



**PARLIAMENTARY
MONITORING GROUP**

MONITOR

A monthly briefing sheet to keep communities informed about what is happening in Parliament

Did you know?	Our lead story
<p>Since its inception in 1995, the Working for Water (WfW) programme has cleared millions of hectares of invasive alien plants providing jobs and training to 181 000 people from among the most marginalised sectors of society. The programme is globally recognised as one of the most outstanding environmental conservation initiatives on the continent. It enjoys sustained political support for its job creation efforts and the fight against poverty.</p> <p>About 82 informal settlements are currently being assessed and categorised for upgrading as part of the National Upgrading Support Programme in the priority mining towns.</p> <div data-bbox="134 1391 470 2123" style="border: 1px solid black; padding: 5px;"> <p>MPs must disclose their financial interests to the Registrar of Members Interests every year. The Register consists of public and confidential sections. The public section expects MPs to declare: shares, paid employment outside of Parliament; directorship/ partnerships; retainer/ consultancies; gifts & hospitality; sponsorship; benefits; travel; property.</p> <p>The 2014 Register of Members' Interests is available here: www.parliament.gov.za www.pa.org.za</p> </div>	<p>The Portfolio Committee on Labour hosted several workshops to discuss whether South Africa should introduce a national minimum wage. This follows a request by President Jacob Zuma in his State of the Nation Address that this matter be investigated as a mechanism to alleviate poverty and inequality. The Committee invited stakeholders, including labour unions, employer organisations, academics and experts to have their say. Participants differed widely and cited varying statistics and data (sometimes even contradictory) to support their position, with views ranging from non-committal, rejection, qualified support and outright support.</p> <p>Opponents said that a national minimum wage across all industries might not be appropriate as it will not take into consideration realities within different industries such as skills level required, geographic spread, labour intensiveness, size of business and economic reasons. They argued that it would destroy jobs, kill small businesses, increase unemployment and consequently increase inequality. Many of them referred to the agricultural sector and the job losses that had taken place there after sectoral increases were implemented. In their view, the most sustainable way of reducing poverty, inequalities and unemployment was to grow the economy and invest in skills development and education. They were in favour of strengthening the current sectoral determination process and improving compliance through effective enforcement.</p> <p>Some contributors advised MPs to take a cautious approach. While they supported the minimum wage in principle, they urged that there needed to be a full understanding about its implications so as to avoid unintended consequences. They noted that studies for and against a minimum wage were presented in Parliament and appear to contradict each other. They further advised that any minimum wage must be pegged in a manner that does not threaten jobs, undermine sustainability and the competitiveness of business.</p> <p>Those in favour argued that a national minimum wage would improve the living conditions of the working class and reduce the extent of inequality and poverty. They acknowledged that the biggest challenge is to achieve a balance between protecting vulnerable workers and limiting potential negative economic consequences and this could be achieved by integrating the minimum wage with existing bargaining arrangements. The proponents suggested that in order to avoid the unintended consequences, there was a need to have a provision for employers who could prove they could not afford the minimum wage, to apply for exemption. They also rejected the reasons advanced for the job losses in the agricultural sector, pointing out that these were caused by a complex web of factors not related to the national minimum wage such as investments, economic market conditions and other sectoral conditions. They believed that higher wages were more likely to lead to higher productivity and stimulate economic growth.</p> <p>According to the ILO, the criteria to determine minimum wages included the needs of workers and their families taking into account the general level of wages in the country, the cost of living, social security benefits and the relative living standards of other social groups as well as economic factors including the requirement of economic development, levels of productivity and desirability of attaining and maintaining high level of employment.</p> <p>The Deputy President told delegates at the recent National Economic Development and Labour Council summit that he expects submissions on the matter from labour and business at the upcoming Labour Indaba in November.</p>

Social Development Matters

The **Department of Social Development (DSD)** made a presentation to MPs on the White Paper on Families. The development of a family policy was initiated in 2004 but was only approved in 2013 after consultation with relevant stakeholders. The family was under threat and unable to play its critical roles of socialisation, nurturing, care and protection of family members effectively. This was attributed to a number of factors such as poverty, high rate of unemployment, domestic violence, crime, high level of unwanted pregnancies, absent fathers and general decay in moral values. These challenges contributed to family disintegration and vulnerability, hence the development of the White Paper on Families. The vision of the White Paper was to have well-functioning families which were loving, peaceful, safe, stable, and economically self-sustaining. The successful implementation of the White Paper on Families was dependent on sound intersectoral and interdepartmental system. The intersectoral coordination mechanism consisted of government, civil society, private sector, traditional leaders, religious organisations and institution of higher learning. Members welcomed the White Paper and emphasised the need to go back to the core family principles, with some emphasising that “a family that prays together, stays together” and “it takes a village to raise a child”. MPs expressed doubt about the commitment of other implementing departments and queried if DSD had budgeted for this. In addition, MPs asked about the costing of implementing the policy as they wanted to see if the costs were split between departments and if the departments were willing to take responsibility for the implementation of the White Paper.

The Medical Research Council briefed the **Portfolio Committee on Social Development** on the results of its study into violence against children, and the effects on South African society. Violence included physical, emotional and psychological violence, and took the forms of child murders or homicide, sexual exploitation and trafficking, harmful traditional and cultural practices, child labour, bullying and indirect violence, perpetrated in the home, school and community and at institutional levels, by adults and other children. Some of the crimes, such as infanticide or abandonment, generally occurred before the age of one year, but others, such as neglect or sexual abuse could span the full seventeen years of childhood. Risk factors ranged from accepted societal norms, including lack of maternal care, gender disparities and attitudes. Other external factors compounding the problem were a lack of adequate housing, poverty, high rates of unemployment, emotionally-detached parents, substance abuse by the care giver, inability to care for those with mental health issues, and risks around problematic behaviour of children. In 2009, 1 018 children (or three per day) were murdered, with the boy child murders being slightly higher. 45% of the children had been murdered through instances of child abuse and child neglect, with mothers being the worst perpetrators, and 74% of children killed in these circumstances were under five years old. The prevalence of deaths from fatal child abuse was greater in girl children, and rape homicides probably accounted for 10% of children killed. Between 40% and 50% of rapes reported to the SAPS involved children under 18. Risk factors associated with this included greater likelihood of teen pregnancy, infections, and victims starting to engage in risky sexual behaviour. The beating of children at school and in the home was still prevalent, and emotional abuse was also seen in one-third of children, whilst one-fifth was made to feel unwelcome in their homes.

Around 28% of abuse cases related to physical abuse and about 42% to emotional abuse. The victims showed increasing tendencies to suicide attempts, substance abuse, increased use of alcohol, delinquent behaviour, mental health problems and conduct problems. Similar results were seen in victims of bullying, and indirect bullying. Participants in the study had been asked to cite what type of treatment they saw as abuse and many had cited emotional neglect and substance abuse by their parents, physical hardships such as not being provided with food or clothing, and physical punishment or sexual abuse. The study, as well as other studies in previous years, had looked into how many children felt that their first sexual experience had been forced or had followed trickery. The point was made that whenever abuse took place, it was likely that the perpetrator had possibly been abused himself or herself as a child. Other results were presented on the psychological impact of sexual assault on 8-17 year olds, which showed that this resulted in high mental health problems and anxiety. This was compounded by the fact that after a sexual assault, few children were able to access the correct level of post-traumatic counselling or assistance. In Khayelitsha, for instance, there was only one NGO offering counselling services, and the Thutuzela Care Centre services had a long waiting list. The fact that so many children still showed symptoms highlighted the huge barrier to services and the need for more specialists and experts. The impact of sexual abuse in particular led to HIV and depression and alcohol abuse in women, and mainly impacted itself as alcohol abuse in men. An interesting aspect of the study had been a comparison across similar economic and age groups amongst different races. This highlighted that there was not necessarily a strong link between poverty or background and violence, since sexual violence was at 10% within black communities, 5% within coloured, 10% within Indian communities and 17% within white communities.

Members noted that violence against children was a huge problem in the country and it required the intervention of the society, especially families. They acknowledged that the Department had plans in place on how to deal with all forms of violence but would need appropriate funds in order to succeed with this task. They encouraged scientists, responsible for conducting research, to also consider indigenous ways of raising a child in order to bring a holistic solution within and outside government.

Oversight Work	Municipalities
<p>The Portfolio Committee on Basic Education visited Kuruman in the Northern Cape following a three-month-long disturbance to schooling in the area. The Committee met with all stakeholders and was pleased that communication had once again opened up among all concerned. Nonetheless, the Department indicated that the year was “wasted for all junior grades” and that Grade 12 students will only benefit because they have been allowed to write supplementary exams in March 2015.</p>	<p>The Department of Cooperative Governance and Traditional Affairs told MPs about the debt owed to municipalities. The aggregate municipal consumer debt was R94 billion as at June 2014. This was R7 billion more than the R86.7 billion reported in June 2013. Government’s share of the outstanding debtors is 4.8 % or R4.5 billion. The largest component are households which accounts for 61.1 % or R57.9 billion followed by commercial or business for 21 % or R19.7 billion and other category of debtors for 12.6 % or R11.8 billion. Non payment was attributable to the economic slow-down, unemployment impacting on households ability to pay as well as the lack of political will to collect. Of the total outstanding debt as at June 2014, metropolitan municipalities are owed R52.9 billion in outstanding debt and this is an increase of R4.2 billion since 2013. Secondary cities are owed R17.1 billion in outstanding consumer debt as at June 2014. Of the aggregate municipal debt of R94 billion, the following provinces have recorded the highest level of debt: Gauteng (R41.1 billion) and KwaZulu-Natal (R10.1 billion). All other provinces recorded debt of less than R10 billion each.</p>
<p>The Portfolio Committee on Mineral Resources visited areas where illegal mining and acid mine drainage were a problem in Gauteng. The Committee expressed concern that this was still prevalent and agreed to work closely with the Department of Mineral Resources (DMR) as well as law enforcement agencies, other relevant departments and entities to root out these problems.</p>	<p>Various mechanisms have been put in place to assist municipalities to collect debt. In this regard, COGTA is supporting municipalities by assessing the credibility of the credit control and debt policies in line with the provision of the Municipal Systems Act. In respect to government debt, the Minister has written to MECs requesting them to indicate actions they are putting in place to support collection. MPs said that there needed to be a mindset shift and a campaign should be initiated to promote a culture of payment. They were concerned that businesses and organs of state were not paying, noting that the former made a profit and the latter was supposed to set an example.</p>
<p>Members of the Portfolio Committee on Higher Education and Training conducted an oversight visit to the headquarters of the National Student Financial Aid Scheme (NSFAS) in Cape Town. This visit gave MPs an opportunity to assess the implementation and effectiveness of the NSFAS’s new student-centred model. This model enables the scheme to have direct contact with the students they fund in order to increase efficiency and fast-track the transfer of funds to students.</p>	<p>MPs also heard that the Municipal Infrastructure Grant (MIG) programme was the largest local government infrastructure development funding in South Africa. The MIG is managed by COGTA and the programme subsidised the capital costs of providing basic services to poor households. Funding for municipal infrastructure was distributed in an equitable manner and was used to enhance the developmental capacity of municipalities. The MIG entered its tenth year in July 2014. Over the ten year period an amount of about R90 billion had been allocated and transferred to municipalities. Municipalities reported expenditure of R80 billion over that period. The challenges faced by COGTA included inadequate planning; lack of intergovernmental cooperation, lack of capacity to manage MIG projects, and the appointment of service providers and contractors who could not deliver. Planning support was currently provided to municipalities in nine provinces through MISA planners and professional service providers. MPs debated whether there was a direct link between service delivery and protests and said this should be investigated further.</p>
<p>The NCOP Provincial Week took place in September. Provincial Week is a key mechanism for the NCOP to achieve its mandate of representing the provinces in the national sphere of government. The nine provincial delegations visit their provinces to assess the state of service delivery, programmes and initiatives. The theme this year was: ‘<i>Together making service delivery work for our people</i>’ and the focus was on municipalities that are experiencing service delivery protests. Statistics from the South African Police Service, civil society organisations, and academic institutions say there were over 3 000 service delivery protests over the past four years. Permanent Delegates to the NCOP used the opportunity to interact with members of the public about service delivery, they undertook oversight visits to projects, held public meetings to listen to service delivery concerns and to ensure that these concerns were attended to.</p>	
<p>The Portfolio Committee on Water and Sanitation went on an oversight visit to the Kruger National Park to conduct an in loco inspection on the work that is being done to stop the scourge of rhino poaching and killing.</p>	
<p>During the Portfolio Committee on Police visit to the offices of the Central Firearms Registry in Pretoria, MPs heard about its poor IT systems; a lack of equipment, filing and office space, and a shortage of manpower as major concerns affecting the manner in which firearm applications are managed and controlled in the country. MPs asked the Police Secretariat to table before it a list of all legislative gaps hindering the effective management of gun control in South Africa.</p>	

Small Business	Land	Education
<p>Three financial agencies working closely with SMMEs and co-operatives made presentations to MPs about their mandate, model of operation and developmental impact.</p> <p>Stats SA presented results of a survey of employers and the self-employed in the informal sector. The results showed that non-VAT registered businesses in South Africa play an important role in job creation and income generation. The number of persons running non-VAT registered businesses declined from 2.3 million in 2001 to 1.1 million in 2009, and increased to 1.5 million in 2013. The main reason people started a business was due to unemployment. Marketing was identified as the main challenge facing these businesses.</p> <p>IThala Development Finance Corporation informed MPs that the organisation had been repositioned to align its core business activities with the Provincial Growth and Development Strategy and to become financially sustainable and less reliant on government funding to drive its investment programmes. This was being done in three phases. Its financial and investment performance indicated a turnaround from a R76m loss in 2012/13 to a R16m profit in 2013/14. MPs said that the funding model of Ithala Bank could be replicated in other provinces because there were lessons that could be learned from it</p> <p>The Small Enterprise Finance Agency fosters the establishment, survival and growth of SMMEs and contribute towards poverty alleviation and job creation. The agency had three product portfolios. These were a direct lending channel, a wholesale lending channel, and institutional support. Each portfolio had its own offerings. A total of R822m had been disbursed during 2013/14, and 46 407 SMMEs had been funded. These included youth, women, black-owned and rural-based enterprises. For the past two years, SEFA had received an unqualified audit. The Committee, was of the view that the agency needs to rework its funding model and give more focus to cooperatives and also provide referrals for marketing interventions.</p>	<p>The Department of Rural Development and Land Reform (DRDLR) briefed MPs on its three-year review of the Recapitalisation and Development (RAD) Programme. It was developed to address the problem that many land reform projects since 1994 were not successful. The idea had been to provide black emerging farmers with the social and economic infrastructure and basic resources they required. RAD assessed the capability of the emerging farmer and the needs of the farm. The RAD Programme model involved a tripartite collaboration between DRDLR, strategic partner(s) and farmers or entrepreneurs. The DRDLR had a five-year involvement in the farm both financially and at project management level. The contribution of DRDLR decreased whilst the contributions of the other strategic partners increased. The performance of the RAD Programme since inception in November 2009 to 31 March 2014 showed a total of 1 459 farms had been assisted, covering 1.4m hectares of land. Total recapitalisation and development expenditure was R3.3bn. Concerns were raised by MPs that some mentorships were not proving beneficial to small upcoming farmers. They suggested DRDLR perform a situation analysis to check on whether interventions were making an impact, particularly in the areas of job creation and food security.</p> <p>A progress report was provided on the State Land Audit to determine how much land was owned by the state and its usage. The project identified and surveyed all un-surveyed State land in order to fast track the release of state land for land reform and settlement of land claims. The audit showed some 20 million hectares of state land and 3.2 million hectares had been surveyed. Audit completion would be 2015. A bill was in process to enable a centralised electronic database for land owned by all spheres of government. A private land desktop audit was done to determine who owns what land in South Africa, but some details regarding owners were not available, such as race and nationality. The Regulation of Land Holdings Bill will remedy this. This and the Electronic Deeds Registration Bill would be brought to Parliament in the foreseeable future.</p>	<p>MPs received a progress report on broadband connectivity in schools. ICASA reported that the four network operators (Cell C, Vodacom, Telkom, MTN) were each responsible for connecting 1500 schools over a five year period as part of their licensing conditions. Neotel was responsible for 750 schools. Failure to complete this within five years carried a hefty penalty and these figures were inclusive of institutions of people with disabilities. The Universal Service Obligation prioritised providing schools deemed not to be in a position to afford internet. The service providers stressed that the issue of inadequate funding needed to be addressed, to enable more schools and hospitals to be connected and provided with technological equipment such as tablets, laptops, desktop computers and printers. They highlighted several challenges, such as local government delays in granting approvals, inadequate use of equipment that had already been provided, theft of equipment and the high cost of providing security.</p> <p>Members' concerns centred on the lack of coordination among all the service providers, as well as between the two government departments, and urged that this fragmentation be addressed with urgency. MPs were disappointed that the service providers seemed to be paying less attention to rural areas, especially to schools that were located on the periphery. MPs called on the service providers to provide details of the names and locations of schools that had been connected, so they could be inspected during Committee oversight visits. MPs also suggested that the relevant departments should monitor and evaluate these schools, to measure the sustainability of the project. MPs added that there should be an emphasis on the training of teachers on how to use the technological equipment to ensure an improvement in the quality of education.</p>

Legislation under consideration....

The Department of Health and the Medicines Control Council (MCC) briefed the Committee on the **Medicines and Related Substances Amendment Bill**. The Bill will replace the current MCC with a new body, the South African Health Products Regulatory Authority (SAHPRA), as well as replace the current MCC Advisory Committee with a separate Board and a Chief Executive Officer. Another factor would be the introduction of a more simplified appeals process. The Department added that the proposed Bill would foster better relationships with stakeholders in and outside South Africa. It would help to achieve effective resource use, staff expertise, and good business practices. MPs asked the Department for more information on the costs, time frames, and the extent of the backlog for applications as well as the precise limitations on jurisdiction, the ability and capacity to enforce the law, and whether specific devices did not need to be named, particularly indigenous medicines and how they would be regulated.

IFP MP Narend Singh re-introduced the **Medical Innovation Bill** (a Private Members Bill). The bill had been initially drafted by his colleague, Mr Oriani Ambrosini, but he is now deceased. The Bill seeks to establish one or more research centres where medical innovation can take place, with particular regard to the treatment and cure of cancer. It also aims to legalise the medical, commercial and industrial use of cannabis, in accordance with emerging world standards. MPs were unanimous that the Bill had the noble purpose of alleviating the pain of suffering patients in the Republic. However, there were mixed opinions and sentiments about the two main objectives of the Bill -- to make provision for innovation in medical treatment and to legalise the use of cannabinoids for medical purposes and beneficial commercial and industrial uses. While there was general support for innovation in medical treatment, some MPs felt that there should be extensive professional research into the curative properties of cannabis before the Committee made any decision on the issue.

President Zuma signed the **Legal Practice Bill** into law. An overarching purpose of the Act is 'to provide a legislative framework for the transformation and restructuring of the legal profession in line with constitutional imperatives'. It will also be the responsibility of the Council to: regulate the affairs of legal practitioners; set norms and standards in this regard; 'preserve and uphold' the independence of the legal profession; and 'enhance and maintain' its integrity and status. An important feature of the Act would see disciplinary bodies that adjudicated on cases of alleged misconduct being open and transparent.

The **Promotion and Protection of Investment Bill**, published for public comment last November, is expected to head for Parliament this month. A draft **Intergovernmental Monitoring, Support and Interventions Bill** is currently being considered by the governance and administration ministerial cluster in anticipation of being presented to Cabinet. The proposed new statute seeks to govern national administration interventions in provincial government and provincial administration interventions in local government as provided for in sections 100 and 139 of the Constitution respectively.

The Minister of Labour has approved a draft **Compensation for Occupational Injuries and Diseases (COIDA) Amendment Bill**, which, among other things, seeks to bring domestic workers within the ambit of the statute. However, it has yet to be presented to Cabinet for approval before being released for public comment.

The Standing Committee on Finance and the Portfolio Committee on Justice and Correctional Services passed the **Development Bank of Southern Africa Amendment Bill and Legal Aid Bill**. Both Bills will now be considered by the National Assembly.

The Portfolio Committee on Human Settlements has agreed to amendments to the **Rental Housing Amendment Bill** proposed by the National Council of Provinces (NCOP). The Bill will be sent to the President for assent after it has been passed by the National Assembly.

The **Protection of State Information Bill** and the **Public Administration Management Bill**, the **Private Security Industry Regulation Amendment Bill** have still not been signed by the President.

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CONTACT PMG: Phone 021 465 8885, e-mail info@pmg.org.za



SPECIAL EDUCATION



Providing access to education for children with disabilities

Severe Intellectual Disability

27131

Moderate Intellectual Disability

30424

Specific Learning Disability

13051

Cerebral Palsy

6127

Deaf

6590

Most common disabilities

Intellectual disabilities in its various forms make up the highest type of learning disability, accounting for 61% of all student disabilities in 2013.

116,525

The total number of students affected with disabilities in 2013.

Student learning disabilities demand intervention to meet their educational needs. Intervention and support are not resource-intensive but require curriculum differentiation in disabilities such as deafness, blindness and Autism. Moreover, this involves the development of special schools, which have been increasing in numbers over the years



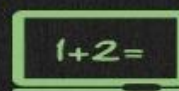
444

Number of special education schools



111,598

Number of special education students



9739

Number of special education teachers

The teacher : student ratio in special schools averages 1:11. Essentially, teachers in special schools are expected to provide individual attention to students with learning difficulties. However, concerns remain over the quality of education.



886

Number of teachers proficient in sign language



311

Number of teachers trained in braille

Despite the measures taken to accommodate special needs students, the Department of Basic Education identifies challenges.



Funding does not ensure quality curriculum delivery



Not all teachers have specialised qualifications



Lack of assistive technology

Sources: www.education.gov.za