

[Friday, 28 June 2019]

[No 1 - 2019] FIRST SESSION, SIXTH LEGISLATURE

LEGISLATURE OF THE PROVINCE OF THE EASTERN CAPE

INTERNAL QUESTION PAPER

Note:

1. Questions for oral reply will be printed in full in the Question Paper for the day for which they have been set down for reply.
2. *Indicates a question for oral reply.

QUESTIONS FOR WRITTEN REPLY

FRIDAY, 28 JUNE 2019

1. Mr N Bhanga to ask the MEC responsible for Cooperative Governance and Traditional Affairs:

- (1) Whether the Amahlathi Local Municipality is under administration in terms of Section 139 (1) (b) of the Constitution of the Republic of South Africa (Act 108 of 1996); if so, can he kindly provide the reasons as to why has the municipality allegedly been placed under administration;
- (2) whether the aforementioned municipality is bankrupt; if so, what plans has his Department put in place with a view to financially rescue the municipality;
- (3) what is the total (a) expenditure incurred and (b) income received by the abovementioned municipality (pre-audited or audited) in terms of the following expenditure patterns (aa) irregular, (bb) unauthorised, (cc) wasteful and (dd) fruitless expenditure and can he kindly provide the relevant details for the expenditure patterns mentioned above for the (i) 2017/18, (ii) 2018/19 and (iii) 2019/20 financial years as at the latest specified date for which information is available;
- (4) can he kindly furnish the details as to the amounts spent by the aforementioned municipality from income received with regard to (a) accommodation, (b) travel (air and vehicle), (c) catering and (d) traffic fines for the financial years specified above as at the latest specified date for which information is available;

- (5) considering the alleged recent protests for lack of jobs, nepotism and inadequate service delivery in the Amahlathi area, what plans has his Department put in place with a view to addressing the demands of the community members;
- (6) whether his Department has assessed the cost of the damage from the recent protests; if so, can he kindly provide an assessment report to that effect; if not, why;
- (7) (a) whether he can kindly furnish the relevant details of the municipal employees/ councillors who have allegedly not been paid for the aforementioned financial years as at the latest specified date for which information is available and (b) can he kindly indicate the months in which the employees/ councillors have reportedly not received payment?

2. Mr N Bhanga to ask the MEC responsible for Cooperative Governance and Traditional Affairs:

Noting the reported various public statements in April 2019 by former provincial MEC for Finance, Economic Development, Environmental Affairs and Tourism (name furnished for the purpose of the reply), relating to governance issues in Nelson Mandela Bay Metropolitan Municipality (NMBMM):

- (1) Whether he has been informed of the latest expenditure percentages on the capital and grant budgets in the aforementioned municipality; if not, what is the position in this regard; if so, what are the percentages;
- (2) whether he has been informed that there is allegedly no permanent Chief Financial Officer (CFO) in the municipality mentioned above; if not, what is the position in this regard; if so,
- (3) whether he has received representations with regard to the possible consequence of grant funding rollover applications not being approved by National Treasury should the abovementioned municipality fail to appoint a permanent CFO by the end of the current financial year ending 30 June 2019; if not, what is the position in this regard; if so, what plans has his Department put in place with a view to filling this critical vacancy;
- (4) whether he has been informed of what the respective value for the alleged electricity and water losses is in the aforementioned municipality; if not, what is the position in this regard; if so, whether his Department has any plans in place with a view to intervene and support the municipality mentioned above in terms of Section 154 of the Constitution of the Republic of South Africa (Act 108 of 1996)?

3. Mr N Bhanga to ask the MEC responsible for Cooperative Governance and Traditional Affairs:

- (1) How many permanent Section 56 Managers are there currently in Nelson Mandela Bay Metropolitan Municipality (NMBMM);
- (2) whether he has been informed of the number of vacancies that exist within the aforementioned municipality including instances where contracts of said managers have reportedly lapsed; if not, what is the position in this regard; if so, how many Section 56 vacancies are there in the municipality mentioned above?

4. Ms V Knoetze to ask the MEC responsible for Cooperative Governance and Traditional Affairs:

Noting that concerns were allegedly raised in terms of the appointment of the Chief Financial Officer (CFO) in Sunday's River Valley Municipality (SRVM), in terms of five (5) candidates reportedly interviewed for the abovementioned position, the successful candidate was allegedly permanently appointed as CFO, out of the five candidates she was reportedly the only one rated as 'basic' whereas the other four (4) were allegedly all rated as 'competent':

- (1) Whether he can kindly give clarity in terms of the logic in appointing the incumbent;
- (2) in terms of Section 83 (1) of the Local Government: Municipal Finance Management Act (MFMA) (Act 56 of 2003) which states that "the Accounting Officer, Senior Manager, the Chief Financial Officer and other financial officials of a municipality must meet the prescribed financial management competency levels" and Section 107 of the aforementioned act states that any Chief Financial Officer must meet the prescribed financial management competency levels, can he kindly provide clarity on the basis of which the incumbent meets the requirements as per the act mentioned above as set out above;
- (3) can he kindly provide clarity as to why an incumbent that rated 'basic' was allegedly appointed above four candidates that were allegedly rated 'competent';
- (4) whether he is satisfied that the appointment of the incumbent was not irregular; if so, why; if not, (a) why and (b) what steps his Department anticipates will be put in place with a view to remedy the situation;
- (5) what are the expected time-frames with regard to (4) above?

5. Ms V Knoetze to ask the MEC responsible for Cooperative Governance and Traditional Affairs:

Noting that concerns were allegedly raised in terms of the organogram in Sunday's River Valley Municipality (SRVM):

- (1) Whether an organogram has been approved by the aforementioned municipality; if so, can he kindly provide the (a) minutes and (b) attendance register of the Council Meeting where the organogram was reportedly approved; if not, why;
- (2) when his Department anticipates the organogram will be approved;
- (3) whether the municipality has consulted the Local Labour Forum and the Labour Unions in terms of the organogram; if so, can he kindly provide a summary of their input; if not, (a) why and (b) when his Department anticipates the abovementioned structures will be consulted;
- (4) how many people are in the employ of the abovementioned municipality;
- (5) whether all employees in the employ of the aforementioned municipality have been reflected on the organogram; if not, why and can he kindly provide a copy of the organogram;
- (6) whether all critical vacancies, such as a Chief Internal Auditor, are reflected on the organogram; if not, why;
- (7) when his Department anticipates the organogram will be work-shopped with the Councillors?

6. Mr R Odendaal to ask the MEC responsible for Cooperative Governance and Traditional Affairs:

- (1) Whether he has been informed that the Cradock Waste Water Treatment Plant in Inxuba Yethemba Municipality (as operated by the Chris Hani District Municipality) is allegedly non-functional; if not, what is the position in this regard; if so,
- (2) (a) when did his Department reportedly establish that the plant was non-functional, (b) what was the state of the plant and (c) can he kindly provide the reasons for the alleged non-functional state of the plant;

- (3) what efforts has his Department made with a view to assisting the Chris Hani District Municipality to prevent untreated and/or insufficiently treated sewerage from being discharged into the Great Fish River;
- (4) whether his Department or any other Department or state entity takes routine water samples from the aforementioned river; if so, (a) how often and (b) what was the E.coli count per samples taken at respective points in the river within a 100 kilometer radius below Cradock;
- (5) whether any municipality and/or town and/or settlement and/or community draws water directly from the abovementioned river for human consumption; if not, why; if so,
- (6) whether the aforementioned municipality and/or town and/or community in (5) above has been advised as to the findings of the water samples taken from the aforementioned river; if not, what is the position in this regard?

7. Mr Y Cassim to ask the MEC responsible for Education:

- (1) Whether he has been informed of an alleged second sewage spill that occurred this year at the Education Leadership Institute in East London; if not, what is the position in this regard; if so;
- (2) what is the maintenance budget for the 2019/20 financial year for the institution as at the latest specified date for which information is available?
- (3) what amount of this budget is still available for the current financial year as at the latest specified date for which information is available;
- (4) whether the institution has a service provider to rectify the sewage spill; if not, (a) why, (b) when his Department anticipates a service provider will be appointed and (c) what is the timeline on appointing a service provider;
- (5) (a) when his Department anticipates the sewage spill will be rectified and (b) what measures his Department anticipates will be implemented with a view to preventing another sewage spill?

8. Mr Y Cassim to ask the MEC responsible for Education:

- (1) Whether he has been informed of a learner, (*name and details furnished for the purpose of the reply*), who reportedly wrote his National Senior Certificate (NSC) in 2017, rewrote in February 2018 and in November 2018, who has

allegedly still not received his NSC; if not, what is the position in this regard; if so,

- (2) when his Department anticipates the abovementioned learner will receive his NSC;
- (3) can he kindly provide the reasons for the delay in issuing the learner with his NSC;
- (4) what steps must the learner take in order to receive his NSC?

9. Mr Y Cassim to ask the MEC responsible for Education:

- (1) Whether he has received representations with regard to an individual (*name and details furnished for the purpose of the reply*) who was reportedly a substitute teacher at Arcadia Primary School in Nelson Mandela Bay, who has allegedly not received her salary for January and February 2019; if not, what is the position in this regard; if so,
- (2) when his Department anticipates the aforementioned individual will receive her outstanding salary;
- (3) what are the reasons for the delay in payment of the salary;
- (4) how many teachers in the province are still waiting to receive outstanding salary payments from January 2019 to date, per district?

10. Mr R Odendaal to ask the MEC responsible for Finance:

- (1) What was the total (a) expenditure incurred and (b) amount recovered from officials and /or politicians by the Provincial Departments during the 2018/19 financial year (pre-audited or audited) as at the latest specified date for which information is available in terms of the following expenditure patterns (i) irregular, (ii) unauthorised, (iii) wasteful and (iv) fruitless expenditure;
- (2) what was the total expenditure incurred by the Provincial Departments during the aforementioned financial year (pre-audited or audited) as at the latest specified date for which information is available in terms of (a) catering, (b) travel-related expenditure by officials such as (i) flights, (ii) accommodation, (iii) car hire and (iv) incidental costs i.e. S&T?

11. Ms J Cowley to ask the MEC responsible for Health:

Noting that a qualified Social Worker (name and details furnished for the purpose of the reply) reportedly works at the Jose Pearson TB Hospital and further noting that although she has allegedly been fully qualified as a Social Worker since the end of 2012 she is still allegedly only being paid at level 4, which is the salary grade for an auxiliary Social Worker:

- (1) What immediate action steps her Department anticipates it will take with a view to ensuring that the employee's salary is upgraded to that of a qualified social worker and that the necessary back-pay be calculated and paid back to the employee;
- (2) if the post held by the employee is that of an auxiliary social worker but she is reportedly clearly fulfilling the duties of a fully qualified social worker, what immediate steps her Department envisages will be undertaken with a view to ensuring that this post is adjusted to that of a qualified social worker, bearing in mind that the staff organograms in most institutions in the province are reportedly not finalised and do not always take into account the needs of the different facilities; if not, why?

12. Ms J Cowley to ask the MEC responsible for Health:

Noting that a patient in ward B of Elizabeth Donkin Hospital in Nelson Mandela Bay (name furnished for the purpose of the reply) who allegedly suffers from depression, recently displayed bruising on his body including on his inner thigh and further noting that on requesting an explanation for the bruising, a family member was allegedly told by the doctor on duty (name furnished for the purpose of the reply) that the patient had fallen out of bed and that security guards had assisted in getting him back into bed:

- (1) Whether she can kindly provide details as to how the patient could have suffered bruising on his inner thigh if he fell out of bed;
- (2) whether the bruising was not as a direct result of being manhandled by the security guards, who according to the doctor, assist the professional staff because "no one knows how these patients can act"; if so, can she kindly provide the relevant details in this regard;
- (3) whether the professional staff are suitably qualified to deal with patients who experience psychotic episodes at a psychiatric hospital; if so, whether her Department anticipates the staff will take responsibility for the bruising on the elderly man's body;

- (4) can she kindly provide reasons as to why are security guards reportedly coming into contact with the patients, as this is surely against hospital policy?

13. Ms J Cowley to ask the MEC responsible for Health:

Noting that a patient (name and details furnished for the purpose of the reply) allegedly had X-rays taken for injuries at the Laetitia Bam Clinic in Uitenhage in May last year, further noting that the company for which she works for has reportedly submitted a claim on her behalf which could result in her receiving a disability pension if her injuries justify such, further noting that to date, despite alleged on-going and numerous efforts by the patient and her employer to access the X-rays and the doctor's report, the information is allegedly still outstanding and lastly noting that the matter has reportedly been handled by a company employee (name and details furnished for the purpose of the reply) who has liaised with a Department of Health (DoH) employee (name furnished for the purpose of the reply) who has in turn allegedly requested this information several times from other DoH employees (names furnished for the purpose of the reply) and the delays have allegedly resulted in the patient not receiving an income for more than one year now:

- (1) What urgent action steps her Department anticipates it will undertake with a view to ensuring that this matter is resolved in the quickest possible time, so that the patient and insurance company can access this information;
- (2) what steps her Department envisages will be taken with a view to addressing the alleged incompetence of the employees who have, for over a year, reportedly not submitted the information, despite receiving a submission from the patient that this information could be accessed?

14. Ms V Mvenya to ask the MEC responsible for Public Works:

- (1) Whether he has been informed that his Department allegedly promised to construct a bypass from Butterworth to East London in 2019; if not, what is the position in this regard; if so,
- (2) how far is the process of this project as at the latest specified date for which information is available?

15. Ms N Zibonda to ask the MEC responsible for Rural Development and Agrarian Reform:

- (1) Whether there are outstanding wages owed to workers at Magwa Tea outside of Lusikisiki; if so, can she kindly indicate the (a) amount, (b) date of the outstanding payments and (c) reasons for the non-payment of wages;
- (2) whether her Department has any plans in place with a view to paying employees the outstanding wages; if not, why;
- (3) whether her Department has any agreement in place with a view to ensuring that workers are granted shares in the farm; if so, can she kindly provide a copy of the written agreement;
- (4) whether she can kindly (a) provide a list of current shareholders of the aforementioned establishment and (b) indicate which shareholders are also employees of the farm;
- (5) whether she can kindly indicate (a) who has received dividends of the shares, (b) when were the payments made, (c) and the amounts paid, of the shareholder dividend recipients, which were employees of the farm too;
- (6) whether she can kindly indicate (a) who the new management of the farm is, (b) when the farm underwent a change of management and (c) whether there were any compelling reasons for the change of management;
- (7) in light of the on-going allegations of mismanagement of the farm, whether her Department has conducted any investigations to this effect; if so, can she kindly provide the (a) date and (b) outcome of the investigations?

16. Mr R Odendaal to ask the MEC responsible for Rural Development and Agrarian Reform:

- (1) What is the status of the provisional sequestration application launched in respect of the Magwa Tea Plantation projects (Magwa Enterprise Tea SOC);
- (2) what funding has her Department budgeted with a view to assisting the aforementioned project for the 2019/20 financial year as at the latest specified date for which information is available;
- (3) when her Department anticipates the first tranche of the aforesaid budget will be made available in order to prevent the sequestration of the abovementioned enterprise;
- (4) what is the status of the Business Rescue Process for the aforesaid enterprise;

- (5) when her Department anticipates the transfer of the aforementioned enterprise from the Eastern Cape Development Corporation (ECDC) to her Department will be finalized, if not transferred already;
- (6) what was the total funding/cost of this/these project/s in the (i) 2016/17, (ii) 2017/18 and (iii) 2018/19 financial years as at the latest specified date for which information is available;
- (7) what was the total yield of these plantations for (i) 2016, (ii) 2017 and (ii) 2018 as at the latest specified date for which information is available?

17. Mr R S Stevenson to ask the MEC responsible for Safety and Liaison:

With regard to case number 14/12/2001 reportedly made at Kokstad Vehicle Theft Branch:

- (1) Whether her Department has instigated any charges against an individual (*name and details furnished for the purpose of the reply*), who was a colonel at the time; if not, why; if so, can she kindly provide the relevant details in this regard;
- (2) on what basis was the decision stated in (1) above made and can she kindly provide the relevant details in this regard;
- (3) whether her Department has ever referred the case to the National Prosecuting Authority (NPA); if not, why; if so, what was the outcome and can she kindly provide the relevant details in this regard;
- (4) whether her Department has dropped the case; if so, can she kindly provide the reasons in this regard; if not, what further action has her Department taken in this regard?

18. Mr R S Stevenson to ask the MEC responsible for Safety and Liaison:

- (1) How many service delivery protests took place in the province in the 2018/19 financial year as at the latest specified date for which information is available;
- (2) in which municipalities did the abovementioned protests take place in the year specified above as at the latest specified date for which information is available;
- (3) what general reasons has her Department identified for these protests for the specific year mentioned above;

- (4) what is the provincial ranking in terms of the number of service delivery protests for the financial year specified above as at the latest specified date for which information is available;
- (5) what measures has the South African Police Service (SAPS) utilized with a view to trying to resolve the abovementioned protests and can she kindly provide the relevant details in this regard;
- (6) what resources does the SAPS have with a view to dealing with service delivery protests and can she kindly provide the relevant details in this regard?

19. Mr R S Stevenson to ask the MEC responsible for Safety and Liaison:

- (1) How many school children have been arrested for (a) possession of drugs, (b) dealing in drugs, (c) transporting firearms, (d) muggings, (e) assault and (f) murders in the (i) 2018/19 and (ii) 2019/20 financial years as at the latest specified date for which information is available;
- (2) with regard to the arrests mentioned in (1) above, what is the breakdown of the children's age that were arrested and can she kindly provide the relevant details in this regard;
- (3) what is the top 10 breakdown, per police station cluster, of where the most arrests are made for the aforementioned financial years as at the latest specified date for which information is available;
- (4) how many firearms have been recovered from school children in the financial years specified above as at the latest specified date for which information is available;
- (5) (a) how many kilograms of drugs have been found in the various schools in the province and (b) what is the breakdown, per municipal area, for the financial years specified above as at the latest specified date for which information is available;
- (6) what is the breakdown of the drugs mentioned in (5) above for the financial years mentioned above as at the latest specified date for which information is available;
- (7) how many school children are suspected to be affiliated with gangsterism in the financial years specified above as at the latest specified date for which information is available;

- (8) where are the school children, that are likely to be affiliated with gangsterism, based in the aforementioned financial years as at the latest specified date for which information is available;
- (9) how often does the South African Police Service (SAPS) raid and search schools for drugs and other illegal activities and can she kindly provide the relevant details in this regard;
- (10) what plans has her Department put in place with a view to curb these violent acts and to stop gangsterism from infiltrating schools?

20. Mr M von Buchenroder to ask the MEC responsible for Safety and Liaison:

With reference to the Daily Dispatch article titled 'KSD pupils in danger', dated Monday, 10 June 2019:

- (1) Whether she has been informed that learners in the King Sabatha Dalindyebo Municipality (KSDM) are allegedly targeted by criminals; if not, why; if so,
- (2) what safety measures has her Department put in place or anticipates to put in place with a view to protecting the learners;
- (3) whether her Department has any plans in place with a view to deploying more police officers in the area, specifically Madeira and York Streets and Nelson Mandela Drive; if so, can she kindly provide the relevant details in this regard; if not, why?

21. Mr P E van Vuuren to ask the MEC responsible for Social Development:

- (1) How many Early Childhood Development (ECD) centers are operational in the province as at the latest specified date for which information is available;
- (2) how many additional ECD centers are currently required in the province as at the latest specified date for which information is available;
- (3) what total amount has her Department allocated for the provision of ECD services in the (i) 2013/14, (ii) 2014/15 and (iii) 2015/16 financial years as at the latest specified date for which information is available?

22. Mr P E van Vuuren to ask the MEC responsible for Social Development:

- (1) How many children has her Department placed in child and youth care centers in the (i) 2016/17, (ii) 2017/18 and (iii) 2018/19 financial years as at the latest specified date for which information is available;
- (2) how many child and youth care centers are there currently in the province as at the latest specified date for which information is available;
- (3) can she kindly provide relevant details as to the (i) names and (ii) locations of the abovementioned centers;
- (4) how many of these child and youth care centers are (a) currently operational and (b) non-operational as at the latest specified date for which information is available and can she kindly provide the relevant details in this regard;
- (5) how many children has her Department successfully reunified with their families in the financial years specified above as at the latest specified date for which information is available;
- (6) how many of the children who were reunified with their families has her Department returned to the care of the state in the aforementioned financial years as at the latest specified date for which information is available?

23. Mr P E van Vuuren to ask the MEC responsible for Social Development:

How many Social Development funded Non-Governmental Organisations (NGOs) are there currently in the province and can she kindly provide information (a) per category and (b) per district?

24. Ms N Zibonda to ask the MEC responsible for Sport, Recreation, Arts and Culture:

- (1) Whether the Old Harbour Board Building in Port Elizabeth is a listed Provincial Heritage Site; if so, can she kindly provide the relevant details in this regard;
- (2) whether she has been informed that it has allegedly been vandalised; if so, can she kindly provide (a) an assessment of the damage and (b) the amount it will cost to repair the damage;
- (3) who is responsible for the (a) security and (b) maintenance of the building;
- (4) what is the budget for (a) the security and (b) maintenance of the building;

- (5) whether her Department has any plans in place with a view to revitalising the building; if so, (a) what is the budget for the revitalisation and (b) when her Department anticipates the project will commence;
- (6) whether she can kindly (a) provide a list of the official Heritage Sites in the province and (b) outline how her Department ensures the maintenance of Heritage Sites in the province?

25. Mr M von Buchenroder to ask the MEC responsible for Transport:

Noting that the provincial roads (Church Street and the slipway between the N10 and Church Street) are alleged to be in such a bad state and that residents are allegedly threatening to close the road and further noting that the matter has allegedly been reported to the Local and District Unit since 2016 and they allegedly claim that they have neither the material nor labour to assist:

- (1) What action plans has her Department put in place with a view to fixing these roads before residents take matters into their own hands;
- (2) what is the status update of the (a) TCC Weighbridge and (b) R56 Sanral project for Middelburg;
- (3) whether she has been informed that requests have allegedly been made for a speed bump on the provincial road R398 (Richmond road) since 2016; if not, what is the position in this regard; if so;
- (4) (a) what plans has her Department put in place regarding the speed bump, (b) what amount has her Department budgeted to repair and maintain roads in the said area and (c) when can residents expect road maintenance work to begin;
- (5) whether she has been informed that there is reportedly no supervisor at the Middelburg Department of Roads Unit; if not, what is the position in this regard; if so, what plans has her Department put in place with a view to ensuring that there is a supervisor at this office?

26. Mr M von Buchenroder to ask the MEC responsible for Transport:

Noting that traffic officials reportedly sit at the intersection between King William's Town, Breidbach and East London on the N2 and further noting that the traffic officials are supposed to direct traffic as this is reportedly a busy intersection during peak hours from Monday to Friday, however, it has been alleged that traffic officials sit in their cars chatting, stand outside and chat and do not assist or direct traffic, resulting in

traffic being backed up on the T-junction (by Zwelitsha and Bhisho going down towards the N2) at the intersection:

- (1) Whether she has been informed that on Thursday, 20 June 2019, a traffic official was reportedly standing next to his vehicle (HSX 718 EC) and playing on his cell phone resulting in traffic being backed up and unable to cross the intersection; if not, what is the position in this regard; if so, what plans has her Department put in place with a view to alleviating traffic at this intersection;
- (2) how many traffic officials are meant to assist at this specific intersection;
- (3) at what times are traffic officials meant to assist at this intersection from Monday to Friday?

27. Ms V Mvenya to ask the MEC responsible for Transport:

Whether she has been informed that the road that is connecting Ngqamakhwe to Idutywa is allegedly not tarred and in a very bad state; if not, what is the position in this regard; if so, what plans has her Department put in place with a view to rectifying the situation because economy of that area is allegedly affected by the state of the road?