

Speech by Mrs YN Phosa, Speaker of the Mpumalanga Provincial Legislature on the Occasion of the Presentation of a Policy and Budget Speech of the Mpumalanga Provincial

20 June 2008

The Honourable Deputy Speaker of the Mpumalanga Legislature, Mr BJ Nobunga;
The Honourable Premier of the Mpumalanga Province, Mr TSP Makwetla;
Members of the Provincial Legislature;
Members of the Provincial Executive Council;
Members of the National Assembly and NCOP Delegates present;
Leaders and representatives of Political Parties present;
Executive Mayors and Councillors present;
Chairperson of the Mpumalanga House of Traditional Leaders, Nkosi SE Mahlangu and all traditional leaders present;
The Secretary to the Legislature, Mr RM Moropa, and the entire staff of the Legislature;
Director General of the Province, Mr KW Ngema
Heads of departments present;
Representatives from Business, Labour, media, NGO,s CBO's and various religious faiths present;
Distinguished guests;
Ladies and gentlemen.

1. Introduction

Let me commence by employing this fine moment, as a pinnacle from which we register and record our profound admiration to you all, for your courteous presence in this unique annual event in our political calendar. Your presence constitutes an act of solidarity, we communally acknowledge and value as we confront the challenges in a changing terrain of the struggle for a better quality of life for our people in the province.

Hon, Deputy Speaker, exactly four days ago, as peoples of this country in general, and of this province in particular, we coalesced in unity of purpose, to mark the 32nd Anniversary of June the 16 Uprisings under an apt national theme: 'Entrenching our Democracy- All Youths to the Polls'. As we congregate here today, during this Youth Month, we indeed, salute, remember, and celebrate the pivotal role the youth of our country have played in advancing our struggle for freedom and democracy. Undoubtedly, the hand of time, will ceaselessly immortalize, the sum contribution of the young people in shaping the political landscape of this land and beyond.

Our theme as the Legislature this year is "Educating, Empowering, and Involving Communities for a Better Future". This strategic theme will continue to inform most of our activities during the course of this current year. Hon, Deputy Speaker, as South Africans, we are essentially Africans. Our sisters and brothers from outside our borders are also essentially Africans. With our heavy hearts, we therefore want to condemn the xenophobic attacks that have recently plagued our country. It is something that should never happen again in our democratic and free society.

Today, we present the 2008/2009 budget of the Mpumalanga Provincial Legislature to this eminent House, 14 years after the advent of our democracy out of which is embedded, our First, Second and, now the final year of the Third Legislature. During the cognate 14 years of fulfilling our legislative mandate with our people in mind, the Legislature has indeed, come a long way. Today, we will therefore necessarily seize the moment to be reflective and introspective, as we articulate our challenges in the course of the consolidation and advancement of our transformative democracy towards the Fourth democratic Legislature in 2009 and beyond.

From our gestation year of 1994, the Mpumalanga Provincial Legislature has without a doubt, evolved and matured into a formidable legislative body. It has encapsulated profound commitment to the enchanting and resurgent traditional values of parliamentary democracy: namely, transparency, accountability, participation, and pluralism. This progressive institutional evolution of success, was

enthused not only by our unflinching commitment to the enhanced fulfilment of our constitutional mandate. It was also enthused by our strategic and political focus of taking the Legislature to greater heights in tandem with our vision of becoming an African World Class Legislature.

We were therefore correct to pronounce at the time, that the Mpumalanga Provincial Legislature was at the confluence of many possibilities emerging out of new democratic dispensation ushered in by the first democratic national general elections in 1994. It is against this backdrop that we want to take a moment to commend and compliment the past and the present Members, and staff of the Legislature in particular, and the people of the province in general, for their invaluable and poignant contributions in the progressive evolution of the Legislature over the years, especially during the life of the current Third democratic Legislature.

2. Core functions of the Legislature

Behind the words that can be quoted, essentially, our Legislature has been about law making, public participation and oversight. These decisive functions have constituted our core mandate over the years, which have underlined the sober reality that, the Legislature is not an end in itself, but a means towards an end. It was therefore of necessity that the Legislature, as the institution of the people, remains grounded and focused on contributing positively, to meaningfully changing the lives of the people.

Since 2004, we remained committed to five years of fulfilling our core functions with people in mind. Unquestionably, a parliament like ours, continues to occupy a key place within our democratic system of government, and as such had, and still, has a colossal role to play in the advancement of our nation. It would have been a contradiction and a dereliction of our historic duty to presuppose that the Legislature was exempted from the enterprise of socio-economic development and empowerment of our people in the province.

It was with this in mind, that over the years, we have been amiably guided by the instructive voice of reason of our former President Mandela, who asserts that “the purpose of the budget is to bring a better life for all...it is about transforming our country together”. We must therefore, as we have done in the past, continue to focus on “improving the conditions of the individual men and women, who give society the riches of its character”. This will ensure that the legacy we live as this Legislature, is not told in the numbers, but in the values and ideals that embody our time as a province and as a country. We are therefore filled with optimism that the budget we are presenting today, will generate the requisite social and political momentum in the Legislature to further advance our constitutional mandate which is further explored below.

2.1 The Oversight Function of the Legislature

During the first year of this Third Legislature, we recognised the need to further strengthen the capacity of the Legislature to execute its oversight function over the provincial departments and other organs of state. In the process, we committed ourselves to five years of fulfilling our oversight function with people in mind. At the time, we considered this objective as critical in ensuring that we improve our potential scope for consolidating our position as an active partner in the provincial service delivery regime.

We subsequently pronounced that more financial resources will have to be allocated to achieve this objective. As confirmed by Professor Christina Murray, “resources and infrastructure of a Legislature play a role in determining the effectiveness of its oversight over the Executive”. Indeed, over the years, we have allocated to Committees on an incremental basis, more financial resources for both proactive and retrospective oversight function. During the 2004/2005 financial year, R1.5 million was allocated, whilst in 2007/2008 financial year, about R2.2 was made available in this regard. In this current financial year, R 2.7 million has been earmarked to further strengthen Committees in their oversight function.

Hon, Deputy Speaker, it is a source of inspiration that our country, within 14 years of its democratic transition, succeeded in establishing and entrenching democratic institutions and practices which among other things, have ensured checks and balances in our system of government. But, it is a spring

of pride that our Legislature has been at the heart of this democratic milestone. As we forge ahead, it would be prudent that we continue to monitor and evaluate our efforts aimed at improving the oversight function of the Legislature. This will give the Legislature a possibility of discovering new and better ways of fulfilling the oversight function.

2.2 Public Participation and Involvement

In the beginning of this Third Legislature four years ago, we committed ourselves to five years of facilitating public participation and involvement in our legislative process with people in mind. In the process, we proclaimed that “democracy needs to give expression to the will of the people.” We recognised that because sovereignty vests in the people, it was imperative that they must have the greatest possibility to participate in the process of government. It was on this basis, that over the years, we profoundly committed ourselves to continuously strengthen public participation and involvement in the legislative processes and activities of the Legislature.

In pursuit of this objective, among other things, we have been developing and implementing, through our Public Participation and Petitions Committee, a Public Participation and Education Programme to ensure that the Legislature does indeed:

- Improve public participation in the legislative processes;
- Enhance public involvement in the activities of the Legislature;
- Encourage more public attendance of the Sittings of the House and its Committees;
- Sustain its public visitors’ programme; and
- Expand the public understanding and utilization of petitions.

In the last financial year, the Legislature also acquired and launched a Parliamentary Mobile Unit with state of the art audio-visual equipment which has began proving its usefulness in the implementation of our Public Participation and Education Programme.

As part of our unflinching commitment to enhanced public participation and involvement, the Legislature has long initiated an innovative and pragmatic mechanism of diverse “sectoral parliaments”. In these sectoral parliaments, our people from various sectors converge in their “parliaments” to discuss pertinent matters under various annual legislative sector themes, and then make recommendations which are tabled in the House for adoption. The resolutions of the House are then referred to the relevant departments for their attention. This is something that we need to do consistently as we forge ahead.

In the past financial years, we successfully held the “sectoral parliaments” focusing on the following sectors: workers; youth; children; women; senior citizens; and people with disabilities. During this 2008/2009 financial year, we are planning to maintain this momentum, and organise all the sectoral parliaments within the context of our theme: “Educating, Empowering, and Involving Communities for a Better Future”.

I am delighted to share with this House that, we have already held Workers, Children and Youth “parliaments” during this current financial year. We believe that our engagement with these various sectors gives us an opportunity to expand public participation and deepen democracy and therefore extend practical expression to the promise of participatory democracy in our province and the country in general.

Furthermore, our experiences of the legacy of exclusion and marginalization bequeathed by the past, and in the context of our commitment for enhanced public participation obligation, we also successfully embarked on the project of “taking the Legislature and its Committees to where the people are. In partnership with Parliament, we hosted two events: the “People’s Assembly”, and “Taking Parliament to the People” during the last two financial years. We would also like to acquaint this House, that the National Parliament has identified us as the host of the 2008 People’s Assembly. The necessary preparations are currently underway.

Hon, Deputy Speaker, over the years, we remained committed to the obligation placed on us by Section 115 (d) of our Constitution, which states that: “a provincial Legislature or any of its Committees may receive petitions, representations or submissions from any interested persons or institutions”. In pursuance of this constitutional obligation, through our Select Committee on Public Participation and Petitions, we have been successfully dealing with the petitions that are brought for our attention and in the process learnt new ways of doing things.

We would therefore like to take a moment to record our sincere appreciation to our Public Participation and Petitions Committee and relevant portfolio Committees for facilitating the resolutions of the referred petitions by members of the public. A word of profound gratitude is also extended to all the different provincial departments and state organs for their endearing co-operation in resolving the petitions. We hope that they will continue on this positive path of co-operation in the Fourth Legislature and beyond.

Hon, Deputy Speaker, we believe that the public participation efforts enunciated above, have over the years, given the Legislature greater impetus for further advancing participatory and representative democracy in the province. This became possible through the budget we allocated in this regard. Between 2004 and 2008, we have spent more than R13, 9 million on our public participation efforts.

In this current financial year, an amount of R3.6 million has been allocated to continue consolidating our public participation objectives. This amount includes our voter education efforts that will be undertaken in partnership with the Independent Electoral Commission, as we prepare for the forthcoming general elections in 2009. As we have done in the past, the Legislature has to continue playing a pivotal role in educating our people that their individual vote counts, and that they must therefore exercise their right to vote.

Hon, Deputy Speaker, as we have highlighted in the previous years “democracy needs the nourishment and nurturing of its citizens” and that “an enlightened citizen is an indispensable ingredient of the infrastructure of democracy”. Undoubtedly, now and in the future, our people, irrespective of their station in life, must have unfettered access to the legislative processes and activities of the Legislature. This is the only way that we can continue to capture the hearts and minds of our people.

2.3 Law Making in the Legislature

Hon, Deputy Speaker, in the beginning of this Third Legislature, we committed ourselves to five years of making laws with our people in mind. In the process, we correctly acknowledged that during the first decade of our freedom and democracy, “deliberate and concerted efforts were devoted not only to the eradication of apartheid legislation, but also to the enactment of new and transformative legislation. As we are required by the Constitution, over the years, we have been at the centre of the process of consideration, initiation, amendment, and passing of legislation.

During the Third Legislature, our commitment to the five years of law making with people in mind, culminated in the passing of 23 pieces of legislation. These include the following:

- Mpumalanga House and Local Houses of Traditional Leaders Act, 2005;
- Mpumalanga Economic Growth Agency Act, 2005;
- Mpumalanga Tourism and Parks agency Act, 2005;
- Mpumalanga Legislature Service and Administration Act, 2006; and
- Mpumalanga Finance Matters Act, 2006.

Hon, Deputy Speaker, it is appropriate in this policy and budget speech to also take a moment to express my gratitude to all the Members of the Legislature for their individual and collective efforts which culminated in the passing of the pieces of legislation by this eminent House.

As we have previously mentioned in this rostrum, the Legislature will have to continue to actively participate in the national lawmaking processes. This will ensure that the Legislature is able to influence and shape legislation wherever possible through mandating the Permanent Delegates to the

National Council of Provinces (NCOP) to vote for laws affecting our province in a manner that adds value to the Mpumalanga Province and its people. Furthermore, we want to reiterate that the task of the Legislature going forward, is to make a determination regarding the extent to which legislation we have passed over the years, have made impact on the lives of our people in the province.

In addition, in the light of the recent court challenges relating to some of the pieces of legislation we have passed and/or participated in, it would be prudent that in future, we, as the legislative sector, handle our law making processes with diligence and care, so as to avoid possible contestation in the courts of our country regarding legislation we have passed. We believe that this will go a long way in entrenching the dignity and confidence the people have in our Legislature through-out the country.

Hon, Deputy Speaker, in concluding this section on the core mandate of the Legislature, we want to acknowledge the indispensable role our parliamentary Committees have played and will continue to play in the fulfilment of the constitutional obligation of the Legislature. Over the years, we have realised that Members serving in these Committees, will have to be continuously trained and developed to ensure that they are better capacitated to deal with the demands of their Committee work. Despite the financial constraints we had to contend with, financial resources were always made available in each financial year in this regard. I would therefore like to express my gratitude to the Hon, Deputy Speaker and Members of the Members' Affairs Committee in general for ensuring that Members of the Legislature are trained and developed over the years. However, training is on-going; the Legislature will therefore have to continue to prioritize training and development of the Members.

3. Management and Administration of the Legislature

Hon, Deputy Speaker, during the life of this Third Legislature, we have consistently proclaimed that our "policies and political priorities cannot be achieved without an effective and efficient administration, characterized by a good orientation towards excellent service delivery". We have also acknowledged that effective management and efficient administration are of strategic necessity in taking the Legislature to greater heights as we strive towards a vision for people-centred, vibrant, and dynamic African world class Legislature we all strive for. It was in this context that over the duration of the Third Legislature, we committed ourselves with people in mind, to continuously enhance the capacity of our administration, to ensure that it is able to provide better services on a consistent basis. With the limited financial resources at our disposal, in each financial year, we still managed to identify and implement training and development programmes not only for Members but also for staff in general. These initiatives have over the years ensured that the competencies and capabilities of our staff are energised and synergised.

On the 11th of March this year, we passed the Mpumalanga Provincial Legislature Service and Administration Act, which is mainly aimed at regulating the management and administration of the Legislature and the appointments, and conditions of service of employees of the Legislature. The significance of this legislation is that it ensures that the Legislature "de-links" and subsequently, becomes autonomous as contemplated in Section 16 of the Constitution of our country. Our administration, together with the relevant stakeholders is currently busy developing and finalising the necessary institutional preparations and arrangements to ensure that the Act is implemented accordingly. We are happy about the progress that has been made in this regard, and we are all eager to ensure that the critical milestones are achieved as soon as possible. Having anticipated the inevitable financial requirements emanating from the implementation of this Act, the Legislature has already prepared a budget in this regard, which has been communicated with our Provincial Treasury.

As a dynamic organization that is responsive to changing circumstances in both our internal and external environments, we had to re-engineer our organizational structure during 2006-2007 financial year. With our new adopted organizational structure, we now believe that the Legislature is better positioned to implement its institutional strategy, so that we are able to come closer to the realisation of our vision for an African World Class Legislature.

Hon, Deputy Speaker, in our policy and budget speech of 2005/2006, we made a commitment that our efforts towards transformation are not only aimed at meeting our compliance obligations but also at ensuring that we democratise our institution.

As we speak, the Legislature has been complying with the Employment Equity Act requirements since the last two financial years. We believe that our efforts in this regard, have gone a long way in advancing transformation in the Legislature. We also believe that our transformation policy environment is now firmly established.

In the previous financial year, we highlighted that the Research, Policy, Planning, and Monitoring and Evaluation (RPPME) Division, was busy conducting two research initiatives aimed at determining citizens' understanding of the Legislature in relation to its constitutional mandate and, also assessing the satisfaction levels of internal stakeholders of the Legislature respectively. I am delighted to announce that the two research initiatives which were funded by the European Union's Legislature Support Programme, were completed and that they have generated useful baseline information which is being utilised by the administration for consolidating our continuous improvement initiatives.

As it has been the case during the life of this Third Legislature, we remain committed to ensuring that the implementation of the applicable provisions of the Public Finance Management Act. We believe that this commitment has over the years, made it possible for the Legislature to manage and utilise its resources in an effective, efficient and economic manner. Whilst we remain committed to the implementation of the PFMA, we are also cognisant of the current developments in the legislative sector aimed at formulating a money Bill similar to the PFMA, which will regulate financial management of Parliament and Provincial Legislatures. A draft has already been distributed to all Members for their comments and will continue to monitor and play an active role in this regard. We also want to reiterate that, as the Legislature, we always appreciate the support and co-operation from the offices of the Provincial Auditor General and the Provincial Treasury respectively. We believe that our continued positive relationship, will contribute in ensuring that we are better able to fulfil our constitutional obligations.

Hon, Deputy Speaker, we believe that the current governance structures we have established during this Third Legislature, continue to play a strategic role in ensuring that the Legislature adheres to the principles and practices of good corporate governance. We are therefore grateful to the current and past members of the Legislature Service Board; Presiding Officers' Committee; Audit Committee; the Secretariat; and the Management Committee of the Legislature. In our quest to further strengthen our corporate governance practices, the current Board of the Legislature has already held a corporate governance workshop in this financial year. It was facilitated by Professor Mervyn King, who is a world renowned corporate governance specialist. The Board has already commenced with the process of implementing of the workshop's recommendations.

We believe that these efforts will ensure that the Legislature continues to adhere to the practices of corporate governance in this Third Legislature and beyond.

5. Strategic Projects of the Legislature

Over the last financial years, the Legislature had identified several strategic projects which were part of the effort of ensuring that the Mpumalanga Provincial Legislature does indeed, become an African World Class Legislature. As we start the 2008/2009 financial year, I am delighted to announce that all our strategic projects have been successfully completed. In response to our technology audit, and as part of the modernization of our Legislature, the Refurbishment of the Chamber has been completed at the cost of R 13.8 million.

The Video Conferencing Room has also been completed. As highlighted in the previous budget speech, the Legislature was responsible for the cost of the physical construction of the videoconference room which amounted to R 623 000. The cost of installing the backbone infrastructure and relevant software was covered by the Legislature Support Programme funded by the European Union. The Members' Lounge has also been completed and launched. An amount of R 2.6 million has been spent in this regard. During this Third Legislature, we also completed and launched the Legislature Souvenir Shop which is currently operational.

6. International Relations Engagements

During the life of this Third Legislature, we have acknowledged that we live in times of global reach in which the world has now become a “global village”. We further highlighted that “in these times of global reach, the Legislature has to maintain and strengthen its relations with international parliamentary bodies and parliaments throughout the world including Africa”. It was in this context that our Committees, have over the years, undertaken study visits to various countries in Africa and beyond, in order to share experiences and learn in global parliamentary contexts.

In this financial year, guided by our policy on international study visits, a clustered committee of Public Works, Roads and Transport, and the Select Committee on Public Participation and Petitions have recently undertaken a study visit to Madagascar. The Committee on Education, Culture, Sport, and Recreation, clustered with the Committee on Health and Social Services, are currently undertaking a study visit to Germany and Ghana. Let me also acquaint this House, that, during this Third Legislature, our Committees have also undertaken study visits to Canada, Ireland, and Uganda.

We have also established the Mpumalanga Branch of the Commonwealth Parliamentary Association (CPA) with its own constitution. The Legislature has maintained its active participation and engagement, not only during CPA conferences and workshops, but also during the National Conference of State Legislatures (NCSL) which takes place in USA every year. In this current financial year, the Legislature will participate in the 39th CPA Africa region in Zambia, as well as in the 54th CPA international conferences, taking place in Malaysia. Furthermore, as part of our international engagements, we also hosted delegations from the parliaments of Lesotho, Malawi, Swaziland, Sudan, Tanzania, and Uzbekistan. During the establishment of the Pan-African Parliament (PAP), we assisted by seconding three of our staff members. Hon, Deputy Speaker, as we highlighted previously, we believe that the activities we have articulated here reflect our commitment to maintaining and further advancing our relations with international and continental parliamentary bodies. This has made it possible for the Legislature to contribute in the global parliamentary environment over the years.

7. Political Support

Hon, Deputy Speaker, in this 2008/2009 policy and budget speech, we want to reiterate the contention that “elected public representatives in a Legislature, are accountable to the people; their political organizations, and the Legislature to which they belong”. We believe that this is the type of accountability that has been prevailing and should continue to prevail in our Legislature. It is in this context that we believe that there is a need for us to maintain a good balance, as we exercise our accountability obligations. As part of our continued obligation to financially support the three political parties represented at the Legislature, an amount of R 4 million has been earmarked for their caucus funding to conduct their daily operations. An amount of R7.92 million is further allocated to the political parties for their constituency work. This amount represents an increase of R2.52 million as compared to the R5.4 million that was allocated in the last financial year.

In our quest to further ensure transparent and equitable funding to all the political parties, represented in the Legislature, a process of formulating a Bill has already been initiated in this regard. An Ad-hoc Committee chaired by the Chief Whip, Hon, MS Ginindza has already been established. It is envisaged that the Bill will have financial implications and that additional funds would therefore be required for implementation. It is also anticipated that the Bill would be finalised and passed by this esteemed House, before the end of this financial year.

8. Conclusion

In conclusion, as we progress towards the end of this Third Legislature, let me take this opportunity to record and extend my sincere appreciation to the Honourable Deputy Speaker and Presiding Officers for their valuable support and cooperation through-out the life of this Third Legislature. The dedication and sustained commitment to the work of the Legislature by all Members of the Legislature is also acknowledged and profoundly appreciated. The staff of the Legislature under the guidance and leadership of the Secretary to the Legislature is also sincerely acknowledged and highly appreciated. You all have been instrumental in our path of success.

Hon, Deputy Speaker, please allow me to table to this eminent House, the:

- Three-year Strategic Plan, 2008-2011;
- Annual Operational Plan; 2008/2009;
- Annual Operational Plan for Committees for 2008/2009;and
- Policy and Budget speech for 2008/2009.

The budget of the Mpumalanga Provincial Legislature, (Vote 2) amounts to Ninety Seven Million, Two Hundred and Twenty Three Thousand Rand (R97, 223 000).

It is distributed as follows:

Programme 1: Administration	R42, 045 000
Programme 2: Facilities for Members & Political Parties	R30, 404 000
Programme 3: Parliamentary Services	R24, 774 000
TOTAL	R97, 223 000

I thank you.