

No. 34

PARLIAMENT
OF
ZIMBABWE

VOTES AND PROCEEDINGS OF THE SENATE

THIRD SESSION – EIGHTH PARLIAMENT

THURSDAY, 10TH MARCH, 2016

Half past two o'clock pm.

President of the Senate in the Chair.

PRAYERS.

Bhebe M,
Bhobho H,
Buka F,
Chabuka K,
Chiduku Chief,
Chifamba J,
Chimanikire A,
Chimbudzi A,
Chimhini D. A,
Chimutengwende C.C.C,
Chipanga T.S,
Chisunga Chief,
Chitanga Chief,
Dandawa Chief,

Gampu Chief IV,
Goto R,
Gwenzi Chief,
Jadagu G. T
Khumalo D.T,
Machingaifa T,
Mabhugu F.E,
Makore J,
Makwarimba C,
Maluleke O,
Manyeruke J,
Marava M,
Mashavakure N,
Masuku A,
Mathuthu T.A,
Mavhunga M,
Mawire J,
Moeketsi V.
Mohadi T.B,
Mtshane Chief,
Mumvuri D.D.E,
Muronzi M,
Musaka M.B,
Musarurwa Chief,
Muzenda T.V,
Ncube S,
Nebiri Chief,
Ngungumbane Chief,
Ntabeni Chief,
Nyangazonke Chief,
Sibanda A,
Sibanda B,
Tawengwa C.Z,

In attendance in terms of section 138(2) and (3) of the Constitution

Hon. Min. Mabuwa C, Hon. Min. Matangaidze T, Hon. Mguni O, Hon. Vice President E. D.
Mnangagwa, Hon. Min. Muchinguri-Kashiri O.

Printed by Order of the Senate

Absent with Leave

Hon. Carter M.N, Hon. Sen. Chizema C, Hon. Sen. Makone T, Hon. SEN. Mkwebu A, Hon. Sen. Mlothswa S, Hon. Sen. Nyathi, Hon. Sen. Chief Siansali.

1. Questions without notice.
2. Questions with notice
3. The Vice President and Minister of Justice, Legal and Parliamentary Affairs moved: That Orders of the Day Nos. 1 to 6, for today, stand over, until Order of the Day No. 7 has been disposed of.

Motion put and agreed to.

4. COMMITTEE: *General Laws Amendment Bill (H.B 3A, 2015)–The Vice President and Minister of Justice, Legal and Parliamentary Affairs)*

(House in Committee)

Clauses 1 to 3, put and agreed to.

Schedule put,

On Part XX of the schedule,

The Vice President and Minister of Justice, Legal and Parliamentary Affairs moved:

Criminal Law (Codification and Reform) Act [*chapter 9:23*]

1. On page 22 of the Bill line 41 delete “section 195A” and substitute with “section 196(1)”.
2. On page 22 of the Bill after line 17 insert a new section as follows—
“15(1) By the repeal of section 96.”
(2) By the deletion of the word “criminal defamation” in the Second, Fourth and Fifth Schedules.
3. On page 24 of the Bill line 18 delete “subsection (3)” and substitute with “subsection (2)”.
4. On page 24 of the Bill line 20 delete “(3)” and substitute with “(2)”.

Amendment, put and agreed to.

Part XX as amended, put and agreed to.

On Parts CVII, CIX, CXII, CXIII, CXIV, CXV, CXVI, CXVII and CXVIII of
the Schedule,

The Vice President and Minister of Justice, Legal and Parliamentary Affairs moved:

1. On page 54 of the Bill, by the deletion of PART CVII.
2. On page 55 of the Bill, by the deletion of PART CIX.
3. On page 56 of the Bill, by the deletion of PART CXII.
4. On page 56 of the Bill, by the deletion of PART CXIII.
5. On page 57 of the Bill, by the deletion of PART CXIV.
6. On page 57 of the Bill, by the deletion of PART CXV.
7. On page 58 of the Bill, by the deletion of PART CXVI.
8. On page 58 of the Bill, by the deletion of PART CXVII.
9. On page 59 of the Bill, by the deletion of PART CXVIII.

Amendments in Parts, CVII, CIX, CXII, CXIII, CXIV, CXV, CXVI, CXVII and CXVIII, put and agreed to.

Parts, CVII, CIX, CXII, CXIII, CXIV, CXV, CXVI, CXVII and CXVIII, as amended put and agreed to.

On Part CXXVI,

Hon. Sen. Chief Mtshane moved:

Traditional Leaders Act [chapter 29:17]

On page 63 line 33 of the bill delete subsection (4) and substitute with-

“(4) Subject to this section and to subsections (5), (6) and (7), the Chiefs Council as it is constituted on the date of the dissolution of Parliament continues in office and to function as such until a new Council is elected in terms of the Electoral Act [Chapter 2:13].”

Amendment put and agreed to.

Part CXXVI as amended, put and agreed to.

Schedule, as amended, put and agreed to

Bill to be reported with amendments

(House resumed)

Bill reported with amendments - Referred to the Parliamentary Legal Committee.

5. Adjourned debate on motion on the Zimbabwe Delegation Report on the 133rd Assembly of the Inter-Parliamentary Union (IPU) (*Adjourned 9th March, 2016 – Hon. Sen. Tawengwa*)

[Days elapsed: 3]

Question again proposed: That this House takes note of the Zimbabwe Delegation Report on the 133rd Assembly of the Inter-Parliamentary Union (IPU) held in Geneva, Switzerland, from 17-23 October, 2015. - **Hon Sen Chief Siansali**

On the motion of the Deputy Minister of Media, Information and Broadcasting Services: Debate adjourned until Tuesday 15th March 2016.

6. On the motion of the Minister of Media, Information and Broadcasting Services: The Senate adjourned at twenty five minutes past four o'clock pm. until Tuesday, 15th March, 2016, at half past two o'clock in the afternoon.

E. MADZONGWE
President of the Senate.

TUESDAY, 15TH MARCH, 2016

ORDERS OF THE DAY

1. Adjourned debate on motion in reply to the Presidential Speech (*Adjourned 9th March, 2016— Hon. Sen. Tawengwa*)

[Time elapsed: 3 hours 22 minutes]

Question proposed: That a respectful address be presented to the President of Zimbabwe as follows: -

May it please you, Your Excellency, the President:

We, the Members of Parliament of Zimbabwe, desire to express our loyalty to Zimbabwe and beg leave to offer our respectful thanks for the speech, which you have been pleased to address to Parliament – **Hon. Sen. Tawengwa**.

2. Adjourned debate on motion on the Zimbabwe Delegation Report on the 133rd Assembly of the Inter-Parliamentary Union (IPU) (*Adjourned 10th March, 2016 – The Deputy Minister of Media, Information and Broadcasting Services*)

[Days elapsed: 4]

Question proposed: That this House takes note of the Zimbabwe Delegation Report on the 133rd Assembly of the Inter-Parliamentary Union (IPU) held in Geneva, Switzerland, from 17-23 October, 2015.- **Hon Sen Chief Siansali**

3. Adjourned debate on motion calling for rehabilitation and maintenance of War Shrines (*Adjourned 9th March, 2016 – Hon Sen Tawengwa*)

[Days elapsed: 5]

Question proposed: That this House—

NOTING with pride the immense sacrifice, courage and commitment made by the freedom fighters in their quest to liberate Zimbabwe;

ACKNOWLEDGING that the liberation of our country came at a heavy cost and needs to be selflessly and jealously guarded;

DISTURBED by the utter neglect and dilapidation and continued deterioration of War Shrines in neighbouring countries despite the fact that Government identified and made efforts to rehabilitate war shrines in Nyadzonja, Tembwe, Doroie; Chibawawa and Nyango in Mozambique as well as Freedom Camp, Nyampundiwe, Mulungushi, Mkushi and Kavalamaya in Zambia

CONCERNED that rehabilitation works have not been undertaken at Kabanga, Sinda, Solwezi in Zambia and other sites in Tanzania and Botswana.

FURTHER CONCERNED that to this day the bullet riddled home of His Excellency, the President and the home of the late Joshua Nkomo our founding Fathers have not been declared National Heritage Sites

Now, Therefore, this House calls upon Government to address the rehabilitation of our war shrines and to give due recognition to our departed brave sons and daughters of our liberation struggle. – **Hon. Sen. Mohadi**

4. Adjourned debate on motion to congratulate His Excellency, the President Cde. R.G. Mugabe and the Government of Zimbabwe on successfully leading the African Union (AU) and Southern African Development Community (SADC) as Chairperson. (*Adjourned 9th March, 2016 – The Deputy Minister of Media, Information and Broadcasting Services*)

[Days elapsed: 5]

Question proposed: That this House—

CONGRATULATES His Excellency the President, Cde. Robert Gabriel Mugabe and the Government of the Republic of Zimbabwe for successfully leading the African Union as its Chairperson;

WARMLY APPRECIATES his distinguished leadership qualities during his tenure in Office, an achievement that has earned the Nation pride;

NOW THEREFORE, resolves that this House conveys its gratitude and sentiments to His Excellency and the Nation as a whole and wishes our President many more years of good leadership and wise counsel.- **Hon. Sen. Chief Musarurwa**

5. Adjourned debate on motion on the Zimbabwe Delegation Report on the 38th Plenary Assembly of the SADC-Parliamentary Forum (*Adjourned 9th March 2016—Hon. Sen Mohadi*)

[Days elapsed: 5]

Question proposed: That this House takes note of the Zimbabwe Delegation Report on the 38th Plenary Assembly of the SADC-Parliamentary Forum, Sea Side Hotel and SPA, Swakopmund, Namibia, 17 to 25 November 2015. – **Hon. Sen. Mohadi**

6. Adjourned debate on motion on the role of Traditional leaders (*Adjourned 9th March, 2016—Hon. Sen. Mawire*)

[Days elapsed: 7]

Question proposed: That this House-

ACKNOWLEDGING that Traditional Leaders play a pivotal role and yet they are not given the due respect that they deserve, a situation that has led to many illegal activities perpetrated in their areas of jurisdiction;

CONCERNED that such disrespect for our Traditional Leaders has led to unwanted developments such as moral decadence, environmental degradation and child marriages;

NOW THEREFORE calls upon this Government to revisit policies that give Traditional Leaders their mandate so that they can effectively deal with issues of moral decadence, environmental pollution and degradation, children's rights among communal communities as well as other incidental issues that they may fall under the purview of the Traditional Chiefs' Mandate-*Hon. Sen Mawire.*

7. Adjourned debate on motion on the Report of the Parliament of Zimbabwe Delegation to the 7th World Water Conference (*Adjourned 9th March, 2016— Hon. Sen. Mlotshwa.*)

[Days elapsed: 13]

Question proposed: That this House takes note of the Report of the Parliament of Zimbabwe Delegation to the 7th World Water Conference held in Gyeongju, Republic of Korea from the 13th to 16th April 2015- Hon. Sen. Mlotshwa.

THURSDAY, 17TH MARCH, 2016

QUESTIONS FOR ORAL ANSWER.

◆ QUESTIONS WITHOUT NOTICE.

* QUESTIONS WITH NOTICE.

- *1. HON. SEN. CHIMBUDZI: To ask the Minister of Local Government, Public Works and National Housing to state when the Ministry will electrify Beitbridge Boarder Post to enable the scanning machines to work as expected.

[Transferred on 10th March, 2016]

- *2. HON. SEN. MAVHUNGA: To ask the Minister of Defence to explain how provinces without resident army units can benefit from developmental projects undertaken by the Zimbabwe National Army (ZNA) when the country is at peace.

[Deferred from 3rd March, 2016]

- *3 HON. SEN. MAVHUNGA: To ask the Minister of Primary and Secondary Education whether there are plans to improve adult education in Zimbabwe.

[Deferred from 3rd March, 2016]

BILL UNDER CONSIDERATION BY THE PARLIAMENTARY LEGAL COMMITTEE

General Laws Amendment Bill (H.B 3A, 2015)–The Vice President and Minister of Justice, Legal and Parliamentary Affairs (Referred on 10th March 2016).

MEETINGS OF COMMITTEES

Monday, 14th March, 2016

At 1400 hours in Committee Room No. 3.

Gender and Development: Hon Sen. Makore. J.-(*Chairperson*), Hon. Sen. Bbobho H, Hon. Sen. Buka F, Hon Sen. Chiduku Chief, Hon. Sen. Chitanga Chief, C, Hon. Sen. Goto R, Hon. Sen. Hlalo M.M, Hon. Sen. Jadagu G.T., Hon. Sen. Juba A., Hon. Sen. Khumalo D.T, Hon. Sen. Mabugu F.E, Hon. Sen. Masendu Chief, Hon. Sen. Matiriira A, Hon. Sen. Mavhunga M, Hon. Sen. Moeketsi V, Hon. Sen. Muchenje V, Hon. Sen. Nembire Chief, Hon. Sen. Shiri A, Hon. Sen. Sibanda A., (*Committee Clerk—Mr. T. Chiremba*)

At 1400 hours in the Government Caucus Room.

HIV and AIDS: Hon. Sen. Timveos L.-(*Chairperson*) Hon. Sen. Bhebhe M, Hon. Sen. Chabuka K, Hon. Sen. Chifamba J, Hon. Sen. Chimanikire A, Hon. Sen. Chimbudzi A, Hon. Sen. Chimhini D.A, Hon. Sen. Chisunga Chief, Hon. Sen. Chitanga Chief, Hon. Sen. Chizema C.F, Hon. Sen. Gwenzi Chief, Hon. Sen. Juba A, Hon. Sen. Komichi M., Hon. Sen. Manyeruke J, Hon. Sen. Marozva Chief, Hon. Sen. Masuku A, Hon. Sen. Mathuthu T. A, Hon. Sen. Mkwebu A, Hon. Sen. Mohadi T.B, Hon. Sen. Mumvuri D.D.E, Hon. Sen. Ncube S, Hon. Sen. Ndlovu J, Hon. Sen. Nebiri Chief, Hon. Sen. Ngungumbane Chief, Hon. Sen. Nyathi R, Hon. Sen. Sibanda B., Hon. Sen. Sinampande H.M (*Mrs. N. Khumalo*)

Tuesday, 15th March, 2016

At 1000 hours in the Government Caucus Room.

Millenium Development Goals: Hon. Sen. Mtshane Chief-(*Chairperson*) Hon. Sen. Bbobho, Hon. Sen. Chifamba J, Hon. Sen. Dandawa Chief, Hon. Sen. Gwenzi Chief, Hon. Sen. Khumalo D. T, Hon. Sen. Komichi M.B, Hon. Sen. Makwarimba C, Hon. Sen. Masendu Chief, Hon. Sen. Masuku A, Hon. Sen. Mathuthu T. A, Hon. Sen. Mkwebu A, Hon. Sen. Mlotshwa S, Hon. Sen. Moeketsi V, Hon. Sen. Muronzi M., Hon. Sen. Shiri A, Hon. Sen. Siansali Chief, Hon. Sen. Tawengwa C. Z. (*Committee Clerk—Mrs. C. Mataruka*)

Wednesday, 16th March, 2016

At 0900 hours in Committee Room No. 4.

Human Rights: Hon. Sen. Rtd Gen. Nyambuya M.-(*Chairperson*) Hon. Sen. Buka F, Hon. Sen. Carter M, Hon. Sen. Charumbira Chief, Hon. Sen. Chimhini D.A, Hon. Sen. Chisunga Chief, Hon. Sen. Gampu IV Chief, Hon. Sen. Machingaifa T, Makone T, Hon. Sen. Makore J, Hon. Se. Makwarimba C, Hon. Sen., Hon. Sen. Maluleke O. Hon. Sen. Manyeruke J, Hon. Sen. Marava M, Hon. Sen. Mawire J, Hon. Sen. Mtshane Chief, Hon. Sen. Muchenje V, Hon. Sen. Muronzi M, Hon. Sen. Musaka M.B, Hon. Sen. Nebiri Chief, Hon. Sen. Ntabeni Chief, Hon. Sen. Nyangazonke Chief, Hon. Sen. Siansali Chief, Hon. Sen. Sibanda B, Hon. Sen. Sinampande H. (*Committee Clerk—Mr. S. Manhivi*)

Thursday, 17th March, 2016

At 0900 hours in Committee Room 4.

Peace and Security: Hon. Sen. Mumvuri D.D.E - (*Chairperson*) Hon. Sen. Carter M, Hon. Sen. Chabuka K., Hon.Sen. Charumbira Chief, Hon. Sen. Chiduku Chief, Hon. Sen. Chimbudzi A, Hon. Sen. Chipanga, Hon. Sen. Dandawa Chief, Gampu Chief, Hon. Sen. Hlalo M, Hon. Sen. Jadagu G.T, Hon. Sen. Komichi M, Hon. Sen. Machingaifa T, Hon. Sen. Makone T, Hon. Sen. Makore J, Hon. Sen. Marava M, Hon. Sen. Mawire J, Hon. Sen. Mohadi T.B, Hon. Sen. Musaka M.B, Hon. Sen. Musarurwa Chief, Hon. Ncube S., Hon. Sen. Nembire Chief, Hon. Sen. Ngungumbane Chief, Hon. Sen. Rtd Gen. Nyambuya M, Hon. Sen. Nyamukoho Chief, Hon. Sen. Ntabeni Chief, Hon. Sen. Sibanda A, Hon. Sen. Sinampande H.M, Hon. Sen. Timveos. (*Committee Clerk—Mr. A. Kunzwa*)

At 1000 hours in the Government Caucus Room.

Indigenisation and Empowerment: Hon. Sen. Chizema M- (*Chairperson*), Hon. Sen. Bhebe M, Hon. Sen. Bhobho H. Hon. Sen. Chimanikire A, Hon. Sen. Chief Chitanga, Hon. Sen. Dandawa Chief, Hon. Sen. Goto R, Hon. Sen. Juba A, Hon. Sen. Maluleke O. M, Hon. Sen. Marozva Chief, Hon. Sen. Mashavakure N, Hon. Sen. Matiriira A, Hon. Sen. Mavhunga M, Hon. Sen. Mlotshwa S, Hon. Sen. Ndlovu J, Hon. Sen. Chief Nembire, Hon. Sen. Nyamukoho Chief, Hon. Sen. Nyangazonke Chief, Hon. Sen. Nyathi R, Hon. Sen. Tawengwa C.Z. (*Committee Clerk—Mrs. E. Mafuruse*)