

## **NORTH WEST PROVINCIAL LEGISLATURE**

### **I S MFUNDISI**

It is unfortunate that the North West Legislature came into being through bloodshed and worse still those who founded it spent most of their energy fighting against those who were not even in the legislature. This made them remain seized with odd things instead of ensuring that the legislature was competitive.

The presentation of the Hon Speaker and the Secretary to the Legislature in their report on the legislature clearly indicates that among the very first matters to be attended to is the passing of the provincial constitution. Failure to have done this militates against section 40 of the constitution which clearly states that each of the three spheres of government should be distinctive while they remain interdependent and interrelated. Without a provincial constitution the roles will be blurred forever.

To this end the UCDP implores all honourable members to engage in reading and debating section 104 of the constitution which clearly states that the first duty listed is passing the constitution in terms of sections 142 and 143.

Whichever provincial legislation the legislature passes must by and large be based on the provincial constitution otherwise we risk that when push comes to shove we may be faced with a constitutional dilemma. We have to be awake to this.

If we had our constitution we would not be sitting with the problem of having to obviate the issue of passing legislation on political party funding because we would have had it in the constitution or amending it by invoking section 142 accordingly.

Whatever the argument the ruling party may have against passing the provincial constitution we advise them that they will rue the day they did not take the opportunity while the sun shone. The Western Cape is on top of the situation because they have their own; Kwa-Zulu Natal even under the ANC government is striving for one because there are advantages in it as it

empowers the province and reduces micro management by the central government.

We welcome sectoral parliaments but wish to warn against turning them into the ruling party activities where members of the opposition parties are reduced to spectators or perhaps best men or bridesmaids who are accompanying the VIP's from the ruling party. Members of the Provincial Legislature go there as equals. Why not assign them a duty of introducing the VIP's?

It is unfortunate that while the founding fathers of the province squabbled and wrangled about keeping those they did not like at bay they overlooked to requisition for sufficient funding for constituency allowances with the result that this legislature pays the lowest to its MPL's for constituency work. We plead with all concerned to assist the Hon Speaker as he strives to find resources for the elected representatives to do their work.

It is very unfortunate that the website of the legislature serves as frame holding the photo of the Speaker. Further than that it is a dumb dud as no activities of the legislature are covered, not even the calendar of the institution. A website must be a source of information. There may be defensive argument that may say we are debating last year's report but our counter to that would be why have you erased it because at least it was informative compared to what we are being fed.

May it be known that that website is used as a measuring instrument by others. They will say this is the best the North West is capable of. We in the UCDP do not want to be associated with mediocrity we want the best. If this goes on like this there will be no reason why the auditor cannot categorise the use of funds on the project as unauthorised and irregular expenditure which may also border on criminal activity.

We look forward to benefitting from the overseas trip that was undertaken to Vietnam, Hanoi by the Committee on Quality of Life and Status of Women. What is it that they do well or better in respect of the rights of women?

We hope the vacancy of Hansard Editor has since been filled; after all this institution must have its proceedings recorded in Hansard.

The legislature has to be commended for subjecting itself to scrutiny by the portfolio committee. We know elsewhere there has been debate that members of the legislature may not pronounce on the legislative institution but here at home it is no problem because the institution has nothing to hide.

While we commend the legislature on the matter it has to be said that the findings of the Auditor General on the use of resources is nothing to be written home about. That the AG has not qualified the financial report has little impact as there is much that had to be done before the report could be accepted still with some matters to be attended to.

The Biblical injunction is that we should not be critical of splinters in other people's eyes while there are logs in ours. We call on the administrative leadership of the institution to ensure that we get a clean bill of health without any referrals in the next financial year.