

WEDNESDAY, 1 DECEMBER 2010

***PROCEEDINGS OF THE
LEGISLATURE OF THE PROVINCE OF THE
EASTERN CAPE***

The House met at 14:15.

The Speaker took the Chair and requested members to observe a moment of silence for prayers or meditation.

Mr V MTONGANA: Mr Speaker, I move without notice in terms of Rule 130, that the House, noting that –

- (a) 1 December is World Aids Day and that this day is commemorated throughout the world
- (b) the Deputy President of the Republic of South Africa and Chairperson of the South African National Aids Council (SANAC) will today, 1 December 2010, deliver a keynote address at an event to mark the World Aids Day to be held in Piet Retief in the Mpumalanga Province as South Africa joins the rest of the world in marking this day.
- (c) the theme of the event is “We are Responsible” and that this year's World Aids Day theme is informed by the need to work collectively in addressing South Africa's response to the HIV and AIDS pandemic; and
- (d) the need that all people citizen of South Africa and in particular the Eastern Cape to become involved in the fight against the HIV/Aids pandemic;

further noting that-

- (i) Members attended an HIV & AIDS Workshop on issues pertaining to the partnership between ECPL and the AIDS Council; and
- (ii) that the workshop concluded that its recommendations should become resolutions of the House;

therefore resolves:

1. that the Legislature and its Committees, in conducting oversight, ensure that oversight is done on provincial government departments on their work and programmes of HIV and AIDS. This would increase the accountability of

government departments more especially those that are not represented in the council.

2. the Legislature develops a programme on fighting HIV and AIDS that extends beyond its work place policy on HIV and AIDS. This programme must be funded and a partnership between Eastern Cape Aids Council and the Legislature must be forged to ensure the implementation of the programme and that a monitoring mechanism such as an MOU be formulated and signed by both institutions.
3. Members of the Legislature must utilise their constituency offices as mobilisation centres of people in the fight against HIV and AIDS. They must take issues from their constituency offices and channel them to the council for intervention or follow through; and
4. although the Speaker is already a member of the Eastern Cape Aids Council, mechanisms must be devised for the involvement of the portfolio committee for agriculture in the Council in order to make use of the Siyazondla programme.

Agreed to.

Mr SPEAKER: Thank you, hon members. Order!

Are there any further motions?

Mr M M PETER: Mr Speaker, I move without notice in terms of Rule 130, that the House -

- (i) noting that the 2010 16 days of Activism of No violence against Women and Children commenced on the 25th November 2010 and ends on the 10th December 2010.
- (ii) the 2010 theme of the 16 Days of Activism is: "Score a goal for gender equality: Halve gender based violence by 2015"; and
- (iii) the women and children of the Eastern Cape are amongst those subjected to violence;

therefore resolves that-

1. the House expresses its sincere and active support for the campaign of 16 days of Activism of No violence against Women and Children;
2. the Eastern Cape Provincial Legislature shall actively promote an end to gender based violence; and

3. the House condemns all forms of violence against Women and Children.

Agreed to.

Mr C H MAXEGWANA: Mr Speaker, I move in terms of Rule 130 that the House, in terms of the powers afforded to it by Rule 3.1, suspend the provisions of Rule 73.3. for the period 1 December 2010 to 2 December 2010.

Agreed to.

QUESTIONS

Mr SPEAKER: Order! I would first like to make the following comments when looking at the number of questions in front of me. The time you are going to spend in dealing with this, especially the new MECs, I have said it yesterday and I am saying it again - it might help to allow them to respond to some of the questions in writing, maybe before 10 December 2010. [Interjections.] I have not opened any argument; I am saying it might help. You must understand your own language. It might. Otherwise we are going to proceed to the questions. [Interjections.] No, we are not going to argue. I am going to proceed to Question 1. We now come to Question 1, on the Order Paper addressed to the Premier.

*1. Mr M Nyusile to ask the Premier:

(a) How many cases against the Provincial Government were settled out of court from 1 January 2008 up to and including the latest date for which information is available and (b) what total amount was involved?

The PREMIER: Thank you, hon Speaker. With respect to the first question on the number of cases, there are 54 cases. Hon Speaker, the breakdown is available. The total amount involved in settlements is R30 820 674 million. The response is written for the hon member in terms of the breakdown.

Mr SPEAKER: Hon Nyusile. Any follow up?

Mr M NYUSILE: Oh, if the breakdown is there, hon Speaker, I will accept that. Thank you.

*2. Mr C Martin to ask the Premier:

(1) Whether any provincial departments were using business cards containing information in braille as at the latest specified for which information is available; if so, what are the relevant details; if not,

(2) whether any consideration has been given to introducing braille on Government business cards as a standard practice with a view to avoiding discrimination against the disabled; if not, why not; if so, what are the relevant details?

The PREMIER: Hon Speaker, the response is to the question whether business cards containing information on braille is available. Currently the Special Programmes Unit in the Office of the Premier has already started using braille business cards. No other department in the Province is using braille business cards but as a result of the success of the initiative undertaken by the Office of the Premier Special Programmes Unit, the plan going forward is that the initiative is to be introduced and rolled out to all SPU focal points as part of commitments to be made flowing from the disability month commemoration. A determination will also be made whether other key components in departments should be included in the roll- out phase. Thank you, Mr Speaker.

Mr SPEAKER: Hon Martin, any follow up?

Mr C MARTIN: Thank you, Mr Speaker. No, it is just a comment that we really wish that the Premier would roll it out to the whole Province and all the departments as a matter of urgency. Thank you, Premier. [Laughter.]

*3. Mr P E van Vuuren to ask the MEC responsible for Education:

(1) Whether he has been informed that the salaries of certain office-based educators such as the Deputy Chief Education Specialist, Education Development Officers and Senior Education Specialists were increased with effect from 1 April 2009, without this being budgeted for; if so, (a) on what grounds were these salaries increased, (b) who authorized these increases, (c) what was the total involved and (d) from what source were these increases paid;

(2) whether these salary increases will be reversed; if so, when will the affected educators be informed as to how and when the reversal will take place;

(3) whether any steps have been or are to be taken with a view to preventing such irregular payments from being made in the future; if not, why not; if so, what steps;

(4) whether any disciplinary action has been or is to be taken against the officials who authorised these irregular payments; if not, what actions?

The MEC RESPONSIBLE FOR EDUCATION: Thank you very much, hon Speaker. The response to the first question by hon Van Vuuren; it is true that the salaries of the above quoted officers were adjusted as from 1 April 2009, with regard to the Deputy Education Specialist and this includes EDOs. The grades were progressed from salary level 10 to 11 and Senior Education Specialist Officers were graded from salary level 10 to 11 and Senior Education Specialist from salary level 9 to 10. This action was a deviation from the personal administration measures.

(b) On who authorized these increases - the grade progression was approved by the then Acting Head Professor Ningwenkulu.

(c) The total cost involved as from 1 April 2009 to March 2011 is R117 million.

(d) The funding for these grade progressions was obtained from savings that were effected in respect of funded vacancies.

(2) The Executive Council instructed that these grade progressions be reversed. The Department is currently consulting with stakeholders in this regard and employees whose salaries must be reversed will be informed as to the intention of the Department to reverse after the finalization of these consultations.

(3) The Department will strictly adhere to relevant legislation prescribing remuneration.

(4) No disciplinary steps have been taken yet.

Mr SPEAKER: Thanks. Any follow up, hon Van Vuuren?

Mr P E VAN VUUREN: Not at this moment, hon Speaker.

*4. Mr P E van Vuuren to ask the MEC responsible for Education:

(1) Whether he has been informed that 100 individuals have been fraudulently appointed; if so, (a) (i) when and (ii) to which positions were these fraudulent appointments made and (b) what amount was lost as a result of these fraudulent appointments;

(2) whether this amount is to be recovered; if not, why not; if so, (a) how and (b) when;

(3) whether any officials had been identified as being involved in these fraudulent activities as at the latest specified date for which information is available; if so, what are the relevant details;

(4) whether any disciplinary steps have been or to be taken against these officials; if not, why not; if so, what steps;

(5) whether any measures have been put in place with a view to preventing further such fraudulent appointments; if not, why not; if so, what measures?

The MEC RESPONSIBLE FOR EDUCATION: Hon Speaker, yes, I have been informed that 99 people have been appointed irregularly early in the financial year of 2010/11. These people are early childhood development practitioners.

The actual amount will be determined after the conclusion of these cases.

Yes, as soon as the Special Investigations Unit has concluded the necessary process of investigation.

Details cannot be made public in order to avoid jeopardizing the cases.

Yes, a suspension has been effected already to protect the investigation and the salary has been frozen.

Mr SPEAKER: Any follow up, hon Van Vuuren?

Mr P E VAN VUUREN: No, hon Speaker.

*5. Ms A N Ponco to ask the MEC responsible for Education:

Whether he has been informed of any growth posts that were created in 2009 and subsequently removed in 2010; if so, what was the reason for the removal of these posts?

The MEC RESPONSIBLE FOR EDUCATION: Thank you very much, hon Speaker. Once again I will shoot straight to the response. Yes, a growth post is created for only one academic year. That is it for question 5. Thank you, hon Speaker.

*6. Mr M Mrara to ask the MEC responsible for Education:

Why was the amount of R10 000 in Local Economic Development (LED) funds from Nkonkobe Municipality allocated to Balfour Higher Primary School but never transferred to the school?

The MEC RESPONSIBLE FOR EDUCATION: Thank you very much, hon Speaker. Once again Question 6 from hon Mrara and I will shoot straight to the response. The Department informed me that no funds were ever directed to the school via the Department. Further, officials from the district offices visited the Nkonkobe district municipality to check on these LED funds. Thank you very much, hon Speaker.

Mr SPEAKER: Any follow up? Hon Mrara. None.

*7. Mr J Korkie to ask the MEC responsible for Education:

(1) Whether the petition from the Green Point Senior Secondary School had received any attention from his Department as at the latest specified date for which information is available; if not, why not; if so, what are the relevant details;

(2) whether he has taken any steps to visit school; if not, why not; if so, what steps?

The MEC RESPONSIBLE FOR EDUCATION: Once again thank you very much, hon Speaker. I have been informed that there was no petition from the school.

However, the matter came to the attention of the Portfolio Committee during the period of school visits. The Committee on its own initiative referred after sending a delegation and interacting with the school. The Committee interacted with the district office for attention. I have also been informed that hon J Korkie has written to the Head Office for intervention in a letter dated 29 November 2010, which is two or three days ago, in the matter involving the appointment of a principal.

The Head of the Department has informed me that he is applying his mind to the request and will return back to the hon member in due course. And I guess that one is an interaction between the Head of the Department and the member affected. Thank you very much, hon Speaker.

Mr SPEAKER: Any follow up, hon Korkie?

Mr J P KORKIE: Thank you, hon Speaker. I see the MEC for Education is learning very fast.

*8. Ms N B Petela-Ngcanga to ask the MEC responsible for Education:

(1) Whether he has been informed that (a) suppliers which have provided services to his Department – specifically under the School Nutrition Programme – often wait for long periods without receiving payment and (b) this often forces them to close down; if so, what are the relevant details;

(2) whether any mechanisms have been or are to be put in place with a view to ensuring that suppliers are paid within 30 days, as required by Treasury regulations; if not, why not; if so, what mechanisms;

(3) what is the current turnaround time within which suppliers are paid by his Department?

The MEC RESPONSIBLE FOR EDUCATION: Thank you very much, hon Speaker. I can understand the nature, the share size of the Department obviously is proportional to the questions, you would always be proportional to the questions. [Laughter.]

To hon Petela Ngcanga with due respect, once again hon Speaker, I will shoot straight to the response.

Yes, hon Speaker, I have been informed that the Department has been unable in most instances to pay suppliers within the stipulated 30 day period. The problem of non payment or delay in the payment has resulted in recorded accruals of over R500 million, that is almost half a billion, including accruals to service providers under school nutrition programme. However, I have been informed that due to the various interventions the amount has been reduced to

less than R100 million and the process is underway to finalize all outstanding payments. Thank you very much, hon Speaker.

*9. Mr J C Cupido to ask the MEC responsible for Finance, Economic Development and Environmental Affairs:

(1) (a) What amount was secured to repair and upgrade the East London grain elevator, (b) from whether has this amount been sourced, (c) when are the repairs scheduled to start and (d) by when are they expected to be completed;

(2) whether any steps have been or are to be taken with a view to ensuring the continuation of at least the existing operations in the East London port; if not, what steps?

The MEC RESPONSIBLE FOR FINANCE, ECONOMIC DEVELOPMENT AND ENVIRONMENTAL AFFAIRS: Thank you very much, hon Speaker. I will just answer the questions. Approximately R20 million has been planned to address the safety and critical compliance issues concerned pertaining to the facility. The funds are from capital and operating expenditure funds. The work will start on the first quarter and finish on the third quarter of 2011. The second question relates to whether the port will continue et cetera.

Our response is that we have been engaging Transnet on the East London port in fact on all the ports in the Eastern Cape. We have a commitment at least that there will be no contraction of operations in the East London port. So all the terminals that are there will be maintained and that the grain elevator and the sailuze will be fixed. So you are not expecting any changes in the near future.

However, you know that there are challenges and these challenges relate to expanding the port and this is what we are dealing with because is also a matter that must relate to the cargo that goes through the port. So there is a process and work that we are doing to try to look at whether there is any possibility of increasing the cargo and therefore justify further investment into the port.

Mr SPEAKER: Any follow up?

Mr J P CUPIDO: Yes, hon Speaker. My question is about whether the amount secured is R20 million. Is that R20 million from Provincial office or is from others? Because there was an initial amount of R60 million and that was reported. Can I get a copy in writing as well? Thanks.

Mr SPEAKER: Hon MEC.

The MEC RESPONSIBLE FOR FINANCE, ECONOMIC DEVELOPMENT AND ENVIRONMENTAL AFFAIRS: Thank you very much, hon Speaker. This is from capital and operating expenditure funds of Transnet. Remember that. I think what we are trying to say is that there was work done and cost

determined by engineers to that amount. Subsequent to that further work was done on the facility to determine how much the repairs will cost. And I think the final consequence of that whole exercise was that R20 million was required to do immediate fixing of the facility.

*10. Mr M Mrara to ask the MEC responsible for Finance, Economic Development and Environmental Affairs:

What steps need to be taken in order for community members who are spearheading a pottery project at Balfour Higher Primary School to obtain Local Economic Development (LED) assistance, as the surrounding hospitality industries have expressed an interest in their products?

The MEC RESPONSIBLE FOR FINANCE, ECONOMIC DEVELOPMENT AND ENVIRONMENTAL AFFAIRS: Thank you very much, hon Speaker. I think the whole idea would be that, hon Mrara, the normal process would have been that the project owners I would advise that they approach Nkonkobe Municipality and I think the specific individual there responsible is Mr Matiwane together with our official. They can put together an application for the funding of the project. I thank you, hon Speaker.

Mr SPEAKER: Any follow up? None. Question 11 addressed to the MEC for Health.

*11. Mr J Pienaar to ask the MEC responsible for Health:

(1) How many medical practitioners resigned in the past five years because of poor standards in the province's public health care system;

(2) (a) what were their fields of speciality and (b) what is the current situation in respect of the availability of these skills in the province?

The MEC RESPONSIBLE FOR HEALTH: Thank you. Question 11 is asking how many medical practitioners have resigned over the past 5 years because of poor standards in the province's public health care system. Perhaps the question would have required a longer period of time so as to get into the available data, in terms of first, PERSAL system. The information available is only for 2 years and that in order to go back further 3 years you would have needed more time to activate the archives to get into that. But also the question is rather phrased in a way that makes it difficult actually to say the reason for the resignation has necessarily been because of poor standards.

Let us make an example. At Canzibe Hospital you acquire a doctor who is stationed there, but the access to the hospital, the questions of access, the road infrastructure etc make it sometimes unbearable for doctors to stay. It has got nothing to do with what is happening in the hospital but it has got generally to do with a range of other things - accommodation, entertainment and other things.

So, the question is rather, except if we were to go into the exit reports to extract out of the exit reports the reason why doctor X has actually resigned. But we will furnish, there is a list of all resignations for the 2 years. They state a lot of reasons: furthering studies, better remuneration elsewhere, domestic problems. So you can try and decide out of this what constitutes resignation because of poor standards. Whilst doing this you also have got to chase the long queues. The information is available, it can be shared with the hon member.

Mr SPEAKER: Any follow up, hon member? None. We proceed to question 12 for MEC responsible for Health.

*12. Mr N Kuluta to ask the MEC responsible for Health:

(1) Whether a white Mercedes Benz, registration number DCH 461 EC and a green Jeep Cherokee, registration number CVN 292 EC, which have been abandoned in an EMS yard in East London since 2006 belong to his Department or to Fleet Africa;

(2) what costs, including replacement costs, have been incurred since 2006 in relation to these abandoned vehicles;

(3) whether any steps have been or are to be taken against the officials responsible for this irresponsible and wasteful expenditure; if not, why not; if so (a) what steps and (b) when;

(4) whether any other departmental vehicles are being kept at any of its Department's facilities under similar circumstances; if so, what are the relevant details;

(5) whether his Department has any disposal policy that should guide officials to deal with redundant vehicles and other items; if not, why not; if so, what are the relevant details?

The MEC RESPONSIBLE FOR HEALTH: Thank you again, hon Speaker. Indeed we confirm that both the vehicles mentioned were in the East London EMS yard and they have been there for quite a number of years. It is something that we got to know about in time and that the questions had to be asked as to why a situation like that was allowed to obtain.

In terms of replacement costs that have been incurred, the response to that question is that a vehicle had to be acquired through leasing for the then MEC Nomsa Jajula at that time. The leasing therefore as well as the licensing for that vehicle would be perhaps what can constitute what is referred to here as the replacement costs.

Whether any actions taken against any officials for the fruitless and wasteful expenditure? The response to that question – an investigation was conducted given the time at which this took place we have not yet arrived at the person to be attached blame and therefore to face the consequences for that action.

Were the vehicles disposed of? Of course in that situation first the vehicle has got to be, the issues of licensing had to be corrected, because the...those vehicles for that amount of time without licensing being dealt with, in preparation for them to be disposed of.

Whether there are other similar cases? Yes, there are other similar cases. We could mention the example in Port Elizabeth where there were vehicles that were in the ownership of the Department even before the integration - particularly some of the emergency vehicles. All of them had to be taken through the process of licensing so that they could be disposed of. That exercise is being undertaken by the Department. The response can be provided. Thank you, hon Speaker.

*13. Mr J Korkie to ask the MEC responsible for Human Settlements:

Whether any steps have been or are to be taken with a view to commencing Phase 2 of the housing development in the East Bank, East London; if not, why not; if so, what steps?

The MEC RESPONSIBLE FOR HUMAN SETTLEMENTS: Thank you, hon Speaker. In replying to question 13, the Department is not aware of any project in the East Bank in East London notwithstanding that we have found that Buffalo City Municipality are busy with planning processes for a project for the East Bank land restitution applicants. Land is currently being identified for the development, three land parcels were identified two of which do not belong to the municipality. Buffalo City Municipality can only submit a project application to the Department once the land issue is resolved.

In pursuance of the possible projects, once again in the fynbos area these projects are included in the municipality's three-year plan and are due for implementation in the 2011, 2013 financial years. Planning is currently being done. It should be noted that Buffalo City Municipality determine their own priorities in terms of the housing needs and delivery programme. They will therefore be deciding which financial year a project will be implemented.

*14. Ms N B Petela-Ngcanga to ask the MEC responsible for Human Settlements:

(1) Whether she has been informed that a new structure was put in place at the Khayelitsha rectification programme without the old faulty being demolished; if so, (a) why and (b) what are the further relevant details;

(2) whether the beneficiary concerned will receive a new subsidy for the new structure; if so, what are the relevant details?

The MEC RESPONSIBLE FOR HUMAN SETTLEMENTS: Thank you, hon Speaker. I replying to Question 14, with regard to the rectification that is taking place in Dimbaza; the house that was declared as unfit for occupation was demolished by a contractor. In some instances, due to a lack of heating,

beneficiaries are sometimes allowed to stay in their older houses while the new structure is under construction. Thereafter upon completion the houses are then demolished. Sometimes it takes time due to other logistics - for example electricity - that needs to be moved to the new houses.

In response to Question 2 under 40; it is not necessary as the beneficiary has already received a subsidy but the house is under rectification.

*15. Ms F Nkomonye to ask the MEC responsible for Human Settlements:

(1) Whether she will provide a report on the safety, health and structural condition of the house at 29 Duranta Gamble, Uitenhage;

(2) whether any steps have been or are to be taken with a view to addressing the condition of this house; if not, why not; if so, what are the relevant details?

The MEC RESPONSIBLE FOR HUMAN SETTLEMENTS: Thank you, hon Speaker. In response to 15(i) – the investigation report for this property was done and the report is attached. Based on the investigation report recommendations, a temporary shelter was erected on this property because the existing dwelling was unsafe, it was a shack and unhealthy to live in.

In response to Question 2, the property at number 29 Duranta Gamble, Uitenhage is treated as an emergency by the Department and they are busy with the quotations for construction for a forty square metre house on this property. Thank you.

Mr SPEAKER: Hon Martin, any follow up?

*16. Mr D B Haddon to ask the MEC responsible for Local Government and Traditional Affairs:

(1) (a) What amount relating to fruitless and wasteful expenditure was discovered by his Department in the 2009/2010 financial year, (b) which specified municipalities were responsible for this expenditure and (c) what are the further relevant details;

(2) what amount in fraudulent expenditure was discovered by his Department in the 2009/2010 financial year;

(3) whether any steps have been or are to be taken with a view to recovering these amounts; if not, why not; if so, what steps;

(4) whether any criminal charges have been laid against the officials implicated in fraud; if not why not; if so, what are the relevant details;

(5) whether any systems are in place to ensure that such wasteful and fraudulent expenditure is not incurred in the future; if not, what are the relevant details?

The MEC RESPONSIBLE FOR LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS: Thank you, hon Speaker. Hon Haddon wants to know about the amount relating to fruitless and wasteful expenditure. The response here is as follows:

There is no fruitless and wasteful expenditure that was discovered in 2009/10 financial year both for (b) and (c).

(2) Irregular expenditure, hon Speaker, for not following the procurement processes amounting to R11 673 million was discovered in the 2009/10 financial year. This is the expenditure resulting from what has become known as tap turnaround plan.

(3) The case is still in progress and it is nearing completion. The Department is still exploring the legal viability to recover the amount.

(4) The Department is interacting with the SAPS. Once the matter has been proven internally, the matter will be taken further with the law enforcement agencies.

(5) The following system has been introduced with a view to ensuring that such expenditure is not incurred in the future. The business processes of the Supply Chain Management have been mapped. Staff members in the Supply Chain Management unit have been vetted, and threat and risk assessment has been done by the security management section.

*17. Mr D B Haddon to ask the MEC responsible for Local Government and Traditional Affairs:

(1) How many municipalities in the province received (a) qualified and (b) disclaimer audit reports for the 2009/2010 financial year and (b) what are the names of these municipalities in each case;

(2) (a) how many municipalities in the province have received such reports for more than three consecutive financial years and (b) what are the names of these municipalities;

(3) (a) how many municipalities have undergone (i) provincial interventions and (ii) forensic audits in terms of section 139 of the Constitution or sections 137 and 138 of the Municipal Finance Management Act, (b) what are the names of these municipalities in each case and (c) what are the further relevant details?

The MEC RESPONSIBLE FOR LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS: Thank you, hon Speaker. How many municipalities in the Province have qualified disclaimed and what names of these municipalities in each case.

Hon Speake,r I do have the list of those municipalities with me for the hon member for her perusal at a pleasure of time because they are too many if we

may to read them out now. May I request through your authority hon Speaker to favour the hon member with the list of those municipalities.

(3) There were three interventions in terms of Section 139 in the following municipalities, Alfred Nzo District Municipality, Koukamma and Sundays River Local Municipality. And the Department has since completed the Section 139 intervention in Alfred Nzo and a close out report has been submitted. The Department has applied to EXCO for the approval of the extension of the intervention at Koukamma. For the purposes of winding down and to give the administrator time to finalized all outstanding issues as well as handing over to the newly appointed Municipal Manager. The extension will end at the end of January 2011. EXCO has approved an extension for the intervention of Sundays River Municipality which is also ending 4 months after 2011 Local Government elections. There is still no appointment of Municipal Manager and there are a number of outstanding issues which needs to be taken care of.

Mr SPEAKER: Thank you.

*18. Ms V Mvenya to ask the MEC responsible for Local Government and Traditional Affairs:

(1) Whether he has been informed that conditional grant funds which were transferred by this Department to King Sabata Dalindyebo Municipality cannot be accounted for; if so, (a) what amounts were transferred to this municipality in the (i) 2006/2007, (ii) 2007/2008, (iii) 2008/2009 and (iv) 2009/2010 financial years and (b) on what projects were these funds supposed to have been spent;

(2) whether any steps have been or are to be taken against this municipality in this regard; if not, why not; if so, what steps;

(3) whether his Department is still transferring conditional grant funds to this municipality despite this problematic situation; if so, why?

The MEC RESPONSIBLE FOR LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS: On Question 18, hon Speaker, from hon Mvenya whether I have been informed that conditional grants funds were transferred by the Department to KSD Municipality cannot be accounted for: Yes. However, there is a difference of opinion at this stage between the Department and the Municipality. And the Department is still dealing with this matter.

The departmental team will soon finalize the report of the inconsistencies in terms of the outstanding reports on expenditure and what the municipality has reported on. No further grants have been transferred to the municipality recently.

*19. Mr M Ntenjwa to ask the MEC responsible for Local Government and Traditional Affairs:

(1) How many of the 45 municipalities in the province had properly demarcated and suitable graveyards as at the latest specified date for which information is available;

(2) whether any steps have been or are to be taken with a view to addressing the issue of those municipalities that do not have graveyards; if not, why not; if so, what steps?

The MEC RESPONSIBLE FOR LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS: Thank you, hon Speaker. Once again we decided to develop a lengthy report per each municipality as the hon member requested out of 45 existing Eastern Cape per local municipalities. But it is correct that the information is now available per each municipality containing the status of the problem and there are medial actions therefore taken. Just to mention one example; in Maletswai municipality graveyard properly demarcated; yes and six cemeteries are already full by now. And as for the contingency measures; the municipality is planning to officially close them. And the departmental measures are to develop standard by-laws for funeral parlour cemeteries and crematoria. But there is also a report well prepared for the hon member that we can furnish.

Mr SPEAKER: Any follow up? Okay. We move to Question 20 to the MEC responsible for Liaison and Transport.

*20. Mr J C Cupido to ask the MEC responsible for Provincial Safety, Liaison and Transport:

(1) How many incidents of stock theft were reported in the Chris Hani district in (a) 2008, (b) 2009 and (c) 2010 up to and including the latest specified date for which information is available;

(2) how many (a) stock theft units are located within Chris Hani district and (b) members serve within these units;

(3) whether any steps have been or are to be taken, with a view to curbing or eradicating the incidence of stock theft in (a) the Chris Hani district and (b) the province as a whole; if not, why not; if so, what steps?

The MEC RESPONSIBLE FOR PROVINCIAL SAFETY, LIAISON AND TRANSPORT: Thank you, hon Speaker. In reply to Question 20: In 2008 there were 1 139 cases; in 2009 there were 1 260 cases; in 2010 there were 907 cases.

In response to Question 2: It is Middleburg, Queenstown, Elliot and Cradock.

In response to 2(b) in Middleburg there were 11 members, in Queenstown 17 members, in Elliot, 9 members and in Cradock, 5 members.

In response to Question 3, tracing and arrest of stock thieves ... conventional investigation of methods. Holding of undercover operations which includes

and trapment utilization of Section 25(2)(a) of Criminal Procedures Act, recruitment of informers waylay operations, regular patrols of known routes utilized by the thieves, holding of regular operations cross board and local which is aimed at the recovery of stolen stock. Also - regular visits to butcheries and abattoirs to check for compliance with relevant legislation.

In response to (b) – enhance cooperation with the farming community, establishment of partnerships between South African Police Service and other stakeholders, holding of information sessions with community with relevant information such as the importance of the branding of animals are discussed and information brochures are distributed.

An indaba is being arranged to be convene by the Minister of Police which will focus on the strengthening of law enforcement and crime prevention of stock theft and related issues. Thank you.

Mr SPEAKER: Any follow up?

Mr J CUPIDO: Yes, hon Speaker. If you look at the figures that you mentioned, it does not look like the figures are going down. Does the Department sense the prevention mechanisms currently being used are not working? Is the Department going to relook at their current mechanisms or just carry on with what they currently using?

The MEC: Hon Speaker, if you look at the number of cases indeed it is going down. In 2010 we only had 907 cases so we did the prevention measures in terms of what we understand and believe. It is actually going down. Thank you.

*21. Mr C Martin to ask the MEC responsible for Provincial Safety, Liaison and Transport:

(1) Whether any procedures or protocols are followed in the case of persons who are prevented from committing suicide by jumping off Van Staadens Bridge; if so, what are the relevant details;

(2) whether such persons are referred for professional counseling; if so, (a) at which institutions and (b) what are the further relevant details?

The MEC RESPONSIBLE FOR PROVINCIAL SAFETY AND LIAISON AND TRANSPORT: Thank you, hon Speaker. In reply to Question 1: The procedure when a complaint is received of an attempted suicide on the Van Staadens Bridges is as follows. The vehicle attending to complaints is dispatched as soon as possible. They assess the situation and inform the CSC to contact the hostage and suicide negotiator on standby if needed. The person is brought to the community service centre where the loved ones are contacted. In incidents where they refuse to see families or friends we make use of our employee health and wellness personnel, a church minister or any person they feel comfortable talking to.

In response to Question 2, at no stage do we refer any person taken from the bridge for professional counseling. However, we advise and options are given to the person, his family or close friends. In most cases they are released into the care of their loved ones for further care. In most serious incidences, when persons are a danger to themselves and other people and who are in need of urgent treatment - the use of paramedics is provided on the advice of the hostage and suicide negotiator. Thank you.

Mr SPEAKER: Any follow up?

Mr C MARTIN: Thank you, hon Speaker. If the police are involved, do they go for regular professional counseling and debriefing? One looks at them picking up these bodies down there and working with these people. Perhaps the MEC can look at that again. Thank you, Mr Speaker.

*22.Ms N Jamjam to ask the MEC responsible for Provincial Safety, Liaison and Transport:

Whether any steps have been or are to be taken with a view to building a police station in Duncan Village; if not, why not; if so, (a) what steps and (b) when is it anticipated that this police station will be built?

The MEC RESPONSIBLE FOR PROVINCIAL SAFETY, LIAISON AND TRANSPORT: Thank you, hon Speaker. In reply to Question 22: Duncan Village is on the capital works priority list for the Eastern Cape. A new site has already been identified in collaboration with the CPF. The identified site is situated on the corner of the Siphunzana bypass. Several meetings were held between the Buffalo City Municipality and the SAPS appointed town planner in the office of the Divisional Commissioner: Supply Chain Management. As soon as funds become available the planning - including site clearance - will commence. Thank you.

Mr J P KORKIE: Hon Speaker, can I follow up on behalf of hon Jamjam?

Mr C MARTIN: Mr Speaker, on a point of order: According to the Rules the member must have a written letter that shows that the other member did give him permission to ask or to stand in for her. So if he has that it is fine.

Mr SPEAKER: Do you have a written letter?

Mr J P KORKIE: I do not have a written letter, hon Speaker.

Mr SPEAKER: Then the point of order is upheld.

Mr J P KORKIE: Thank you.

*23. Mr M Ntenjwa to ask the MEC responsible for Provincial Safety, Liaison and Transport:

Whether any (a) members of the South African Police Service and (b) traffic officers in the province were subjected to disciplinary processes from 1 April 2009 up to and including the latest specified date for which information is available; if so, (i) how many, (ii) how many were suspended without pay and (iii) how many cases are still pending?

The MEC RESPONSIBLE FOR PROVINCIAL SAFETY, LIAISON AND TRANSPORT: Thank you, hon Speaker. In response to the question from 2009 to 2010 that is to 31 March in roman figure (i) the number of disciplinary cases on the case roll were 607. Total suspensions of these disciplinary cases were 49; and disciplinary cases still pending - 1.

From 1 April 2010 until 31 October 2010 the number of disciplinary cases on the case roll were 260; total suspensions in these disciplinary cases were 35 and disciplinary cases still pending were 21. Thank you.

*24. Mr M B Nodada to ask the MEC responsible for Provincial Safety, Liaison and Transport:

Whether any case has been opened against the Kidd's Beach Police Station Commander after the recent incident in which a woman was killed and her son arrested for assaulting the Commander; if not, why not; if so, what are the relevant details?

The MEC RESPONSIBLE FOR PROVINCIAL SAFETY, LIAISON AND TRANSPORT: Thank you, hon Speaker. In reply to Question 24 a case of capable homicide was opened against the station commissioner of Kidd's Beach relates to an accident in which a female pedestrian was killed. This case is investigated under Case No. 257/7/2010. The investigation into this matter was completed and the case docket was referred to the Senior Public Prosecutor in Mdantsane on 28 October 2010 for a decision on whether to prosecute or not. The Public Prosecutor referred the docket back to the South African Police Service with the endorsement that he has declined to prosecute.

The family of the deceased was informed of this decision and they have expressed their dissatisfaction with the decision of the Senior Public Prosecutor. The family has now made representations to the Senior Public Prosecutor and he has requested the case docket to be sent back to him. This was done on 11 November 2010 and we are still awaiting an answer from his office.

At the time concerns were raised as to why these officers' blood was not drawn. But the officer was severely assaulted on the scene and suffered more than 20 stab wounds. His condition was critical and the medical staff, upon arrival at the scene, immediately attempted to stabilize his condition, which included insertion of a drip. Once this was done the SAPS could not draw a blood sample from him, as his blood was now contaminated.

A disciplinary case was opened against the Station Commander. A decision was made to prosecute and the disciplinary functionaries were appointed to initiate the disciplinary hearing. The case is still pending. Thank you.

*25. Mr R S Stevenson to ask the MEC responsible for Roads and Public Works:

(1) What progress has been made with regard to the proposal from the Nelson Mandela Metropolitan Municipality (NMMM) that it should receive R50 million to fulfil an agency function to repair plumbing at schools;

(2) whether she has been informed that (a) at 40% of all schools in the NMMM at least 75% of the toilets are malfunctioning and (b) 20% of all schools in the NMMM have no working toilets; if so,

(3) whether any steps have been or are to be taken with a view to repairing these toilets and leaking pipes, which result in the wastage of thousands of litres of water per hour in the NMMM; if not, why not; if so, what steps?

The MEC RESPONSIBLE FOR ROADS AND PUBLIC WORKS: Thank you, hon Speaker. During the EXCO outreach of 19 to 22 October 2010 with the Nelson Mandela Metro Municipality, the Department of Education was instructed to enter into a service level agreement with the municipality. The service level agreement was discussed and handed to Education by the Nelson Mandela Metro Municipality and is awaiting the response from Education.

On (2), yes, the Department of Roads and Public Works formulated a return report with cost estimates in the amount of R40 million for the repairs and renovation of the toilets which was forwarded to the Education Department. The Department of Education has commenced with the repairs and renovation at some schools but is experiencing severe budget constraints.

The day-to-day maintenance of schools is the responsibility of the Education Department. Be that as it may, the Department of Roads and Public Works met with the Port Elizabeth Regional Chamber of Commerce and Industry whose members have serious concerns about the water loss and have agreed that member companies should adopt certain schools to maintain and repair the toilets and water leaks.

Twelve schools were identified again by Nelson Mandela Metro Municipality under the DWAF Water Conservation Awareness Programme for the water savings initiatives. Repairs to toilets and water leaks at these must still commence. Thank you, hon Speaker.

Mr SPEAKER: Any follow up, hon Stevenson?

Mr R S STEVENSON: Thank you, hon Speaker. I would just like to point out to the MEC that according to the report I have from the municipality, 35 schools in Motherwell alone are losing 165 000 kilolitres an hour. So the repair of these schools is a matter of urgency.

My follow-up question is: What are the timeframes involved for the fixing of these leaks? Could you please look into that as a matter of urgency. I know you would not have information at hand. There is a massive drought there and there are thousands of litres an hour being lost. The situation is very urgent. Thank you.

The MEC: I thank you, hon Speaker. I will engage the Department of Education because I cannot be sure of timeframes that must be attached. Thank you.

*26. Mr R S Stevenson to ask the MEC responsible for Roads and Public Works:

(1) What total amount was owed by the province to the Nelson Mandela Metropolitan Municipality (NMMM) in respect of the 60% provincial roads subsidy for the maintenance and upgrading of provincial roads in the NMMM as at the latest specified date for which information is available;

(2) (a) why has this subsidy not been fully paid since the 2007/2008 financial year and (b) when will the total outstanding amount be paid to the NMMM;

(3) whether she has been informed that many provincial roads, particularly in the peri-urban areas of the NMMM, are in a poor state; if so, what action will be taken in this regard?

The MEC RESPONSIBLE FOR ROADS AND PUBLIC WORKS: Thank you, hon Speaker. The response to Mr Stevenson again is the Urban Transport Act of No. 78 of 1977 allows that the MEC may make funds available to the municipality on a 60% subsidy basis for the maintenance of roads of metropolitan significance.

In the past, up to 2007, funds were transferred to the municipalities' Consolidated Metropolitan Transport Fund, which was managed by the Metropolitan Transport Advisory Board. Nelson Mandela Bay Metro has not established a new MTAB since 2008, and funds for the maintenance and proclaimed provincial main roads within the metropolitan area were made available to the municipality in accordance with Section 14(b) of the Eastern Cape Roads Act.

In terms of service level agreements signed by both parties the maintenance of provincial roads in the peri-urban areas and the responsibility of the Department is maintained by the district road engineer. In terms of Urban Transport Act the Department does not go Nelson Mandela Bay Municipality anything.

2. Since 2007/08 the Department entered into service level agreement with the municipality as explained above. All the service level agreements have been honoured. The only outstanding amount owed to the municipality is R8 million in respect of the 2009/10 and 2010/11 financial years. We are

currently in the process of signing the service level agreement and payment will be effected as soon as agreement has been finalized.

The Department is aware of the condition of the Provincial roads in the peri-urban areas but it is a well known fact that the maintenance of roads is grossly underfunded. This also applies to the roads in our urban and peri-urban areas. Provision has been made in the Department's budget for provincial amounts of R14.3 million, R15.4 million and R16.7 million respectively for 2011/12, 2012/13 and 2013/14 financial years for the routing maintenance of proclaimed provincial roads within the urban and peri-urban areas of the Nelson Mandela Bay. Negotiations for a service level agreement have already commenced. Thank you, hon Speaker.

Mr SPEAKER: Any follow up? Hon Stevenson?

Mr R S STEVENSON: Thank you, hon Speaker. According to this report from the Metro they owed in the region of R50 million for the 60% rates subsidy.

Now, I hear what the hon MEC is saying, they do not owe them any money, but I think the Department needs to engage the Metro so that this issue can be sorted out once and for all; because they are experiencing a very severe cash crisis where they cannot pay their creditors within 30 days at the moment. So I would like to ask the MEC if she could engage the Metro on this matter. Thank you.

The MEC: Hon Speaker, I think we have to send a team for verification to the Nelson Mandela Metro so that we solve the matter once and for all. Thank you.

*27. Mr J Pienaar to ask the MEC responsible for Roads and Public Works:

(1) Whether she has been informed that (a) road maintenance contractors started repairing potholes on the road between Matatiele and Cedarville but subsequently abandoned their workplace for a number of weeks and (b) various serious accidents have taken place as a result of the potholes in this road; if so, what are the relevant details;

(2) whether any steps have been or are to be taken with a view to addressing such problems with contractors; if not, why not; if so (a) what steps and (b) when?

The MEC RESPONSIBLE FOR ROADS AND PUBLIC WORKS: Thank you, hon Speaker. A monthly site meeting was held on 25 November 2010. During this meeting it was noted that 9 rainy days were recorded by the contractor between 28 October and 24 November 2010. This severely hampered the contractors' progress and ability to attend to potholes. The rainy days were also not consecutive, which meant that the contractor only worked effectively for 7 days during the period in question.

In the process 20 tons of hot asphalt - which is a stone mix with which potholes are repaired - had to be discarded as it did not meet the specifications with regard to minimum temperature, causing the contractor not be able to carry on with the work. The absence of the contractor from site might have therefore created the impression that he has abandoned the workplace, which is not true. The fact is that one cannot repair potholes in the rain.

The last serious accident on the section of road between Matatiele and Cedarville of which the Department is aware was reported on 13 July 2010. However, without the loss of any lives. According to SAPS records the accident occurred as a result of the driver of the vehicle overtaking a truck against oncoming traffic. The condition of the road played no role in the accident. In other words, the allegation that the cause of the accident was as a result of the potholes in the road is not true.

Also, during the meeting on the 25 November 2010 all accidents on site were discussed and not a single one attributed to potholes. The contractor has visited all the police station in the area to enquire about the reported accidents. Again the police confirm that not one accident was attributed to the road works but rather to drivers not adhering to road signs, negligent driving and overtaking on blind rises.

During a road inspection on 23 November 2010 by senior officials from the Department some poor quality of work was noticed. This was brought to the attention of consulting engineer and the work was rejected. The contractor is been issued with a warning letter. The contractor was also urged to ensure that the road is in an excellent condition before they close for the Christmas break. The consulting engineer will monitor the contractor closely. However, further rain may cause further delays to the work. I thank you.

*28. Ms N Ndabeni to ask the MEC responsible for Social Development:

(1) Whether she has been informed that, despite her Department's having signed an agreement to fund the Alice Hospice, no funding has been received by this institution to date; if so, what was the reason for her Department's failure to honour its commitment in this regard;

(2) whether any remedial steps have been or are to be taken to delivering in accordance with the agreement; if not, if no, what steps?

The MEC RESPONSIBLE FOR SOCIAL DEVELOPMENT: Mandibulele kuwe Somlomo weNdlu yoWiso-Mthetho. Impendulo eya phaya kobekekileyo umama uNdabeni. Umphathi wengingqi yaphaya eNkonkobe siye samthuma into yokokuba makulandele lomcimbi ajonge into yokokuba kuye kwenzeka ntoni na. Into esiyifumeneyo yinto yokokuba asikho isicelo esiye safakwa kucelwa uncedo ngokwemali yile auspices ikhankanyiweyo.

Asiphelelanga kulo ndawo siye saqhubeka nokuphanda safumanisa into yokokuba kubekho isityholo sokokuba abantu ebebenze esi sibophelelo lisebe eli lezophuhliso loluntu kuNdlu-Nkulu kwaye indlela abayenze ngayo baye

babanencwadi okanye imbalelwano abaziposa ngengxowa yabucala zaya kufika e-Alice, nabase-Alice kwathiwa ke mabatyikitye baphinde bapose. Ekugqibeleni akwaziwa ke ukuba uphelelephi na lo mpose-poselwano. Kuye ke kwabayilonto yokokuba kubekho olona ologinya-ginyano andiqinisekanga ukuba indawoni na. Kodwa ayisithi nakanye umcimbi uphaya phezulu. Ndiyabulela.

*29. Ms N Ndabeni to ask the MEC responsible for Sport, Recreation, Arts and Culture:

(1) Why – despite her undertaking last year that the Butterworth library would be re-opened by the end of 2009 – has nothing happened in this regard;

(2) (a) what steps have been or are to be taken with a view to delivering on her undertaking and (b) when will this library be re-opened?

The MEC RESPONSIBLE FOR ROADS AND PUBLIC WORKS (ON belf of the MEC responsible for Sport, Recreation, Arts and Culture): Ndibuye ndinguMphathiswa wezemidlalo, inkcubeko nobugcisa. [Interjections.] [Laughter.]

Somlomo, umbuzo osuka kumama uNdabeni impendulo ime ngolu hlobo. Umasipala lowa waseMnquma uye warhoxisa usebenzo lweli thala lencwadi phakathi komnyaka ka-2004 ukuya kutsho kumnyaka ka-2008 ngesizathu sokokuba umasipala ombhaxa wase-Amathole ubeye wangakufuni ukuwelisela imali kwela cala laseMnquma.

Kodwa njengokuba ndithetha uye waba-engeyija naba masipala bobabini. Ngomhla we-15 kweyo-Msintsi yavulwa le-Library eli lungu libuza namhlanje. Bendizakucela ukuba ke ilungu lihambe noMphathiswa lo uhlala kule ndawo baye kuyibona iyasebenza i-Library ufike leyithana noko umbuzo lo. Ndiyabulela.

Mr SPEAKER: Any follow up hon Ndabeni?

Ms N NDABENI: Enkosi, hon Speaker. Ndingayivuyela hon Speaker ukubangabana u-MEC angakhe aphinde aye kutshekisha phaya because i-Library yona ebunyanisweni ayisebenzi.

The MEC: Ngokuqinisekileyo Somlomo isebe liza kuqiniseka into yokokuba ayipheli le veki kungayiwanga kunye nelungu eli kuye kuqinisekiswa lento ndiyiphendula apha ndiyiphendula egameni likamama uTom njengoMphathiswa. Enkosi.

Mr SPEAKER: We are now supposed to be moving to questions that have been transferred to the Question Paper in terms of Rule 184. I was going to say what I said earlier can as well apply now here. We know that the MECs were supposed to say why they could not respond to these questions, but now our time is almost zero. And in terms of Rule 186.3 it is at the discretion of the Speaker to say we have come to this point. Therefore, expect what I said

earlier - that a written explanation be submitted. I hope that you are going to support me, because I can see you nodding.

Mr J PIENAAR: Thank you, hon Speaker. I just want to make a point to say that from the 14 outstanding questions that were put to the Departments in writing, 10 are from Health and 4 are from Human Settlements. They do not respect this House. I agree fully what the Speaker is saying. We would like the responses in writing today - because these questions have been outstanding for a very long time.

This is part of our core business, they are like service delivery and we expect the Health Department and Human Settlement to perform and to deal with this House in respectful manner. Thank you very much hon Speaker.

Mr SPEAKER: In fact, that is why we have included them here and that is why we are putting this - because we respect the fact that members should ask questions and they must be responded to. We have allowed time but unfortunately it is quite difficult for us. Hon MEC?

The MEC RESPONSIBLE FOR HEALTH: Thanks very much, hon Speaker. It is not to express a different view, but for the record I would like to say it is not so that the House is not respected. I did enquire about these questions; we just need to find out where they go to because I am not aware of them. So it would not have been out of disrespect to the House but I think your ruling should be supported.

Mr SPEAKER: Hon Stevenson?

Mr R S STEVENSON: Thank you, hon Speaker. I think you have allowed in terms your discretion a fair amount of time for questions, so we are not opposed to your ruling. All one would like to ask is that a timeframe be set for when one can get these written responses otherwise they might never come. Thank you.

Mr SPEAKER: In fact I have already indicated that starting from when you said today up to 10 December 2010. So, immediately they are available they will process them and make sure that you get the responses. Thank you.

CONSIDERATION OF REPORTS OF PORTFOLIO COMMITTEE ON AGRICULTURE ON ANNUAL AND FINANCIAL OVERSIGHT REPORTS

Mr P NKAYI: Thank you, hon Speaker. I go straight to findings programme 1, administration.

(a) The Department piece meal approach to implementation of job evaluation exercise exposed it to unrest and conflict with the union.

(b) The payment of HROPT was found to be irregular; it exceeded the stipulated amount and had a negative effect on the Department's finances.

Recommendations;

(a) The Department must within 30 days submit a report to the Committee on how it plans to fully implement the job evaluation.

(b) The Department must within 30 days provide the Committee with a report on how it plans to correct this anomaly.

Programme 2: Sustainable Resource Management

Findings:

(a) The Department's planning model for infrastructure is ineffective and delays the commitment of funds.

(b) The Department underspent its disaster management grant by R22,2 million.

(c) The poor management and monitoring of the performance of CIDB-registered emerging constructors continuous to be a problem.

Recommendations:

(a) The Department must within 30 days provide a report to the Committee on how it plans to improve infrastructure planning and the associated commitment of funds.

(b) The Department must within 30 days submit a report on how it intends to improve the management of disaster funds.

(c) The Department must integrate the work of contract management and monitoring and evaluation units to coordinate inspections and expenditure tracking.

Programme 3: Farmer Support and Development

Findings:

(a) The Department unlawfully withheld the ECRFC's R22,5 million portion of the equitable share.

(b) The location of some critical functions of land reform away from the Department of Agriculture and Rural Development undermines the impact on agricultural development.

(c) The monitoring of extension officers is rendered ineffective by the provincial lack of availability of the Green Book.

Recommendations:

(a) The Department must always comply with the Division of Revenue Act and immediately after the adoption of the report transfer the R22,5 million to Uvimba.

(b) The EXCO must engage national Government with regard to necessity of the integration of these functions, especially given the prioritization of rural development.

(c) The Department must ensure that Green Book is available in each area in the Province in order to ensure proper monitoring.

Programme 4: Veterinary Services

Findings:

(a) The inability of the Department to reconcile payments with Uvimba and the Department of Agriculture, Forestry and Fisheries resulted in the delays of payments to the beneficiaries of classical swine fever compensation.

(b) The Department has little funding for rural abattoirs.

Recommendation:

(a) The Department must proactively champion the reconciliation and payment processes with Uvimba and report to the Committee within 30 days.

(b) In its budget planning the Department must prioritize rural abattoirs.

Programme 5: Technology Research and Development Services

Findings:

(a) The Department's research approach is reactive and largely depends on the request made by farmers to extension officers.

(b) Drought and climate change have had a negative impact on the Department's research on both crop and livestock.

Recommendations:

(a) The Department must review its research model and consider a departure from the linear relationship of farmers, extension officers and researchers to an integrated approach of on-farm research by these three components.

(b) The Department must always seek to procure the latest information and services of experts with regard to the effects of global warming and climate change.

Programme 6: Agricultural Economics

Findings:

(a) The Department provided R15 million for the rescue of 13 identified farms without understanding the root cause of the collapse. Even worse, the Department is considering increasing the number of farms to be rescued to 22.

(b) The approach of the Department on the Agri BEE Charter seems to be benefiting few selected individuals.

Recommendations:

(a) The Department must review its farm rescue approach.

(b) The Department must review its approach to benefit a broader spectrum in the agricultural sector.

The last programme: Structured Agricultural Training.

Findings:

(a) Training programme at the Tsolo Rural Development Agricultural Institute had to be curtailed as a result of water shortages.

(b) The Department is finalizing strategies and policies which are meant to revive Fort Cox College.

(c) The Department of Agriculture, Forestry and Fisheries is engaged in a process of developing a funding model for the college.

Recommendations:

(a) The Department must engage both the local and district municipalities in its plan to find a lasting solution to water shortages.

(b) The MEC must ensure that policies are approved and signed timeously.

(c) The MEC must spearhead the efforts to secure the funding.

General findings:

(i) Generally there is no monitoring of performance of the CIDB-registered contractors.

General recommendations:

(i) On behalf of the Government the Department of Public Works must demand reports on the performance of contractors hired by the various Departments.

Thank you hon Speaker, that is the end of the programme.

Mr SPEAKER: Thank you, hon Chairperson. Questions for the Committee from the members. The hon Martin?

Mr C MARTIN: Thank you, hon Speaker. Chairperson, page 2 if we look underneath the findings of 2, and the recommendations. The Department underspent its disaster management grant by R22,2 million. The recommendation is that the Department must within 30 days submit a report on how it intends to improve the management of the disaster fund.

I think the Department should be made to give a report on why they did not, reasons to why they did not. Because if one looks at the drought in the province it can never be that you cannot spend your disaster fund. And then the other one Chairperson, the reasons, we need to have the reasons and if there is a policy in place, a disaster management policy in place within this Department. I think that is also one of the questions that needs to be answered. Thank you, Mr Speaker.

Mr SPEAKER: No further questions. Hon members, response?

Mr P NKAYI: Yes Chair, hon Martin is right. If you do not get a satisfactory answer in the Committee you then recommend for the future. That is what we are doing because we could not get anything tangible in the Committee. In fact it appears that policies are not implemented the way they are supposed to be. That is why we are making this finding. Thank you.

Mr SPEAKER: I can release the Committee. Clarity questions for the MEC? None. We call upon hon Ntenjwa for COPE?

Mr M NTENJWA: Somlomo obekekileyo, uNkulumbuso engekho, amalungu we-Executive, amalungu onke eNdlu, nabakhoyo mandibulise emva kwemini nje. Mandithathe eli thuba lokukhahlela kuMphathiswa omtsha wale Department umama uChapha. Singulo mbutho we-Congress of the People mama uChapha siyakwamkela ubukho bakho ukuza kuqhuba eli sebe lezolimmo nophuhliso lwamaphandle.

Sicinga okokuba njengePhondo elingamaphandle kakhulu kunamanye kufanele ekubeni sibe ngumzekelo wezi nkqubo zophuhliso. Yiyo ke lonto siyixhasa lenkqubo, ukwakhiwa kwale arhente eyi-rural development agency and we believe that the interpretation ye-rural development would not just mean i-agricultural activities but is broader than that infrastructure being core and the LED related activities zizi-beneficiaries of that.

Because MEC the merger of these three institutions may reflect a skewed way towards agriculture-related programmes as if ilali zifanelwe kuphela kukulima whilst ulimo lingundoqo lubalulekile ezilalini. We hope that again with your colleagues urhulumento kukhona ukuyi-andastenda that this thing ye-rural development cannot just be about amaqanda ayi-400 akuTsolo nokulima kwaphaya kungekho ndlela ibheka khona. So we hope that your colleagues would understand the importance of this.

The question we continue to ask the MEC is about the funding for this agency. Whilst the idea of establishing the agency is good, we are not sure whether really there is enough funding to drive the resource this development agency. And the issues that relate to staff amalgamation we hope that they will be finalized so as to minimize tensions. The question, MEC, would be: Are we realistic to say this development agency would be operational by 2011? Because it seem to be some work to be done kwi-process ze-roadshows kule Bhili a number of questions were raised. And we hope that your office would look at that.

Hon Speaker, we have experienced i-drought in this Province and siyayincoma ke le yokufika kwezimvula. But we continue to sponsor the water harvesting programme. Because la manzi na la anethileyo abheka elwandle ayabaleka nje akukho ndawo iwaqokolelayo. We are saying why do we not continue with the programme of desilting these stock dams so as to conserve this water so that at least siyazi ukuba i-drought izakuba khona na next year.

Because lento sine-recess stations in this province but they do not assist us to focus that if kukho i-drought again that is coming and all that relates to the climate conditions why we cannot focus and be prepared for that? The report is reflecting R22 million that is not being spend kulento ye-drought relief. Why? When kukho namafama that have suffered.

So, we are saying it would be good if we would jointly together work out a programme that talks to rural development and understand exactly ukuba iminisha ukuthini na. Because if you read the rural development strategy and you read the programmes the unfortunate thing is that when you have a policy shift but your design remains the same, you just operate in the same manner whilst you have pronounced in your policy speech that this is the programme that you will be driving.

We are saying it would be good if you would interface the two so that your programmes and the strategy would talk to this issue of rural development.

Thank you, Somlomo. [Applause.]

Ms V MVENYA: Enkosi, hon Speaker. Ndibulise kumalungu onke ndithi kula malungu e-Executive asijoyinileyo kwela cala ndinike umyalezo othi kubo ningazibulali sikho sonke, kwakunje nakwaba ngaphambili. Ndithi kwaba batsha namkelekile kwabhekela ndihlale.

Ndi-impressed ke yindlela eniye nazihendilisha ngayo i-questions, andinakuyishiya lo ndawo ngoba abanye bebenokuthi hayi ndiyafika bangayokuzifuna ezi-questions baziphendule. Uhlobo eniye nazihendilisha ngalo ndi-impressed kakhulu. Hon Qoboshiyane ungayiyeki ke lanto yakho yokuba humble njengokuba ke uyi-MEC ungasele uqhubekeka ngolo hlobo ubululo. Namkelekile ke.

Ngokwale Department i-disappointment endinayo MEC omtsha ...[Interjections.]MEC ingxaki endinayo apha, into endi-disapoyintileyo yi-under spending ku-CASP, ne-disaster management fund. Noko andiyi-andastendi, nabani na ke futhi akanaze ayi-andastende into yokokubana i-disaster management fund ingaspendwa kube bekudiklerishiwe ePhondweni ukuba kukho i-drought.

And ngelishwa ke MEC asinayo thina i-economic booster apha ePhondweni enjenge-mining ne-factory zethu azimanga kakuhle.

Into ethetha ukuthi sixhomekeke kakhulu apha kwa-Agriculture. Noko asinakude singamspendi u-CASP. Amafama, ewe kunethile kodwa ingxaki zisekhona zona ngoba i-boreholes sele zomile. And ke ngoku sikulento kuthiwa yi-green drought. Ingxaki esinayo kakhulu ke ngoku MEC yinto yokokuba kuphume nodyakalashé ngoku emahlathini batya i-livestock yamafama. Izakusibeka engxakini ke lonto kuba nenyama kufuneka siyifumene apha. Ungalibali ke MEC ukhe ujonge esiya sicelo sase-Metro se-billion, se-drought. I-Metro ifunyenwe kakhulu yi-drought kulo nyaka.

Enye ke into eyingxaki kulento yabadyakalashé yinto yokokuba i-profit iyabethakala kakhulu phaya emafameni. Kuthiwa ngonyaka baluza i-R370 million ngenxa yokutyiwa kwe-livestock yabo ngodyakalashé. U-Agri-EC ...

Mr M PETER: Hon Speaker, I am trying to follow the speech by the member, when she started she mentioned something on kwabhekela ndihlale. Could she interpret that so that I can follow her speech. I do not understand this.

Mr SPEAKER: She will explain as she proceeds.

Ms V MVENYA: Hon MEC u-Agri EC kulento yodyakalashé ebekhe wathi mawaprophowuzelwe into yokokuba maku-introdyuswe umthetho onyanzelisa aba bantu bafuye oodyakalashé ukuba noko makhe babanjwe i-population yabo, ba-ristrikthwe bangandisi kakhulu oodyakalashé. Uyabona ngoku xa sele bephume ngolu hlobo sizakuthi sidibane nabo nalapha ezitratweni.

Ndivile ke MEC into yokokuba lamafama asaplanya ifoda kwamanye amafama wona abhatala i-deposit u-Department uthatha ixesha ukubabhatala, kuthiwa uthathe i-2 years yonke ukuba babhatalwe. Lanto ke iza kuphinda ichane because i-emerging farmers azikwazi ukuzilandela le foda. So lamafama ayayisondeza ukuba mayibe lapha kufutshane kubo. Uyabona ke xa bengabhatalwa bona izakwenza into yokokuba babuye umva bangakwazi ukubazisela lamafama. Iphinde ke ngoku sichaneke kwi-poverty rate yethu apha ePhondweni. Zizinto ke ezo ekufuneka uziqwalasele.

Kukho ke nalo mcimbi we-felt fires, andiyazi ke MEC ukuba ithini na iplani yakho ngazo ngoba nazo zinegalelo ekudistroyeni lemihlaba kufuneka ilinyiwe apha ePhondweni. Kudala ke kula Rhulumente wakudala kwakukade kukho izinto ekwakusithiwa zi-rangers, i-rangers ezazihamba ngamahashe zigadile ukuba ucingo lungaqhawulwa, zigadile ukuba abantu bangatshisi. Wayebanjwa umntu xa etshisile. Zigadile neenkomo ukuba mazingehli

zisenyuka. Andazi ke ngoku ngoba yapheliswa nje lo system inokuba ke ngoku ithini iplani. Ingase ukhe uphefumle kancinci kea pho.

Kukho ke umcimbi ongathathwa serious kakhulu ke apha MEC we-monitoring. Uyabona ke ukubangaba i-monitoring ayithathwa serious ngolu hlobo kuza kufuneka i-diklerishwe nayo as i-disaster. Ngoba kaloku xa kungamonitharishwa ithetha ukuthi siza kubethakala gqitha. Amacingo ashiywa ngonokontra ka bengagqibanga ukubiya, bemke phakathi, akukho mntu uyilandelelayo lonto. La mafama kuthiwa zi-emerging farmers azi-asistwa, azivizithelwa, ii-projects ziyakholapsa because akumonitharishwa. Yonke ke lonto iza kubuya ekubeni singakwazi ukuprodyusa apha ePhondweni kwa-Agriculture, sibe sixhomekeke kuyo, kula production.

Kukho ne-extension officers ezikhoyo ezithiwe saa apha ePhondweni. Azimonitharishwa. Kukho into ekuthiwa yi-Green Book ekuthiwa zimonitharishwa ngayo ngokuqinisekileyo kwayona lo Green Book ifuna ukumonitharishwa yona kuqala. Andiyi-andastendi ke mna ke kwanalonto leyo.

And ke kuthiwa azikho kulo lonke iPhondo zikho kwindawo ezithile. I-extension officers aziwenzi umsebenzi wazo ziyalala, zisuke ziyekwamkela ngoba ziyayazi ukuba azigadwanga. Ungayibona nawe ukuba kuliwa njani nge-tractor endaweni kodwa kukho i-extension officer iye ukuya kulamla ithi le tractor asiyo yamntu yi-tractor yamafama. Kwenzeka ezo zinto phambi kwe-extension officers. Kufuneke ke naleyo MEC ibe yinto ezakuqwalaselwa. Kukho lento yokokuba ke MEC ukuba apha kule Department u-lucky...

Mr SPEAKER: Two minutes left, hon member.

Ms V MVENYA: Ukuba awukho lucky ungabikho lucky. Kukho into yokokuba amafama, ama-coop ahambe aye kucela imali kwi-Department kuthiwe akukho mali. Ukuba umfama mnye waseNgqamakhwe eleke esizelekab unikwa imali. Kulo unyaka uzakunikwa i-R10 million, mnye kukho amafama angakwazi ukwenza ii-projects zawo. Mayiyeke ukuhamba ngokuba uthandwa kangakanani na, ukuba unelaka unelaka ukuba awunayo awunayo awuseze uyifumane imali. I-wealth mayispredwe iyeke ukuhlala emntwini omnye.

Kukho nalento, i-planning commission izike isincedise kulento ye-land claims kuthiwa zikwa-National, kukho nale ofisi ayisi-asisti kakuhle. I-planning commission mayikhe izame ukuba i-Department ibe nenxaxheba eyidlalayo kulento ukuba ezi-land claims mazikhe zide zicace, aziphumi iziphumo zazo MEC. And xa sele ziphumile ke ngoku abo bazifumanayo ezo fama mabatreyinwe ukwenzela ukuba bakwazi ukuzisebenzisa ngoba zithi umntu sele enayo ifama angayazi ukuba makayithini. Sibe nefama ezileleyo, sibe namafama afrastreyithethi singabina production.

Kukho lomcimbi wokugqibela kuba sele ndivile ukuba ixesha lam liphelile. Kukho into entsha endiyivileyo apha kwi-Department ekuthiwa yi-cash envelop. Izakulibulala isebe lento kuthiwa yi-cash envelop. Kuthiwa ke isuka

kwa-Treasury. Andiyazi ke and imithetho ka-Treasury qho ke i-Department xa zinento esiyibuzayo sizikomiti ukuba kutheni na ihamba ngolu hlobo kusoloko kusithiwa nantsiya kwa-Treasury. Uzukhe uqwalasele lento yale cash envelope wenze i-investigation ngoba izakubetha kwizinto ze-under spending, over spending ngoba ingathi kukhontrolwa imali kakhulu kulanto yala cash envelop. Ndiyabulela ke hon Speaker, enkosi. [Applause.]

Mr J BICI: Somlomo obekekileyo, abaPhathiswa ababekekileyo, amalungu abekekileyo, abasebenzi ababekekileyo, nendwendwe zethu eziphaya phezulu. Umbutho i-UDM lonke ixesha ithetha eqongeni soloko iyikhalazela into yokokubana imali enikwa isebe lezolimo incinci kunezinto ezilindelekileyo kwelo sebe.

If u-Agriculture is done properly it should be one of the drivers of job creation. It is unfortunately that the Department underspend its budget by R59.161 million. This is totally unacceptable. Departments cannot come to this House ask for money and when we give them they do not use it. Programmes 2 and 3 underspend by R25.6 million and R65.1 million respectively. These are the two most crucial programmes in Agriculture because one is a resource management the other provides farmer support through agricultural development programmes.

The Department did have some achievements, however. For instance they provided emerging farmers with livestock, with fences; they provided HR forums - things like that. The UDM commends the Department for getting an unqualified audit report. The Auditor-General did however draw attention of the Department to matters of emphasis, like unauthorized expenditure, regular expenditure, fruitless and wasteful expenditure.

Isebe ke malizigade eza zinto kuba kulapho imicimbi ilungiswa khona abafruitless expenditure nontoni, nontoni. Kulungiswa phaya zonke izinto. In the financial oversight the Department has spend 46% of its annual budget. The UDM would like to caution the Department to closely monitor its spending trends because we expect the Department to use all its money and we expect the Department not to overspend and not to underspend. Thank you very much. [Applause.]

Mr M GALO: Hon Speaker, hon Premier in absentia protocol observed. Today is the first day of December, World Aids Day is celebrated around the globe. The day is meant to remind us of the impact of HIV and AIDS on the world's earth.

On wealth AIDS day the progress made in the battle against the epidemic has emphasized and bring into focus remaining challenges going forward. The AIC views poverty as one of the major challenges, having a negative impact in the battle against HIV and AIDS. Because those infected by this epidemic might not take the treatment on empty stomachs. Therefore agriculture and rural development is key to poverty eradication and in ensuring self reliant households in rural areas. Although the AIC appreciates achievements of the

Department's Programme 1, we are concerned about the delay in rolling out of the rural development programme as piloted at Mhlontlo local municipality.

Another concern, hon Speaker, is about your extension officers who are manipulated by the ward councillors. Those who refused to be manipulated are victimized by these ward councillors. One of the extension officers at Makhobani administrative area under Matatiele Municipality had to be removed from the area simply because the ward councillor did not want him. This anomaly needs to be corrected. Politicians must not interfere with the Departments official's.

The AIC is supporting the report, hon Speaker. Thank you. [Applause.]

Mr D NEER: Hon Speaker, MECs, hon members, officials and the gallery. The ANC on behalf of the Portfolio Committee on Agriculture wants to welcome the new MEC for Agriculture in rural development and the rest of other MECs that have just been appointed. I think as a Portfolio Committee we are available to work hand in glove with you.

Hon Speaker, I wish on behalf of the African National Congress to share a few words when we addressing this important matter of Agriculture and Rural Development. It is approximately 16 years now that the ANC Government has led the country towards a development approach to all aspects of service delivery. [Interjections.]

Nguwo kanye lo ndiwuphetheyo. History will always dictate how we need to focus in changing people's life for the better. All aspects of development - positive and negative, good and not so good - will guide us moving forward. Ukuba uyayazi i-interpenetration of opposites. It is our task as an ANC Government to pay attention to the needs of society in general and poor people in the rural areas and townships in particular. We derive our mandate from our electorate when we focus on agriculture and rural development.

Hon Speaker, if we are to be successful as Government and as the Province of the Eastern Cape we have to focus on integrated planning both vertical, national/province and the municipalities as well as horizontal, interdepartmental. That is very critical for us to execute.

Hon Speaker, in our struggle towards the attainment of the national democratic revolution we have to note the following. Colonialism and apartheid were rooted in the dispossession of the African people of their land. Poverty, inequality and joblessness are the consequence of centuries of underdevelopment. The challenges of poverty and migration to cities are inseparably bound with the struggle to defeat poverty, create work and build a better life in the rural South Africa. Many rural areas still lack basic infrastructure such as roads, water and electricity supply. This lack of infrastructure hon Speaker, entrenches the problems of chronic poverty and limits the potential of communities to sustain economic growth, rural livelihoods and social development.

Uyabona ke apha sithetha ngabantu abakwi-rural villages nabasedolophini kula matyotyombe nakweziya townships ziphaya. Because aba basuka kwi-rural areas baye ezidolophini bebeleqa eza zibane kuba kaloku kumnyama phaya.

Xa usiya ke ezibaneni ingathi kukho into engcono onokuyifumana. Yilonto ke sithetha ngawo because basahleli kwi-poverty phaya kweza townships bakuzo. Ubanesizi ke hon Pakathi xa ubona abantu as abantu abakhulele e-town ubone abantu bethu besuka kwi-townships behamba in a very disciplined way benganyatheli nalapha ethini because bayayazi ukuba itha yona yinto yokuhamba imoto. Baba ke zi-victims phaya zotsotsi abahleli bezungula ichela. Yilonto ke sithetha ngabo apha.

MEC sithetha apha ngokungabikho kophuhliso emaphandleni. Ithetha ukuba lonto as a Department kufuneka ufowukhase kakhulu phaya ekujongeni ekuspendweni kwala mali kuthiwa yi-CASP. Because every financial year lamali ibuyela kwa-Treasury okanye i-withholdwe nationally because zi-conditional grants ezi. Uyabona ke u-CASP is the Comprehensive Agricultural Support Programme. Ithethe ukuba lonto la mali is meant to support people in the rural areas nge-infrastructure. Ukubangaba ke ngoku asiyihoyi, lo mali asiyispendi ithethe ukuba lonto sibhekiselela phambili ukungaphuhliseki kwamaphandle. Iyacitya ke siyikomiti lento kuthi mihla le every year le mali ayispendwa ibuyela umva.

Siza kuyicela ke i-Department ibe-creative. You see phaya kwi-rural areas ukuba uhleli nabantu baphaya akukho nto bangayaziyo abanokuyenza ukuba bebene-resources. Bayakwazi ukuzifakela icingo, bayakwazi ukwakha i-dipping tanks akukho nto bangayaziyo because bakhulele phaya bezenza ngokwabo. So we must be very creative singalindeli kakhulu i-engineers zikhona phaya. I-knowledge ne-skills zikhona phaya. So we must be very creative in utilizing these funds, utilizing ezi-skills nale knowledge ikhoyo phaya kwi-rural areas.

The rural and urban poor must be at the centre of planning for development. The alienation and non-recognition of their ideas will stall the process of rural development. To avoid the latter we have to improve the ability of Government to take the lead in innovation, research and development and extension services appropriate to development. We must encourage decentralization of leadership, linked to a progressive empowerment programme, as well as participatory and people-centred programmes.

Hon Speaker, as we move towards the holiday season we go back to our families and constituencies in urban and rural areas. Let us go there to learn. Uyabona ke phaya abathanda umculo kukho ivenkile apha ekuthiwa ngu-look and listen. Uyabona xa ungenileyo phaya uyajonga umculo owufunayo uwudlalelwe umamele. Kodwa sifuna ukuthi ke ngoku nina when you go back to your communities you must look, listen and learn.

Hon Speaker, we wish all members as the Portfolio Committee of Agriculture a prosperous and happy end of the year and a new year. [Applause.]

Mr SPEAKER: Thank you. Hon MEC, it is your turn. Hon members this is the MEC's maiden speech.

The MEC RESPONSIBLE FOR AGRICULTURE AND RURAL DEVELOPMENT: Somlomo obekekileyo weNdlu yoWiso-Mthetho, iNkulumbuso yePhondo, i-Executive Council, amalungu eNdlu yoWiso-Mthetho abalulekileyo. Ndiyabulela ukuba ndifumane ithuba lokuba ndime apha ukuze ndamkele ingxoxo mpikiswano kwakunye neziphakamiso ezenziwe yikomiti kweli sebe ndizakukhokela lona ukusukela ngoku.

Manditsho ukuba ndiyabulela kuqala ukuba ndifumane ulwamkelo olushushu kuleNdlu ndaye ndinethemba lokuba akungebikho sizathu sokuba singasebenzisani. Kuba umsebenzi lo singawo kweli sebe usichaphazela sonke ngokulinganayo ingakhathalele ukuba ubani ukholelwa entwenini na. Kuba sona isisu asikweletwa. Ndiyabulela ke ukuba ndilifumane eli thuba.

Mandiqale ke ngokuba ndithi ndiyayibulela ikomiti ukuba iyiphonononge le ripoti ize kuyibeka apha esidlangalaleni. Ndibulele nawo onke amalungu athe athatha inxaxheba agqiba anikezela ngendlela eyakhayo izigxeko zokuba oku akulunganga, kumele ukulungiswa. Siyayamkela kakhulu le ngcebiso yaye sizimisele into yokokuba siza kwenza njalo ukubuyela rhoqo ngexesha esilinikeziweyo ukuza kunika ingxelo emalunga nokokuba ezi monakalo ziphakanyiswayo sizilungisa njani na.

Ndibuye ndamkele kakhulu iziphakamiso ezithetha apha ngethuba elingange nyanga, 30 days ukuba kubuyelwe kwaphaya lisebe kwikomiti kuye kwaziwa into yokokuba phaya makucaciswe ngokucacileyo lisebe ukuba ezi zindululo zenzekile. Andinakho ke ukutsho ukuba ziyakuba zenzeke ngale ndlela ifunekayo. Kodwa ukuba azenzeki iyakuphinde ibe ngumsebenzi wesebe ukubuyela kulekomiti nakuleNdlu yoWiso-Mthetho ukuba makukhandwe cebo limbi eli icebo besilibekile alisebenzanga.

Ndiyadlula ke ndithi ukuba ndithathe inxaxheba ekukhokeleni elisebe kuyandonwabisa kuba ubunzulu benxeba lokuhlupheka ndibazi kakhulu ndingumntu nje wasezilalini ozalelwe khona, wafunda khona, wasebenza khona, wabangumfazi wakhona. Kubalulekile ke ukuba ndiyitsho into yokokuba ndandizalelwe emva kocango kungekho gqirha nanesi. Lonto ke yandenza into yokokuba ndiyazi ngokubanzi into yokokuba zinjani na iimeko zabantu basezilalini.

Ndiyafuna ke ukuphakamisa into ethi kusibalulekele ukuba siyamkele lendlela uRhulumente weMpuma-Koloni as abele ngayo kwiziphakamiso zikaMongameli. Xa kusithiwa maliguqulwe elisebe libe milo yimbi ukuze likulungele ukwenza izinto ekuthiwe apha kuleNdlu alizenzi. Elisebe kuthiwa ke maliqaqambe ngokuba liqalise ngokuthi rural development. Libuye ke lithi and agrarian reform.

This Government has gone a long way in saying our agenda is a transformation agenda. But the time has come to be stronger and begin to bite

in terms of saying we will have to enforce this transformational agenda by actually reconfiguring this particular department as much as reforming it. I accept that and believe very strongly that the committee in charge of this will assist the MEC and the leadership of the Department and all stakeholders and the entire House to support us; because if we have not managed to persuade this paradigm shift we will reach a stage where we develop policies of enforcement and they will depend on this House to be approved and to be implemented.

To start with I do want to say that being born in the rural areas or on a farm, being the offspring of a farm worker must stop being a shame or a disadvantage. And this House, this Government under the leadership of umama uMambhele must begin to turn that into good fortune - to have been born in that particular environment. You must develop a passion of belonging there.

All other issues of urban migration and other stories that are being said are only because it seems to be a shame, a start of being marginalized to be born in a farm. Why are we not focusing on the training that has been emphasized? The training of the South Africans born in rural areas so that they can be better farmers themselves because this is the environment they know. This agrarian reform hon Speaker does not at all refer to production but it refers to means of production, and the change of the relations between the farmer, farm owner and the employee. Why is it that they cannot receive this recognized prior learning? Because they grow there, they die being casuals.

Abakwazi bona ukuba ngo-handyman, abakwazi bona ukuba ngo-tractor driver, abakwazi ukuba ngo-driver because they do this everyday except that they have never been to school at times. So that master/servant relationship between the farmers and the farm employees must stop. The relationship between the traditional leaders and the rural communities - so called subjects - must also be taken on board so that people are really empowered. So this particular paradigm shift that we are supposed to take as instructed by the law through the Premier must begin to be recognizing not only the amount, how much we produce but also the rural livelihood. The promotion of Ubuntu phaya sihlala khona.

I do want to agree with all the constructive criticism that relates to extension officers zihlala edolophini because zingenandawo zokuhlala ezilalini. Zihlala zisebenza zingenazo i-ofisi ngokwaneleyo, zingenawo amahashe nezithuthuthu nebhayisekili ukufika kulento yezidiphu nakulento yaba bantu. I do accept that amasimi alele and na xa sele sinazo izinto asikwazi ukuzisa apho kumele sizise khona.

Kodwa lithiwa ndim imilo le yesebe inokwenzeka kunye nemithetho ebilawula ibingakhange ifumana ingqwalasela yenguqu ukuze ikwazi ukuzenza ezi zinto ngendlela endicetyiswa ngayo namhlanje. Yiyo lonto ndamkela iingcebiso, ndamkela notshintsho lesebe. Endithi thina ne-union phaya siyakhona kula Department, thina neentloko zabasebenzi, thina neenduna abantu abaphezulu emsebenzini abalawula abanye.

Siza kuthatha ke elo nyathelo, nyathelo elithi siyiqwalasele lento yale-arhente, siyiqwalasele lento yokuthiwa imali ayikhutshwanga ukuya kuVimba. Siyiqwalasele lento yokubandakanywa kwazo zonke kuze kube lula ukuzilawula, kubelula nendlela yokuzenza into yokokuba zimonitharishwe njengokuba sele nitshilo. Yaye kuya bonakala into yokokuba umsebenzi osele wenziwe nangona unendawo ezifuna ukulung-lungiswa phaya ukuze ingqalane ngqo le-arhente nemfuno zabantu. Ukuze singazakheli igongqongqo eliza kuginya thina ngomso. Izakufuna ingqwalasela, singazokuyipasisa nje kuphela kuba kufuneka ipasile.

Ndilwamkela olugxeko lunyanisekileyo lokuba akukhange kube kuchithwe ngokufanelekileyo. Yayi nezizathu njengokuba nizi-analayizile siyazamkela. Kodwa sivumile ukuba siza kubuyela ekomiti njengokuba kundululwe sisiza nezilungiso zezo zinto. Umcimbi waphaya kuTsolo uphakanyisiwe no-National ukuba basancedise kula learnership iqhubeka phaya, ngokuthi kubekhona indlela emayilawulwe ngayo imali nokuba incedisa aba bantu bakula-training centre.

Umcimbi we-Fort Cox awufuneli nje ukuba sithi mayibuyele esimeni ibeyikholeyiji njengokuba sisazi kodwa ifuna nenguqu ehambisana nemandeyithi entsha yesebe ukuba ikwazi ukudisentralayizwa singavuki kufuneka i-Fort Cox yase-Queenstown, i-Fort Cox yase-Sterkspruit, i-Fort Cox yazo zonke iindawo. Senze ukuba lena sinayo i-Fort Cox ibenakho ukunabela reaching out ukwenzela ukuba kube lula ukusebenza.

Siza kusebenzisana nezi Universities ezingo-Walter Sisulu eziceba ukuvula lento yokufundisa. Yaye siqinisekile into yokokuba abantu amabafundiswe asingobantwana abapase u-10 kuphela. Omama notata, nosisi nobhuti mabaye kufundiswa babe ne-certificates hayi zengqesho kodwa ezokuba bekulungele ukuba bazamkele bezisebenzisa benezakhono ezifanelekileyo njengokuba amanye amazwe esenza.

Kulo mcimbi wetele-tele andiboni ukuba lomcimbi wetele-tele ungade utshise ibunzi kuba akukho cebo ndilifumeneyo kweli sebe elithi ezi tele-tele zisaza kuphinde zinikwe iziqu okanye ibathwana labantu. I am actually advised and orientated that the policy and regulation which is being developed is such that government will have to own own tractors; because if you give umka kaThobayithathe one tractor how do you think that mka kaThobayithathe will be able to get diesel? How will that mka kaThobayithathe be able to pay the salary of the driver? Who will do the maintenance of that particular tractor?

Lessons learnt from the trial's errors will be corrected by going back to the drawing board - all of us - and identifying what is not working and what is working. I do welcome this particular report and say also that issues that relate to our stakeholders - our stakeholders in the Department of Agriculture cannot be those who have an interest in terms of receiving finances and funding.

Stakeholders also refer to those who are patriotic, even if they are not belonging to that particular grouping which is an interest group. I think we

should develop a process of understanding who is a stakeholder and who is an interest group. So that we are able to know the support we get is not because we will get this but it is because we will assist this Government ...

Mr SPEAKER: Liza kuphela ixesha.

The MEC: ... to go forward.

I thank all of you for this moment and I wish it could be longer. Thank you very much. [Applause.]

Reports adopted.

CONSIDERATION OF REPORTS OF PORTFOLIO COMMITTEE ON EDUCATION ON ANNUAL AND FINANCIAL REPORTS

Mr M MRARA: Hon Speaker, the Premier in absentia, the MECs, members of the Executive Council in particular the MEC responsible for this biggest Department in Government of Education.

Hon members, mandithathe elithuba nam loku-introdyusa this new culture of promoting indigenous languages in this institution nobody else would introduce these languages to the expected levels if politicians themselves shy away from their responsibility. IsiNgesi ke siza kundincedisa ekukhawuleziseni le report because is so thick and the way it has been compiled is not assisting us and therefore I will direct you to page 496 to page 504 for the financial oversight. And the annual report is contained in page 523 to page 532 in your document.

Chair, I am not going to go through the traditional clauses, terms of reference, methods of work etc. I am sure by now you have gone through the report. But I will focus you on the table itself. The reflection of the table from programme 1 to programme 8 is not painting a very good picture in terms of the expenditure patterns. All programmes have underspent and the Portfolio Committee has looked at that. But it talking figures here, the politics of figures are very complicated. A figure is nothing else but an expression of a science, but also each individual figure is relative. That is why you are able to use figures interchangeably. This is exactly what we are going to do when we unfolding this report, interpreting these figures both in financial terms and in the language that we understand.

Let me direct you to recommendations in page 498 and I will focus mainly on recommendations because of the magnitude of the report.

Recommendation:

(a) The Department must furnish the Committee with a report explaining the plans they have/will put in place before the start of the following school year to avoid schools not having the necessary vital operational funds. The Committee is expecting a progress report within 30 days.

(b) The Department must stop setting big targets coupled with huge sums of money which are not achievable or that will be difficult to achieve.

(c) The Department must furnish the Committee with the report in relation to figures contained in your finding, finding (c) - a total of 4 626 posts that were approved but were never filled. I think recommendation (c) refers to that.

(d) The Department must furnish the Committee with a report on its plan in respect of resolving the sensitive issue of irregular salary increases that impact negatively on the budget. The report must be submitted within the expected 30 days.

(e) Corrective measures must be implemented as a matter of urgency against officials failing to do their work. The Department must furnish the Committee with the steps taken within the required time.

Programme 2: Public Ordinary School Education

Recommendations:

(a) The Department must furnish a report to the Committee explaining when furniture will be delivered to schools. Is a crisis point and we attached 14 days for the report, nokuba siseKrismesini sakube sikhona.

(b) The Committee must be furnished with a report within 30 days in relation to finding (b).

(c) The Committee must furnish the Committee with a report on how it intends utilizing the funds and library books to be delivered to schools before the end of the financial year.

(d) The Department must explain to the Committee if there are any plans in place to expose the remaining SGBs to capacity-enhancing training during the remainder of this current financial year. We have observed that there is serious underbudgeting for the training of the SGBs in schools.

(e) The Department must furnish the Committee with the corrective measures to remedy the situation within the required time.

Programme 3: Independent Schools

Recommendations:

(a) The Department must ensure that appropriate corrective measures are implemented in instances of late submission of compliance certificates by schools.

(b) The Department must ensure that appropriate corrective measures are implemented in instances of late submission of audited financial statements.

(c) The Committee must be furnished with a report stating clear disciplinary measures to be taken against officials who failed to declare their business interests.

Programme 4: Public Special Schools

Recommendations:

(a) The Department must furnish the Committee with a plan on how it intends utilizing funds to avoid monies being returned to Treasury.

Programme 5: Further Education and Training

Recommendations:

(a) The Department must ensure that strategic planning and sufficient funds are in place when targets are set.

Programme 6: Adult Basic Education and Training

Recommendations:

(a) The Department must fast-track the process and report back to the Committee within 30 days in relation to the underspending on the programme as outlined in finding (a) in relation to ABET.

(b) The Department must furnish the Committee with a report explaining the impact caused by the non-employment of these educators on teaching and learning at the affected centres.

What measures did the Department put in place to remedy the situation? You will recall that we reported here that there was a march of ABET educators to this Legislature and an intervention by the Speaker's Office.

Recommendation on page 503.

(a) The Committee must be furnished with a report on remedial plans that the Department has to develop and implement in order to avoid this type of management weaknesses that has become an impediment to the realization of important goals affecting core business. This in relation to the management of ECD centres.

(b) The Department must submit to the Committee a progress report regarding this matter and state clearly the Grade R classes that would receive their LTSM packages.

Programme 8: Auxiliary and Associated Services

Recommendations:

(a) The Department must ensure that all service providers on their database have supplier numbers before allocating tenders to them. Thus the crisis point of unclear processes and procedures followed in terms of the tendering processes that causes delays in many respects.

General findings: I will go through both findings and recommendations.

(1) No thorough quality assurance measures are implemented in the development of these documents, as proven by the fact that the figures did not tally. The Department is violating the Public Finance Management Act (PFMA) prescripts and Treasury regulations with regard to the accuracy of information on reporting. The Department could not meet its spending targets for each programme and main standard items.

(2) Due to inadequate monitoring and 5 fraud cases - out of the target of 32 for the year - were concluded for the six-month period under review.

General recommendations:

(1) The Department must strengthen its quality assurance pertaining to documents, as these documents become official public documents once they are submitted to the Legislature. The Department must furnish the Committee with the corrective measures to remedy the situation.

(2) The Department must take into consideration the expediting of pending fraud cases. The Committee must within 14 days after the adoption of this report be furnished with a report regarding the status of unfinished fraud cases.

The Auditor General emphasized this matter of the correctness of information and I do not have to report it. Let us go straight to page 523 in your document again we will focus to recommendations, thus the annual report, I will mainly focus to recommendations.

Programme 1: Administration

(a) The Department must ensure that the process of reviewing the organogram is finalized as a matter of urgency and the Committee be furnished with a report within the required time.

(b) The Department must ensure that control and monitoring systems are in place and adhered to by departmental officials. And I must repeat this one. The Department must ensure that control and monitoring systems are in place and adhered to by departmental officials. Failing to do so must be followed up with disciplinary processes.

(c) The Department must work closely with the Special Investigating Unit in order to fast-track prosecution relating to fraud and corruption cases and to deal with old cases.

(d) Urgent intervention is needed in the legal section of the Department. The Committee must be furnished with a report as far as this matter is concerned.

(e) The Department must ensure that improved systems of handling of documentation are in place and personnel are properly trained in document management to facilitate the smooth running of the Department. The Committee is expecting a report within 30 days.

(f) An information technology system must be put in place as a matter of urgency in order to produce quality reports and to detect risk on time. I am sure we are coming to this matter time and again; because we took long time in engaging on this matter - correctness of figures and information distortion etc. That is why this thing is coming up time and again.

(g) The Department must urgently induce the IT section to install LOGIS in all the district offices in order to assist the district to minimize problems relating to reporting on commitments and accruals. This will also enable the Department to submit quality and accurate reports and be able to detect risks on time.

(h) The Department must furnish the Committee with this information.

(i) The Department must develop a plan on how to deal with huge bills of electricity at district levels and they must look at the option of delegating the whole function to the district offices.

(j) The Department must provide the Committee with a detailed report regarding the incentives for rural educators indicating timeframes of when these will be implemented.

The President in his inaugural statement two years ago made a commitment that each and every educator would get a laptop in this country. Other provinces are moving in that respect and that is why we are stating that the Province of the Eastern Cape is not immune from this responsibility as pronounced by the President.

Programme 2: Public Ordinary School Education

Recommendations:

(a) The Department must work closely with Provincial Treasury to try to work out the challenge facing the Department. Cost-cutting measures must be urgently uplifted for the smooth running of the Department. There has been a moratorium to ensure cost-cutting measures, but this is proving to be a burden when it comes to schools that were supposed to be ensuring service delivery.

(b) There are no designated school safety personnel to ensure that safety standards and policies and access control measures are implemented at school level.

(c) Access control to school remains a challenge. The Department of

The DEPUTY SPEAKER: Hon Mrara, you are left with 3 minutes and we are still at programme 2, so ...

Mr M MRARA: I am at your mercy now. Let us go straight to page 528, recommendations:

(a) The policy on the performance of independent schools needs to be reviewed.

(b) The Department must not encourage the opening of more independent schools due to poor performance of these schools.

(c) Stricts measures must be applied in respect of schools that failed to account for Government funds.

(d) The Department must work closely with the Provincial Treasury in trying to improve the cost-cutting measures.

Programme 4: Public Special Schools

Recommendations:

(a) The Committee must be furnished with a detailed report regarding the non-filling of posts.

(b) The Department must come up with a plan that will remedy the situation, and disciplinary action must be taken in instances where there is an official responsible for this anomaly.

(c) The Department must work closely with the local and district municipalities to mobilize physically challenged learners who are currently not attending school. Government cannot met targets because these disabled learners or physically challenged learners cannot be identified in communities by the relevant Department.

Programme 5: Further Education and Training

Recommendations:

(a) The Department must expedite the process of ensuring that there is no disparity between the educators for FET Colleges and ordinary educators.

(b) The FET sector must be placed under one employer.

The next programme's recommendations:

(a) The Department must furnish the Committee with a detailed report explaining the conditions of service for ABET educators.

(b) The Department must expedite the rationalization of schools to open up a space for more facilities to assist the ABET learners in the vocational field.

Programme 7: Early Childhood Development

Recommendations:

(a) Facilities and programmes for Grade R learners must be implemented as a matter of urgency and the Committee must be furnished with the report within required time.

(b) The Department must furnish the Committee with a report stating why the targets were not met.

Programme 8

Recommendations:

(a) The policy on HIV and AIDS must be implemented in schools and the Department must work with the Department of Health to provide them with school nurses.

(b) The Department of Health must be roped in as it is a relevant partner in this matter. A policy on teenage pregnancy must be developed in order to assist schools to follow a similar approach.

(c) Counselling centres must be established in all district offices.

(d) The Department must furnish the Committee with a plan to implement the said backlog.

(e) The Committee must be furnished with a report explaining what happened to the funds that were set aside for infrastructure purposes.

The DEPUTY SPEAKER: Twent-five seconds left.

Mr M MRARA: (f) The structure and approach dealing with the maintenance funds at district levels need to be reviewed.

General findings:

(1) The Department should improve the the operation of PERSAL.

(2) The Department should provide the Committee with a breakdown of the actual accruals. We did not believe that six months under review would lead to R15 million in accruals. We want the correct figure.

(3) The organogram must be reviewed in order to consolidate functions of the Department properly.

(4) The Department should account for this amount and should strive to improve its document management system.

Hon Deputy Speaker, I present this report to this House, understanding the serious challenges that are confronting this Department in this particular province. Of course, we must acknowledge progress made thus far as we are tapering off towards the end of year. We salute the Portfolio Committee for good work that it has done in ensuring that we engage the Department. We also congratulate our Department for actually assisting us in engagement processes that were not easy, of course. Thank you. [Applause.]

The DEPUTY SPEAKER: Thank you, hon Chairperson. I will now allow members to ask questions. Any questions? Hon Dimaza?

Mr M DIMAZA: Thank you, hon Deputy Speaker. My question is just to get clarity from the Committee page 497 and 498. On page 497 on the finding (b), on finding (b) of page 497 the finding is about under spending by the Department and failing to meet the targets that were set. But in your recommendation on page 498, recommendation (b) your recommendation is in a way saying that the Department must stop setting big targets.

The Department has underspent; that is what you are recognizing here as your finding. But now in recommendation (b) you are saying the Department must stop setting big targets as if the Department has overspent. So what then happens maybe here, I want just to check instead of that recommendation is the Committee not supposed to talk about the Department needing to build the capacity so that it can be in a position to spend? Because you cannot say the Department must not set big targets, because some of the targets are because of the conditional grants that are given to the Department. And I just want clarity on that.

Mr C MARTIN: Madam Deputy Speaker, it is just a general question that I want to ask. When it comes to the bread cutters in this Department I would like to find out if the Department does have a database. When do they envisage paying these people the outstanding money, the bread cutters?

The second one, Madam Deputy Spekaer, is when it comes to non-payment of temporary teachers over a long period. I just want to find out when the Department envisages paying these people that have not been paid for a long period?

Ms T WANA: Madam Deputy Speaker, on page 501 the Committee is highlighting in the findings that there is money which is not utilized as a result of that those money return to the Treasury in terms of public special schools. I do not know whether I am tempted to explain two special schools in the district of OR, one is in Khwezi and the second one is in Tsolo. So my question is: according to the Department, how far did they go with the monitoring of those schools? Because there are always queries each year that they are not having any funding in terms of those special schools. Thank you.

Mr M MATOMELA: Hon Deputy Speaker, thank you very much. I have been trying to peruse the two Committee reports but I have failed to put my finger on any finding or recommendation dealing with the audit opinion and issues raised around that, noticing that that is part of the annual report. So I just want to check whether it is a matter of omission or whether the Committee did not have time to consider the auditors' report in the annual report.

On page 525, finding (a) together ne-recommendation yakhe around issues of cost-cutting measures. In Programme 2, finding 2(a) and then recommendation 3(a) were they are saying cost-cutting measures must be urgently uplifted for the smooth running of the Department.

I am worried about that kind of a recommendation from a Committee, I do not want to pass judgement but I would love the Committee to go deeper into the reasons why there are those cost-cutting measures with the Department before the Committee would recommend that those measures be uplifted. In the context of that I would urge the Committee to interrogate the turnaround plan designed by the Executive to support the Department of Education. Check in detail what it implies, because there is lot of cutting of costs around that report. So I am just alerting the Committee to take its time to get deeper into those issues so that they maybe able to make the Department account in that regard. Thank you Deputy Speaker.

The DEPUTY SPEAKER: Thank you, hon Matomela. Are you covered MEC? Okay. Especially that the second one was a comment not a question so that is why you are covered MEC. Hon members, can you respond?

Mr M MRARA: Thanks hon Deputy Speaker. The one raised by hon Dimaza I think is welcomed. But I think the context is that we recognize the underexpenditure and also the failure to achieve targets.

The issue here is that the Department indicated that it is operating on an overdraft. There is no money. Despite the fact that there is underexpenditure, there is no money available. This recommendation that you therefore should not put huge targets that you will fail to meet and yet you understand the financial status of your institution – it is not because assert that we condemn the fact that ... because currently they are saying they are operating around R500 million until the end of the financial year and thus the information we had. So the engagement was along those lines. Hence we said, it seems to be a contradiction but the reality is that there is no money for the Department from now up to the end of the financial year unless it further engaged with Treasury. Perhaps this adjustment that was done yesterday might assist to a certain extent. This is the context behind this particular recommendation. However, we welcome the advise.

The second one around bread cutters, we will deal with it. Temporary educators, non-payment, we did engage on this matter. In fact the response we got is that there is an intention to terminate services of these temporary teachers. That is the response we got.

However, it does not necessarily remove the responsibility of the Department of Education to pay people who have worked. But there is this bigger intention of which we said even before you embark on that exercise give us the detail around this particular issue of temporary teachers. We are informed by the demand at school level around this particular matter. So a bigger challenge is that there is an intention to terminate services of these, according to report that we got.

Number 4, you will add hon members, number 4 public schools, Khwezi, Mthatha, and Tsolo special schools. We visited Tsolo we know exactly what is happening in that special school. We also visited Khwezi because of the headlines about the ownership of that particular institution. I think the challenge is still at that level for the Department to furnish us with a report, fully report in terms of what has been the contestation between the Department of Education and the nuns that control the special schools called Ikhwezi.

Around Tsolo there are infrastructure problems there, among other problems. We think the IDT that was building that particular institution was to be roped in, in terms of engaging with the Department at that level to deal with these problems over and above the other challenges of accessing the funds.

The one on audit opinion - I think we must appreciate that we had to make one finding. The Department of Education could not budge on this one, and I think that is the simple answer. They could not budge on the question of audit opinion in terms of responses. We were requested in the previous Portfolio Committee meeting to submit a report responding to all audit queries of the Department. But this time around they could not budge in terms of saying they have managed to do a,b,c,d. That is where we have identified failure by leadership and management - failure to lead in terms of this particular area. So the simple answer here is that the Department could not budge in terms of giving us as a Committee convincing detailed information as to how they intend to respond to the audit queries as presented by the Auditor General. And we set a particular process to say: let them give us that report, and we would dedicate time now focusing to the report of the Auditor General in our next session.

Ms K FIHLANI: Thank hon Deputy Speaker. In response to hon Martin's question on the bread cutters, the database: They do have the database the one they presented to us. They said the amount is about R9 500, but they are still owing them about R120 million. They said that amount which is owed is due to the non submission of a form called 1401 which relates to payments, dealing with banking details of the schools. They said they will be paying them by July 2011. Thank you, hon Deputy Speaker.

Mr M PETER: Chair, the question raised by hon Dimaza on the failure to meet targets and recommendation of the Committee. In fact, the Department is confronted by incapacity problems. Because in all programmes, targets were set and it failed to meet such targets. And in interrogating the report we notice that there was consistency in terms of response that the Department lacks

adequate planning, monitoring and there is lack of strategic leadership. This was the response in almost all programmes where the Department failed to meet its target. I think I would agree with hon Dimaza on issues of building capacity. Perhaps one could say the Department needs to re-engineer itself or needs to re-organize itself. Re-organizing or re-engineering itself would involve building its capacity. I think we have to take it as he suggests. Thank you.

Mr M MRARA: Hon Deputy Speaker, around cost-cutting measures, although we recommend lifting the moratorium, I think it must be acknowledged that this moratorium has a negative bearing on schools. This moratorium could be traced back from the last financial year. More than 4 000 posts could not be filled because there was this moratorium; and I am saying schools are beginning to panic in relation to that. The Committee felt that given the underspending, at the same time it does not make sense for us to say this moratorium should be retained perpetually at the expense of the service delivery points, ie at school level. So that recommendation is informed by that.

Recognizing of course the turnaround plans of the Executive but also the turnaround plan of Department itself, I think the new Head of Department has got a process that is beginning to ensure that there is coherence in terms of the turnaround spend to respond to all these particular challenges. So we recognize that the Executive recommended or adopted a particular intervention in terms of the turnaround plan. But the Department of Education also has its own plan linked to that one. However, the new head wants to apply his mind in ensuring that there is coherence in all these plans to take processes forward. Thank you, Chair.

The DEPUTY SPEAKER: Questions to the MEC? To the MEC. Are there any questions to the MEC? Hon Matomela?

Mr M MATOMELA: No, Deputy Speaker, it is not a question but I will request the MEC to comment on the issues I raised - for example the Department should take as its responsibility to fully brief the Committee on the turnaround plan, particularly the one which is dealing with financial challenges we are facing as a Province so that the Committee maybe in a better position to monitor the performance of the Department in that regard. Thank you.

The DEPUTY SPEAKER: Hon Martin?

Mr C MARTIN: Yes, Ma'am. It is also not a question that we expect the MEC must actually answer now. When the Committee said they interrogated the Department when it comes to the bread cutters - they say that these people will be paid next year June/July. If you look at it, it is not in the spirit of the PFMA which states that people must be paid within 30 days. I am just mentioning it to the MEC. They are opening themselves for a class action and they will pay with interest on that R120 million. It is just a comment.

The DEPUTY SPEAKER: Do you want to say something, hon MEC?

The MEC RESPONSIBLE FOR EDUCATION: Thank you very much, hon Deputy Speaker. Indeed hon Deputy Speaker, it is not a justification or an excuse to say so many days you are in the office. But the commitment that I can make here based on an honest submission to this hon House would be that indeed it was my first time to get into the EXCO today and first time receiving relevant documents in particular around the turnaround plan. So the commitment that I can make to this hon House is to say indeed I have taken note of that is a matter that I will prioritize - even come back to the Committee even if there is no Committee meeting. Once I am able to run through the turnaround plan, interact with the Department and make a submission. That is a commitment I am making.

Furthermore, if the House does not have a problem I can go as far as to say that - depending on what the Legislature feels - I will do so within two weeks or 30 days. The first thing probably coming out of this House would be to interact with the Department to receive my understanding of the situation.

The last point on the bread cutters - it is really indeed a coincidence hon Deputy Speaker that whilst I was still a member in the House I had made a motion on this very question of bread cutters. I can only accept the situation as raised by hon Martin. Indeed no amount of hiding can make you run away from the prescription of a law. The PFMA is very clear. It is a matter that once again I would say I will be taking up with the Department. Thank you very much.

Ms A WOODHALL: Good afternoon everybody. Hon Speaker, MECs and members and especially our new MEC look forward to, many honest interruptions but also to officials and visitors. Thank you for listening to us this afternoon. I quote -

“The vision of the Department of Education is to offer quality public education and the system that transforms schools in the centres of community life and promote shared moral values, good governance and sustainable development.”

Due to gross mismanagement, fraud and corruption this vision of schools in community centres is threatened. And the Department has been unable to sustain the infrastructure and indeed provides safe and functioning buildings for all the schools and communities. Instead the Departments proposing to close a number of mud schools and send the learners to nearby schools. And yet often the mud schools are built by the communities and they are centres for those communities.

We understand why this is going to be done as the budget has to be met indeed the Department working with Treasury on the turnaround plan which has to be drastic in light of the projected severe overspending. But in spite of the underspending was projected ...and is a terrible pity that this situation has come about. The new MEC and head of department will have to be

courageous for sometime to come if the turnaround plan is to work and it must not be just a budgetary requirement for the present year it must include a plan to plug the leaks and redirect funds to legal value for money payments and service delivery.

The non-renewal of contracts for temporary educators helps the budgetary situation, but does it help the classrooms situation. Double parking of educators being turned around into single parking may solve the problem of inflated compensation of employee payments.

However, to use an old saying in English the proof of the pudding will be in the eating. When classes are opened in January 2011 and there are educators for every class - including subject teachers - this has to be worked out by January 2011. And we still query the 4 626, as I understand the posts not filled due to the moratorium and yet they were in the budget. Part of the answer lies in the fact that regular and wrong payments of salary increases were made in the Department and we were pleased that the Head of the Department has identified this and promised to reverse the situation and find ways for the excess to be repaid. And it will take strong discipline to enforce this. Perhaps the unions will cooperate with the new MEC.

Many findings of the Committee cut across the different programmes and include poor planning, monitoring, lack of strategic leadership as already mentioned in the report in Tuesday's *Daily Dispatch* on the Vukhambe special school in Mdantsane highlights a lack of monitoring. Bravo to the Department for the action that is being taken. We do not want to hear any more blaming the circuits or districts or head office by each other. Although the programme for special schools has underspent, what has gone into the school has been misused. Underspending in FET College and ABET programmes was apparently due to a lack of training and planning and underspending was also due to the non-awarding of the training tender. And this again is due to poor management. People are just not doing their jobs and this is another problem attached to tendering processes by the Department.

Poor planning prioritising in the earlier childhood development programme and more attention must be paid to the compensation of employees and ...materials for Grade R learners. The priorities are wrong this is also reflected in the ongoing organograms which is going for several years and it does not seem to come to an end.

The annual report encompasses all of the above problems we have highlighted this is a Department that has weak systems and implementation and areas of financial management legal services follow up with law enforcement, asset control, archiving, documents storage and accessibility, risk assessment, educate management, tender allocation and payment for goods and services.

The Auditor General's report tells us that R325.9 million and payments was not supported by appropriate documentation. Where there is a will there is a way and this needs to be applied. Motivating circuit, district and head office is

vital in the light of all these negatives reports and it is also a challenge. There must be a glimmer of light at the end of the tunnel.

We urged the Department to act on all the recommendations in the Committee reports timeously - irrespective of party politics and philosophies. There is a common thread that education in the Eastern Cape must be well managed, monitored and implemented both efficiently and speedily before we lose another generation to poor education.

The Congress of the People support the reports and also appreciates the sense of reality which seems to have appeared recently during the interactions between the Committee and the Department. And we look forward to a good year in 2011, in spite of all the challenges. I thank you. [Applause.]

Mr P E VAN VUUREN: Thank you, hon Speaker. Hon Speaker, hon Premier, members of the Executive Council, hon members, dignitaries and officials from the Department. I am indeed honoured to respond to the reports presented by the Portfolio Committee on Education.

Let me first start by congratulating the newly appointed MEC for Education hon Mandla Makupula. We know that the task ahead will be daunting because of unfulfilled promises left behind by your predecessors that need to be urgently attended to. I want to wish the new MEC strength, wisdom, endurance and humility; virtues that are needed in order to turn the incomprehensible situation around.

Hon MEC, year after year this Department takes up almost half of the provincial budget. A whopping R22.68 billion was invested in this Department for the 2010/11 financial year – a whopping R3.23 billion more than the previous financial year. It is also a written fact hon MEC that challenges of this Department are well documented. Unfortunately these have remained on the books for the last 16 years without any commendable inroads being made.

Hon MEC, I want to shift my focus to only three areas, namely the infrastructure fund, the double parking of officials, and a non-declaration of educator posts.

This Department was allocated R1.323 billion toward the infrastructure budget for the 2010/11 financial year. A budget cut of R410 million was made to offset the projected overexpenditure of R1.9 billion on compensation of employees. The conditional infrastructure grant of R424.22 million has been withheld to service a possible loan of R2.5 billion towards infrastructure. This alone has however not been secured. But currently the Department has only R42 million in its infrastructure grant to service infrastructure related issues. R77 million of unspent conditional infrastructure grant will be rolled over - as we heard yesterday - resulting in a net balance of R119 million for infrastructural needs.

There is a possibility that even these available infrastructure funds may be used to service the projected overexpenditure on compensation of employees.

The end result will be that no mud schools as per the plan of the Department will be eradicated, no new schools will be built or schools will be allowed to deteriorate beyond repairs.

Hon MEC, why must children at Nomkolokotho Junior Secondary School in Mt Frere be allowed to study in the open? Will the MEC give the necessary assurance that this unhealthy situation will be fully investigated as to why there are no infrastructure to accommodate these learners? This is totally unacceptable.

Hon MEC, I do not know whether you are aware - maybe not - of the 5 000 double parked educators and 152 displaced officials within the system and this has been going on for a long time. These 5 152 employees are contributing to the overexpenditure on compensation of employees. Hon MEC this untenable situation must be resolved sooner rather than later. I cannot comprehend why this Department is persisting with double payments for 5 152 employees. It goes beyond logic why in the case of double parked educators no solutions were found. Double parked educators resulted from posts being abolished at their institutions. These educators were never or refused to be absorbed into posts at other schools.

However, hon MEC, what is the way forward pertaining to these double parked and displaced officials? Because it also has a direct influence on the continued appointment of the 6 000 temporary educators. It is now down to 4 600. They withdrew the 1 400 because they were not appointed - that is why it came down to 4 600. Are you aware of any plans or work in progress to finalize this unacceptable situation?

Hon MEC, I am also concerned that the process of declaration of educator post has not been finalized. Can the MEC possibly allude to the reasons for the non-declaration? Has this process been stalled because of pressures relating into over expenditure on compensation of employees? How does the issue of double parked educators impact on the release of the post basket? It has been rumoured that the Department does not know for sure how many employees they have in the system. Payments are made to non-existing educators.

Is the MEC aware whether these ghost teachers have been removed from the system? And also what is the future of the 6 000 temporary educators regarding the absorption within the system? Has your Department, hon MEC, valued the actual numbers of educators? If so, when can we expect to have the posts provisioning scale made available? Schools need to plan and if they do not know who and how many they are going to get it will be impossible to plan for a successful academic year.

This Department also envisages a 10% increase in Grade 12 of results. [Interjections.] According to me this is not attainable, due to the lack of commitment by educators and officials and a lack of resources in the majority of our schools. And now the contributing factor is a relative allocation of senior education specialists to schools. Currently the ratio is 140 schools to one senior education specialist, whereas the norm is 25 to 1.

The Democratic Alliance firmly believes that learner improvement can be attained if the following measure is implemented. Just one measure hon MEC. Compel all principals to sign a performance contract which measures them according to targets for educator and learner performance, measured against the school previous best. This will reduce the administrative workload for educators, enabling them to spend more time where it counts: in the classroom.

The Democratic Alliance supports the reports presented here today. I thank you. [Applause.]

Mr J BICI: Deputy Speaker, hon members. This Department has the biggest problems in this country or in this Province - even in the country overall. Eli sebe ungabalisa ngengxaki zalo kutshone ilanga liphinde liphume kuphinde kuvele elinye, liphinde litshone.

Apha kweli sebe kukwamazidaphela. Ukuba umntu ufuna ukunyuselwa imali uyazinyusela akayi komnye umntu. Mphathiswa obekekileyo ofikayo uzakuyibona lonto. Indoda okanye intokazi efuna ukuzinyusela imali apha iyazinyusela kuphele uchuku. Some of the contributors to these problems are the employment of comrades, inability to discipline educators and other relevant stakeholders. If you employ a comrade you are not able to control that comrade. Teachers and educators do as they please because a union is there to protect them. A union is[Interjections.]

The DEPUTY SPEAKER: Hon Qoboshiyane?

Mr M QOBOSHIYANE: Is the member prepared to take a question?

The DEPUTY SPEAKER: Hon Bici are you prepared to take a question?

Mr J BICI: If I do get time I will take the question.

Mr M QOBOSHIYANE: Can I move quickly, hon Deputy Speaker?

Mr J BICI: No after I have finished. [Interjections.] This is my time now.

The DEPUTY SPEAKER: He is not prepared to take the question. Proceed, hon Bici.

Mr J BICI: Thank you very much. The educators do as they please because a union is there to protect them. A union is in control of the education. The Department is in control of the education. So who is fooling whom? [Interjections.]

SG, I have got confidence in you but I can assure you that if you become an obstacle to one union they are going to chase you away. That I can assure you. [Applause.] [Interjections.] The Department has failed dismally to implement some of its programme.

The DEPUTY SPEAKER: Hon Bici, you only direct whatever you are saying to the MEC.

Mr J BICI: Sorry, sorry.

The DEPUTY SPEAKER: Because these officials cannot talk here, so they cannot respond. Thank you.

Mr J BICI: Thank you very much. The Department has failed dismally to implement some of its programmes like school nutrition, scholar transport, LTSM tender, school building and maintenance, filling of vacant posts et cetera. School nutrition is chaotic, learners are not eating, suppliers are not paid, learners are not transported properly, budgets are not reaching school timeously, LTSM tender is preferred to suppliers in KwaZulu-Natal instead of this Province while we have capable suppliers in this Province. That is a fact you do not have to deny that or dispute it. Out of eight programmes five underspend and two overspend. This is not a good thing. There are 142 ex-FET teachers who are sitting in Queenstown doing nothing, 142 teachers, they are sitting there they are doing nothing they are being paid each month. We are paying about more than a million each month for those teachers for sitting there. They are doing nothing.

The Auditor General gave the Department a disclaimer, which is the worst. I do not know what would be worse than that, than a disclaimer from the Auditor General. In the six months financial oversight the Department has spent 48.5%. The UDM would like to advise the Department to invent a turnaround strategy not a turnaround plan lanto kuthiwa ngu-tap kuba yayitya imali yakwa-Local Government. Thank you very much. I-UDM iyayixhasa. [Applause.]

Mr M GALO: Thank you, hon Deputy Speaker. I do not have time otherwise protocol is observed. Let me once again congratulate you hon MEC but it is clear that the road you will begin to run is a rough one. But let me also on behalf of the African Independent Congress welcome the coming back of Advocate Mudidimo Manny to the Department and hope that the Advocate will do his work of rooting out corruption in the Department.

I am not going to talk about the non-payment of service providers. But what I would like to say, hon MEC, is that these service providers might take the Department to court because the Department is breaking the law for not paying them within 30 days. Last year there were centres which were established where the senior secondary schools were grouped to assist Grade 12 learners. Again the service providers who assisted in terms of providing food in those centres were not paid up to now. [Interjections]. Do not worry about my time. It is my own time.

Hon Speaker, the Department seemingly is not serious about programme 6. The MEC must take up the matter urgently to ensure that our senior citizens are educated and are able to contribute meaningfully in the politics of the

province and of the country. We cannot allow a situation where our senior citizens when it comes to elections are being hoodwinked through food parcels simply because they are regarded as people who do not understand politics. So this programme is crucial so that our senior citizens are enabled to participate in the politics of our province.

The AIC supports the report. Thank you. [Applause.]

Ms K FIHLANI: Hon members, members of the public, departmental officials, hon Deputy Speaker you are all acknowledged. Kumnandi ke namhlanje kuba xa uthe umbutho wesizwe mandize ndize kuwumela apha ngolu suku lokukhumbula imini ekuthiwa yimini ye-World Aids Day. Imini ke apho thina ngabanye isitatsha ngokwahluka-hlukana. We are either infected or affected.

Siyayazi ke u-Minister Nationally iliditshwa ke ngu-President le campaign ke sele kusithiwa yi-HTC andazi nokuba ndiyibiza kakuhle Mthongana. Kuthethwa ngo-H, C, T not VCT. U-ABET ndiza kumyeka hon Martin. I think it is not just a day okanye that is not just a fashion in the ruling party okokuba sidiklerishe that day because of the serious impact i-HIV and AIDS eyayenzayo in our society. As ke a leader of the society, as a leader ezicaweni, Bishop kwi-leader kwindawo yonke uKhongolose wabona oko okokuba kubalulekile. Yilonto ke nalapha u-hon Speaker wasicela singala malungu eNdlu yoWiso-Mthetho okokuba masenze njalo njengokuba sizinkokheli zoluntu ukuthi nathi siye kukwazi okokuba ubume bethu bunjani na singabanye ngabanye.

Amalungu ke hon Speaker niyakukhumbula okokuba mabini mathathu noko asondelayo kulo ndawo. Siyawa-enkhareyija ke noko sithi gqolo, amalungu asondele amane esiya ukuya kuzijonga noko ibakhona imincili apho xa sisakuzibona noko umntu esaphethe kakuhle.

Also, hon Speaker, sikwi-16 days of activism. Let us also acknowledge that. Kweli xesha esikulo esilwa nohlukumezo kubantwana nakubantu abangomama. Siyaqaphela ke hon Deputy Speaker ukuba ngeli lixa liyathanda ukuthi liphakame izinga lentlukumezo ngeli xesha kanye sijongileyo. Siyayilwa ke lonto leyo.

Siphinde sithi ke hon Deputy Speaker lixesha lolonwabo. Sinabantu abatsha wonke umntu mtsha no-hon Denis Neer mtsha sibonile apha, wonke umntu umtsha. So sikwixesha ke ngoku lolonwabo esithi sihlale nezihlobo esifuna ke sithi yonke leNdlu yoWiso-Mthetho singuKhongolose sifuna nihlale nigoduke niye kubazali, niye kubantwana, niye kwizihlobo sinibone niphilile kulo nyaka uzayo.

Hon Deputy Speaker, ibiyeyam yonke le bendiyitsho. Le ndiyithunyiweyo ke ngesebe i-ANC i-education iyenze iprayorithi yayo kakhulu kangangokuba kwilizwe jikelele uyakubona ukuba ifumana eyona-yona ndawo yakhe yabankulu. Kuze nalapha kwi-Province side sithethe nge-R22,68 billion. Eli

ke isebe lijongene nokuphathwa kakuhle koluntu apha ezingqondweni ingakumbi kubantu abasebancinane nakwaba sele bebadala.

I-ANC ke ayiyisusi esithubeni ke lonto hon Deputy Speaker. Kaloku sine-Freedom Charter. I-Freedom Charter ke asikafiki kulanto ithethwa yi-Congress of the People ke leyo andithethi ke ngemikokotelo evela izolo, ndithetha the real Congress of the People eyadibanayo yagqiba yabeka iimfuno zabantu. UKhongolozwe ulandela ezo mfunelelo ke, usekhondweni ke hon Deputy Speaker lokokuba kuriyelayizwe nale mfundo yamahala. Yilonto ke eyenze i-education ibe one of priorities zayo.

Uyabona ke hon Deputy Speaker side sabona okokuba masiri-alayine i-departments. Sithetha ngoku ngo-basic education no-higher education ukuze uqonde okokuba nyani sifuna i-emphasis on education. Iza kukwazi ukufokhasa on basic issues and enye ikwazi ukufokhasa kwimfundo yabantu, ejongene ncakasana nezakhono ezijongileyo. Lonto ke ayithethi kuthi ke izakufika kube lula. Sithe kaloku eli sebe lisebe elinikwe eyona-yona mali inkulu nezona-zona ngxaki ke uzakuzifumana kwalapha kweli sebe. Lonto siza kuyivuma siliqumrhu elilawulayo.

Sinazo iingxaki zolawulo, siyayazi lonto leyo. Saba nengxaki zokungagcwaliswa kwezithuba, saba nengxaki zokungaphophuleyithwa even kwe-organogram eyayigqibele umzekelo ngo-2006. Lonto ke ibenayo i-impact kwi-service delivery. Kutsho thina hon Deputy Speaker. Sithi ke hon Deputy Speaker, singumbutho siye sanyanzelisa okokuba makude kuqashwe intloko yesebe, intloko yesebe ezakukwazi ukuzinzisa ulawulo phaya kula ndawo. And sabona okokuba side sikwazi ukuthumela mhlawumbi sibone uMphathiswa aze kukwazi ukuthatha amandla ngoba kaloku siyanikezelana ngolawulo.

Yilonto ke sibonile ukuba masihlenga-hlengise nalapha ngaphakathi sikwazi ukuncedisa size kukwazi ukunika uxanduva, umntu azekukwazi ukulukhulela olo xanduva. Asithethi ke ngabusu xa sithetha nge-faces ze-reshuffling, we not only talking about faces sithetha ngabantu abazakumela umbutho not about faces, yi-organization leyo sithetha ngayo.

Saphinda ke ngoku, izolo oku hon Deputy Speaker sithetha ngokuvulwa ...commission because kaloku sithe sinengxaki yokuplena. Yilonto ke side sabona ukuba kufuneka siyiphathise ibe kuMphathiswa lento yokuplana ize kukwazi ukuhlangabezana nengxaki zePhondo.

Also, sizakuthi ke kuMphathiswa esisathe makakhe abambe akhokele eli sebe sizakunikela ezi zinto. Sifuna ke akwazi ukukhomba indlela, siyayazi ukuba ngamahla ndinyuka kunzima kweli sebe ngenxa yezinto ezininzi ingakumbi ezikhungethwe lulawulo. Sithi ke mawuthi gqolo ukuhambela phambilana ubhinqele mfutshane ulwe nalanto ine-corruption kule Department, ulwe nemismanagement. Sifuna ke ukwazi ukuba nomqolo ukuzama ukuba kwi-cases ezininzi ezine-fraud ingakumbi ezi zichaphazela amagosa aphezulu kweli sebe zikwazi ukuhambela phambili.

Sifuna ke also sikwazi ukuthi lento sasithe sifuna i-mud structures zi-eradikheyithwe la process we know that ayizokuba yinto yangomso kuse zisukile, that process must continue. Also we must acknowledge ukusebenza kuka-SG kwesi sikolo silapha eMdantsane ngokuba akhawuleze abone okokuba masivalwe thathwe eza tishala, u-principal wakhona kuze kukwazi ukuba la meko yaphaya yimeko enganelisekiyo because it leads to i-gross human violation and namalungelo abantwana iyawanyasha.

Kukhona ke Deputy Speaker ukuba uyakhumbula kwakukho nesinye i-special school ekwakusi-Gcawa apha ehawusini ekwakusithiwa nakhona kwakukhe kwangabikho kutya. Zizinto ke esiziphathisa inkokheli le yesebe okokuba nezi zikolo noko zizi-special school mazikhe zithande ukulandelwa ngoba kaloku zinabantu nabo esibathandayo, esibakhonzileyo aba kanye kuphinde kube ne-shortage kwezi department ukulandela i-target yabo ka-2%, sifuna ukurikhrutha kweza ndawo.

Mhlawumbi ke hon Deputy Speaker, xa ndisondele nje ekuyisongeni umama uWoodhall naye akabe sele ewelela ngapha utata uGqomo ndimbonile phaya phezulu. Noko ndiyeva noko ulwimi olu lwakhe lusondele apha ingathi ubekwe kwicala elirongo mabamkhulule asondele kweli cala loRhulumente olawulayo. [Interjections.]

Uhon Van Vuuren andiqinisekanga mhlawumbi ke ezi ndawo zakho siyeva umane usiza nendaba ngonokrawuzana siza kumamela ke apho kuwe kuba usixelele ukuba sikhe seva na sakukhe simamele sikhe sive wena ke uza nazo, uze nazo ke msasazi sikuphula-phule.

Tata uBici uthetha nge-comradeship wena ukuba sine-comradeship, asizazi ke i-comrade thina apha ngoba sazi sithumela abantu abafaneleyo kwezo zinto. Asinanto ina-comrade kowethu ke umqesho and uthethe nange-unions, i-unions ezihamba zigxotha. Sifuna ke umntu athethe into azakuqiniseka ngayo kwezi zinto. Wena ke tata uGalo asikazi ke sakuva mhlawumbi ke siseza kumamela kufuneka uhambe ukhe uye kurikhrutha uyeke ukuphelela eMatatiele ukhe urikhruthe mhlawumbi uzakube ube nabantu siza kuva mhlawumbi ukuba uyithini na kanye-kanye i-AIC nabo mhlawumbi siza kubonana apha naku-2011. Ndiyabulela ke kakhulu hon Deputy Speaker. [Applause.]

The MEC RESPONSIBLE FOR EDUCATION: Thank you very much, hon Deputy Speaker. My heartfelt gratitude this afternoon to be standing in front of this august House for the first time as a member of the Executive Council. I must say, hon Deputy Speaker, that indeed a word of acknowledgement that indeed with a machinery that takes almost half of the budget of the Province as the biggest employer also in the Province and that we are not dealing with machines here; you are dealing with human beings. You put a human being here the following day, you find the human beings standing somewhere. These obviously are issues that one must always recognize, and the fact that no individual, with whatever amount of energy, can turn around such an institution as a single person. And therefore this indeed calls, which is a point

I must make up front to this august House, for mutual working together, support.

I must also say, hon Deputy Speaker, that courage, trust, patience, selflessness, solidarity - these are all virtues in life. And we must cultivate virtue in the struggle against vice. We have a responsibility I guess to say education is a societal responsibility together with those officials that constitute that machinery. Whatever the problems that are there they are human beings - mothers and fathers, breadwinners. There are good officials there but also I must indicate there are bad officials.

I am saying together with those warm bodies in that machinery the Legislature, the Executive Council I guess there is no way working together. We might continue throwing stones unto each other. And I must appreciate it was my first EXCO hon Deputy Speaker today. And when the Premier pointed it quite clear that Health and Education the EXCO has taken responsibility of saying they are not just laying functions with the responsibility given to these political heads only the collective of EXCO is laying its hands behind these two Departments.

I must come to the report, hon Deputy Speaker, as raised by the hon Chairperson and the Committee. Up front I appreciate the honest, critical, clear recommendations. We commit up front that we will - together with that SG, that Accounting Officer and that machinery out there - follow them up. Just to pick up one or two areas specifically from the Committee report. Firstly, the report of the Auditor General. I guess it is a known fact that this Department for years has been receiving adverse opinions. There is no way that one cannot prioritize that.

Secondly, in that spirit I would obviously be reluctant to stand here and say these are my personal ideas, and that I will go there and do a,b,c,d. I guess in life things do not work like that. Yes I have my own ideas and there are people I am finding there. I will have to interact with them, engage with them and ensure that we prioritize, because as a political head I have a mandate to follow. The Accounting Officer has got a responsibility to implement. Mine is to make sure that the policies, the decisions, the House resolutions are actually implemented. It is one matter to have plans and get into the situation. It is another matter to get responses as you engaged. You ask an official why this thing cannot happen. Officials are best placed to give you almost every reasons for why a thing cannot happen. So the attitude that I am carrying is that it is not a question of asking whether this is possible. My task is to say: look, this is the mandate that I am given and I expect you to come to me with plans of how we are going to implement these things. [Applause.]

Therefore in that context the question of the AGs report I must indeed acknowledge that there are formidable challenges that we are facing.

The second area I must speak on, Chairperson of the Committee, indeed when you spoke about control environment. Is not only in corporate services; the

overall Department's control environment is weak. This is mainly due to the absence of amongst others, a proper risk management system.

Upon interacting with the Accounting Officer I got to understand that a process is underway to develop and implement a comprehensive risk management plan. It is envisaged that the plan will be completed by 31 March 2011. And I am saying to the Accounting Officer that March might seem to be far. It is December now; March might seem to be far. Can you show me concretely beyond just writing for me that we will meet this target in March? And the indication I get is that already a project team has been set to follow this thing, they are already out there to work on some of these systems.

The other major point which upon engaging them I got was that the Department is preparing to go to a strategic planning session. Obviously it is one thing to produce plans, and quite another thing to implement them. But as a political head I had a responsibility to say that I will join them there. I would want to be part of joining this process right from the initiation - that is from the strat plan. From a strat plan, operational plans must flow out. Beyond operational plans funding must be placed on the operational plan itself, implementation. This is where I am also saying I will be part of the strat plan, I will be part of following how the strat plan is broken down into operational plans, how the funding is attached to the targets on the plan itself and the actual implementation.

The other point, hon Deputy Speaker, that I must indicate is that from the Committee's report one of their finding is that most districts the LOGIS or IT system has not yet been implemented. And I want to speak specifics. Out of 23 districts only 5 have got LOGIS and head office, 18 districts are still working on manuals. Can you imagine that paperwork! Now there is no way that in this modern world, in this modern period we could take joy in such a kind of a situation. And I hope that those officials will come with concrete plans from that strat plan on how we will turn the situation around.

The whole question of, there are funny concepts I find there, double parked, temporary misplaced, and upon engaging, you find out that is as if it has become a normal thing, how do you allow a situation of a teacher toyi-toyi break out of the school then this teacher is chased away. It has become a normal thing in the Department oh no it will simply take him or her to the district office. Up to accumulate up to a number like 5 000 and as I indicate them I am asking what is the plan to get out of this thing? Because it is easy to take this teacher to the district office and throw him there and the problem is that that teacher who is moving is moving with the post, that school is unable to employ on that post.

Now you will come with short term measures employ a temporary teacher thus double payment because that teacher is moved with the post you will not be able to employ there. And I am saying no ways we cannot leave like this, this is abnormal we have to really, so I am just trying to say once again these are areas that indeed are glaring that will have to without any qualms take them forward.

So, hon Deputy Speaker, or the other area I would want to speak on is that procurement processes, thus another area even from a distance that we can sense that there is a lot that is taking place, procurement tendering processes. Delays in procurement, is not only about the system being slow it is also the attitude of the officials themselves. You might not have enough money but the plan that you have, your reprioritization, your plan can indicate to you in time that we are likely to hit a problem there in the next six months but if you do not have a plan you will only react when the problem boomarance. And I am saying some of our systems will have to pick up and follow them.

The last point I would want to raise - which has been raised amongst others by the Committee and in comments from these members - is the systems of Government. Of course you find them very complex and intertwined. Looking at the payment circle it might looks small, but it has an impact on emerging companies of our own people. When we fail to pay within 30 days, that person ends up closing his or her small company because of money being delayed.

What I realized as I was engaging was that this necessitates a working together with other departments. Because the explanation you will get is that no, no, no we punch in invoices and the machine just goes straight to Treasury and shows that this invoice has been punched. Depending on the nature of the deal that was done bureaucratic steps make such that 30 days come to an end before you even pay back, because this matter has to do with also Treasury. I am not wanting to blame Treasury, no. All I am saying is that as a Department you do not keep your money in the sense that like you can put a hand in the pocket and pay back the person once the person has done, because of once again measures to make sure that Government and money is not vulnerable. At times ...

The DEPUTY SPEAKER: Uselelwe ngumzuzu ke Mphathiswa.

The MEC: Thank you very much. All I would like to say, hon Deputy Speaker, is that once again, good people South Africa and the province, we have a challenge. Human capital development is decisive, you can buy a textbook in order to teach a child, but you cannot buy a teacher. You can buy a machine or an engine in order to do engineering work but you cannot buy an engineer. We have to deliberately invest, straighten up things in this Department so that we are able to make sure that we produce the best and integrate them in the system of making sure that we improve the quality of lives of our people. Thank you very much hon Deputy Speaker. [Applause.]

Reports adopted.

CONSIDERATION OF REPORTS OF PORTFOLIO COMMITTEE ON SOCIAL DEVELOPMENT ON ANNUAL AND FINANCIAL OVERSIGHT REPORTS

Ms N T XHANTI: Thank Deputy Speaker, good afternoon Deputy Speaker, Premier in absentia, MECs, hon members, members of the public and the

departmental staff. Allow me to report on the findings of the Portfolio Committee on Social Development. We need to note that i-budget vote or budget overview ka-Social Development the Department was funded R1 434 billion and yaspanda i-R1 434 ya-andaspenda i-R20 474 million. Ndizakuya straight kwi-findings.

(a) The Department continues to delay in the filling of critical strategic posts namely the HOD and the CFO. This failure to appoint results in the Department being led by acting people.

(b) The office of the MEC only manages to have one meeting with the top management for the whole year and had informal meeting with the senior management.

(c) The internal control system set up by the Department are not adequate to monitor transfers of funds to the beneficiaries and the utilization of the transferred funds by the project for the intended purposes. As a result the Department has number of offiicals charged with irregular expenditure.

Apha siyikomiti siveza into yokokuba i-Department ayina-monitoring tool kwi-finding eyinikezela kwi-NGOs. Yaye lonto ikhoza i-irreguar expenditure.

(d) The Department internal audit unit does not have the capacity to carry out its mandate fully and as a result there are many fraud and corruption cases being investigated.

(e) 53% of HRM employees could not submit quarterly and annual reviews.

Recommendations:

(a) The Department must speed up the filling of this critical post, a plan of action and progress report must be submitted to the Committee 30 days after the adoption of this report.

(b) The office of the MEC must exercise sufficient leadership at all times.

(c) The Department must strengthen its internal control system and risk management.

(d) The Committee must be furnished with report on steps taken against employees that were charged with irregular expenditure as provided by the PFMA.

(e) The Department must draw up an internal control and risk management plan that will not only limit it to identification and management of risk but it must include ways in which the Department will prevent it. And then the plan must be submitted to the Committee by the end of January 2011.

(f) Given the depth of this challenge and the huge monies that are being transferred to the NPOs by the Department, the Department must first speed

up the filling of vacant funded internal auditor posts. The Department must account whether PMDS bonuses were paid for these employees. Secondly steps must be taken to remedy the matter and lastly there must be a plan that will ensure that there is no reoccurrence of this.

Let me go to Programme 2:

Findings:

(a) Transfer payments to the amount of R412 million were made to the various NGOs and priority projects and R108 million was transferred to community development projects. The AG's report states that the accounting officer does not maintain appropriate measures to ensure that such transfers and subsidies are utilized for their intended purposes as the Department does not have procedures in place to monitor compliance by NPOs in terms of signed contracts.

(b) The Department failed to audit skills of people with disabilities in all seven districts and focus was only limited to OR Tambo district.

(c) The Department was also not successful in linking people with disability to permanent work.

Recommendations:

(a) The Department must provide the Committee with a plan that will ensure that there is regular monitoring of transfers and subsidies to NGOs and NPOs. And that these funds are used for their intended purpose within 30 days after the adoption of this report.

(b) The Department must provide the Committee with the recovery plan 30 days after the adoption of this report.

Programme 3: Development and Research

Findings:

(a) The Province has many unemployed vulnerable youth and the Department established and developed 38 youth projects instead of 49. That means the Department did not meet its target of 49.

(b) Many projects failed because they are not self-sustainable. The Department undertook to link 10 youth projects to markets, and only 5 youth projects were linked.

(c) Evaluation of performance of projects is crucial as it indicates the impact of the intervention made by the Department in the eradication and alleviation of poverty.

(d) The Department failed to evaluate performance of projects in the 11 poorest municipalities.

Recommendations:

(a) The Department must embark on a massive advocacy drive, targeting youth from all regions so that the set targets are realized. A plan of action and progress report must be furnished to the Committee 30 days after the adoption of this report.

(b) The Department must furnish the Committee with the recovery plan 30 days after the adoption of this report.

(c) The evaluation is crucial and will serve as a baseline for the intervention programmes. The Department must furnish the Committee with the recovery plan.

General findings:

(1) The filling of vacant funded posts continues to be a problem with no significant improvement. The Department is not speeding up the process and service delivery is being compromised.

(2) Some objectives in the annual report are not aligned to the policy speech of the MEC.

(3) Quality assurance was not properly done on the annual report because during the oversight meeting a number of activities which were reported were not reflected in the annual report. This put the credibility and authenticity of the report at risk.

General recommendations:

(1) The Department must speed up the filling of vacant funded posts. A plan of action must be furnished to the Committee by the end of January 2011.

(2) The Department must ensure that there is alignment of activities and funds. It becomes more crucial when the political leader of the Department has pronounce on strategic matters.

(3) The Department must ensure that the strategic management unit does its duty fully.

I will now deal with the financial oversight report.

The Department projected to spend R802 million for the first six months and manage to spend R710 864 million and the deviation for the half year projection was R92,562 million. Ndiza kuya ke kwi-findings zika-programme 1. Mandiyiveze ke ukubana this programme managed to spent 83,6% of their half year projections and had i-deviation of R34,659 million and the more

significant underexpenditure was on capital payment, were only 21,9% of the total budget, was spend.

Findings:

(a) All performance indicators related to monitoring and evaluation functions were not met by the Department. This negatively impacted on the delivery of services to the people, more especially when the Auditor General had noted this matter in the previous year and the Committee raised it a number of times. The impact of this matter can never be over emphasized by the Committee.

(b) The Department continues to delay the filling of critical vacant funded posts and this negatively affects service delivery. And as a result the Department had underexpenditure of R2.466 million on compensation of employees.

Recommendations:

(a) The Department must provide the Committee with plans to correct this matter within 30 days after the adoption of this report.

(b) Given the magnitude of this problem the Department must speed up the filling of vacant funded posts. The action plan and progress report must be furnished to the Committee by end of January 2011.

Programme 2: Social Welfare Services

This programme had underspent the half year projected budget by 5.7% - a deviation of R27.593 million.

Findings:

(a) Inadequate monitoring and evaluation of projects is cited as one of the reasons for under expenditure, whereas huge monies are transferred to this function.

(b) A total of 65 early childhood development centres were closed due to non compliance to minimum norms and standards.

Recommendations:

(a) The Department must provide the Committee with corrective measures that will ensure that monitoring and evaluation of projects is adequate. The Department must report to the Committee within 30 days.

(b) The Department must strengthen monitoring and capacitation of the centres and give support to the centres. The Department must furnish the Committee with a plan that will ensure that ECDs comply with minimum norms and standards, 30 days after the adoption of this report.

Programme 3: Development and Research

This programme has expended the half year-projected budget of R29.310 million.

Findings:

- (a) The Department only spent 15% of the total budget for institutional capacity building and support.
- (b) The Department continues to delay in spending because of challenges in the conclusion of business plans and service level agreement. District indicated that the delay is mostly caused by the provincial office.
- (c) A war on poverty strategy was piloted in Lubala. The Department has the responsibility to determine whether the poverty alleviation initiative has positively changed the lives of the Lubala community.

Recommendations:

- (a) The Department must furnish the Committee with a recovery plan to catch up on its spending pattern, as there are glaring challenges within NPOs functionality. The said plan to be submitted 30 days after the adoption of this report.
- (b) The Department must provide for a lasting solution to this problem. A plan and progress report must be submitted to the Committee 30 days after the adoption of this report.
- (c) The poverty eradication initiative must not be a compliance matter or an event. An assessment of the impact of this initiative is crucial for the efficient and effective service delivery. The Department must prioritize this kind of research as it is the baseline for further intervention and community development sustainability and self reliance.

General findings:

- (1) The Department has underspent the projected expenditure for the half year by R91,562 million. It has been highlighted by the Department that R85,8 million of the deviation amount is due to outstanding commitments on goods and services.
- (2) During the interaction with this report on a number of incidents conflicting statements were reported and the content of the report on those instances was compromised

The DEPUTY SPEAKER: One minute left.

Ms N T XHANTI: A glaring incident is the submission of two different half year financial oversight and performance report by the Department, where one report has missing information.

General recommendations:

Nazo ke bethuna niyazibona zibhaliwe apha. Mandithathe le nxaxheba ndibulele i-Department ngentsebenziswano kunye no-MEC ebesinaye ngeli xesha sisenza i-oversight. Ndibulele i-members zekomiti, ndibulele kwane-staff ngentsebenziswano.

I table the report. Enkosi. [Applause.]

Ms N NDABENI: Hon Deputy Speaker, MECs, hon Chief Whip, hon members of this House, officials, ladies and gentlemen. Mandinibulise ngale mva kwemini ngegama leNkosi.

Hon Deputy Speaker, allow me to present an input on behalf of the Congress of the People on the annual report of Social Development. I-Congress of the People yi-patriotic opposition, ayi-ophowuzi just for the sake of opposing but when there are issues ezifuna ukureyizwa, sifilisha into yokokuba masizireyize sharply for the sake yokubangabana kulungiswe apho kukhona undonakele khona. This is one of the departments that deal with poor and vulnerable people of this province.

Hon Deputy Speaker, it is amazing that 16 years since the democratic breakthrough this Department is only developmental by name but still a welfare department in terms of operation. This Department has been without the Head of Department and Chief Financial Officer for quite some time now, even though these are strategic and critical positions in any Department. This may result in poor and pitiable service delivery.

Despite several calls in the past that these positions be filled with appropriate incumbents who possess appropriate skills and management capacity, there has not been any move in this regard. The lack of leadership in this Department has lead to fail to have approved internal control systems. Noted are the HR policies that were to be developed and reviewed but fail to be approved.

Hon Deputy Speaker, given that all these policies relate to the better performance of employees, how would you expect them to be diligent and productive at their work when these critical policies have not been approved and implemented. We hope that this time around the leadership change will result in bettering the performance of this Department.

On training and development of staff, the Department aimed at training and developing its personnel and critical skills that would have improved its performance – this includes the training on PERSAL, which was not done though initially planned. In our view this is a high risk area that could result in an audit query because of over- and or underpayments of staff. How do you

then charge one if you have fail to capacitate him or her in the event where or when offense has been committed and allege that it is as a result of the lack of comprehension.

Hon Deputy Speaker, one of the jolting things discovered during our oversight was the lack of linkage between the policy speech, annual performance plan, operation plan and annual report. Some of the sector priorities, as reflected in the policy speech of the MEC, were not appearing in the APP and not reported on in the annual report. We view this as a very serious disjuncture and lack of cohesion from a policy directive. This anomaly does not only reflect on the poor performance and lack of coordination by the Department but it also taints the image of this honourable House, as the policy speech was tabled and approved by the very same House. This kind of behavior hon Deputy Speaker undermines this hon House.

On youth development programme, as per the annual performance plan the Department aimed to establish and implement programmes that will facilitate cohesion, empowerment and development of young people targeted to fund only 49 youth projects. It could not realize 100%, given that it only managed to develop 38 of the total target. And this failure continues to disadvantage the already vulnerable and poor young people of this province. The very 49 youth projects were just a drop in the ocean, given the high levels of poverty and unemployment in this province. As the Congress of the People we plead with the Department to invest in development of young people in order to make a difference in our province. We believe that that can also address the social ills.

On community development and research hon Deputy Speaker, it has been noted that the Department invested a lot of money in projects. As the Congress of the People we applaud that, as it is one of the service delivery vehicles. However, it appears that there are no effective monitoring systems on funding given to projects. This deficiency has the potential to lead to misuse of funds and corruption tendencies, as well as the abuse of project beneficiaries by the officials of the same department. These practices reflect bad tendencies of both fiscal dumping, inefficiency and corruption on the part of the Department.

Coming to the half yearly financial report hon Deputy Speaker, there is only one issue that I am going to raise. The glaring issue in programme 3 was the shifting of funds to other programmes as if this programme is less important, whereas it is supposed to offer services to the people. R28 million has been taken from programme 3 to programme 1 and programme 2. This shifting of funds from community development and research smacks of a state which has no regard for the plight of the people who still lives in abject poverty. This cannot be acceptable.

Hon Deputy Speaker, seemingly the Department lacks focus and capacity to deliver effectively and efficiently on its mandate. We hope that i-change le siyibonileyo izakwenza i-change even nakwi-Department. I-COPE supports the report. Enkosi. [Applause.]

Ms V MVENYA: Enkosi hon Deputy Speaker. Ndiqale ndamkele le MEC yam intsha, andifuni nokuba ke sibe sikuyaleza nge-service delivery, siyayazi akukho mntu ungayaziyo ukuba uyabetha ke kwelo cala. Uyabona ke uze ke phaya kula Department ukuba ufuna ukuba zihambe kakuhle i-service delivery yakho uqwalasele le micimbi ilandelayo. Ingxaki phaya ingaphakathi. Uyabona ukuba awuqwalaselanga phaya ngaphakathi kuqala uzakuba nengxaki phaya ngaphandle.

Oko kuqala yile sele ithethiwe ngu-hon Ndabeni le yokokuba kuphele unyaka, unyaka gulukungqu ingekho i-HOD, ingekho i-CFO. Ibisithi ke xa sibuzwa impendulo ithi ngu-Premier unobangela walonto. So i-question ke ithi why? U-ektha umntu emke kuphinde kuze ku-ektha omnye, emke abuye aze ku-ektha asuke aye kwelicala abuye ku-ekthe omnye, kuya ekthwa okoko. Wehlele ngezantsi kwi-district uzakufika ku-ekthwa. Kukwa-Generations apha kule Department, kuya ekthwa qha.

Uyabona ke MEC into ebangela ukuba ndithi ziqaphela ezi zinto kungaba njalo i-conflict izakubakhona ngaphakathi, kungabakho izinto ezinjalo. And immediately kubakho i-conflict i-service delivery iya-afektheke. Eyesibini into omaze uyi-qwalasele, andifuni kuya tu kwizinto zangaphandle ndifuna sihlale apha ngaphakathi kuba kufuneka uqale ubangule phaya, ugqwabhuze elathumba liphaya.

Eyesibini i-nepotism kula Department, umntu usebenza nonkosikazi wakhe, utata asebenze nentombi yakhe okany unyana wakhe, umalume asebenze nobani, i-friend intoni. Uyabona naleyo yingxaki ngoba ukubangaba unkosikazi uxabene nomphathi wakhe uzakuhamba aye kuxelela umyeni ngomso umyeni akamthethisi lo mphathi wakhe. Zingxaki ke ezo ezingunobangela we-nepotism. Ininzi phaya ngaphakathi MEC nayo izakuhamba ihambe ikuchaphazele. Ngoba omnye uzakuba ngumphathi womnye azi-ignore i-instructions zomphathi wakhe kuba kaloku uyazalana naye. Azifuneki ke ezo zinto sizibaleke.

Akonwatywanga phaya MEC kula Department. Ndifuna uze uyi-qaphela lonto. Ininzi i-unhappyness phaya, uninzi i-victimization phaya abantu baya-vikthimayizwa phaya kula Department. I-favourism ephaya kula Department. Ezi zinto mna ndiyakucela ukuba uze uzi-qwalasele, uzakhe wehle uye nakwi-district ufike nje ungabuzi service delivery ubuze nihleli njani kwi-district, nihleli njani apha kwezi ofisi. Baza kukuxelela, uqale kuqala ubangule ezo ngxaki zabo zokuhlala phaya.

Ndikwenzele umzekelo ke mna ke zide zikhona ne-anonymous letters esizifumanayo thina singamalungu. Abantu baxakiwe ukuba baza kwenza kanjani na ngoba kwanele, abantu baya vikthimayizwa. Kukho ileta esizifumanayo ezi anonymous eziripota ingxaki phaya ezi-ofisini. Eyesithathu into ekufuneka uze uyi-qwalasele MEC yi-corruption. I-corruption uze uyi-qwalasele kakhulu. Uyabona ngoku i-corruption izinga layo kufuneka idiklerishe as idizasta. Uyabona into eyenzekayo kwezi-projects MEC i-Department ifaka imali zilandele i-officials ziyirhutyule apha ngezantsi

ibuyele kuzo. Iyafakwa ngapha i-official ithi gqi ithe chu iyi-service provider ngokwayo iye eprojekthini ifike ithi yenza lomsebenzi kusayinwe itsheki phaya esayithini inikwe umntu emke ne-official angaphinde abuye umntu, angazokuwugqibezela umsebenzi.

Kukho i-allegation ke ethi enye i-official ide yathi xa i-project manager isithi hayi kaloku qale uze kugqiba athi hayi umthetho walapha uthi umntu nokuba akagqibanga uyayifumana imali. Kutshiwo apha kule Department. Kukho ne-allegation ethi enye i-official ide yathi hayi akukho nto uzakundenza yona ungandiphanda undincame unkosikazi wam ulapha kule Department.

Uyakuphanda uncame kwaye i-tenders zona ndisezakuzifumana. Ngumntu othathe imali lowo kwiprowujekthi. Kufuneka uziqwalasele ezi zinto wena MEC. I-equipment eprowujekthini kuthathwe i-equipment nge-R700 000 yonke ihamba iye kugalelwa eprowujekthini aphinde abuye u-project manager achithe abantu athathe i-equipment aye kuyibeka kwakhe. I-officials zihla zisenyuka zigqitha qho apha azibuzi ukuba kutheni i-equipment ikwakho nje. Kuze kuthi ke thina sakuza nayo ngaphambili lento sithi hey nantsi into isenzeka phaya ibaleke i-official iye kuxela ukuba hey uMvenya uyichazile lanto phaya baleka thatha le equipment uyiphindisele phaya eprowujekthini. Ufumanise ukuba ke ngoku oyena mntu ubonakala ingathi ebengathethi nyani nguwe wena mntu uzise ngaphambili lanto.

Enye endifuna uziqwalasele MEC, iyho ayithethwa inyani phaya. From programme 1 iye kutsho kwi-programme yokugqibela oko koko, kumane kusithiwa siya-apolojayiza hayi siphazamile. Inyani ayikho phaya MEC. Andiyazi nale ripoti ukuba siyenze njani ngoba inyani ayikho sibophamabande ukuze kuphume le ripoti. Umntu athethe le xa uyilandela hayi ndiyaxolisa bendingathethi lonto, oko koko.

Uyabona ke ndifuna mna sikhe sibuyele size apha kuthi thina zi-members ukuba ingaba siyawenza na thina as MPLs umsebenzi wethu apha kule Legislature? Ingaba siyawenza umsebenzi as MPLs? Senza ntoni xa i-official ithe yangathethi nyani ekomitini ngoba kaloku i-mislida i-House? Xa siyibonile ke lonto ukuba yenzekile senza ntoni? Akukho nto siyenzayo. Senzani xa i-official siyibonile ukuba i-PFMA iyophulile umthetho wayo? Siyachaza, siyayixhela qha ukuba hayi iyophulile i-PFMA i-andaspendile. Akukho nto siyenzayo ngalonto. Ukubangaba akukho nto siyenzayo ngento engenzeki right akukho nto izakulunga ngoba ithetha ukuthi sixhoma inyoka efileyo phaya egeyithini ukuba i-officials mazicinge ukuba kukho inyoka ekhoyo phaya.

Sele ziyibonile ukuba ifile akukho nyoka iphilileyo phaya, ngoba kaloku akukho nto siyenzayo ngabantu xa bemoshile. Ndifuna ke lonto ukuba siyijonge thina zi-MPLs ukuba eyonanto size kuyenza apha yintoni na. Ngoba uyabona lento ukuba asiyilungisi i-dignity yale institution izakuchaphazeleka. Kufuneka ke sigade i-dignity ye-institution siyeke ukugada into yokokuba hayi shame yhini ubani, yhini u-comrade bani ngoba izakuphelelwa iPalamente ukuba lonto siyenza ngolo hlobo.

MEC kukho lento kuthiwa zi-IYA projects. Ezi IYA projects ikhona into engahambi kakuhle ...

The DEPUTY SPEAKER: One minute left.

Ms V MVENYA: Ikhona into engahambi kakuhle. I-IYA project ilisti yakwa-Social Development yiyo ngcwaa le ifandwa kwa-Local Government. Ukuba ngapha unikwe i-R300 000 nangapha unikwa i-R300 000 inye, zonke ukuba ziyi-10, ziyi-10 nangapha zizo ngcwaa. Ndinayo ke mna i-proof yalonto leyo. Uzukhe ulandele lonto ke MEC. Ndiyayazi ke wena ke uzakugqabadula uye kufika kwezi zinto.

Kukho ne-NDA, ezi prowujekthi zifandwe ngu-NDA, singenzi i-duplication ngoba kwakuthi kanti le prowujekthi, azimonitharishwa ezi prowujekthi kufuneka i-Department iyazi ukuba le yeka-NDA, le yeye-Department. Ngoba into eza kwenzeka i-Department izakufanda kanti u-NDA sele ifandile.

Yonke ke lonto iphaya kula monitharingi. Oko kugqibela iMasiphatsela ifeyilishile ibiyi-programme entle gqitha ukufika kwayo ngo-2008 sonke sayiqhwabela izandla ukuba i-youth izakukhe iphucuke. Ivele yenza kakanye kwareyizwa i-expectations ze-youth ukuba hayi niza kuqeshwa basahleli phaya. Asazi ke ngoku ukuba masithini kuba enye i-intaker ayenziwa ngoku okoko kwakwenziwe leya. Naleyo ke MEC ndisayishiya ngakuwe. Ndiyabulela oh sino-wonderful Chairperson, Chairperson siyabulela kakhulu ngendlela osiphethe ngayo. Enkosi siyabulela. [Applause.]

Ms Z HLEKISO-THABANENG: Enkosi Deputy Speaker. The annual report has not been passed through the quality assurance because of poor management or non-existence of leadership in that Department.

Lonto ke leyo ke isibonise xa siyigqibezela i-meetings zethu ebesinazo ze-oversight kwathi gqi idotyhumenti yesibini ngale mini sithi siyagqiba kanti sixoxa nje le dotyhumenti siyixoxayo ayiyo le isabhumithwe apha kwi-ofisi ka-Speaker, yasimisa ke lonto but saqhubeka. Lonto ithetha ukuthi ke kukhona nje ukungasebenzi kakuhle kula Department kucacile mhlawumbi ke yilento ibichazwa apha zi-members ezithethe phambi kwam kukungabikho kuka-HOD kula Department mhlawumbi ke inayo indima eyidlalayo.

Le Department ifumene i-R1.5 billion but imali eyisebenzisayo iyisebenzise yachitha iR7.8 million. Le Department ke yeyona Department isondele kakhulu kubantu ingakumbi phaya ezilalini because inazo neziprowujekthi, inazo izinto ezincedisana nabantu. Uzibuze ke ngoku ukuba ithini na.

Xa ujonge usiya ku-programme 3 kutshiftwe kuthathwe imali efanele ukuba iya kwiprowujekthi i-R28 million ihambe iye kutsho kwi-bursaries. Ngelakhi ke kula komiti saye sanento ethi i-managers ze-districts mazikhe zize. Zisincedisile ke kule into. Kumane kusithiwa hayi zifike kade zaziphendulela zathi senze isabhumishini ngoNovemba last year eyokokuba kuthiwa zileyithi iprowujekthi azifandwanga yimali yeprowujekthi le ithethwayo, iyatshiftwa. Kuthathwe i-R5 million ishifitwe yeprowujekthi kuthiwe iza kuhamba iye

kuthenga ifenitsha, le fenitsha ayikathengwa. Sibuze ke ngoku inokuba yintoni ingxaki ayikafunyanwa le fenitsha ifunwayo mhlawumbi kunqabe umthi lo wale fenitsha ifunwayo, mhlawumbi kufunwa imbuya asiyazi mhlawumbi ayikho apha e-Eastern Cape.

Ujonga ke ngoku ukubaluleka kwalento yokumane kusithiwa i-Department oko kuqala yenze i-programme entle 2007 kwa-ayidentifaywa i-municipality eziyi-11 locally out of 38 kwathiwa zi-poorest, kwathiwa zizakuncediswa. Xa kuzakukhe kuthathwe ke ngoku i-funds zihambe ziye kufundisa onontlalo-ntle kuye kuthengwa ifenitsha zingafandwa iprowujekthi zikhona kwi-Department. Ndithetha ukuthi ayincedisi, iza kulento ke mhlawumbi ibikhe yathethwa nguMphathiswa apha wakwa-Education ethi ingxaki ungaplana uthini ekugqibeleni ayinguwanga wedwa lo uzakusebenza. Siza kucela ke into yokokuba i-Department mayizame ukutshintsha.

Le Department yakwa-Social Development yeyona iyakubangela ukuba apha e-Eastern Cape iyeke ukujongwa njengeyona Department yakhe yahlupheka. Andizi-andamayini ezinye kodwa yeyona. Xa ujonga ucinga kuya setyenzwa kula Department ziyafeyila iprowujekthi, ziyafandwa iprowujekthi yonke leminyaka ziyafeyila iprowujekthi. Umzekelo ibenye kuthiwa sibathathile abantu bale prowujekthi naba sabafundisa, sababonisa ukuba kuthiwani.

Awunakuze uthathe imali uyinike umntu ongenayo ohleli ekhaya ongazange aphangele umnike millions uthi sebenza nantsi imali, sebenzisa ungakhange uqale umfundise ukuba imali iphathwa njani, kwenziwa ntoni. Kudala ke siyithetha siyi-UDM lonto leyo ukuba ikhaphasithi kuqala kugqityelwe ifandingi, kungaqala ifandingi. Awungekhe ubableyime naba bantu ubabambe nasemthethweni because abayazi le mali yeyokuthini. Banelungelo lokuthenga ii-fridge, bathenge yonke into because ininzi le mali. Umntu akazange abanayo ne-R1 000 kodwa anikwe i-millions ukuba makaziphathe.

Uyabona ke iyandikhubekisa kakhulu le kumane kubalwa i-municipalities kumane kusithiwa zihluphekile. 2007 kwezi ziyi-11 awukwazi ukuthi nazi ezimbini sizikhuphile kule programme. Siyayiqonda ithagethi ngu-2014 but awunawo umzila obonisayo ukuba mhlawumbi ezi ziyakhuphuka ziyaphuma, zimile phaya ndawoninye. Zi-worse ke ezi kuzakumane kuthathwa imali efanele ukuba iya phaya ithathwe iye kufundiswa onontlalo, i-planning ibonisa ukuba ke ayikho. Mhlawumbi siyi-UDM masiyivuyele lonto kuba kuvulwe ngale mini sibona ukuba kuzakubakho i-planning eza kuba khona.

Le ye-youth projects sasicinga ukuba iyasibetha mhlawumbi siyi-UDM xa yayisenziwa nge-Juni 16 eyayise-Aliwal North kwathiwa abantu abatsha nazi i-programmes, iprowujekthi zabo ezizakufandwa ziyi-49. Ithi i-Department ziyi-38 ezifandileyo yiya kwa-youth u-youth akayazi lonto, akanayo ilisti ayinikwayo kuthiwa yayisisithembiso. So siyarhalela ukujonga ukuba zifandiwe nyani na ezi-youth projects ekwakuthethwa ngazo. Alinamsebenzi inani usenokungalimithi but nokuba ziyi-10 kuthiwa nazi zifandiwe sizibone. I-UDM iyayixhasa iripoti yekomiti. Enkosi. [Applause.]

The DEPUTY SPEAKER: Hon Cingo. This is a maiden speech, hon members.

Ms N CINGO: Hon Deputy Speaker, hon Premier in absentia, the hon members of the Executive Committee, hon members, nonke, iindwendwe ezibalulekileyo abona bantu esikhahlela kubo kakhulu, i-officials ze-Department, i-DGs ne-senior managers ezikhoyo, ndiyabulisa ngale njikalanga egameni le-African National Congress endithumileyo ukuba ndibe ndimile apha. Ndibulisa ke hon Deputy Speaker nge-1 kaDisemba inyanga yokugqibela kulo nyaka kuthiwa ngu-2010, twenty turn ayingo-2010 ngu-2010 turn into ethetha ukuba siyajika kulo nyaka. Ndiyacinga ukuba ke u-hon olapha endlini ibufana negama lakhe lonto.

Sinovuyo ke siyi-South Afrika kodwa xa sivala lonyaka we are proud ngezinto esizenzileyo i-achievements kuyo yonke ke le klawudi besiyiva apha ethethwayo but there are things esi-proud ngazo singuMzantsi Afrika ngolu suku xa siya ekuvaleni unyaka. I-World Cup siyihostile sanodumo. Ndithi ke mandiqale apho.

Kodwa ke eyonanto ibalulekileyo today is the last day yokokuba ndibizwe ngokuba ndiyi-last born apha ekhaya which has nothing to do with age ke lonto but uba yi-last born xa ungene emva kula mnyango but mna I am fortunate kuba emva kwam kubekhona i-triplets eziye zafika. So at least ke I have relinquished ke le title though ndifana noYohane kufike abantu endingenakho nokuba ndingabenza ntoni na. Andinakho ke imisila ukuyenza nto kodwa ke noko iphelile lonto.

I-African National Congress - on a serious note - is a parent. A parent has two characteristics, a normal parent has love and firmness. That is a normal parent. If you are using one of those ke ibeyiyo eyona i-eksidayo and then you need ukukhangelwa. Uthando esinalo ke siyi-African National Congress lolokuba you give a person ukuba asebenze enze izinto ngendlela erayiti as i-Department was expected to do ezi zinto. There are some things, ungoyiki our hon MEC ukuba ey inokuba akukho kwanto ke ngoku xa usiva oluhlobo.

There are things esinokuzihayilayita sithi this has been done but they are covered by the magnitude of the wrongs. Leyo ke into as i-African National Congress asikwazi ke as ndisitsho into yokokuba we are a parent who needs to be loving and at the same time ube-firm inyaniso uyithethe. Because we will sound like abantu ababaleka inyani even kwi-hon members zethu apha xa zizakuthi zona zibeka into sifike thina sibengathi lonto ayikho.

But what is important which we need to understand yinto yokokuba this Department ebangela into yokokuba everybody abengathi uyalila. This Department imandeyithi yayo inezinto ezibalulekileyo, is to provide care, is to protect the poor and vulnerable and to develop them. So that is why ke it sounds as if ngoku if those things are not met and then we have failed abantu.

This is central to i-service delivery, so hence ke ngoku siyitsho into yokokuba if aba bantu are not benefiting and they are looking at others kukho ababhenefitha better than others. And then as the African National Congress we will be seen as failing abantu and singabantu abangathi abananyani. But as

I have said we need to make sure into yokokuba also as umbutho we support each other. We make sure into yokokuba the monitoring tools zokusebenza are tools which are not ezi-intergrated ufike mhlawumbi kurayiti kwenye i-Department because within the same Legislature if another Department is doing well why lonto ingasherishwa le knowledge yokokuba omnye umntu uyakwazi ukuba enze rayiti.

So, we need to check also those things into yokokuba how much apha, asikho federal kwalapha eNdlini yokokuba kubekhona indawo ezipoyintekayo. So we need to support each other nokuba ngubani obekwayo endaweni if that person does not get the support afanele ukuba uyasifumana at some stage the wall is going to crack because ufikela kwaba bantu bebhona. So we need into yokokuba sisapotane and we make sure into yokokuba igama le African National Congress lona elithi service delivery first, because that is the core of i-African National Congress. So if lonto ke ibekiwe yangenzeki and then siza kusoloko sikhala.

So siyavuma ke as i-African National Congress asifihli nto that there have been izinto ezirongo ezenzekileyo. And we are moving forward nokuthi changes will happen xa sidibene working together really we can do more. So as sisitsho into yokokuba whatever affects i-progress ye-service delivery we can never say that is correct. Hence sivuya xa singena opposition esibheyibhisithayo emana isibhrasha ethetha inyani so that sikorekishane ngendlela erayiti. But all in all kwi-HIV and AIDS there are things ezenzekileyo apha, there are children who have been taken from the streets and placed with their parents.

But as I am saying, those things become minute if the majority of the important things are not taken care of. So let us all go home and build ubomi oburayiti and make sure that abantu aba bethu siyabasevisa. You know xa kuthethwa ngale Department u-Social Development you think about la mama uphaya ezantsi, oyena-yena odinga ukuncedwa.

Lastly ke, ndingayiboni nemizuzu yam hon Deputy Speaker kuba ndibona umama wam apha, eyonanto endifuna ukuyitsho kukuthi all of us when we came apha emhlabeni we had our feast like this, and that means there was something each and everyone of us was given. So it is important then to deliver nokuba ukweyiphi iposishini, you deliver what umbutho wakho okunike yona. But we continue holding i-feast zethu ngoku sele sifikile emhlabeni and then singayenzi the real thing. So let us all ke apha ingabi-personal, ingabiyinto etheni lento but sazi into yokokuba we are building i-Department ukuze iye phambili.

Xa ndiza kugqibezela ke, under Social Development ndifuna ukuza apha kotata ngoku ndikhe ndibethe kancinci apha kubo. Whenever kungoJuni okanye kungoDisemba as women we lose our kids. That is also under le Department efanele ukuba iyakhathalelwa. For 9 months thina as women we carry aba bantwana size nabo kuni bephila but when they are 21 bayaslotharishwa. So we want to say kotata uhon Bici this December we do not want to hear anything around circumcision kusithiwa kukhona abantu

abaswelekileyo. Let us take care of aba bantwana esinikwe bona. But the most important thing we hope and congratulate ke u-MEC wethu and we hope that uzakusebenza nathi and nathi sizakusebenza naye. Thank you hon Deputy Speaker. [Applause.]

The MEC RESPONSIBLE FOR SOCIAL DEVELOPMENT: Hon Deputy Speaker, as the Department we appreciate the oversight function of the Portfolio Committee on Social Development which has added progress in the monitoring and evaluation of services rendered by this Department. We pride ourselves with the unqualified audit opinion that we have received in the past two financial years. The attainment of these reports indicates our commitment to improve our financial management notwithstanding the findings that the Committee has made. However, we must at all times acknowledge any opportunity for improvement. This calls for us to ensure that we do not regress.

Mandibulele kuMphathiswa ophumileyo endingena ezihlangwini zakhe umama uMvana for having steered this Department ukuze ndifumane ikule ndawo.

Deputy Speaker, I welcome these recommendations without any reservation and further commit this particular Department that we are going to give the urgent attention and the critical attention to all the issues as raised in the report.

I want to appreciate all members on the passion you have raised your issues it then says you really mean that we must speed up service delivery because the poorest of the poor are looking upon this Department to embitter their lives. Hon members the NGO sector is one of the Social Development strategic partners and a service delivery arm which continues to render services on our behalf. The huge amount of money that goes to this sector in a form of transfers and subsidies calls for the Department to tighten its monitoring and evaluation control systems as members have already alluded to.

As social sector partners, the NGOs have a responsibility to account on the monies that have been transferred to them. I am two days in this Department and members in trying to respond to some of the recommendations already we have held a top management meeting, the second top management meeting is planned for Monday because we want to turn things around to ensure that you do not come up with the same finding next year.

Hon Deputy Speaker, as part of ensuring that we are going to monitor the transfer of funds as well as the projects as members have already proposed. We are going to come up with independent assessors to go and assist us in checking our programmes because they are not going to be biased. We are going to look for women of integrity and man of integrity to ensure that this issue of Social Development it cannot be the issue of the Department alone it is a societal issue because Social Development is there to improve and embitter the lives of our people.

Introduction of sustainable livelihoods was design to fight unemployment, poverty and change the lives of our communities for the better. But the strategic thrust cannot be diluted by the challenges faced by these projects on the ground. We are quite aware that many of our officials have been suspended; they have been dismissed because of ukuphosa kwabo ijavelina yaye kuyithatha kweliya cala as members have said and that will come to an end. Only yesterday I met with all employees of the Department and told them they had better shape up or ship out. [Applause.]

The issue of the HOD - by the end of January the HOD of this Department will be fully functional. Hon members, one of the recommendations of the Committee is to speed up these critical posts. We will start with the HOD and ensure that we follow up with the CFO. It cannot be delayed any longer because it does not assist us.

Hon Deputy Speaker, monitoring and evaluation is one of the measuring tools for measuring the impact of service delivery in our communities. We need to strengthen our working relations with all social partners. This is a Department that must bring hope to the hopeless. This is a Department that is supposed to bring courage to the distressed and devastated communities. The Department has an added mandate to coordinate the mainstreaming of women, children, persons with disabilities in our economy. I strongly believe that the noble objectives of addressing challenges faced by these mentioned groups can only be realized if you work together in unison in the protection of the development of all groups.

We launched the 16 days of activism on no violence against women and children last week in Rietbron in Cacadu. The issue of violence against women and children is of critical importance for a number of reasons. Violence disempowers women who are victims of abuse, their children, their families and their communities. It also destroys those that perpetrate violence - there are no winners in the situation.

Hon Deputy Speaker, it is therefore our responsibility that we champion the building of caring communities. During the festive season we know how drugs are abused, how alcohol is abused. At the end of the day women and children become the victims of such substance abuse. Therefore in your own constituencies do not be on recess as members. Please monitor to ensure that aba bantu ba-vulnerable bakhuselekile ngamaxesha onke.

We have cases of fraud that we are following up and we are going to ensure that this new name that was given to me by the Premier that now ndinguNontuthuzelo ndizinikezile izitixo kumastandi, umastandi uzakuthetha emva kwam ukwenzela ukuba thina size siphume ngokukhawuleza. Kulo mcimbi we-corruption hon Mvenya siza kucela into yokokuba sizifumane ezi zinto. Ukuba kufuneka sifake i-SIU asinantsimi yankosi, siza kufaka i-SIU kubanjwe umntu ongaba usebenzisa imali angafanelekanga kuyisebenzisa nezinye izinto enindixhobise ngazo malungu ndiyazamkela kwaye siza kujongana nazo into yokokuba sincedisa njani na.

Egameni leli sebe litsha ngena kulo le vision ne-mission ekhoyo sakuqinisekisa into yokokuba noko senza ezi zinto njengoko kulindelwe. Mandibulele kuleNdlu yoWiso-Mthetho nakwikomiti ndithembisa nangentsebenziswano into yokokuba sakusebenza kunye nekomiti isixhase ikomiti nayo xa ibone izinto isixelele sikwazi ukuphuma. Lixesha lento yokokuba umntu ongene kule Department elila makaphume encumile kuba i-kickbacks zale Department kufuneka ubone umntu ekhupha i-hang chief epokothweni esula iinyembezi esithi ewe ngenene ifikile i-Social Development.

Kwaye ke sizafika kuzakushesha la, ngeCawe ndiya kufuna ifenisha eKapa ukuba masiphiwe ifenisha phaya ePalamente eKapa khon' ukuze amaxhegokazi lawa aphaya kweza orphanage homes xa befuna ibhedi yokuba bangqengqe begqiba kutya iipilisi bazifumane. Ndandikhe ndatsherisha ke phaya eKapa, ndinemithingi ke phaya ngeCawe into yokokuba mandiye ku-ayidentifaya le property. Kuza kutshesha la. Ndiyabulela. [Applause.]

Reports adopted.

CONSIDERATION OF REPORT OF PORTFOLIO COMMITTEE ON ROADS AND PUBLIC WORKS ON ANNUAL AND FINANCIAL OVERSIGHT REPORTS

Ms D KOMOSE: Mandibulise kuwe Sekela Somlomo weliPhondo laseMpuma-Koloni, ndibulise amalungu e-Executive yaleNdlu yoWiso-Mthetho okanye ka-Government, ndibulise amalungu aleNdlu yoWiso-Mthetho, ndibulise i-officials, ndibulise iindwendwe zethu eziphaya, good evening ladies and gentlemen kuba kusebusuku ngoku.

Allow me Deputy Speaker not to go through to the terms of reference and methods I will go straight to programme 1, finding (a).

(a) The transfer of administrative staff from the Department of Transport to the Department of Roads and Public Works is still not complete and the Department of Transport is reportedly not cooperating.

(b) There is no agreement on the transfer of the budget which is linked to the roads function from the Department of Transport to the Department of Roads and Public Works.

(c) The bursary scheme of the Department is not align to that of the Office of the Premier and this may led to duplication of priorities and granting of bursaries to the same individuals across various academic years. These two bursary schemes also operate under completely different conditions.

(d) There are officials who owe the Department for overpayments relating to human resource operating project task team that is HROPT with some of them owning huge amounts of the money. However, the Department also owes some of the officials the Department is also unable to quantify the amount involved or the number of people affected.

(e) The Department does not have enough capacity to assist municipalities to spend conditional grants relating to rates and taxes.

(f) Department is still unable to meet its equity targets.

Recommendations:

(a) Provincial Treasury must intervene on the matter to ensure that the transfer of administration staff from the Department of Transport to the Department of Roads and Public Works is finalized as it is becoming clear that the two departments are unable to agree. However, it is acknowledged that this recommendation have been overtaken by the latest pronouncements by the Premier relating to the reconfiguration of the departments.

(b) The Department of Roads and Public Works and the Department of Transport must engage the services of the Provincial Treasury so that a line-by-line analysis of the budget is done which will determine the amount of the budget that must be ceded over to the Department of Roads and Public Works.

However, it is also acknowledged that this recommendation may have been overtaken by the last pronouncement by the Premier relating to the reconfiguration of the Department.

(c) The Office of the Premier must take charge of all bursary schemes and ensure that no Department operates outside the Provincial Bursary Scheme. The notion of skills shortage must be linked to job opportunities.

(d) The Department must start the process of recovering overpayments to staff members and paying those who were underpaid. When effecting recoveries from staff members the Department must ensure that the correct labour laws processes are followed. The Department must quantify the amounts involved and the number of people affected by the HROPT.

(e) The Department must build its capacity so that it will be able to render the necessary support to municipalities.

(f) The Department must specifically target women, youth, people with disability in all its affairs such as in-service training, bursary schemes and recruitment processes with clearly defined targets.

Programme 2: Public Works

Findings:

(a) There is no integrated and properly coordinated infrastructure delivery plan in the Province.

(b) The Department complains that client departments delay in paying service providers and this exposes the Department of Roads and Public Works to

litigation, as it is the one that contracts with service providers. Some departments are still paying accruals from the last financial year.

(c) Some Government departments are using infrastructure budget to relieve other cost pressures. This frustrates the Department of Roads and Public Works as it cannot plan properly.

(d) Although the Department has targeted to eradicate 34 mud schools as per the budget allocated by the Department of Education, only 3 mud schools and 34 public ordinary schools were completed out of the target of 47 public schools. At this pace, it will take decades to eradicate mud schools in the Province.

(e) Client departments are not willing to sign level agreements with the Department and even when those agreements are signed, they are not adhering to the terms of those agreements.

(f) Some departments are transferring infrastructure budget to the Department of Roads and Public Works late into the financial year. This may lead to the Department being unable to utilize those funds.

(g) The Department complains that client departments do not contribute to the rental and upkeep of Government properties and it is the Department which is solely responsible.

(h) The Department continues to lose building inspectors to other Provinces because the conditions of service in other Provinces are better than in our Province.

(i) The identification of Government properties in various municipalities remain a serious challenge and properties continues to be discovered.

(j) Some of the project that were reported in 2009 policy speech as having been completed in the 2008/09 financial year are again reported as having been completed in the 2009/10 financial year. For example the Eastern Cape Legislature Chamber, the Pick and Pay building, State House Phase 1, Amatole Office Block A and Ukhahlamba Regional Office are reported on page 4 of the 2009 policy speech as having been completed in 2008/09 but they are again claim as having been completed in 2009/10 on page 46 of the 2009/10 annual report.

(k) The amounts that are reflected in the 2009 policy speech on the above projects differ materially with those in annual reports (see page 4 of the 2008/09 policy speech and page 47 of the 2009/10 annual report.

(l) There is no plan in the Province on the future use of the Bhisho stadium.

Recommendations:

- (a) The Department must immediately develop an integrated and properly coordinated infrastructure delivery plan in the Province.
- (b) The Office of the Premier must intervene in the problem of the failure of the departments to pay service providers on time as this often lead to irregular expenditure relating to the payments of accrued interest.
- (c) The Department must engage Provincial Treasury with a view to ensure that infrastructure budget at various departments is ring-fenced so that it will not be used for other purposes.
- (d) The Department must engage the client department with a view to ensure that they co-operate in infrastructure development and those departments that are not co-operating must be reported to the Office of the Premier for action.
- (e) The Premier's office must intervene with a view to ensure that client departments sign service level agreement timeously and adhered to the terms of those agreements.
- (f) Client departments must ensure that the infrastructure budget is transferred to the Department of Roads and Public Works on time.
- (g) The Department must develop a mechanism to ensure that Department contributes to the rental and upkeep of the properties. This must be done before the end of the current financial year.
- (h) The Department must develop an incentivized retention strategy in order to keep the professionals within the Province and to attract professionals from other Provinces.
- (i) The Department must protectise the identification of Government properties and must put clear deliverables and timeframes within which this process must be finalized. The Government must further establish an independent commission to investigate government properties across the Province. This must be done within six months, I want to repeat this. The government must further establish an independent commission to investigate government properties across the Province. This must be done within six months.
- (j) The Portfolio Committee views this distortion of information as very serious and the Department must further investigate this distortion of facts and attempt to mislead the Legislature.
- (k) The Department must submit to the Legislature the correct amounts that were expendend in the above projects.
- (l) The Department must in consultation with the Department responsible for Sport, develop a plan on the future use of the Bhisho stadium.

Programme 3: Community Based Public Works Programme

Findings:

- (a) The Department had not been able to appoint social facilitators to assist in the evaluation of the impact of the Expanded Public Works project.
- (b) There is no proper monitoring of the work being done by the household contractors.
- (c) The Department's target of contributing to 247 327 million jobs opportunities towards Expanded Public Works as it appears on the 2009 policy speech. Annual performance plan and annual report were unrealistic and not inline with the target pronounced by the Premier.
- (d) Although there are incubator contractors who are graduating to the next level the emerging contractors still remain at the lower level.

Recommendations:

- (a) The Department must ensure social facilitators are appointed in order to assist in the evaluation of the impact of the Expanded Public Works projects.
- (b) The Department must develop a plan to be implemented in the monitoring of work being done by household contractors.
- (c) The Department must review the Expanded Public Works target figures and achievement and submit them to the Legislature. The error will not be accepted in future.
- (d) The Department must specifically assist emerging contractors to ensure that they move to highest grades.

General findings:

- (1) The Department did not properly subject its annual report and the half yearly report to quality assurance as it continues to disown some figures in the report. This is not acceptable.
- (2) The Department did not fully provide an explanation on the deviation from the plans as they appear in annual performance plan.
- (3) Provincial department preferred to use external infrastructure implementation agency such as Coega and IDT instead Department of Roads and Public Works.
- (4) The Department is still unable to pay creditors within 30 days as required by Treasury Regulations and Section 38(1)(f) and 76(4) of the Public Finance Management Act of 1999 as amended.

General recommendations:

(1) The Department must ensure that all its documents are quality assured before they are tabled to the Legislature and must take corrective action against the officials who failed to ensure that their documents are quality assured before they are made public.

(2) In future, the Department must ensure that each deviation of the target performance as contained in the annual performance plan is fully explained.

(3) Provincial departments must use the Department of Public Works infrastructure development, Roads and Public Works must define the role and scope of other agencies and must be the only gateway of those agencies.

(4) The Department must ensure that creditors are paid within 30 days as required by the regulations, as I indicated earlier on.

Coming to the financial oversight, even here Deputy Speaker I will go straight to programme 1 and finding (a).

(a) The Department has underspent on its compensation of employees due to the non filling of posts.

(b) The programme has an underexpenditure of R14,43 million.

(c) The Department has not met its quarterly targets to benefit people with disabilities.

(d) Some of the staff members have not sign performance agreements and quarterly reviews are not being done.

Recommendations:

(a) The Department must ensure that vacant funded posts are filled without further delay across the Department.

(b) The Department must develop plans to ensure that the money is spend before the end of the financial year to avoid under expenditure.

(c) The Department must interact with institutions such as DPSA to ensure that it is able to reach out to people with disability.

(d) The Department must ensure that all members of the staff have signed their performance agreements and that quarterly reviews are done promptly. Prompt actions must be taken against people who fail to comply with this resolution.

Programme 2: Public works

Findings:

(a) The programme has an underexpenditure of R39.4 million and it is more likely to underspend at the end of the financial year because of the projects such as Komani Hospital, Bensonville and Elizabeth Roos commenced late.

(b) Client department delay in providing project lists (B5/6) to the Department and this delays the commencement of the project.

(c) The Department has minimal technical capacity to oversee the implementation of various projects.

Recommendations:

(a) The Department must develop plans to ensure that the money is spent before the end of the financial year to avoid underexpenditure.

(b) The Department must engage client departments to ensure that they submit their list of their projects on time.

(c) The Department must develop its capacity to ensure that they are able to oversee the implementation of various projects.

Programme 3: Roads infrastructure

Findings:

(a) The programme has an underexpenditure of R116 276 million which is attributed to the fact that some tenders are to be re-advertised following the Kwazulu-Natal judgement in Sizabonke Civils which has affected the way tenders must be evaluated.

(b) The Department has not yet commenced with the process of road classification.

(c) The Department has targeted to put 500 road signs but manage to put only 2 road signs.

(d) The design of roads takes an unreasonable long time to complete and delays the construction of roads.

(e) There is not enough machinery for in-house workers of the Department.

Recommendations:

(a) The Department must develop plans to ensure that the money is spent before the end of the financial year to avoid under expenditure.

(b) The Department must immediately commence with the process of roads classification including unproclaimed roads.

(c) The Department must ensure that roads signs are erected as planned including unproclaimed roads.

(d) The Department must interact with all the role-players in the road design

...

The DEPUTY SPEAKER: Kushiyeke umzuzu onye hon member.

Ms D KOMOSE: Okay. The last programme.

Findings:

(a) The Department has underexpenditure of R38.7 million.

(b) The Department has not yet commenced with the construction of roads.

(c) The delay is training for APTCoD and household contractors.

Recommendations:

(a) The Department must develop plans to ensure that the money is spent before the end of the financial year.

(b) The Department must develop a plan to ensure that they commence with labour-intensive ways of roads contracting.

(c) The Department must finalize training of the APTCoD and household contractors and have them commence work to avoid over expenditure.

General findings:

(a) The Committee has noted that with great concern that most of the programmes are underspending as a result of failure to meet timelines and the word “delay” is used as an excuse.

(b) The Department must ensure that timelines are adhered to.

In conclusion, Deputy Speaker, mandiyibulele i-Department nge-response yayo ngoku-thebhulisha kwayo i-response zayo xa sizifuna siyi-Department and again ndibulele the out going MEC because uwenzile umsebenzi wakhe. Ndamkele the incoming MEC, welcome to you. I put the report. Thank you. [Applause.]

The DEPUTY SPEAKER: Thank you hon Komose. Mabaqhabe naba ngathi bayacingisisa andazi nokuba bakhonsaltha i-ancestors, ndibabona beqhwaba kodwa ke bangaphazamisi aba bahleliyo. Questions to the Committee? To the MEC? Congress of the People?

Ms N NDABENI: Hon Deputy Speaker, andizokuba sadla xesha lokokubangaba ndibulise bendibulisile mos. Kuncinci nje endiza kuthetha apha on behalf of the Congress of the People. Oko kuqala nje ndifuna ukuthi

hon Deputy Speaker ...[Interjections.]bayandi-imideyitha bathi ndinesibindi.

Ndifuna ukuthi hon Deputy Speaker, it has become a norm that the contents of the annual reports from the Department do not talk to that of the annual performance plan and that there is no alignment and this speaks ...There are glaring contradictions, for instance if you look at the annual performance plan and operation plan of this Department. The target for the implementation of employment equity in the APP does not talk to that in the annual report. The only thing common in both documents is the failure to achieve the said targets.

Leyo ke yona ke iyabonakala nokubangabana ukweyiphi na ke i-organization nokubangabana unesibindi okanye akunaso na i-common le yokufeyila uku-atshiva ithagethi ezisetiweyo yi-Department. Hon Deputy Speaker, the Department has deliberately fail to address the challenges of gender imbalances within its managerial ranks both provincial and at district levels.

Xa uyibukele phaya i-Department ubona abantu abangotata obona badomineyithayo phaya kula Department. And this is an indictment on the part of the ruling party which always claims to be a champion of women's emancipation.

With regard to the HROPT the Department in ability to quantify the money owed or the number of people affected by over and/or under payments is reflecting of a system that is not in touch with what is happening within itself. Hon Deputy Speaker, whilst the Department is playing hide and seek it should be mindful of the fact that it is dealing with the public purse ayiyo mali yayo leya yimali yabarhafi balapha eMzantsi Afrika. On 25 March 2010 the hon MEC said I quote –

“We have established a forum which involves all Government departments as a platform to collectively contribute towards a credible asset register. This forum is required to provide regular reports to the Executive Council”.

Hon Deputy Speaker, we are of the contention that the regular reporting by gearmour forum to the Executive Council kept the EXCO informed. And we are also of the view that the alarming under performance as it appears on page 30 of the annual report was known by the Executive but ke khange kubekhona nto iye yenziwa. U-MEC wazibeka zacaca i-terms of reference ze-gearmour forum.

The attention of this House is drawn to the performance on completion of the 13 user asset management plans by 2010 and also to the number of CAMPs bayakundixolela ukuba andiziba rongo, completed. And as well on development reviewal and implementation of compliance policies. Umntu uzakuthi xa ejonga phaya azibonele clearly that lento siyithethayo apha asiyithethi mhlawumbi kuba sileqa bani na.

On Expanded Public Works programme the Department seem to be handling the truth carelessly with regards to targets and as such it seem to be too ambitious. This is evident hon Deputy Speaker on page 32 of the annual report visa'vi the Premier's pronouncement on the provincial targets. Ufumana phaya amanani ohluka-hlukeneyo amaninzi u-endaphe usiba confused. At some point bathetha ngokukhontribhutha kwabo ku-237 three something uphinde ubave bethetha ngo-ninenty nine thousand three hundred and something whereas iyi-provincial target phaya wayethe u-Premier ngu-60 000.

Siyayincoma ke xa bona be-ambitious befuna ukwenza more but ingase kubekhona into ecacileyo kanye-kanye into yokokuba which is which.

In conclusion, hon Deputy Speaker, and hon members one can conclude that the Department of Roads and Public Works is inadequately staffed to assist all Government departments. Let alone the recent drama which is happening within this Department. During the month of April siya kukhumbula into yokokuba i-roads function iye yatransferwa to u-Public Works and we still grappling with the after mag of the transfer of staff and budget from the Department of Transport si-ekspiriyensa nakanjalo i-resistance from u-Transport.

Oye naye ke ngoku watransferwa to the Department yakwa-Roads and Public Works. Siyathemba that olutshintsho luza kuncedisana ne-service delivery nokusondeza iinkonzo zibe kufutshane kakhulu ebantwini. Enkosi hon Deputy Speaker. [Applause.]

Mr P E VAN VUUREN: Thank you, hon Deputy Speaker. Hon Deputy Speaker, members of the Executive Council, hon members of the House, officials from the Department is indeed an honour to address you today and to respond to the 2009/10 annual and a six months financial report of the Department of Roads and Public Works.

Hon Deputy Speaker the Democratic Alliance congratulates hon Marawu on her appointment as MEC for Roads and Public Works. We also want to wish her every success in her endervous and we hope that she will give the necessary political leadership that will eventually lead to enhancement in service delivery and contribute towards obtaining favourable audit reports. Hon MEC your oppredicesor has mentioned in a policy and budget speech that this Department has taken measures to compile a credit asset register. This Department has also indicated that have added 8 237 more properties in the asset register.

The Democratic Alliance challenges the MEC to say whether all municipalities have identified all properties belong to the Department and whether the asset register is indeed up to date. There is also a perception hon MEC that not all Government buildings have been identified as such. The result is that much needed revenue is lost due to incapacity and bad planning; there is a perception out there. Hon Deputy Speaker this Department has been tasked to provide infrastructure for Government and it is expected of them to comply with this mandate.

The implementation of this mandate seems to be problematic in so far that Public Works is treated as just another implementing agent. A client department is supposed to deal only with public works regarding the provision of infrastructure. Unfortunately client departments are currently negotiating directly with other implementing agents rendering the status of Public Works as been the official custodian of Government assets to a zero role player.

Hon MEC, the current and mentioned practices regarding provision of infrastructure diminishes the custodian responsibilities of the Department of Public Works. I challenge you hon MEC to be vocal in challenging the provincial government to compel client departments through appropriate legislation to only do businesses with you in the field of infrastructural development. If Public Works does not have a capacity to fulfill the infrastructural needs it can then rope in other implementing agent such as IDT and Coega that will be expected to work under their jurisdiction and direct supervision.

Hon Deputy Speaker, the Democratic Alliance finds it unacceptable that the Department of Roads and Public Works should pay the leases of buildings utilized by other government departments. The Democratic Alliance wishes to put forward the following proposal for your consideration MEC. This proposal I believe will ensure that more revenue will be available to enable you to fulfill your mandate as Government infrastructural development. A levy user charges should be implemented through legislation that will compel user clients to adherence. It will have the result in the fact that client departments will be forced to include rental payments in the annual budgets. The existing leases which are currently diminishing the cashflow of the Department of Roads and Public Works should then be transferred to the client departments.

Currently Roads and Public Works are paying the rental on behalf of government departments. And it is also responsible for the maintenance of such buildings. Also of great concern to the Democratic Alliance is the disrespect shown by client departments regarding the upkeep of these buildings. Client departments are treating public building differently compared to those procured from private landlords. Public buildings are allowed to deteriorate to such an extent that in some instances it had to be demolished. I am appealing to you, MEC, to stop this and to implement preventative measures that will contribute to a longer life cycle of government assets. [Interjections.] Thank you.

Hon MEC, the Democratic Alliance firmly believes that the in-house construction unit within your Department should be expanded in order for it to compete on an equal footing against other companies for Government projects, with the right skills such an inner house construction unit will be ideal to create synergy would in public, private partnerships, to successfully manage and conclude major developments in the Eastern Cape. What solutions as you MEC offer to strengthen and expand this unit that will or may eventually result in the Department of Public Works being the sole provider of Government infrastructure.

Hon MEC, the Democratic Alliance wishes to state on record that your Department is one of the contributors that are suffocating our emerging contractors. Relatively few emerging contractors are upgraded beyond Grade 1 level. Are you as the MEC aware that your Department is allowing established contractors to mentor these emerging ones to the detriment of growth in the building industry section. These established contractors are not assisting the emerging ones to proceed in acceptable period to higher grade. If they should assist these emerging contractors to obtain higher grade status the future as infrastructure providers will be limited because of the competition created. Hon MEC this is unacceptable. [Interjections.] And I appeal to you to oversee the development and implementation ...

The DEPUTY SPEAKER: One minute left.

Mr P E VAN VUUREN: ... of a model that will assist in a speeding up of movement of these emerging contractors which will ultimately result in increase job creation and also achieving the employment targets set by the National Government.

In conclusion, MEC, the Democratic Alliance wishes to congratulate your Department of Public Works for receiving an unqualified audit report for the financial year ended on 31 March 2010. I sincerely hope MEC that you, with the assistance of your officials, will maintain the momentum. The Democratic Alliance supports the reports. I thank you. [Applause.]

Mr J BICI: Hon Deputy Speaker, hon members, our guests ...[Interjections.] ..aniva kakuhle? Our guests, i-UDM iyayixhasa okanye iyazixhasa ezi ripoti but UDM is concerned by the R90.818 million underspent. This is not good taking into account that the Province is on the verge of closing the shop due to a financial pandemonium. [Interjections.] I can take your question. R90.818 million would contribute a lot to the revamping of infrastructure and closing of I quote – “ANC SG loopholes”.

The greatest problem confronting this Province is that the departments tell us what they think we shall be happy to hear and see not what prevails. The Department claims that the incorporation of the roads functions tripled the Departments budget. If there was proper planning roads functions should have come after a proper planning and budgeting. Why did you take roads to another department before budgeting? [Interjections.] I am going to come to you hon member.

UDM commend the Department for unqualified audit opinion. Nevertheless there are matters of emphasis were Department had R24.1 million irregular expenditure. I again repeat this is where things happen, clandestinely. You can work your percentage I am not going to set your percentage. In the six months financial oversight the Department underspent by R208.4 million. The Department has put forward mitigating factors as defense for the under expenditure. Under the circumstances UDM is prepared to accept the factors as contributors. If you have got any question you can ask I am ready now.

[Interjections.] Xa sithetha apha okanye xa sithetha phaya ezikomitini sithetha sonke sivana siwuqonda umcimbi sisiva sinendlebe. Kodwa sakufika apha siyatshintsha ngoku ndingayazi yintoni na lento itshintshisayo babaleke abanye baye kuma ngaphaya. Bathi lonto besisithi irongo phaya babuye bathi irayiti ngoku. Andiyazi ke lonto leyo ukuba iza kuthiwani na hon MEC Makupula. [Laughter.] [Interjections.] I-UDM njengokuba bendisele nditshilo ...[Interjections.] ..hayi sukundoyikisa mfana wam andilophakuphaku. I-UDM ke njengokuba bendisele nditshilo iyayixhasa lenkqubo. [Interjections.] ... [Time expired.]

The MEC RESPONSIBLE FOR ROADS AND PUBLIC WORKS: Hon Deputy Speaker, hon Premier in absentia, members of the Executive Council, hon members of the House, ladies and gentlemen, good evening. Let me start by appreciating this humbling opportunity afforded to participate in the proceedings of the House today when the annual report and the mid-term reports are being tabled by the Committee. I must confess hon members that when I was told by the glorious movement that I have to lead this Department I was a little bit nervous because the size of the Department. And again because of the challenges that we encounter as a province around infrastructure backlogs.

Usisi osuka apha is 100% correct. Having a experience to be a councilor for 10 years or more, phaya kula level yethu ye-sphere ku-Local Government soloko sibuzana into yokokuba why is Eastern Cape not the same with KZN precisely lento ibithethwa ngusisi. If you are travelling from e-KZN immediately once ugqithe i-Port Edward uzakungena eMbizana uvuka nokuba ubulele, zi-potholes, yinto yonke apha ecaleni kwendlela akusoze uphinde ulale. So you begin to ask yourself why because we are belonging in the same one South Africa. Why maybe specifically our Province is in that mess?

Again secondly, yhazi if uyasuka kwakhona e-KZN uyakudibana ne-traffic officers konke apha endleleni, awusoze upside, zimalwa iingozi. Umzekelo xa usuka apha eQonce ubheka e-Barkely East apha ndihlala khona uyayazi mhlawumbi uyakudibana nayo apha ekuphumeni eBhisho zihleli phaya kuladrayi nase-Stutterheim. Uyachwebeleza ke Cathcart uye kungena eKomani. Andithethi ke ukusuka eKomani ukubheka koma-Barkerly East there is absolutely nothing, unгахamba nango-200. So you begin to ask yourself why specifically in this Province.

Ithi ke ngoku lonto leyo after the engagement with a Department yesterday, because u-MEC Majodina managed to have a session with me for a handover and again having a session an extended management Committee I am however comforted by the fact that I am taking over a stable Department and well oiled machinery. It is indeed my well considered opinion and believe that the new configured Department will benefit from a solid foundation laid by my predecessor hon Majodina, enkosi Mathole. [Applause.]

Bayi-aknowuleyijile ke into ye-gender imbalance because kwimithingie bekugcwele nje kuisidoda ndathi ngekhe as the Deputy Chairperson of the

Province of the ANC Womens League, we cannot tolerate this. But ke there is a plan in place to address that fortunately.

Allow me to join my colleagues in saluting millions of the people of the world as they guarder in various places to observe and raised awareness about the AIDS pandemic and its impact on humanity. With the same breath let me take my hat off for all those human beings who treat women and children and disable people with dignity and embrace them with humanity. Let us premise our contribution today on paraphrase accept by antiogramcy, in one of his writing on workers democracy and I quote –

“An urgent problem today facing society with a keen sense of the historical responsibility that rests on the poor masses of our country, and on the organization representing the critical and active consciousness of the majority of our people. How are these eminent social forces unleashed by the struggle to be harnessed, to be drivers and vendors of development? How are they to be disciplined and given a political form that has the potential to develop normally and continuously into the skeleton of the state in which their aspiration shall be embodied?”

Hon Deputy Speaker and members, this for us is indeed a critical question as we navigate this complex developmental issue. As we ponder to find solutions about the problems that face us today we should do that in a manner that we have the present being welded to the future, so that whilst satisfying the urgent necessities of the one we may work effectively to create and anticipate the other. These lines by Antonia Graham seek to remind us of who we are and why we are here.

The emphasis is indeed on the centrality of the people in development and the importance of their mobilization as change agency. As we continue to face the challenges of under development and poverty that define our Province we are inspired by these words of this great revolutionary but we are also encouraged by the commitment of our Government in its quest to change the lives of the people for the better.

Hon Deputy Speaker, our annual report is an expression of our commitment to the national course - a practical interpretation of our effort to change the lives of the people for the better. We note with a great sense of appreciation the issues and concerns raised by the Committee and undertake to pay particular attention to those issues henceforth. It is not my intention to rehash what is already in the annual report, however I do wish to highlight some of the issues that I consider critically important for both inspiration and sustainability of the work that we have done, emphasizing the governance issues.

Hon Deputy Speaker, we mentioned in the report that in the year under review the Department has enjoyed an unprecedented political and administrative stability leadership and support. In the face of a volatile and fast changing political and administrative environment the world over, this is a very

important element of any successful institution and hope that this could be maintained.

We have also implemented our audit intervention project plan in a disciplined and religious manner, resulting in the attainment of an unqualified audit opinion. The audit opinion, hon members, is a confirmation of among other things that our finance management and administration systems are strong and improving. The internal audit unit is functioning properly and is getting better. Risk management and related environment are responsive and progressive. Budget planning, control and expenditure management have improved significantly. All of the above issues are critical ingredients for a functioning organization's corporate governance. The advent of this new department lends itself into a category of high risk organizations and therefore our resolve to have very strong systems is our number one priority. In this regard developing and maintaining a strong control environment is our major challenge going forward.

Lastly, hon Deputy Speaker, I welcome all the recommendations from the Committee that will form part of my plan of action. Fortunately, with regard to some of the findings and recommendations there are already corrective measures in place. Thank you, hon Deputy Speaker. [Applause.]

Reports adopted.

The House adjourned at 21:15.