

ADVANCE – UNCORRECTED

No. 11

# PARLIAMENT OF ZIMBABWE

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## VOTES AND PROCEEDINGS OF THE SENATE

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FIRST SESSION – SEVENTH PARLIAMENT

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THURSDAY, 5<sup>TH</sup> FEBRUARY 2009

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The President of the Senate in the Chair.

Half past two o'clock p.m.

PRAYERS

### Members Present

Chabuka K. Chando  
M. Charumbira Chief  
F. Z.  
Chibagu G,  
Chidarikire F. E.  
Chiduku Chief R. M.  
Chigwedere A. S.  
Chimbudzi A.  
Chimombe Chief  
G.M.  
Chitaka P. Chitanga  
Chief F.C.  
Chitsa E. Chinamasa  
P. .A.  
Coltart D.  
Dandawa Chief T. M.  
Dete A. A.  
Dinha M.  
Dube G. T.  
Dube J.  
Dube K.

Femai M..  
Gaule B.  
Gava C.  
Gutu O. C.  
Hlalo M.M. Holland  
S.M.  
Hungwe J.D. Jacob  
E. Kabayanjiri O.  
Karimanzira D. I.G.  
Katyamaenza V.  
Khumalo D.  
Mabhiza G.  
Machaya J. M.K.  
Made J. M.  
Madzorera H.  
Makamure E. K.  
Makhula R. R.  
Makore J. Makunde  
T. Makuyana C. Hon.  
Maluleke T. H.

Marava M.  
Marumahoko R.  
Masaba J. Masendu  
Chief S.D  
Mathema C. G.  
Mbambo L.  
Mlotshwa S.  
Mtshane Chief L.K.  
Mohadi T.B. Msika  
J. W.  
Mtingwende T.  
Muchenje V.  
Muchihwa R.  
Mumbengegwi S. S.  
Mumvuri D.D. E.  
Murerwa H.M.  
Musarurwa Chief E.  
M.  
Mushohwe C. C.  
Mutsvangwa M.  
Ncube S.

Ndlovu J.  
Ndlovu N. K.  
Ngungumbane Chief  
Z.N.M

Nkomo J.L. Ntabeni  
Chief M. Nyamukoho  
Chief S.K.  
Rimbi J. M.

Rugara K.  
Sakupwanya S. U.  
Sekeramayi S.T.  
Sibanda A.  
Sinampande H.M.  
Tapela L.A.

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*Printed by the Order of the Senate*

**Absent with leave**

Bidi Chief J.  
Mathuthu T.A.  
Matshalaga O.  
Masuku A.  
Shana Chief

1. The Minister of Defence, with leave, moved: That the provisions of Standing Order No. 98 regarding stages of bills, be suspended in respect of the Constitution of Zimbabwe Amendment Bill (No. 19), [H.B. 2, 2008].

Motion put and agreed to.

2. The Minister of Defence, with leave, moved: That the provisions of Standing Order No. 22 regarding the automatic adjournment of the House at five minutes to seven o'clock pm. and at a twenty five minutes past one o'clock on a Friday, be suspended for today in respect of the *Constitution of Zimbabwe Amendment (No. 19) Bill*, [H.B. 2, 2008].

Motion put and agreed to.

3. Adjourned debate on motion in reply to the Presidential Speech. (*Adjourned 27<sup>th</sup> January 2009 –The Governor for the Harare Metropolitan Province*)

[Time elapsed: 4 hours 58 minutes]

*Question again 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- ***The Minister of Defence***

On the motion of the Minister of Defence: Debate adjourned until tomorrow.

4. The Minister of Defence moved: That in accordance with provisions of Standing Order No. 24, business be suspended in order to facilitate the debate on *Constitution of Zimbabwe (Amendment No. 19) Bill*, [H.B. 2, 2008].

Motion put and agreed to.

5. Business suspended at a quarter to three o'clock p.m. in the afternoon.
6. Senate resumed at twenty-five minutes to five o'clock p.m.
7. Bill received from the House of Assembly-

[Date Received]

*Constitution of Zimbabwe Amendment (No. 19) Bill*  
 [H.B. 2, 2008]..... 5<sup>th</sup> February, 2009

8. SECOND READING – *Constitution of Zimbabwe Amendment No. 19 Bill* [H.B. 2, 2008]-  
***The Minister of Justice, Legal and Parliamentary Affairs***

Bill read a second time. Committee, forthwith.

*(Senate in Committee)*

Clauses 1 to 15 and first schedule put and agreed to.

Bill to be reported without amendment.

*(Senate Resumed)*

Bill reported without amendment.

Third reading- forthwith.

PRESIDENT OF THE SENATE: Subsection (3) of section 52 of the Constitution provides that a Constitutional Bill shall not be deemed to have been duly passed by Parliament unless, at the final vote thereon in Parliament, it received the affirmative votes of not less than two-thirds of the total membership of Senate.

In order to comply with the provisions of section 52 it is necessary that the number of affirmative votes cast by Senators be recorded.

I therefore direct that the bells be now rung after which the votes of the honorable members will be counted.

Chabuka K. Chando  
 M. Charumbira Chief  
 F. Z.  
 Chidarikire F. E.  
 Chiduku Chief R. M.  
 Chigwedere A. S.  
 Chimbudzi A.  
 Chimombe Chief  
 G.M.  
 Chisunga Chief D.  
 Chitanga Chief F.C.

Chinamasa P. .A.  
 Coltart D.  
 Dandawa Chief T. M.  
 Dete A. A.  
 Dinha M.  
 Dube G. T.  
 Dube J.  
 Dube K.  
 Femai M..  
 Gaule B.  
 Gava C.

Gutu O. C.  
 Hlalo M.M. Holland  
 S.M.  
 Hungwe J.D.  
 Kabayanjiri O.  
 Karimanzira D. I.G.  
 Katyamaenza V.  
 Khumalo D. Mabhiza  
 G. Machaya J. M.K.  
 Made J. M.  
 Madzorera H.

Makamure E. K.  
Makhula R. R.  
Makore J. Makunde  
T. Makuyana C. Hon.  
Maluleke T. H.  
Marava M.  
Marumahoko R.  
Masaba J. Masendu  
Chief S.D  
Mathema C. G.  
Mbambo L.  
Mlotshwa S.  
Mtshane Chief L.K.

Mohadi T.B. Msika  
J. W.  
Muchenje V.  
Muchihwa R.  
Mumbengegwi S. S.  
Mumvuri D.D. E.  
Murerwa H.M.  
Musarurwa Chief E.  
M.  
Mushohwe C. C.  
Mutsvangwa M.  
Ncube S.  
Ndlovu J.

Ndlovu N. K.  
Ngungumbane Chief  
Z.N.M  
Nkomo J.L. Ntabeni  
Chief M. Nyamukoho  
Chief S.K.  
Rimbi J. M.  
Rugara K.  
Sakupwanya S. U.  
Sekeramayi S.T.  
Sibanda A.  
Sinampande H.M.  
Tapela L.A.

PRESIDENT OF THE SENATE: The results of the count is that seventy two have voted in favour of the Third Reading of the Bill. The number of affirmative votes recorded, seventy-two is not less than the two thirds of the total membership of the House.

I therefore, declare the final vote in the House on the *Constitution of Zimbabwe Amendment (No. 19) Bill* to have been in accordance with the provisions of subsection (3) of section 52 of the Constitution.

Bill read a third time.

9. Bill returned to the House of Assembly-

[Date Returned]

*Constitution of Zimbabwe Amendment Bill (No. 19)*

[H.B. 2, 2008]..... 5<sup>th</sup> February, 2009

10. On the motion of the Minister of Justice, Legal and Parliamentary Affairs: The Senate adjourned at twenty four minutes to seven o'clock p.m. until Tuesday 10<sup>th</sup> February 2009 at half past two o'clock in the afternoon.

E. Madzongwe  
President of the Senate

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**TUESDAY 10<sup>TH</sup> FEBRUARY 2009**

**ORDER OF THE DAY**

1. Adjourned debate on motion in reply to the Presidential Speech (*adjourned 5<sup>th</sup> February 2009 – The Governor for the Harare Metropolitan Province*)

[Time elapsed: 4 hour 58 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- *The Minister of Defence*