somlomo. Kube yikhona nje ukuthi ngiqale ngikhulume ngokuthi i-COPE akulona iqembu elincane. Bekufanele kuqalwe ngeqembu elincane. Umama u-Downs asihole ngomkhuleko. Cha, sizothanda nje ukuthi sizwakalise ukubongela abaholi. Siqale ngokubongela abaholi bale Ndlu ekukhethweni kwabo, sethembe ukuthi bazosihola ngendlela efaneleyo. Bese ngibongela uKhabazela ekukhethweni kwakhe njengoNdunankulu. Simbonile ehola iminyango eyahlukahlukene kahulumeni. Sibonile nanokuthi akuzindawo ziningi la esingathi bekunokuqhuzuka khona. Enginethemba, njengomuntu onolwazana oluncane ukuthi umsebenzi uquketheni, ukuthi ngeke ahluleke ukuthwala lo msebenzi.

Okubaluleke kakhulu nje engingafisa ukukusho ukuthi, njengomuntu ohlezi ebhentshini lamaqembu aphikisayo, owami umsebenzi ukuthi ngithi mina “Khabazela nethimba lakho, nathi nizokwenza ukuthi, anisakwenzi manje. Kungani ningasakwenzi?” Nanokuthi alikho ilanga la, Khabazela, esizothi khona isilonda esingaka kuwe – isilonda kuhulumeni wakho. Uma ngabe kuwukuthi kukhona indawo la esibona khona ukuthi akuhambi kahle angiyukungabaza ukukusho lokho. Sikhona isipiliyoni engisitholile, njengoba esho nje umama u-Blouse. Ngisithole ngapho kwaKhongolose. Yisona impela-ke leso sipiliyoni engizobe ngisisebenzisa ukubheka lezo zilonda ukuthi zikhona na. Sibonge kakhulu nje. akukho ukungabaza esinakho kokuthi kukhona okungahle kungahambi kahle kuhulumeni. Bese sifisela uKhabazela konke okuhle emcimbini lapho ezobe egcotshwa khona. Siyabonga. [Ihlombe]

THE SPEAKER: Thank you, hon member. Can I call upon the hon member representing the ACDP?

MRS J M DOWNS (ACDP): On a lighter side, Madam Speaker, the ACDP has always been accused of punching above its weight, so I cannot be big enough.

I want to congratulate all hon members who have returned. It is very nice to see old friends here. I think that we have respected each other well in the Legislature and I hope that we continue to do so.

I want to address most of my remarks to the hon Premier. Madam Speaker, the hon Premier did serve us very well as MEC for Health. In the midst of his party's Aids denials, he actually steered a steady course. At the time we were grateful for him to be our Minister of Health.

He also served us very well as MEC for Finance and Economic Development, steering a fairly steady course, apart from the last year where we have had a few ups and downs - none of his making - but where departments ran rampant. As MEC for Finance and Economic Development he did us proud and for that we are grateful. I believe that imminently qualifies him to be a good Premier.

However, to paraphrase the words of Winston Churchill: One cannot only win the war; one has to win the peace, as well. To win the peace there are some real issues that we in KwaZulu-Natal have to deal with, and these are issues that I brought up in our multiparty debates.

I know the education system is imposed by national Parliament, but we have to improve it. Then there is the fact that we still have a 65% to 70% unemployment rate among our youth. That, apart from other unemployment figures, must be very jarring to us. Then there is also the fact that we are losing jobs in our agricultural sector in KwaZulu-Natal, which is the foremost agricultural province.

I am really asking the hon Premier to use his majority wisely. He should not allow "lame duck" MECs to continue in their posts if they do not do well. We really need to address the issues of this province. I will be watching the hon Premier, applauding him when he does well, and criticising him when he does not.

I offer him my sincere congratulations. As I have said, I believe that he is imminently qualified to be a very good Premier. I hope that it will be possible for all the promises to be fulfilled. Thank you very much.

THE SPEAKER: I will now call upon a speaker representing the Minority Front.

MR A RAJBANSI (MF): Thank you, Madam Speaker. I firstly want to congratulate you and the hon Deputy Speaker on your election. I hope that *The Witness* will study the *Ministerial Handbook*. They will discover that your election to this high office is not a demotion; it is actually a slight promotion.

I want to also congratulate all the hon members who retained their seats and all the hon members who are new. However, we are very, very proud of the fact that we have a wonderful asset, a wonderful captain and pilot in the hon Premier elect, the hon Dr Zweli Mkhize.

I also want to take this opportunity of congratulating the hon President of our country, Mr Jacob Zuma. Before 22 April, I said that no force in this country could stop Mr Jacob Zuma from reaching the Union Buildings, because the ancestors had decided so. Now, there are several good qualities which the hon Mr Jacob Zuma and the hon Premier of KZN have in common: They both have a tremendous passion and a wonderful humility about them. They are both caring people. I believe that all minority communities can feel very, very comfortable at national and provincial level.

However, today I want to say that the acronym "MF" has become very, very relevant. In reality the ANC is really the MF. It is a "Mighty Force"! [Laughter] When you look at me, you must still say MF. You must say: Here is "My Friend".

In 1994 we had the greatest hurricane election this country had ever seen, but on April 22nd you had a tsunami that swept everybody, except the MF! [Laughter] In all the provinces, at national and in the other provinces, the ANC's vote declined. However, in KwaZulu-Natal it was what you call a "Zunami" or "Zumani"! There was the Jacob Zuma tsunami, and it is a tremendous credit to you, hon Premier, for the leadership you have provided. Remember this: You have the support of the MF. Thank you.

THE SPEAKER: Thank you, hon member. Can I now call upon a member representing the DA?

MR J H STEENHUISEN (DA): Thank you very much, Madam Speaker. I wish to congratulate the Premier-elect, Zweli Mkhize. Sir, the people of KZN spoke on the 22nd of April and the majority of the people in this province gave your party and yourself the

mandate to govern and lead this province which we call home.

Our role as the Democratic Alliance in this Legislature will be to hold you and your executive to account. Where we agree with you, Premier elect, you will have our wholehearted support. Where we disagree with you, Premier elect, we will offer you workable alternatives and robust debate, remembering always that as hon members of this House, we are opponents, not enemies; remembering too, Premier elect, that might does not make right.

There is much work to be done and we dare not rest for a minute. We dare not delay our quest to ensure that the quality of life of all the citizens in KwaZulu-Natal is improved. I leave you with the following words, with apologies to Robert Frost:

The woods are lovely, dark and deep, and we have miles to go before we sleep,
and miles to go before we sleep.

I thank you. [Applause]

THE SPEAKER: Thank you, hon member. I will now call upon the hon member representing the IFP.

DR B T BUTHELEZI (IFP): Hon Speaker; hon Acting Judge President, Justice P Levinsohn; the new Premier of KwaZulu-Natal, Dr Zweli Mkhize; leaders of opposition parties, colleagues and hon members, we in this province have arrived at a time in our history when election rhetoric has been uttered, when the repeated clashes of election manifestos and policy proposals have sometimes increased or widened the gap between us. However, at the present period we must all show that we have attained the political maturity needed to spring into action and get stuck into the business of governance - both the ruling party and the opposition, those of us who are on this side of the House.

The electoral battles have been fought. The election results have been declared and the celebrations have been concluded. The day has now come for us to elect the new Premier of KwaZulu-Natal, the Speaker and the Deputy Speaker.

The recent elections delivered a resounding mandate for the ruling party and also all of us. The ruling party will do well by embracing that mandate with humility and cordial working relations with all opposition parties.

There can never be a more fitting call to the ruling party than the famous words of a renowned Zimbabwean poet by the name of Solomon Mahaga who wrote:

Last night we met, my friend and I, two wars old. Said I to him, let us build bridges to cross rivulets of blood, channels of hate, canyons of prejudice and furrows of pain.

Madam Speaker, on behalf of the official opposition, I wish to congratulate my colleague, Dr Zweli Mkhize, on his election as the Premier of the Province of KwaZulu-Natal. I wish him well on his high calling of leading the government of KwaZulu-Natal. Khabazela Kamavovo, we hope that you will serve the people of KwaZulu-Natal with honesty, faithfulness and to the best of your ability. In executing your duties as Premier of KwaZulu-Natal, I as your colleague in the medical profession wish to urge you to practise that old medical maxim, namely to cure KwaZulu-Natal, where possible, to alleviate the plight of the people and citizens of this beautiful province forever.

I also want to congratulate the hon Speaker, the Deputy Speaker and all members of this august House on their election. Thank you. [Applause]

THE SPEAKER: Thank you very much, hon member. ANC?

MR T W MCHUNU (ANC): Madam Speaker, Deputy Speaker, Acting Judge President, Premier-elect, Gcwabe Kazihlandla, and all hon members of the House, on behalf of the ANC we wish to convey our sincere congratulations and gratitude to those elected to the position of Speaker, Mrs Nkonyeni in this case; the Deputy Speaker, Mr Mthimkhulu and the Premier elect, Dr Zweli Mkhize, on their election by this House into their respective positions.

The ANC appointed all of you into these positions because we have confidence and trust in you. You are leaders of this province who have served in this government. You have also served in senior positions of our structures. The positions that you have been put into are highly demanding and challenging. We have all the confidence that you will acquit yourselves with distinction in these positions. You have the necessary discipline, the integrity and humility. You also have the necessary experience in governing. In your past areas of work, you have all performed excellently.

There will be challenges that will come your way. There will be detractors who will at all

times try to undermine and belittle you by all means at their disposal. They will at all times try every trick in the book to put a spanner in the works. We are confident that you have broad shoulders and that you will withstand all these political attacks.

There will be challenges of delivery to the people of KwaZulu-Natal. We have full confidence that your wisdom, your resilience and your incisive minds will make this government deliver to the people of KwaZulu-Natal. It is time to translate theory into practice. In this vein we are confident that your executive will be able to translate our manifesto into programmes which will be implemented.

At all times we in the ANC will stand ready to give all the support that is needed. We will at all times stand ready to rally to the defence of any measures that you want us to defend. We stand ready to support you. Congratulations. Thank you. [Applause]

THE SPEAKER: Thank you very much to all the parties. Hon members, I wish to make this announcement. In compliance with Rule 9 of the Standing Rules adopted earlier on, I wish to inform the House that the official opening of the KZN Legislature will take place at 10:00 on Thursday, the 11th of June 2009 ...I am sorry, on Monday, the 11th of June 2009.

I now wish to ask the Secretary to the Legislature to make some logistical announcements.

THE SECRETARY (Ms N Naidoo): Thank you, Madam Speaker. When the House adjourns, hon members will be required to go for a group photo session outside the Senate Building.

Our guests, VIPs and the media will leave the Chamber and the media centre, respectively, and will be ushered by the staff of the Legislature to the City Hall across the road where lunch will be served. May I request that staff regroup and usher the guests as they leave?

There are two other administrative matters I wish to deal with. We are requesting that hon members avail themselves on Monday at 10:00 in the Chamber so that staff of the Legislature can provide hon members with documents and other tools of trade which they will need in order to fulfil their constitutional obligations. The administrative team will also be available to assist hon members in completing all outstanding forms about which

they may still be uncertain about. This will also be the time for returning all administrative forms for further processing.

All hon members have been given brown envelopes. These envelopes have been placed on the tables. We are requesting hon members to please complete all forms in those brown envelopes. We need to have those for purposes of processing members' salaries. This should be done before we leave the Chamber today. The HR team is available in the Members' Reading Room to assist in this regard. May I request service officers to direct hon members to the Members' Reading Room?

Hon members are also invited to lunch at the City Hall. Once they have completed what they have to do here, they will be ushered across to the City Hall for lunch. Thank you, Madam Speaker.

THE SPEAKER: Thank you, Madam Secretary.

Hon members, the inauguration of the Premier will take place at the Woodburn Stadium in Pietermaritzburg on Monday, the 11th of May 2009 at 14:00. A detailed programme has been made available to party leaders and representatives.

I want to remind hon members that there will be a photo shoot directly after the adjournment, in front of the old Senate Building.

11. ADJOURNMENT

THE SPEAKER: Hon members, I now adjourn this House until Tuesday, the 12th of May 2009 at 10:00

The House was adjourned at 14:10.