

PARLIAMENT OF ZIMBABWE

Thursday, 14th February, 2019

The Senate met at Half-past Two o'clock p. m.

PRAYERS

(THE HON. PRESIDENT OF SENATE *in the Chair*)

**ANNOUNCEMENTS BY THE HON. PRESIDENT OF
SENATE**

**ADVERSE REPORTS RECEIVED FROM THE PARLIAMENTARY
LEGAL COMMITTEE**

THE HON. PRESIDENT OF SENATE: I have to inform the Senate that I have received Adverse Reports from the Parliamentary Legal Committee on the following;

- a) Statutory Instrument No. 247 of 2018, Agricultural Marketing Authority (Command Agriculture Scheme for Domestic Crops,

Livestock and Fisheries Production) Regulations, 2018, published in the Government *Gazette* during the month of November, 2018.

b) Statutory Instrument No. 148 of the 2018, Vungu Rural District Council (Environmental By-laws) Regulations, published in the *Gazette* during the month of August, 2018.

c) Statutory Instrument No.253 of 2018, Civil Aviation (General Procedures and Enforcement), Regulations, 2018, published in the *Gazette* during the month of August, 2018.

e) Statutory Instrument No. 255 of 2018, Civil Aviation (Instrument Flight Procedures) Regulations, 2018 published in the *Gazette* during the month of August, 2018 and

f) Statutory Instrument No. 271 of 2018, Civil Aviation (Remotely Piloted Aircraft) Regulations, 2018 published in the *Gazette* during the month of August, 2018.

INVITATION TO ATTEND WELLNESS PROGRAMME

THE HON. PRESIDENT OF SENATE: I have to inform the Senate that Parliament of Zimbabwe Health Services Department will hold a Wellness Programme in partnership with PSMAS on the 4th to 5th March, 2019. The programme will be held in the Courtyard from 0930 hours to 1530 hours. All Members are invited to attend.

APOLOGIES RECEIVED FROM MINISTERS

THE HON. PRESIDENT OF THE SENATE: I have received apologies from the following Ministers;

- Hon. Prof. M. Ncube - The Minister of Finance and Economic Development.

- Hon. Advocate F. Chasi - The Deputy Minister of Transport and Infrastructural Development.

ORAL ANSWERS TO QUESTIONS WITHOUT NOTICE

HON. SEN. SHOKO: On a point of Order Madam President. There are questions that we have been reserving for Ministers that are not coming to the Senate to answer questions. Can you help us so that

they come and deal with the questions because what I have observed is the Ministers who were there last week are the ones who are here. You will find that we have already asked them most of the questions and may not be having questions for them but those who did not attend Senate last week also did not attend the other week and they are not here today.

Madam President, it becomes a problem. I know you will say that you will ask the Leader of the House but sometimes you will find that ...

THE HON. PRESIDENT OF SENATE: Why are you putting words in my mouth?

HON. SEN. SHOKO: I withdraw those words from your mouth Madam President but I am simply saying, we will pose questions to the Leader of the House but we wanted the experts in those particular areas. We believe the Minister who is there is the expert, so when we pose questions to him/her, he/she will give us an up to date statement or facts on what we would have asked. The Leader of the House will ...

THE HON. PRESIDENT OF SENATE: Order, order, thank you Hon. Senator, I think I hear you and also support what you are saying.

Since Hon. Minister Ziyambi, who is the Leader of the House is here, I also complain as the one who leads this House.

It seems as though ministers are looking down upon this House – [HON. SENATORS: *Hear, hear.*]- We have seen Ministers filling the whole front bench in the National Assembly but when it comes to Senate we see one or two Deputy Ministers which is not fair. I think the whole Senate is complaining about this. – [HON. SENATORS: *Hear, hear.*] -

Hon. Minister Mutsvangwa having walked into the Chamber.

I can see Hon. Minister Ziyambi in the House and the Hon. Minister of Information, Publicity and Broadcasting Services has just walked in of which we have been complaining about that ministers are not coming but we are seeing one or two walking in. May we have Questions Without Notice Hon. Members?

***HON. SEN. KHUPE:** Thank you Madam President for giving me this opportunity to pose my question. My question is directed to Hon. Minister Ziyambi, there is an issue concerning emoluments i.e. the sitting allowances that are paid to board members after sitting. Is there a

policy that demarcates the amounts paid to board members as some can be getting \$100.00 and others \$1 200.00?

In the Disability Board where I once sat, when they sit, they are given \$80.00. Is this a policy that is based on discrimination or what? I thank you.

***THE MINISTER OF JUSTICE, LEGAL AND PARLIAMENTARY AFFAIRS (HON. ZIYAMBI):** Thank you Madam President, the way the question was posed is that he wants to know whether or not there is discrimination based on racial grounds or tribal lines concerning sitting allowances.

The Government policy states that everyone is entitled to a sitting allowance but it differs on deciding the amount to be paid. I would prefer if the Hon. Senator brought forward evidence to say that members of the board are paid different allowances. It would need us to investigate but the policy is that board members are paid those emoluments. I also request that the Hon. Senator puts his question in writing and I will forward it to the Minister of Public Service, Labour

and Social Welfare for her to give a more comprehensive response. I thank you.

***HON. SEN. CHIEF CHIKWAKA:** My question is directed to the Deputy Minister of Defence and War Veterans...

***THE HON. PRESIDENT OF THE SENATE:** Order, order, he is the Minister of Defence and War Veterans.

***HON. SEN. CHIEF CHIKWAKA:** My question is directed to him - is there legislation in place concerning liberation heroes across in districts and also the upkeep of these grave sites? We face challenges when there are commemorations of heroes' holidays because sometimes the graves are dilapidated and others have sunk. It is a pitiful sight. Is there a policy that allows these grave sites to be well maintained and kept because these liberation war heroes fought a good fight for the liberation of the county?

***THE DEPUTY MINISTER OF DEFENCE AND WAR VETERANS (HON. MATEMADANDA):** Thank you Madam President. I want to thank the Hon. Chief for the question. The policy is

there but the ministry that deals with it is the Ministry of Home Affairs and Cultural Heritage. I think that it will be able to give a more comprehensive response.

We are also concerned that the liberation hero grave sites are not being well maintained but it is not within our Ministry's jurisdiction but under the Ministry of Home Affairs and Cultural Heritage.

***THE HON. PRESIDENT OF SENATE:** Now I understand why the Hon. Chief said the Minister of Defence and War Veterans because he wanted you to concentrate on the war veterans aspect. So thank you for that answer.

***HON. SEN. WUNGANAYI:** My question is directed to the Leader of the House because the relevant Minister is not available. The rural areas where I come from, is it Government policy that when food aid is distributed, we find that others are discriminated on the basis of political lines and do not get any food. My question is now that we have a pending drought and the rural areas are more prone to hunger and

poverty, what policy is in place to assist those who will not benefit from the food aid in the rural areas? I thank you.

***THE MINISTER OF JUSTICE, LEGAL AND PARLIAMENTARY AFFAIRS (HON. ZIYAMBI) *on behalf of* THE MINISTER OF PUBLIC SERVICE, LABOUR AND SOCIAL WELFARE (HON. DR. NZENZA):** Thank you Madam President for the question that he posed. It is a question that is posed each and every week.

The Minister of Public Service, Labour and Social Welfares explains each and every week and it is surprising why that question always re-surfaces because she clarified on Government policy. Government has put measures in place that people should not die of hunger. The Department of Social Welfare works with structures within the Government and not political structures. They work with chiefs and those in the Wards - they do a vulnerability assessment. So when there is a drought, they have different measures such as food for work and for those who are not able bodied, they have different measures and even for

the child-headed families. If he is aware of people who have not benefited from the food aid programme because they are members of ZANU PF, he can bring the list forward and we will investigate to see what will have happened. The Ministry will investigate this.

***HON. SEN. WUNGANAYI:** Madam President, when we come into this august House, we come as representatives of the people. I believe that what I am talking about is something that I read in a report that we all read in this august House, that food aid in rural areas is being politicised. When the Minister is responding, he should respond as a person who is well travelled and knows what is happening....

***THE HON. PRESIDENT OF SENATE:** May you please ask your supplementary question Hon. Member.

***HON. SEN. WUNGANAYI:** I will ask the question but I just want to explain that these things are happening. The people who are causing this discrimination are people in this House. They are coming with information and giving village heads instructions. We are leaders

and we should be leaders. Whatever we say in this House is what we should do.

***THE HON. PRESIDENT OF SENATE:** Hon. Member, please go straight to the question or else I will request that you sit down.

***HON. SEN. WUNGANAYI:** My question is, who are the people who give instructions to those who distribute food aid that they should give people food aid in a discriminatory manner. Is it the councillors or village heads?

***HON. ZIYAMBI:** I understand his background and concern but that is not really bringing out his point. I stated the Government policy which says that everyone should get food aid but now he is asking why I gave that Government policy. I do not know what else he wanted me to say.

I said that if he is aware of any area where people were denied food aid on partisan basis, he should bring that list and we will take it up. If he does not do that, I do not know how he expects me to explain.

Government does not look at you in terms of race or colour. It gives aid to everyone. I thank you.

***THE HON. PRESIDENT OF SENATE:** Thank you for that response. As Leader of the House, I know you are representing the Minister of Public Service, Labour and Social Welfare. I request that you also check with the Minister so that you give us a more comprehensive report whilst the Hon. Member also does his homework.

***HON. ZIYAMBI:** We have not been told where this is happening. What it means is that we have to go right round Zimbabwe.

***THE HON. PRESIDENT OF SENATE:** You will then have to look into the system.

***HON. ZIYAMBI:** The system is in place but if there are any discrepancies that he is seeing in different areas, he should submit the information and we will address that.

***HON. SEN. TSOMONDO:** My question goes to the Leader of the House since the Minister of Local Government is not present. I

would like to ask a question concerning local government housing.

Looking at City of Harare, there are people who have stayed in council houses for 40-60 years. These people are receiving eviction orders.

These people are old and cannot get stands and start to build houses but they are being evicted.

What is Government policy on people who have occupied these houses for so many years? They should be protected so that they stay in these houses. Those who stay in Norton are over 40 years and they worked for the City of Harare but they are being evicted....

***THE HON. PRESIDENT OF SENATE:** You had asked a good question concerning local government but now you are giving specifics pertaining to Norton.

***THE MINISTER OF JUSTICE, LEGAL AND PARLIAMENTARY AFFAIRS (HON. ZIYAMBI):** All councils are not run directly by the Government but they are run by the local authority. City of Harare runs Harare. I will take this to the Minister of Local Government so that he explains what is happening and maybe to

put some measures in place to ensure that these people are protected and are not evicted from their homes.

***HON. SEN. CHIEF CHARUMBIRA:** My question is directed to Hon. Minister Matemadanda. What is Government's policy on people who assisted during the war – the collaborators? They used to cook and they were tortured during the liberation struggle. When these people die, there is no assistance that is given. They are dying and nothing is being done. What does the policy say concerning these people?

***THE DEPUTY MINISTER OF DEFENCE AND WAR VETERANS (HON. MATEMADANDA):** It is true that there is a category of people who assisted as war collaborators whose homes maintained bases for comrades. If we were to go back a bit, both ZANU and ZAPU at some period did not receive any food. There are people who took it upon themselves to feed the liberation fighters and the comrades. Some are in surrounding countries. People have questions as to when they will also be recognised. The policy in place only looks at two categories which are the combatants, detainees and restrictees. The

amendments that are being done currently are bringing in other categories of the liberation struggle. I cannot rush to say what is going to be in the document but I think the issue that has been brought by Chief Charumbira is an issue that needs to be considered. These are important people who have been left out when legislation is made but when amendments are done to the policy, as a Ministry we will implement what will be in the policy. Currently, those people have been omitted from the existing policy. I thank you.

***HON. SEN. CHABUKA:** Thank you Madam President. My supplementary question goes to the Minister of Defence and War Veterans. As has been said, these people are dying. Can you give us a timeframe to say when this will be in place because you are just saying it will be done? Last year you said it will be done. When are you going to do it so that they start also benefiting when it is done? I thank you.

***HON. MATEMADANDA:** Thank you Madam President, I thank the Hon. Senator for this question. We cannot do any vetting if there is no policy that recognises that category. How can we vet them

and as who? Hon. Sen. Chief Charumbira talked about areas or home where people used to cook. The war collaborators have a policy that covers them but if those people fall under war collaborators they will fall under that category. I heard that this is a different category and there are people in Mozambique, Botswana, Zambia and South Africa. Those are people who were mentioned. I am saying the policy is not yet there. He asked a question as to when they will be vetted. If the policy is not yet there, you cannot vet them because there is no basis or guidelines on the vetting process. What I am suggesting is that they should also push that the policy comes into effect soon so that they are vetted and they also benefit. Currently, there is no policy.

***THE HON. PRESIDENT OF SENATE:** The policy is not yet there but I think what they want to know is that you are the one who brings the Bill to Parliament to go through the legislation and pass it to assist these people.

***HON. SEN. CHABUKA:** Thank you Madam President. My question is directed to the Leader of the House because the Minister of

Mines is not available. Minister, we have a challenge of small scale miners who are perishing in the mines. Now and again, we are told that artisanal miners are dying when mines collapse as they try to make a living. Are there any measures that you are taking or that are in place to protect these small scale miners? Currently, news is saying that we have 32 to 35 who have perished when a mine collapsed. What policy do you have in place to protect these miners?

***THE MINISTER OF JUSTICE, LEGAL AND PARLIAMENTARY AFFAIRS (HON. ZIYAMBI):** Thank you Madam President, I would like to thank the Hon. Member for that question. There was a mine that collapsed at Battlefields in Kadoma after a dam burst and water flooded the mine and they drowned. What is happening now is that they want to try and drain the water to check if there are any who are still alive. The Ministry of Mines is in the process of capacitating small scale miners to work in groups or syndicates and they will be given equipment to ensure that their mining becomes safe. I am sure that Parliament is aware of the Mines and Minerals Bill that was

brought back to Parliament. It will also touch on the artisanal miners and regulate the conduct of artisanal miners so that they can mine safely. The challenge with artisanal miners is that even when they are told that there is danger they continue to mine in those mines. For example Eldorado Mine in Chinhoyi, they go there at night despite the fact that the mine has been condemned. They also need awareness that if you go underground in such mines it is not safe. But, there is something that is being done about it.

***HON. SEN. WUNGANAYI:** My question to the Minister is that when these mines close, is there no one who guards those areas since this makes it easy for people to come at night and go underground?

***HON. ZIYAMBI:** Thank you Madam President and I thank the Hon. Sen. for the supplementary question. When these areas close, they are well secured to ensure that no one enters but you know the country we live in, a lot of corruption is taking place and they can pay the guards then later on when there is a challenge that is when you get to know what is happening. So now, as we are in the process of putting in place

measures to ensure that they mine safely, they cannot wait. They want to go and embark on mining activities despite the dangers concerned.

***HON. SEN. CHIRONGOMA:** Thank you Madam President.

My question was supposed to be directed to the Minister of Local Government but in his absence, I will redirect my question to the Leader of the House. We have had a challenge of transport and now we have buses in the urban areas. I want to ask whether there are any measures in place for the rural areas in terms of transport. If they are going to bring buses, do they put into consideration the fact that we have people with disabilities in those areas and the buses should be structured such that they can accommodate them?

***THE MINISTER OF JUSTICE, LEGAL AND PARLIAMENTARY AFFAIRS (HON. ZIYAMBI):** Thank you Madam President for that pertinent question from Hon. Sen. Chirongoma. I think on the issue of rolling out the transport system on buses, the Minister clarified as to why we started with the urban areas. It is because the commuter omnibuses were overcharging and refusing to

carry commuters. So the Minister seated here requested ZUPCO to partner with other bus companies to get buses. This measure was rolled out in urban centres but it is going to be rolled out throughout the country, even in rural areas so that commuters are safe and pay reasonable fares. So, I will take it to the Minister of Local Government, Public Works and National Housing that there is a request that the buses should be user-friendly for people living with disability.

When our President went to Belarus, he was able to secure 500 buses, which we expect to be taken to various provinces, especially in rural areas to ensure a reliable and safe transport system to our population.

HON. SEN. MAVETERA: Thank you Madam President. My question is directed to the Leader of the House. We want to know the Government policy on schools which continue to send away pupils who would not have paid school fees and they lose out on what others would be learning.

THE MINISTER OF JUSTICE, LEGAL AND

PARLIAMENTARY AFFAIRS (HON. ZIYAMBI: Thank you

Madam President. I want to thank the Hon. Senator for the question.

This issue always comes up on the policy of the Government regarding learners who are sent away for non-payment of fees. The policy of Government is that, no learner should be send home for non-payment of fees and they should not be denied their examination results for the same reason. This is a matter between the parents and the school and learners should not be disadvantaged because of non-payment of school fees.

However, because this is a recurring question, which is not specific to our policy as Government, perhaps the Hon. Senator can bring the specific names of schools which are turning away learners for non-payment of fees so that the responsible Ministry can investigate and corrective action is taken.

HON. SEN. MAVETERA: I think it is not this year, it is always recurring and the Hon. Minister is quite correct. So, when it keeps on recurring, it means us, as Government are probably not doing what we

should be doing because we know that the custodians of all minors is the Government and you are the ones who are actually implementing all these policies. When it keeps on recurring, we have never heard a situation where an example was set. Each time when schools open, children lose out and even after they have paid their fees, they are not compensated for the time lost. So, I think it is something which really needs to be addressed holistically because it is happening countrywide. I think we need to take this seriously because Government is the custodian of all minors through the High Court. We need to take this seriously rather than to continue seeing this question coming back. Thank you Madam President.

THE HON. PRESIDENT OF SENATE: I was about to stop you because I need a supplementary question not statements.

HON. ZIYAMBI: Thank you Madam President. I want to thank the Hon. Senator for the follow-up question and indeed, he is very correct to say that the Government is the custodian of all children. The Hon. Senator is also part of Government by virtue of being a Member of

this august House. It is also our responsibility on behalf of the Government to report those schools, even to confront them to say, why are you sending away the learners and report them to relevant authorities. Once you have reported and no action is taken, I believe it is within the jurisdiction of your duties as Hon. Members of Parliament to come here and put Government to task and ask why learners continue to be chased away from schools for non-payment of fees. Thank you Madam President.

HON. SEN. ENG. MUDZURI: Thank you Madam President.

My point of order is on Privilege of Parliament. I just want to wish everyone a Happy Valentine's Day – [*Laughter*] – [HON. MEMBERS: *Hear, hear.*] – Let the Senate remember that our former Prime Minister passed on, on this date and we should remember him today. He was a good lover – [*Laughter*] – he died on Valentine's Day.

THE HON. PRESIDENT OF SENATE: Thank you Hon. Member for reminding us.

***HON. SEN. CHIEF NGEZI:** Thank you Madam President. My question is directed to the Minister of Justice, Legal and Parliamentary Affairs. Is there Government policy that says public prosecutors should get to a retirement age whilst serving at the same Magistrate Court or area?

***THE MINISTER OF JUSTICE, LEGAL AND PARLIAMENTARY AFFAIRS (HON. ZIYAMBI):** Thank you Madam President for the question. It is a pertinent question that the public prosecutor becomes so popular and stays for years in a particular court or area. It is not right, considering the work that they do. That is not Government policy for them to age within one area. That is the response that I can give. Thank you.

***HON. SEN. FEMAI:** Thank you Madam President. My question is directed to the Leader of the House because I realise that he is the one who can address issues pertaining to law. Madam President, there is a report that was published on farmers who sell tobacco; that peasant farmers have produced and brought in more tobacco than commercial

farmers. My question is, since the peasant farmers are under the jurisdiction of the chief and have brought in so much foreign currency, can we not extend the traditional leaders' jurisdiction to the farming areas in order to increase forex through tobacco farming.

THE HON. PRESIDENT OF SENATE: I am just wondering how the chief's boundaries and farming of tobacco are linked. Can you repeat the question.

***HON. SEN. FEMAI:** My question is, if a person has done well, he is rewarded and if it is at work, he is promoted. So, the only way we can promote the chiefs is to redraw their boundaries so that the farming areas fall under the chiefs to avoid veld fires and ensure that there are more products coming from the farms in terms of tobacco.

***THE MINISTER OF JUSTICE, LEGAL AND PARLIAMENTARY AFFAIRS (HON. ZIYAMBI):** Thank you Madam President. I do not know if I understood the question. If I have interpreted it wrongly please assist me. I think resettlement areas are under the jurisdiction of the traditional chiefs. The current policy

enables the resettlement areas and other settlements are under the jurisdiction of the traditional chiefs. So, I think the redrawing of boundaries was disrupted by the white man, but what we are saying is that the boundaries should be maintained, especially those pertaining to the boundaries chiefs have jurisdiction over.

HON. SEN. A. DUBE: Thank you Madam President. My question is directed to the Leader of the House. What is Government policy regarding the deployment of medical doctors at some district hospitals where there are no doctors? I thank you.

THE MINISTER OF JUSTICE, LEGAL AND PARLIAMENTARY AFFAIRS (HON. ZIYAMBI): Thank you Madam President. I want to thank the Hon. Member for the question. The policy of Government is wherever possible and resources permitting, all our institutions should have a doctor according to the population. It should have medical personnel, doctors and nurses according to the population of that area, but the constraint that Government has been having is resource constraints and also the skilled

personnel to go to those areas. So, if those two areas are addressed as resources become available to have the medical personnel in all these areas, it is the policy of Government that they should be available in those areas. I thank you.

HON. SEN. CHIEF MATIPULA: My question is directed to the Leader of the House since the Minister of Home Affairs is not present today. We understand and see that our people are scared to travel. There are armed robberies happening on long distance buses each and every time. These things used to happen to buses going to South Africa. We would hear about it but now it is happening here in the country. Our people are scared to travel and they are also scared to sleep at night. Armed robbers are coming into homes waking people up at 2:00 a.m., 3:00 a.m in the middle of the night armed to the teeth with guns and fire arms which we do not know where they are getting them from. What steps are being taken to ensure security for these people? I thank you.

**THE MINISTER OF JUSTICE, LEGAL AND
PARLIAMENTARY AFFAIRS (HON. ZIYAMBI):** Indeed, this has

been happening. Armed robbers have been robbing passengers and it is something of concern. If you listened yesterday the spokesperson of the police actually announced that some of the notorious robbers were caught and police are out there looking for them. It is something that they are aware of and action is being taken to ensure that our citizens go about their business in peace. So, it is something of concern that is being addressed and security road blocks and surveillances are being done. Some of them that have been robbing people since July last year were arrested and the normal course of the law will take its place. I thank you.

***HON. SEN. MURONZI:** My question is directed to Minister Ziyambi. Minister, what is Government policy concerning employees who are appointed by the President, for example Dr. Mangudya? Dr. Mangudya introduced in the Eight Parliament 1:1 for the United States dollar and bond note and he said that if this does not work out he will resign. What does Government policy say?

THE MINISTER OF JUSTICE, LEGAL AND

PARLIAMENTARY AFFAIRS (HON. ZIYAMBI): The Governor does not come to Parliament, so I think he mentioned that in another sphere but policy says that the Governor of the Reserve Bank is under a contract for the first six years and renewable once after which he is relieved of his duties, but if he decides to resign he writes a letter to the President to resign stating that he has failed as a Governor, but if the President in his engagement with the Governor sees that he is executing his duty well, he allows him to finish his terms.

HON. SEN. MURONZI: Thank you Madam President, I think I did speak well. I wanted to say that we were in Bulawayo for the Pre-Budget Seminar. People said 1:1 does not work but he said it is possible. I was just correcting the statement that it was not in Parliament but at the Pre-Budget Seminar.

+HON. SEN. P. NDLOVU: My question is directed at the Leader of the House. Madam President, there are two schools that I know of. One of the schools was built in 1947 and it had one block of classrooms.

During President Mugabe's time another block was constructed.

Children at the school have no desks and benches and they learn sitting on the floor yet there are timber mills in that area. My question is, what is Government going to do to assist this school. My second question is...

THE HON. PRESIDENT OF SENATE: It is very unfortunate I do not speak Ndebele but I understand what you are saying. You are talking of a particular school where during President Mugabe's time there was a block that was built and students used to learn sitting on the floor. That is a particular question. Can you put that one in written form so that the Minister goes and researches what happened?

***HON. SEN. P. NDLOVU:** Madam President what I am saying is that there are two schools. I want to explain to the Minister so that he can give me a satisfactory response. There are two schools, one was built in 1947 and has one block – during the former President Mugabe's era and there was just one block. The children learn whilst seated on the floor and do not have benches and desks yet there is a lot of timber that

comes from that area. What are you going to do about it because this school was built in 1947?

The other question concerns a school in Mathabiswana that has one block. The Form Ones are facing the other way whilst the Form Fours are facing the other way...

***THE HON. PRESIDENT OF SENATE:** Hon. Senator, I was not wrong in what I was saying. There is need for the ministers to go and investigate what is happening. May you please put your questions in writing and write the names of those schools so that they investigate. Thank you.

***HON. SEN. NDLOVU:** Thank you Madam President.

Questions Without Notice were interrupted by **THE HON. PRESIDENT OF SENATE** *in terms of Standing Order No. 62.*

HON. SEN. TIMVEOS: Madam President, may we please extend the time for Questions Without Notice by 10 minutes? – [HON. SENATORS: *15 minutes!*] –

THE HON. PRESIDENT OF SENATE: Hon. Senator, you have to propose first.

HON. SEN. TIMVEOS: I am proposing Madam President.

HON. SEN. SHOKO: I second.

HON. SEN. MAVETERA: Madam President, I concur on the extension but I think that if we can put it to 20 minutes since most of the ministers are not present for the Oral Answers to Questions With Notice segment. I think we can utilize this time more productively. – [HON. MEMBERS: *Hear, hear.*] –

***HON. SEN. HUNGWE:** My question is directed to the Minister of Justice, Legal and Parliamentary Affairs. Hon. Minister, what is Government policy concerning the Masters fee, when we lose our beloved ones? It used to be pegged at 1% and is now pegged at 4% which is too much and in the end the bereaved are in problems. Is there something that can be done in order to reduce the Masters fee because most families do not have anywhere to stay because their homes are now taken over by the Master in order to pay the fees? I thank you.

***THE MINISTER OF JUSTICE, LEGAL AND**

PARLIAMENTARY AFFAIRS (HON. ZIYAMBI): Thank you

Madam President. I want to thank Hon. Sen. Hungwe for that pertinent question. It is a question concerning money that is charged by the Master for deceased estates. I will go and look into the issue to ensure that we reduce the fees. It is a good suggestion. I thank you.

***HON. SEN. CHIEF NEMBIRE:** My question is directed to the Minister of Justice, Legal and Parliamentary Affairs. What measures have you put in place in order to bring alignment to the customary laws in terms of the traditional courts yet the traditional court will have ruled that wealth should go to the in-law and the courts give a different verdict.

***THE MINISTER OF JUSTICE, LEGAL AND**

PARLIAMENTARY AFFAIRS (HON. ZIYAMBI): I want to thank

the chief for that important question. Yes, what he is saying is what has been taking place but we are in the process of looking into that issue together with the chiefs through the Traditional Leaders Act to see how

we can align and harmonize the system using the Criminal Justice system. So that the role of traditional leaders is recognized and we revert to what it was before. I thank you.

+HON. SEN. PHUTHI: My question is directed to the Leader of the House who is also the Minister of Justice, Legal and Parliamentary Affairs. What is Government policy when someone openly confesses to murder? How long does it take for such a person to be arrested? I thank you.

***THE MINISTER OF JUSTICE, LEGAL AND PARLIAMENTARY AFFAIRS (HON. ZIYAMBI):** Thank you Mr. President for the question that was posed. The *Shona* language is very rich. I can stand up and say, Aaah, you have killed us with laughter or food. I need further clarity to the question please.

+HON. SEN. PHUTHI: My supplementary question is we need to be honest with each other. I know you are used to using legal jargon for lawyers and end up telling lies. This person openly confessed to murdering people whom you do not even know maybe you know the

people that he is referring to and choose not to tell us. We have people like Dzamara who disappeared and therefore request you to question this person on our behalf because maybe Dzamara was one of his victims.

My question is when are you going to question that person about the people whom he killed and also arrest him for the murders?

***THE MINISTER OF JUSTICE, LEGAL AND PARLIAMENTARY AFFAIRS (HON. ZIYAMBI):** Thank you Mr. President. The first question was if a person says that I can kill, what is done or rather I have killed, what is done to that person? I said that the Shona language is very rich and killing can be used in different contexts like, you can use in reference to laughing.

Now the Hon. Senator has said that the person said, 'I killed people whom we do not even know'. It is now referring to a specific person but initially she asked that when a person says, 'I have killed', what is done to that person? As we are, should we want to take it the way she has said it, we will all become murderers. If the Hon. Members knows someone who has said that he or she has killed, that is when the police

comes into effect because no one is above the law and no case is thrown away. The word '*kuuraya*' can be used in different contexts

HON. SEN. MWONZORA: Minister, with the greatest of respect, the intelligence of Hon. Members must be respected. However, the supplementary question I would like to pose is; what happens when Hon. Members threaten other Hon. Members in this Parliament with death? What is Government's policy on that?

HON. ZIYAMBI: When we are in this House and Hon. Members receive threats, we have procedures to deal with it and we have done that before. We can institute our own proceedings to set up a Privileges Committee should it be brought forward that there is this incident where Hon. Members are being threatened. This is something that this Parliament has always taken seriously. In the past, such matters have been investigated and I believe that we still maintain the same integrity and investigate issues where members are threatened as we believe we should not threaten each other with death and we should respect each other and use the proper language when we are communicating with

each other.

***HON. SEN. RAMBANEPASI:** My question is directed to the Minister of Local Government, Public Works and National Housing. Thank you very much for the cleanliness that has been effected in the city centre. There are widows that have sent their children to school by vending. The headmasters, offices workers and doctors have been educated with money from vending. The vendors who were removed from the streets were told that it was unhygienic and undesirable. How are they going to earn a living? Most of these vendors are widows because a woman with a husband who drives a Mercedes Benz does not vend on the streets. Widows are the most affected.

The Minister of Local Government, Public Works and National Housing should ensure that he looks into the issue and relocate these people so that they can earn a living.

***THE MINISTER OF JUSTICE, LEGAL AND PARLIAMENTARY AFFAIRS (HON. ZIYAMBI):** In the past few months, there was an outbreak of cholera and the local government

together with the Government realised that there was need to make a decision as to whether they should continue their vending activities or to relocate people to more conducive areas.

The issue of cleaning up the urban areas was to ensure that cholera does not end up affecting the whole population. If cholera affects even the widows that you are talking about, they will also die but the current measure is that the council and the local Government is coming up with sites to relocate these vendors. The Minister of Local Government will look into it, I will urge him to expedite this measure to ensure that people can continue their vending activities in more conducive environments in order to look after their families.

HON. SEN. TIMVEOS: My question is directed to the Leader of the House. We have children who got Government scholarships and are studying in Russia. These children have embarrassed this country. They have got a twitter account.....

THE TEMPORARY PRESIDENT OF SENATE (HON. SEN. CHIEF CHARUMBIRA): Order Hon. Timveos, we have just

extended time and we have got four or five Hon. Members who would like to ask questions. Let us be very brief so that others can also come in.

HON. SEN. TIMVEOS: Thank you Mr. President. These children that have been awarded scholarships all over the world do not have money for food. They are suffering. Some of them are now prostituting. What is the Government's plan on those children?

THE MINISTER OF JUSTICE, LEGAL AND

PARLIAMENTARY AFFAIRS (HON. ZIYAMBI): I would like to thank the Hon. Sen. for the question on the welfare of our students who are dotted across the globe. Government's policy is that wherever possible, students are given scholarships to go and study – they should be given money to ensure that their welfare is catered for. If there have been delays in disbursement, it is an issue that the relevant Ministry will have to look up and make sure that our students are taken care of adequately wherever we have sent them.

***HON. SEN. RWAMBIWA:** My question is directed to the

Leader of the House, Hon. Minister Ziyambi. We have slow learners in school and these are put in one special class which is composed of children from grade 1 to 7. Will these children be able to read at different levels? My wish is that they could be trained in skills that can assist them in life. My request is that you address the matter to ensure that they have a future.

THE TEMPORARY PRESIDENT OF SENATE: This afternoon you have raised the Leader of the House to become a Prime Minister because he is now answering for the whole Government. I believe that this issue is too technical. It would be unfair for him to be a lawyer, teacher or to know whether this classroom is appropriate or whether this slow learner should be in this class. I feel that is a bit too much and that is too technical but still I will ask you to write.

THE MINISTER OF JUSTICE, LEGAL AND PARLIAMENTARY AFFAIRS (HON. ZIYAMBI): Thank you Mr. President, I appreciate your response which is exactly what I was going to say; to say that this is a technical and specific issue which I would

perhaps request that if you put in writing we can investigate why that is happening. Our understanding is that with the new curriculum, it should cover all slow learners and categorise them. May be if you can put it in writing so that I can refer it to Hon. Prof. Mavima and a more detailed answer as to the reasons perhaps, in their wisdom that is precisely what they want those learners to learn in that environment. So put it in writing, I thank you.

THE TEMPORARY PRESIDENT OF SENATE: I am advised it is time up but I will allow the two questions with the consideration that you will be very brief.

HON. SEN. CHABUKA: Thank you Mr. President. My question was supposed to go to the Minister of Industry and Commerce but he is not in the Senate. I am now referring it to the Leader of the House. Minister, it is now long overdue about industries, some of the companies closed long ago like Board and Paper Mills which is where I come from in Manicaland. Are there any measures put in place to reopen those companies for the sake of our children to go to work?

THE MINISTER OF JUSTICE, LEGAL AND

PARLIAMENTARY AFFAIRS (HON. ZIYAMBI): Thank you Mr.

President, I want to thank the Hon. Sen. for a very good question about opening up our companies, which is exactly the policy of Government to ensure that we open up the country for business. The only challenge that we have with the majority of the closed companies is no longer about opening but the equipment that is there is now obsolete and we need new equipment so to speak. So the thrust now is to open the companies with new modern equipment that is cost effective.

You realise that if the company that you are talking about if it is to be opened with the equipment that is there, the cost of production will be very expensive compared to the high-tech equipment that is available at the moment. So, Government's thrust is to engage investors so that we can also get the equipment that is in line with the modern technology that will ensure that the cost of production is low and the goods will get to the consumers at a reasonable price. I thank you Mr. President.

HON. SEN. CHABUKA: Leader of the House, in Manicaland there are some companies which are mining diamond in Chiadzwa. Why can you not push those companies to assist to reopen the closed companies?

HON. ZIYAMBI: Thank you Mr. President. A company is a private business entity and as such, when a company is mining diamonds and somebody is in the business of timber; to come to me I am mining diamonds to say, assist another private company to open up their business, ordinarily when you are in business you want to maximize profit and minimize losses. So when you come to me and say you are in business but put your money there, the logical question is - what is it in for me. As a Government, we put the necessary environment to ensure that investors who see potential in a particular company will come and say we are prepared to invest in this company because we are pretty much sure that we will have returns for our investments. This is the kind of environment that we are trying to do. We are trying to change even our laws to ensure that they are investor friendly. We are going out to

make sure that even the property rights are respected and we will bring several changes to our legislation to ensure that all those who want to come invest, to bring their money will feel that their money is safe in Zimbabwe. We cannot then go to company J and say go and invest in this company it is not appropriate. I thank you Mr. President.

HON. SEN. MOHADI: Thank you Mr. President. My question was supposed to be going to the Minister of Finance and Economic Development but I will now direct it to the Leader of the House. My question is - how is recruitment of ZIMRA officers done and what requirements are needed? You find that those who are at the border towns, you just see people flowing like the Limpopo river and being employed. The advertisement is not seen anywhere and they seem to be sidelined. I thank you.

THE TEMPORARY PRESIDENT OF SENATE: Hon. Senator Mohadi, it sounds a very specific question. Recruitment procedures, they are contained in some documents somewhere and it would be better if the question were to be in writing so that the Minister of Finance can

go through that document and probably present a more detailed response. The risk now is that the Minister may respond but he will just generalize because he has nothing to refer to in terms of recruitment in ZIMRA for that matter. Even in his own Ministry, if you ask him - how do you recruit, he does not recruit but will still go and consult with the officers. So, with all the kindness I know in you, may you be kind to the Minister and ask him to put it in writing. The Minister may want to adventure into it.

THE MINISTER OF JUSTICE, LEGAL AND PARLIAMENTARY AFFAIRS (HON. ZIYAMBI): I do not want to, you have fully articulated, thank you Mr. President.

The Minister of Home Affairs and Cultural Heritage having arrived after question time.

HON. SEN. TIMVEOS: On a point of order Mr. President Sir.

THE TEMPORARY PRESIDENT OF SENATE: What is your point of order?

HON. SEN. TIMVEOS: Thank you Mr. President Sir, to tell you the truth, the Ministers should respect the Senate. I do not think we would bombard the Leader of the House if all the Ministers were here. So, I am going to ask you, with all due respect Mr. President, for the Ministers to come so that we can ask questions. I thank you.

THE TEMPORARY PRESIDENT OF SENATE: Thank you. I think at this stage, we should go back to what I said earlier that the Minister of Justice, Legal and Parliamentary Affairs has really been overworked and overloaded this afternoon. He acted for all the Ministers; he has actually been a quasi-Prime Minister this afternoon. So we must just thank him for the good attitude that he displayed by attempting to respond to every question. Can we give him a hand – [HON. SENATORS: *Hear, hear.*] – [AN. HON. MEMBER: *Inaudible interjections.*] – It is safe for me to say Acting Prime Minister because that post does not exist anywhere in the Constitution.

Questions Without Notice were interrupted by **THE TEMPORARY PRESIDENT OF SENATE** *in terms of Standing Order No. 62.*

THE MINISTER OF JUSTICE, LEGAL AND PARLIAMENTARY AFFAIRS (HON. ZIYAMBI): Mr. President, I move that you defer all the questions with notice.

THE DEPUTY MINISTER OF HOME AFFAIRS AND CULTURAL HERITAGE (HON. MADIRO): Thank you Mr. President. I want to apologise for coming late to this august House. We are not ready with the response for question 15 on the *Order Paper*.

THE TEMPORARY PRESIDENT OF SENATE (HON. SEN. CHIEF CHARUMBIRA): Thank you. That means all the 24 questions have to be deferred.

On the motion of **THE MINISTER OF JUSTICE, LEGAL AND PARLIAMENTARY AFFAIRS (HON. ZIYAMBI),** *the Senate adjourned at Four o'clock p.m. until 5th March, 2019.*