

No 31 – 2018] FIFTH SESSION, FIFTH PARLIAMENT

REPUBLIC OF SOUTH AFRICA

MINUTES OF PROCEEDINGS

OF

NATIONAL ASSEMBLY

TUESDAY, 11 SEPTEMBER 2018

1. The House met at 10:00.
2. House Chairperson Ms M G Boroto took the Chair and requested members to observe a moment of silence for prayer or meditation.
3. House Chairperson Ms M G Boroto announced that the vacancy which occurred in the National Assembly owing to the resignation of Ms V Ketabahle had been filled by the nomination of Ms Y N Yako with effect from 3 September 2018.

House Chairperson also announced that the vacancy which occurred in the National Assembly owing to the resignation of Mr I M Ollis had been filled by the nomination of Mr M S Shackleton with effect from 1 September 2018.

The vacancy which occurred in the National Assembly due to the passing of Ms Z Jongbloed had been filled by the nomination of Mr J J Londt with effect from 7 September 2018.

The members have made and subscribed the oath and affirmation in the Deputy Speaker's office.

4. [10:03] The Chief Whip of the Majority Party moved: That the House suspends Rule 130(7), which provides *inter alia* that there may only be one discussion in terms of this rule on a sitting day, for the purposes of allowing the following debates on 12 September 2018:

- (1) Debate in terms of Rule 130: **Ideas for economic revival following recession** – (The Leader of the Opposition); and
- (2) Debate in terms of Rule 130: **Escalating fuel prices** – (Mr M Hlengwa).

Motion agreed to.

5. [10:04] The Chief Whip of the Majority Party moved : That the House –

- (1) notes the letter by the President of the Republic of South Africa, tabled on 10 May 2018 (Announcements, Tablings and Committee Reports, 8 June 2018, p 3), regarding the filling of vacancies in the Commission for Gender Equality; and
- (2) establishes an *ad hoc* committee to identify suitable candidates for the filling of vacancies in the Commission in terms of the revised Commission for Gender Equality Act, No 39 of 1996, which came into effect on 26 November 2013, the Committee to –
 - (a) consist of 11 members, as follows: ANC 6, DA 2, EFF 1 and other parties 2;
 - (b) exercise those powers in Rule 167 that may assist it in carrying out its task;
 - (c) recommend, where necessary, which commissioners should be appointed as full-time commissioners and which should be appointed as a part-time commissioner; and
 - (d) report to the Assembly by no later than 16 November 2018.

Motion agreed to.

6. [10:05] The House, at the request of Mr J S Malema, discussed the following as a matter of urgent national public importance in terms of Rule 130: **The plight of Fees Must Fall activists.**

[10:41] Mr W W Wessels having disregarded the authority of the Chair, was ordered by House Chairperson Ms M G Boroto to withdraw from the Chamber for the remainder of the day's sitting.

The member thereupon withdrew from the Chamber.

Debate concluded.

7. SECOND AND THIRD ORDERS [11:37]

Consideration of Report of Portfolio Committee on Environmental Affairs on **National Environmental Management Laws Amendment Bill** [B 14 – 2017] (Announcements, Tablings and Committee Reports, 22 June 2018, p 6).

Second Reading debate – **National Environmental Management Laws Amendment Bill** [B 14B – 2017] (National Assembly – sec 76).

There was no debate.

The Chief Whip of the Majority Party moved: That the House –

- (1) notes concerns raised by the Minister of Environmental Affairs around the substantive nature of amendments to the National Environmental Management Laws Amendment Bill [B14B – 2017] affected by the Portfolio Committee on Environmental Affairs;
- (2) further notes that the amendments affected to the Bill have implications for other portfolio committees and government departments, which necessitate further consultations with all relevant stakeholders;
- (3) recognizes that the nature of the amendments may require that the objectives of the Bill, as set out in the Long Title and Memorandum, may need to be amended and that the Portfolio Committee may therefore need to solicit further public inputs; therefore
- (4) resolves, in terms of Rule 123 (1)(d), to refer the National Environmental Management Laws Amendment Bill back to the Portfolio Committee on Environmental Affairs for further consideration and report.

Motion agreed to.

The **National Environmental Management Laws Amendment Bill** [B 14B – 2017] (Report of Portfolio Committee on Environmental Affairs on **National Environmental Management Laws Amendment Bill**, Announcements, Tablings and Committee Reports, 22 June 2018, p 6), accordingly referred back to the Portfolio Committee on Environmental Affairs for further consideration and report.

8. [11:41] The Minister of Higher Education and Training made a statement on the developments at the National Students Financial Aid Scheme.

Debate concluded.

BUSINESS SUSPENDED AT 12:33 AND RESUMED AT 14:02.

9. FOURTH ORDER [14:02]

Consideration of Report of Portfolio Committee on Defence and Military

Veterans on **Defence Amendment Bill** [B 18 – 2017] (Announcements, Tablings and Committee Reports, 23 August 2018, p 4).

There was no debate.

The Chief Whip of the Majority Party moved: That the Report be adopted.

Motion agreed to (Economic Freedom Fighters dissenting).

Report accordingly adopted.

10. FIFTH ORDER [14:03]

Second Reading debate – **Defence Amendment Bill** [B 18 – 2017] (National Assembly – sec 75).

Debate concluded.

Bill read a second time.

11. SIXTH ORDER [14:46]

Consideration of request for **Permission in terms of Rule 286(4)(c) to inquire into amending other provisions of Copyright Act, 1978** (No 78 of 1978). (Interim Report of Portfolio Committee on Trade and Industry on Copyright Amendment Bill [B 13 - 2017] see, Announcements, Tablings and Committee Reports, 5 September 2018, p 4).

Ms J L Fubbs, as Chairperson of the Committee, introduced the Report.

There was no debate.

Declarations of vote made on behalf of the Democratic Alliance, Economic Freedom Fighters, Inkatha Freedom Party, National Freedom Party and African National Congress.

Permission accordingly granted to the Portfolio Committee on Trade and Industry to inquire into amending other provisions of the **Copyright Act, 1978 (Act No 78 of 1978)** in terms of Rule 286(4)(c).

12. SEVENTH ORDER [15:07]

Consideration of Request for Approval by Parliament of **Agreement Establishing a Tripartite Free Trade Area (TFTA) among the Common Market for Eastern and Southern Africa (COMESA), the East African Community (EAC) and The Southern African Development Community (SADC)** in terms of section 231(2) of Constitution (Report of Portfolio Committee on Trade and Industry, see Announcements, Tablings and Committee Reports, 28 August 2018, p 6).

Ms J L Fubbs, as Chairperson of the Committee, introduced the Report.

There was no debate.

Declarations of vote made on behalf of the Democratic Alliance, Economic Freedom Fighters, Inkatha Freedom Party, National Freedom Party, United Democratic Movement and African National Congress.

Agreement Establishing a Tripartite Free Trade Area (TFTA) among the Common Market for Eastern and Southern Africa (COMESA), the East African Community (EAC) and the Southern African Development Community (SADC) accordingly approved.

13. The House adjourned at 15:30.

M XASO
Acting Secretary to Parliament