

Accountability and oversight a must for Electricity Minister

Speech by Kevin Mileham MP, DA Shadow Minister of Mineral Resources and Energy

Chairperson,

There should be no doubt in the mind of anyone in this chamber that the single biggest threat to South Africa's economy, to the lives and livelihoods of our people, is no longer the COVID pandemic, but rather the ongoing inability of this government to ensure a stable, reliable supply of electricity. By now, we are all well aware of the causes of the problem - corruption, mismanagement, cadre deployment, policy incoherence – all of which would be much more manageable if parliament was effective in its oversight function. Without electricity, our hospitals cannot function, our businesses cannot operate, and our homes cannot be lit or heated. It is therefore critical that we ensure that the Minister of Electricity is held to the highest standards of accountability and oversight.

The importance of accountability and oversight cannot be overstated. It is what separates a functioning democracy from a failed state. It ensures that those in positions of power are held to account for their actions, and that they are answerable to the people they serve. The Constitution of South Africa establishes a system of separation of powers, which means that the executive, legislative, and judicial branches of government operate independently of each other. It goes further to provide for accountability and oversight of the executive by the legislature. Indeed, it is of such importance, that it is enshrined in our Constitution, in sections 55, 56 and 92.

Section 92 of the Constitution provides that Cabinet members are accountable *collectively and individually* to Parliament for the exercise of their powers and the performance of their functions. Members of the executive, including the President, Ministers, and Deputy Ministers, are accountable to the National Assembly and its committees.

The Constitution further provides for the establishment of parliamentary committees to exercise oversight over the executive. Section 55 of the Constitution stipulates that the National Assembly must provide for mechanisms to ensure that all organs of state, government departments and members of the executive are accountable to it, and must maintain oversight of the exercise of executive authority, including the implementation of legislation.

But how do we do this? How do we ensure that the Minister of Electricity is held to account for his actions and decisions? How do we measure his performance against key milestones and objectives? Especially, as there is currently no parliamentary oversight over the Presidency, or members of cabinet serving in the President's office.

The answer lies in the establishment of an ad hoc parliamentary committee.

Such a committee would have the power – in terms of section 56 of the Constitution - to summon the Minister of Electricity to appear before it and answer questions about his programme of action. It would also have the power to call expert witnesses and other stakeholders to provide evidence and input. The committee would be tasked with ensuring that he is acting in the best interests of the country and its citizens. It would provide a forum for public participation, for the people of South Africa to share their views and concerns about the electricity sector and the Minister's performance or lack thereof.

It is also worth noting that establishing an ad hoc parliamentary committee is not a new or radical concept. It has been used before in South Africa, and in other democracies around the world, to provide oversight and accountability of government officials. In fact, this parliament has had several such committees in the past – including the ad hoc committee into the SABC Board, the ad hoc committee on the funding of political parties and the ad hoc committee on amending section 25 of the Constitution.

Most telling, however, is the Zondo Commission of Inquiry's final report on state capture, in which Chief Justice Zondo highlights the failures of parliament in holding the executive accountable. The report called for urgent reforms to strengthen parliamentary oversight, enhance transparency and accountability, protect whistleblowers, and prevent conflicts of

interest. The report urged Parliament to create a committee to oversee the Presidency and to review its own rules and procedures to ensure effective oversight. This motion seeks to do exactly that with specific reference to the Minister of Electricity.

The findings of the Zondo Commission have shown that there were numerous instances where government officials acted outside the law and in their own self-interest. The President and his cabinet must be held accountable for these actions, and parliament must play a crucial role in ensuring that this happens.

As members of parliament, we have a responsibility to carry out effective parliamentary oversight over the presidency and the executive. We must work to ensure that parliament has the necessary resources and expertise to carry out this oversight, and that it is conducted in a non-partisan and impartial manner.

I therefore call on all members of the National Assembly to prioritize parliamentary oversight and to work together to ensure that the executive are held accountable for their actions, through the establishment of an ad hoc committee to oversee the function and role of the Minister of Electricity. Let us build a strong, transparent, and accountable democracy - one that serves the people of South Africa and upholds the principles of good governance and the rule of law.