



Publication: Saturday Dispatch - Main
Title: MPLs seek clarity on liability for damage, losses at state-owned homes
Publish date: 09 Dec 2023
Page: 10

Reach: 14973
AVE: R 86562.31
Author: VUYOLWETHU SANGOTSHA

MPLs seek clarity on liability for damage, losses at state-owned homes

Stevenson says this was the responsibility of the public works department

VUYOLWETHU SANGOTSHA

Eastern Cape MPLs have voiced concern that the state is not liable for damage or losses incurred at their state-owned residences, questioning who would be liable in the event of a break-in.

The issue came under the spotlight during a recent presentation by provincial legislature deputy speaker Mlibo Qoboshiyane on the "MPL handbook and guide to support for presiding officers".

"The state shall not be liable for any damage or loss of personal effects in a state-owned residence regardless of whether the accommodation is occupied or not," Qoboshiyane said in his presentation.

MPLs said they should not be held accountable for damage caused during burglaries because the state provided security.

Reacting to the presentation in the legislature, ANC chief whip Loyiso Magqashela said: "My issue was on the break-in, when there is a break-in in your house, it [the presentation] says the state is not liable."

"I wanted to know what is the basis for the state not to be liable yet that house is state property and it is the state that has to provide security?"



CLARIFICATION: Deputy speaker of the Eastern Cape legislature Mlibo Qoboshiyane told MPLs that the government shall not be liable for any damage or loss of personal effects in a state-owned residences. Picture: EUGENE COETZEE

I know in some houses now there are securities [guards], but there is a serious issue when it comes to safety and security in those houses

"Not unless in whatever dotted line there's something that says we, as members, have a duty to provide our own security in those houses we are allocated."

ANC MPL Virginia Camealio-Benjamin said: "When it comes to accommodation and facilities of members, I don't even know where to start."

"The machines are broken and the curtains have not been washed."

"I'm there for five years. Two doors are not working — both front and back doors — and I can continue [listing problems]."

"I have reported it ... I don't know [on] how many platforms."

"So, there's a lack and a gap, that's what I want to bring to the attention, of the facilities and the accommodations of members when it comes to them being able to stay in a place which you would want to stay as if you would stay in a home."

"I'm not even talking about other things, I'm talking about the very serious things ... the break-ins ... it's becoming more within some areas."

"I know in some houses now there are securities [guards], but there is a serious issue when it comes to safety and security in those houses."

DA MPL Bobby Stevenson told the Dispatch on Wednesday that MPLs could not be held liable for damages to property as a result of burglaries.

Stevenson said this was the responsibility of the public works department.

"MPLs should have insurance for their personal goods, as is the norm," he said.

"If it can be shown that there is some negligence by the department of public works then members would have a claim against them."

The DA MPLs were not happy with the state of security at members' Bhisho residences. Stevenson said they were frequently broken into and their belongings were not safe.

"Recently, my kettle was stolen out my house in the ministerial complex," he said.

"Sadly, this is the reality of the high crime rate in SA where people don't just lose kettles but their lives."

EFF MPL Simthembile Madikizela said public works had to do more to ensure the residences were protected.

"There have been burglaries in most of them, so it's a very serious issue," he said.

"But we can't expect MPLs to be responsible for those properties because no MPL would invite burglary ... it is an unexpected thing."

Madikizela said many state-owned homes were in poor condition. "The property is leased by public works to MPLs but it still remains the property of public works ... they have a responsibility to ensure that the property's security is tight and also is maintained."

He said public works should insure the properties because some had become inhabitable after being damaged. "It must be the entire responsibility of the department."

MPLs were told that the public works department would be in a position to shed more light on the accommodation arrangements.

Provincial legislature spokesperson Lwandile Sicwetsha referred the Dispatch to the public works department.

Public works spokesperson Nomvula Mqola had not responded to the questions by the time of publication.

Donate a book



with

Daily Dispatch

DROP OFF YOUR PRE-LOVED BOOKS AT THE DAILY DISPATCH OFFICES

(cnr Quenera Drive and Saint Helena Road, Triple Point, Beacon Bay, East London).

TERMS & CONDITIONS: Drop off your pre-loved books from 15 November 2023 to 2 February 2024.

DispatchLIVE.CO.ZA

