

NATIONAL ASSEMBLY
QUESTION FOR ORAL REPLY

QUESTION NUMBER 1

2 MARCH 2005

MRS P DE LILLE (ID) TO ASK THE MINISTER OF FINANCE:

(a) Which draft version of the Joint Investigation Report on the Strategic Defence Procurement Packages included the conclusion that the contractual position of the Government was sound, (b) why was this conclusion not included in previous versions of the joint report and (c) why was this conclusion included in later versions, as well as in the final version of the joint report?

N5E

REPLY:

Madam Speaker, the Joint Investigation Report on the Strategic Defence Procurement Packages was directly submitted to this House by the Public Protector, the Auditor-General and the National Director of Public Prosecutions on 14 November 2001. The independence of these institutions is statutorily protected, and I am not in a position to answer for their report, or explain the reasoning behind their findings, on their behalf.

As indicated in the Joint Report, a process of consultation was undertaken during the preparation of the report, during which the various separate findings of the three agencies were examined, comment was received from departments and others involved and an agreed joint report was prepared. The Joint Report also indicates that prior to the preparation of this agreed joint report, a draft report was submitted to the President and the Ministers of Finance, Defence, Public Enterprises and Trade and Industry for comment in adherence to the provisions of section 4(6) of the Auditor-General Act of 1995. This draft report, dated September 2001, contained three separate reports of the Public Protector, the Auditor-General and the Directorate of Special Operations of the NPA.

The “final draft” report of the joint investigation team, which contained a consolidated report and the joint findings and recommendations of the team, included in its key findings (chapter 14) the conclusion that “there are ... no grounds to suggest that the Government’s contracting position is flawed.” This statement is also included, unchanged, in the final published report.

I am mindful that in the process of compiling a joint final report, the three agencies were obliged to examine each other’s findings and seek a collective

view, as is normal in any forensic or internal process to bring separate investigative reports together to develop a holistic picture. It is therefore not surprising that changes were made in the process to the original separately compiled drafts. It is also not surprising that the agencies refrained from reaching definitive conclusions on the status of Government's contracting position until they were in a position to consider the separate reports jointly, and any comments received. The conclusion that the Government's contracting position was sound could only be reached after joint consideration of the separate reports.

NATIONAL ASSEMBLY

QUESTION FOR WRITTEN REPLY

QUESTION NUMBER 145

DATE OF PUBLICATION: 25 FEBRUARY 2005

MRS P DE LILLE (ID) TO ASK THE MINISTER OF FINANCE:

Whether reports given by the Auditor-General to a certain person (details furnished) with regard to the Joint Investigation Report on the Strategic Defence Procurement Packages contained any sections that were deliberately obscured by any means; if so, (a) what was contained in these sections and (b) why were they obscured and not included in the final Joint Investigation Report on the Strategic Defence Procurement Packages? **N9E**

REPLY:

It is a matter of public record that in terms of a court order and the provisions of the Promotion of Access to Information Act, reports have been provided to the party in question by the Auditor-General. Section 28 of the Promotion of Access to Information Act provides for parts of a record so provided to be severed, if there are relevant reasons to refuse access to such parts. It is reasonable to assume – although the Auditor-General is not answerable to the Minister of Finance in this regard – that obscured sections of the reports in question were severed in terms of these provisions of the Act.

NATIONAL ASSEMBLY

QUESTION FOR ORAL REPLY

QUESTION NUMBER 41

2 MARCH 2005

REV K R J MESHOG (ACDP) TO ASK THE MINISTER OF FINANCE:

- (1) Whether there is a budget allocation for community development workers; if not, why not; if so, what amount has been allocated;
- (2) whether the budget will be divided proportionally between the provinces; if not, what is the position in this regard; if so, what criteria will be used for such allocations;
- (3) whether the financial accounting will be done by provincial or local government?

N233E

REPLY:

- (1) Yes, it will be funded through provincial budgets as agreed to between National Government and Provinces. Provinces may in turn support municipalities to fund CDWs' in terms of bilateral agreements between the Province and each relevant municipality. Intergovernmental Forums such as the Presidents Co-ordinating Council has taken CDW's into account as a priority. President Mbeki, in his State of the Nation address to Parliament on 11 February 2005, has made a commitment that CDWs' will be deployed in each municipality by March 2006. The actual amounts budgeted for will only be available after all nine provinces table their budgets by next week

Provinces will be receiving funds for this purpose through the equitable share allocations. The honourable member should therefore wait until provincial budgets are tabled, which will indicate to what extent community development workers are funded.

- (2) This equitable share allocation is divided in terms of an objective formula between provinces, as the honourable member may read in part 4 of Annexure E of each Budget Review.
- (3) Each provincial department and municipality is accountable for all its finances to its legislature or Council, and has to submit its financial statements to the Auditor-General for audit, and then table the financial statements and audit report in the legislature or council within 6 or 7 months after the end of the financial year, in accordance with the Public Finance Management Act and Municipal Finance Management Act.