

izindaba

) o~ - 1 {7/
p, r AN X>) > Â\$ N o
y -, -â\200\224 â\200\224

IKHASI 3

ISOLEZWE, ULWESIBILI, EPHRELI 8, 2003

Kushube umoya ngezikh

USHUBE umoya

kwisiShayamthetho

saKwaZulu-Natal izolo
ngesikhathi umholi we-ANC
kulesi sifundazwe, uMnuz
Sbu Ndebele, etshela
uNdunankulu uLionel
Mtshali emehlweni ukuthi
makabuyisele oNgqongqoshe
abaxoshwa kungakapheli
amahora angu-48 noma
abhekane nokulahlekelwa
yisikhundla sakhe.

â\200\234Sifuna kushaye
uLwesithathu labo
Ngqongqoshe sebebuyiselwe
ezikhundleni ngoba
baxoshwa ngaphandle
kokubonisana. Uma
uNdunankulu ehluleka

wukukwenza lokhu,
uzobhekana nezinyathelo
ezizomenza azisole,â\200\235 kusho
uNdebele obezwakala ukuthi
akasezwa lutho ngalolu daba.-

Le nhlangano yenze lesi
siphakamiso ngoba ithi
kuningi okudinga
ukulungiswa kulesi fundazwe
ngaphambi kokuba
kughutshekwe nezinhlelo
zikhulumeni.

UNdebele ugale inkulumo
yakhe ngokulandisa

- isiShayamthetho ngezinto

athe yizivumelwano
ezaphulwa yinhlangano ye-
IFP kulesi sifundazwe.
Uthe bese kuyisikhathi
eside uKhongolose
ebekezelele ukubukelwa
phansi nokungahlonishwa

kwezivumelwano ezenziwa.

â\200\234Asifuni mhlango
ngalolu daba kanti

asizokwamukela lutho
ngaphandle kokuzwa
uNdunankulu etshela le ndlu
ukuthi usebabuyisele. Sifuna
kufike usuku
lwangoLwesithathu isimo
samalungu alesi
siShayamthetho
sesishintshile, lokhu
kuzokwenzeka noma
uNdunankulu uyathanda
noma akathandi,â\200\235 kusho
uNdebele.

UNdebele ubuye watshela
isiShayamthetho ukuthi
inhlango yakhe isigalile
ukuthola imiyalezo
yokujabulela ukuthola kwayo
amalungu amaningi kulesi

siShayamthetho avela
kubaholi bakazwelonke
abadlelana noKhongolose.

â\200\234Manje sekufike isikhathi
sokuba kwenzeke lezi
zinguquko kugala ngoba vele
sesaphela isikhathi lapho
bekunabantu abakhuluma
ngokulolwa kwemikhonto,â\200\235
kuphetha uNdebele.

Emuva kwenkulumo yakhe
kube sekuphawula amanye
amalungu adlelana ne-ANC
njengoMnuz Amichand
Rajbansi we-Minority Front
kanye noMnuz Tino Volker
we-NNP, nabo abavele
bakhwela bazehlela
kuMtshali ngendlela abathi
uphethe ngayo isifundazwe.

â\200\234Mina ngithanda
ukukhumbuza iPhalamende

alo ze-ANC

ukuthi uMtshali wasitshela
ukuthi nguye othunyelwe
ukuba azogondisa izinto
kulesi sifundazwe kodwa
kuningi osekonakele,â\200\235 kusho
uVolker.

Ophendulele i-IFP kulokhu,
uMnuz Narend Singh,
wexwayise ngokuthi ngeke
kwenzeke intando
kaKhongolose. Ughube wathi
isiphakamiso seANC
sikhombisa ukuthi kade
abantu babefuna ukwenelisa
imihobholo yabo.

â\200\234Lezi zimfuno yizona

ezizoshubisa isimo kulesi
sifundazwe kanti zingaba
nabo ubungozi uma abantu
bejaha ngoba befuna
ukuzenelisa bona. Abantu
balesi sifundazwe bavotela

i-IFP ukuthi kube yiyona
ehola lo hulumeni kanti
lokhu akukaze kushintshe,â\200\235
kusho uSingh.

Ubuye wakugcizelela
enkulumweni yakhe
nezintatheliaikuthi
okufunwa yi-ANC ngeke
kwenzeke ngalezi zinsuku
ezinqunyiwe.

â\200\234Thina besisalindele
izingxoxo ezenzeka ezingeni
likazwelonke kulezi
zinhlangano kanti besisahlela
umhlangano wabaholi
bezinhlangothi, hhayi
lokhu okushiwo wuNdebele.
Asikuggqizi gakala lokhu
akushoyo ngoba kughamuka
kubantu abafuna ukufeza
izinhloso zabo,â\200\235 kusho
uSingh.

â\200\224â\200\224e

b

BUSINESS DAY, Tuesday, April 8 2003 3

ANC gives IFP
ultimatum to
rehire MECs

Move threatens provincial coalition

Xolani Xundu

Political Correspondence\200\230

THE African National Congress (ANC) has given the Inkatha Freedom Party (IFP) until tomorrow to reinstate the three fired ANC MECs and balance the executive with equal representatives, or it will form its own "progressive" coalition government in Kwa-Zulu-Natal.

If the ultimatum given to premier Lionel Mtshali at the legislature yesterday is not acceded to, it would mean an end to the ANC-

- IFP coalition agreement signed in 1999. It might also signal an end to the Democratic Alliance (DA) and IFP coalition agreement.

However, the IFP may also decide to leave the ruling of the province to the ANC and its partners like the New National Party (NNP), the Minority Front and the newly formed Peace and Development Party.

ANC provincial spokesman Mtholephi Mthimkhulu was adamant yesterday that the African Christian Democratic Party and the United Democratic Movement would also support the ANC.

If they side with the ANC, it will give the party the required 41 votes to effect changes in the 30-

. member legislature.

Mtshali spokesman Mahlathi Tembe said the premier would not pre-empt the talks between ANC President Thabo Mbeki and his IFP counterpart, Mangosuthu Buthelezi, scheduled to take place sometime, by commenting

on the ANC ultimatum.

However, Mthimkhulu said
â\200\234the ANC is one organisation and
what we are doing is (to imple-
ment) an ANC positionâ\200\235.

The two parties have been en-
gaged in battle since the ANC was
allocated four instead of six of the
12 cabinet seats. Their relations
were strained in December when

Mitshali axed two of the four ANC
MECs and replaced them with DA
members.

Mthimkhulu said the ANC
would form a coalition govern-
ment that was â\200\234genuinely com-
mittedâ\200\235 to KwaZulu-Natal and
not the IFP-DA alliance, which
was preoccupied by positions of
power. â\200\234The matter has to be
resolved by the legislature and as
a majority party we are confident
will win. If Mtshali and the IFP
does not want to act, we will re-
solveit,â\200\235 he said.

The ANC demand was â\200\234very
reasonable and rationalâ\200\235, said
Mthimkhulu. If the IFP respond-
ed positively to the ultimatum the
question of leadership in govern-
ment and the legislature would
be renegotiated.

However, it was premature to
say the IFP would be kicked out of
the provincial government as the
ANC was still committed in work-
ing with it for the development of
the people of KwaZulu-Natal.

Meanwhile, there are reports
that the next floor-crossing win-
dow for both national and
provincial levels will be in 2005
and not in September as had
been suggested.

Responding to this specula-
tion, justice committee chairman
Johnny de Lange said the law pro-
vided for a window in the second
year after an election and in the
fourth year after a poll.

This applied to all floor-cross-
ing windows except the first one
which had just passed.

The committee piloted the
law onto the statute book. De
Lange said that the country was
in the fifth year after the 1999
general election so there could
not be a September window for

defections.

However, at municipal level,

there would be another opportu-

nity to cross the floor before municipal elections in 2005. With Wyndham Hartley

â\200\230lawyer Gary Eisenberg,

Chantelle Benjamin

Legal Affairs Carrespenden't

LAWYERS battled into the night yesterday in the Cape Town High Court over SAâ\200\231s troubled immigration legislation after Home Affairs Minister = Mangosuthu Buthelezi lodged notice with the Constitutional Court of his intention to seek leave to appeal.

An appeal would suspend last monthâ\200\231s high court judgment, which struck down key regulations, ironically making it possible for the new act, the Immigration Act, to come into force with its regulations until a decision was made on the appeal or the appeal was heard.

As a result, immigration who brought the challenge in the high court, applied yesterday for the court to place in operation the order despite any application to the Constitutional Court.

The high court yesterday refused the home affairs department permission to appeal against the ruling on March 11 by Cape Judge President John Hlope and Judge Deon van Zyl that regulations â\200\224 which were supposed to come into effect at midnight that night â\200\224 along with the new Immigration Act, were ultra vires and unconstitutional.

The ruling was suspended until yesterday pending a decision on the leave to appeal. Up to that point that new act was in force with the Aliens Control Act.

The Immigration Bill has been

NATIONAL NEWS

Buthelezi to appeal to Constitutional Court over immigration law delays

Home Affairs Minister Mangosuthu Buthelezi

eight years in the making and has had along and bumpy history.

The regulations to accompany the act, published on November 25 last year, were found to be unlawful and inconsistent with the constitution of the Republic of SA and therefore invalid by the Cape Town High Court on February 17 this year.

The court said the immigration regulations could not be considered to be in force as President Thabo Mbeki had not yet determined a date for them to come into effect by publication in the Government Gazette. This was corrected and the regulations were published in the gazette.

On February 25 a state law ad-

viser cautioned the National Assembly's home affairs committee that the new immigration regulations necessary for the new Immigration Act to come into force on March 12, might be open to a successful court challenge as they did not appear to be transitional.

The department had insisted the regulations were a transitional mechanism and would be replaced in terms of Section 7 of the Act, which requires an advisory immigration board be set up within 90 days of the legislation coming into force.

On March 11, a day before the bill was to come into effect, the Cape Town High Court declared the regulations invalid and unconstitutional because Buthelezi failed to invite public comment prior to promulgation of the new regulations.

The act has been broadly criticised. For example the justice department did not support the idea of an independent immigration court, and there has been opposition to the 2% levy placed on the salaries of foreigners.

There are some, however, who believe it is a better piece of legislation than the present act, which offers only one class of work permit instead of the four outlined in the new act.

According to Deloitte & Touche Immigration manager Lino de Ponte, the new act was promulgated in the middle of last year and has been operating with the regulations of the Aliens Control Act.

Holomisa wants probe of bid-winning Gijima

CAPE TOWN United Democratic Movement (UDM) leader Bantu Holomisa has asked Public Protector Lawrence Mushwana to investigate the questions and allegations surrounding Gijima Info Technologies Africa.

In a letter to Mushwana, Holomisa said the company was reported to have bid successfully for government and parastatal information technology tenders worth R1,9bn.

A major tender prerequisite is that the bidder must supply a tax

clearance certificate, which certifies that the (bidder) is fully compliant with the SA Revenue Services (SARS).

It has now emerged, according to the Financial Mail (of) April 4, 2003 ... that Gijima is in tax arrears since June 2000 and owes SARS more than R2m. :

The company does not comply with the explicit tender requirements for the bids that it won, Holomisa said.

The report said its investigation of Gijima uncovered

evidence that it used underhand tactics to secure tenders, including the use of false documents,

and misled those who made
decisions on tenders. :

â\200\234The Financial Mail has estab-
lished Gijima has been in tax ar-
rears, since June 2000, on its in-
come tax, Value Added Tax, pay-
as-you-earn tax and skills devel-
opment levies. The (publication)
has learnt that SARS has initiated
legal steps against Gijima.â\200\235

According â\200\230to the Financial
Mail article,

Â«,fgge company owed

more than R2m in back taxes, in-
terest and penalties.

The UDM leader called on
Mushwana'â\200\231s office to investigate
the matter immediately. The
scope for abusing taxpayersâ\200\231
money through awarding govern-
ment and parastatal tenders to
bidders who did not qualify was
immense, Holomisa said.

Despite taxpayersâ\200\231 money
potentially being at risk of abuse
in tender processes, these bids
were mostly far removed from
public scrutiny, he said. Sapa

ERE

No fault with municipal donations
to political parties, manager testifies

THE manager of a large Free State municipality told the Public
Protector yesterday he saw nothing wrong with a local council
donating money to a political party. â\200\234To me the African National
Congress and the council is one, because the party have a two-
thirds majority (in the council),â\200\235 Dihlabeng municipal manager
Ruben Evans said in a public hearing in Bloemfontein. He said

1 he could find no laws forbidding local council donations to a
political party. Sapa

TAC wants global action to back antiretrovirals

THE Treatment Action Campaign
(TAC) has called for an international
â\200\234day of actionâ\200\235 to support its call for a
public sector antiretroviral AIDS
treatment plan. It urged overseas

supporters to organise demonstrations such as those at SA diplomatic missions in their countries on April 24. â\200\234We also encourage protests and hard-hitting question-and-answer sessions to be organised for SA ministers and government representatives.â\200\235 The TAC embarked on a civil disobedience campaign last month. It has seen scores of activists arrested after occupying a Cape Town police station, and the disruption of an address by Health Minister Manto Tshabalala-Msimang. Sapa

Tshabalala-Msimang

Irregular licences indictment of process â\200\224 DA

THE fact that more than half of all driving licences issued since 1998 were thought to have been issued in an irregular manner, was an indictment on the process that had been followed, the Democratic Alliance (DA) said yesterday. It also made a mockery of the effort of thousands of honest motorists who stood in queues to obtain their new licences, the party said. Sapa

Mbeki to host Great Lakes leaders in Cape Town

PRESIDENT Thabo Mbeki will host heads of governments in Cape Town tomorrow. The foreign affairs department said yesterday Mbeki, as African Union chairman, would meet Joseph Kabila, President of the Democratic Republic of Congo, Rwandan President Paul Kagame, Ugandan President Yoweri Museveni and Tanzaniaâ\200\231s President Benjamin Mkapa. Sapa

HRC to follow-up on beauty clinic complaint

THE SA Human Rights Commission (SAHRC) said yesterday that it would study a complaint to see if there were prima facie violations to investigate alleged racism at the Pearl of Beauty clinic in Welgemoed. SAHRC spokeswoman Phumla Mthala. was responding to reports that a beauty therapist student was refused an internship because she was coloured. Sapa

NNP urges crackdown on traffic departments

THE New National Party (NNP) has called on Acting Transport Minister Jeff Radebe to launch a commission of inquiry into irregularities at traffic departments. â\200\234It is high time that the minister gets to the bottom of the ongoing corruption and fraud regarding driverâ\200\231s licences so that it can be rooted out once and for all,â\200\235 said NNP spokesman Keppies Niemann. Sapa