

No. 70

**PARLIAMENT  
OF  
ZIMBABWE**

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**VOTES AND PROCEEDINGS OF THE SENATE**

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**FOURTH SESSION – EIGHTH PARLIAMENT**

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**WEDNESDAY, 19TH JULY, 2017**

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Half past Two o'clock pm.

Acting President of the Senate in the Chair.

Bhobho H,  
Buka F,  
Carter M.N,  
Chabuka K,  
Charumbira Chief,  
Chiduku Chief,  
Chifamba J,  
Chimanikire A,  
Chimbudzi A,  
Chimhini D.A,  
Chipanga T.S,  
Chisunga Chief,  
Chitanga Chief,  
Dandawa Chief,  
Gampu IV Chief,  
Goto R,

Gwenzi Chief,  
Jadagu G.T,  
Khumalo D.T,  
Komichi M,  
Machingaifa T,  
Makone T,  
Makore J,  
Makwarimba C,  
Maluleke O,  
Manyeruke J,  
Marava M,  
Masendu Chief,  
Mashavakure N,  
Masuku A,  
Matiirira A,  
Mavhunga M,  
Mawire J,  
Mkhwebu A,  
Mlotshwa S,  
Moeketsi V,  
Mohadi T.B,  
Mugabe C.T,  
Mumvuri D.D.E,  
Muronzi M,  
Musaka M.B,  
Musarurwa Chief E.M,  
Ncube S,  
Nebiri Chief,  
Nembire Chief,  
Ngungumbane Chief,  
Ntabeni Chief,  
Rtd. Gen. Nyambuya M,  
Nyangazonke Chief,  
Nyathi R,  
Shiri A,  
Sibanda A,  
Sibanda B,  
Sinampande H,  
Tawengwa C.Z,  
Timveos L,

**In attendance in terms of section 138(2) and (3) of the Constitution**  
Hon. Mombeshora D.

**In attendance in terms of Standing Order No. 34 (1)**  
Hon. Ziyambi Z.

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*Printed by Order of the Senate*

**Absent with Leave**

Hon. Sen. Bhebe M, Hon. Sen. Mtshane Chief, Hon. Sen. Mutsvangwa, Hon. Sen. Ndlovu J.

1. The Acting President of the Senate informed the Senate that the Minister of Finance and Economic Development would present the 2016 Annual Budget Review and the 2017 Economic Outlook Statement on Thursday, 20th July, 2017 at 1445 hours in the National Assembly Chamber and that the Senate would view the presentation from the television screens in the Senate Chamber.
2. Committee resumed on the consideration of an adverse report by the Parliamentary Legal Committee on the *Land Commission Bill* (H.B. 2A, 2016) (*Progress reported 5th April, 2017*)-**Hon Samukange**.

*(House in Committee)*

Report put for consideration.

Hon. Ziyambi, seconded by Hon. Sen. Masuku, moved: That the Chairperson do now report progress.

Motion put and agreed to.

*(House resumed)*

The Chairperson reported that the Committee of the Whole House had considered the Report of the Parliamentary Legal Committee.

Hon. Ziyambi, seconded by Hon. Sen. Masuku, moved: That this House, having given consideration to the Report of the Parliamentary Legal Committee on the amendments proposed to the *Land Commission Bill* (H. B. 2A, 2016), resolves that the Bill would, if enacted, be in contravention of sections 72, 282 (1) (d), 282 (2) and 297 (1) (a) of the Constitution.

Motion put and negatived. Consideration- with leave, now.

3. CONSIDERATION: *Land Commission Bill* (H.B. 2A, 2016), as amended– ***The Minister of Lands and Rural Resettlement***.

Amendments in Clauses 2, New Clause 3 and 36 put and agreed to, and Bill as amended, adopted.

Third reading, with leave, forthwith.

Bill read a third time.

4. Bill returned to the National Assembly.

*Date transmitted*

*Land Commission Bill* (H.B. 2A, 2016)..... 19th July, 2017

5. On the motion of the Minister of Lands and Rural Resettlement: The Senate adjourned at twenty six minutes past four o'clock pm.

**THURSDAY, 20TH JULY, 2017**

**QUESTIONS FOR ORAL ANSWERS**

◆ QUESTIONS WITHOUT NOTICE.

\* QUESTIONS WITH NOTICE

- \*1. HON. SEN. MASHAVAKURE: To ask the Minister of Finance and Economic Development to explain to the House the status of the Sovereign Wealth Fund since its inception and to state whether any financial resources have been injected to it.

*[Deferred from 4th May, 2017]*

- \*2. HON. SEN. MASHAVAKURE: To ask the Minister of Finance and Economic Development to inform the House whether or not it would make economic sense to broaden the Sovereign Fund resource base by including non – mineral income such as funds sourced from agriculture and tourism.

*[Deferred from 4th May, 2017]*

- \*3. HON. SEN. MASHAVAKURE: To ask the Minister of Finance and Economic Development to explain what would be good for the country in respect of Sovereign Wealth as International Best Practices to make an Annual Budget allocation to Sovereign Wealth Fund or to put all state revenue inflows into the Sovereign Wealth Fund from which periodic withdrawals would be made by finance Annual National Budget requirements at the appropriate time in the fiscal year.

*[Deferred from 4th May 2017]*

- \*4. HON. SEN. MASHAVAKURE: To ask the Minister of Finance and Economic and Economic Development to;

(a) Update the nation on the progress made in as far as the work of the government appointed commission of inquiry into the conversion process of pension and insurance benefits after dollarization in 2009 is concerned.

(b) Indicate to the House how those who were compelled to take up paltry terminal pay outs from insurance companies before 2009 way before the maturity dates of their policies would be assisted by the work of the Justice George Smith Commission.

(c) Inform the House what steps government and other authorities would take to assist contributors who are being forced to continue making monthly contributions to some funeral assurance houses even though the initial agreements entered into before dollarization stated that contributions would be for ten years only.

(d) Explain to the house whether or not it is true that, at law, retirement annuity policies have the status of pension policies and to further elaborate the legality of their unilaterally termination by some insurance companies in the period prior to dollarization i.e. 2004 – 08.

*[Deferred from 4th May 2017]*

\*5. HON. SEN. TIMVEOS: To ask the Minister of Finance and Economic Development to explain why the Ministry is not acquiring more machines to assist in clearing trucks at Boarder Posts as some are now avoiding passing through Zimbabwe thereby resulting in less of revenue amounting to even twenty billion dollars.

*[Deferred from 4th May 2017]*

\*6. HON. SEN. SIBANDA B: To ask the Minister of Finance and Economic Development to furnish the House with a detailed state of national indebtedness as at 31 March, 2017 by providing the following:

- a) The comprehensive foreign debt including interest accrued;
- b) Domestic loans debts including interest accrued;
- c) Parastatals debts that government has committed to take over and the names of these parastatals;
- d) The current trading account debt of government and bills such as electricity and water;
- e) Current treasury bills commitments including those that have been rolled over;
- f) Any salary and allowances accrued.

*[Deferred from 22nd June, 2017]*

\*7. HON. SEN. MASHAVAKURE: To ask the Minister of Public Service, Labour and Social Welfare to inform the House when government intends to ratify the Marrakesh Treaty so that the blind and print disabled persons in the country can benefit with from easy access to published works.

*[Transferred on 11th May, 2017]*

\*8. HON. SEN. SHIRI: To ask the Minister of Public Service, Labour and Social Welfare to furnish the House with statistics of Persons with Disabilities who are employed in each Government Ministry.

*[Deferred from 22nd June, 2017]*

\*9. HON. SEN. CHIMBUDZI: To ask the Minister of Sports and Recreation to inform the House;

- (a) About the policy of the Ministry aimed at spreading and promoting sports in rural areas so as to benefit the talented school leavers.
- (b) How helpful, friendly matches are in improving sports in the country.
- (c) Whether there are any prominent sporting personalities outside the country who only emerge when the country is confronted with crucial matches against strong teams in the region.

*[Deferred from 22nd June, 2017]*

- \*10. HON. SEN. CHIMBUDZI: To ask the Minister of Sports Recreation whether the Ministry has any plans to award best sports people of the year with trophies as a way of incentivising and promoting sport in the country.

*[Deferred from 4th May, 2017]*

- \*11. HON. SEN. CHIMBUDZI: To ask the Minister of Rural Development Preservation and Culture Heritage the measures taken by the Ministry to educate the people about culture so that they are well informed.

*[Deferred from 4th May, 2017]*

- \*12. HON. SEN. MALULEKE: To ask the Minister of Energy and Power Development to explain to the House what plans the Ministry has put in place to install the solar system in the rural areas on Masvingo, particularly Chiredzi and to further elaborate when the rural electrification programme roll out would be extended cover the whole country in view of the fact that people in rural areas cannot afford to pay requisite ZESA fees which have to be paid in advance.

*[Deferred from 4th May, 2017]*

- \*13. HON. SEN. CHIMBUDZI: To ask the Minister of Local Government, Public Works and National Housing to inform the House whether the Ministry has any plans of rescusitating the District Development Fund (DDF) Tillage Unit to boost tillage programmes in the country.

*[Deferred from 22nd June, 2017]*

- \*14. HON. SEN. TIMVEOS: To ask the Minister of Mines and Mining Development to inform the House whether the Committee to investigate the disappearance of \$15 Billion was set up and to further state when its findings would be brought before Parliament.

*[Transferred on 22nd June 2017]*

- \*15. HON. SEN. SINAMPANDE: To ask the Minister of Mines and Mining Development to appraise the House on the current government's position regarding the re – opening of Kamative Tin Mine and Mashava Mine.

*[Deferred from 22nd June, 2017]*

- \*16. HON. SEN. CHIEF SIANSALI: To ask the Minister of Primary and Secondary Education to explain to the House why a lot of teachers in the system still have non-teaching degrees at the expense of trained teachers who are seeking employment.

*[Deferred from 13th July 2017]*

- \*17. HON. SEN. SHIRI: To ask the Minister of Lands and Rural Resettlement to furnish the House with statistics and names of Persons with Disabilities in each district of the country who have benefitted from the land reform programme.

*[Deferred from 13th July 2017]*

\*18. HON. SEN. SHIRI: To ask the Minister of Youth Development, Indigenisation and Economic Empowerment to:

- a) Explain the Ministry's policy regarding the empowerment of Persons with Disabilities;
- b) Explain how and what is being done to avail funding to Persons with Disabilities for their entrepreneurships; and
- c) Give statistics and names of Persons with Disabilities who have been empowered through the Indigenisation and Economic Empowerment Programme.

*[Deferred from 13th July 2017]*

\*19. HON. SEN. SINAMPANDE: To ask the Minister of Higher and Tertiary Education, Science and Technology to explain the policy regarding construction of Teacher's Training Colleges considering that Matabeleland North and Mashonaland West Provinces do not have these colleges.

*[Deferred from 13th July 2017]*

## **ORDERS OF THE DAY AND NOTICES OF MOTIONS**

1. HON. SEN. MUMVURI  
HON. SEN. MAKONE

That this House takes note of the First Report of the Thematic Committee on Peace and Security on the Preparedness of the Grain Marketing Board to handle the 2016/2017 Crop Deliveries and the Success of the Command Agriculture Programme (S. C. 15, 2017).

2. HON. SEN. MAKORE  
HON. SEN. B. SIBANDA

That this House:

NOTING with concern the slow pace of the realignment of legislation to the Constitution

EXALTING, and upholding the spirit enshrined in the Preamble of the Constitution which embraces the brave men and women who sacrificed their lives to liberate all people in Zimbabwe regardless of race, colour, tribe or creed;

COGNIZANT of the role played by our fore fathers and compatriots who contributed enormously towards the independence and democratic processes in our country;

REAFFIRMING our commitment to upholding the rule of law, transparency and accountability in Zimbabwe;

NOW, THEREFORE, resolves that:

- (a) Unity of purpose and goodwill be upheld by all people of Zimbabwe;
- (b) Institutions be apolitical in all respects.
- (c) The outstanding provisions of the Constitution be implemented by 30 November, 2017.

3. Adjourned debate on motion on the Report of the 40th Plenary Session of the SADC – Parliamentary Forum held in Harare, Zimbabwe. (*Adjourned 18th July, 2017- Hon. Sen. Mohadi*).

[Days elapsed: 7]

*Question proposed:* That this House takes note of the Report of the 40th Plenary Session of the SADC – Parliamentary Forum held in Harare, Zimbabwe from 3rd to 15th November, 2017- **Hon Sen Mohadi**.

4. Adjourned debate on motion on the First Report of the Thematic Committee on Indigenisation and Empowerment on the Circumstances Surrounding the Non-Establishment of Community Share Ownership Trusts in Mudzi and Mutoko Districts. (S.C. 10, 2017). (*Adjourned 18th July, 2017- Hon. Sen. Tawengwa*).

[Days elapsed: 11]

*Question proposed:* That this House takes note of the First Report that the Thematic Committee on Indigenisation and Empowerment on the Circumstances Surrounding the Non-Establishment of Community Share Ownership Trusts in Mudzi and Mutoko Districts (S.C. 10, 2017)—**Hon. Sen. Tawengwa**.

5. Adjourned debate on motion on the First Report of the Thematic Committee on Sustainable Development Goals on SDG No. 3 (*Adjourned 18th July, 2017- The Deputy Minister of Energy and Power Development*)

[Days elapsed: 16]

*Question proposed:* That this House takes note of the First Report of the Thematic Committee on Sustainable Development Goals on SDG No. 3: “Ensure Healthy Lives and Promote Well-being for all at all ages”. [S.C.8, 2017] – **Hon. Sen. Chief Mtshane**.

6. Adjourned debate on motion on the First Report of the Thematic Committee on HIV and AIDS on HIV and AIDS in Institutions of Higher Learning in Zimbabwe. (*Adjourned 18th July, 2017 – Hon. Sen. Timveos*).

[Days elapsed: 18]

*Question proposed:* That this House takes note of the First Report of the Thematic Committee on HIV and AIDS on HIV and AIDS in Institutions of Higher Learning in Zimbabwe. (S.C. 7, 2017)—**Hon. Sen. Timveos**.

7. Adjourned debate on motion on resolving situations of statelessness in our country: (*Adjourned 18th July, 2017- Hon. Sen. Timveos*)



*Question proposed:* That this House;

RECALLING ongoing efforts of the African Union to move towards the adoption of a Draft “Protocol to the African Charter on Human and Peoples’ Rights on the Right to Nationality and the Eradication of Stateless in Africa;,”

TAKING NOTE of the conclusions and Recommendations on statelessness adopted by the SADC “Technical Migration Dialogue for Southern Africa Addressing Mixed Migration in Southern Africa: Linking Protection, Immigration, Border Management and Labour Migration, Gaborone, Botswana from 16-18 August 2016”;

ACKNOWLEDGING the Conclusions of the “Conference on Ensuring Everyone’s Right to Nationality: The Role of Parliaments in Preventing and Ending Statelessness, Co-organised by the Parliament of South Africa, the inter Parliamentary Union and the Office of the United Nations High Commissioner for Refugees, from 26 to 27 November 2015”;

RECOGNISING the requirement by the Sustainable Development Goals (SDGs) endorsed by the UN General Assembly on 25 September 2015, in particular SDG target 16,9 to provide by 2030 legal identity for all, including birth registration;

FURTHER RECOGNISING the numerous formal pledges of SADC Member States to accede to the 1954 UN Convention relating to the Status of Stateless Persons and the 1961 UN Convention on the Reduction of Statelessness and the Recommendations from the Human Rights Council’s Universal Periodic Review to the same effect.

COGNISANT that the Zimbabwe National Constitution provides for Fundamental Human Rights and Freedoms incorporating the right of children to a name and provision of identity documents;

NOW THEREFORE calls upon the Government to:

- i) Resolve any existing situations of statelessness within our own country;
- ii) Review the legislative frameworks and administrative practices in nationality matters with a view to ensure their consistency with the Zimbabwe Constitution and International standards on the prevention and resolution of statelessness, as well as on protection of stateless persons;
- iii) Initiate legislative reforms which address any identifies gaps or challenges, including any discrimination on the basis of race, ethnicity, religion or gender, thereby helping to prevent statelessness;
- iv) Ensure gender equality as regards the equal right of men and women to pass on their nationality to their children and spouses and to change or retain their nationality.
- v) Expedite the implementation of Article 6(4) of the African Charter on the Rights and Welfare of the Child, thereby preventing childhood statelessness;
- vi) Establish and maintain comprehensive birth registration and civil registration systems within Zimbabwe with a view to prevent statelessness;
- vii) Accede to the 1954 UN Convention relating to the Status of Stateless Persons,

the 1961 UN Convention on the Reduction of Statelessness and the 1990 UN Convention on the Rights of all Migrant Workers and Members of their Families; and  
viii) Support the drafting, adoption and ratification of a Protocol to the African

Charter on Human and People's Rights on the Right to Nationality and the Eradication of Stateless in Africa.” – *Hon Sen. Timveos*.

8. Adjourned debate on motion in reply to the State of the Nation Address – (*Adjourned 11th July, 2017—Hon. Sen. Chipanga*).

[Days elapsed: 36]

*Question proposed:* That this House conveys its profound gratitude to His Excellency, the President Cde. R. G. Mugabe for addressing a joint sitting of Parliament on the State of the Nation.

Expresses its commitment to and support for the views contained in his address; and that a respectful address be presented to His Excellency the President, informing him of the sentiments of the House – *Hon. Sen. Chipanga*.

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## TUESDAY, 25TH JULY, 2017

### ORDER OF THE DAY

Adjourned debate on motion on funds controlled by School Development Committees (SDCs) and School Development Associations (SDAs). – (*Adjourned 18th July, 2017- Hon. Sen. D. T. Khumalo*)

[Days elapsed: 13]

*Question proposed:* That this House

NOTING the efforts made by Government in expanding the education system at Primary and Secondary levels across the country to meet the demand for education since independence;

APPLAUDING the Government's decision to embrace all stakeholders in education thereby leading to the creation of School Development Committees (SDCs) and School Development Association (SDAs);

FURTHER applauding the excellent work done by parents through the SDCs and SDAs in enhancing the quality of education in Zimbabwe;

DISTURBED by the abrupt decision by the Ministry of Primary and Secondary Education to order the closure of SDAs/ SDCs accounts at government schools and transfer monies to the government controlled School Service Fund.

CONCERNED that the move will retrogressively impact on the gains made in the educational system over the years and result in the total collapse of the system;

NOW THEREFORE, calls upon the Ministry of Primary and Secondary Education to;

- i) Align the Education Act to the Constitution;

- ii) Cease forthwith the transfer of SDA/ SDCs Funds to the School Service Fund; and
- iii) Formulate a consolidated Statutory Instrument to guide the operations of SDCs and SDAs taking into account stakeholders' input- **Hon. Sen. D.T. Khumalo.**

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## MEETINGS OF COMMITTEES

**Thursday, 20th July, 2017**

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. 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. 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 0900 hours in the National Assembly Chamber

**Indigenisation and Empowerment:** Hon. Sen. Mavhunga M- (*Chairperson*), Hon. Sen. Bhebe M, Hon. Sen. Bbobho H. Hon. Sen. Chimanikire A, Hon. Sen. Chief Chitanga, Hon. Sen. Dandawa Chief, Hon. Sen. Goto R, 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. Murwira T, 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*).