

ADVANCE COPY-UNCORRECTED

No. 24

PARLIAMENT
OF
ZIMBABWE

VOTES AND PROCEEDINGS OF THE SENATE

FIFTH SESSION – EIGHTH PARLIAMENT

THURSDAY, 15TH FEBRUARY 2018

Half past two o'clock pm.

President of the Senate in the Chair.

Bhobho H,
Buka F,
Carter M. N,
Chabuka K,
Chiduku Chief,
Chifamba J,
Chimanikire A,
Chimbudzi A,
Chimutengwende C.C.C,
Chipanga T. S,
Chizema C,
Dandawa Chief T. M,
Gampu Chief IV,
Goto R,

Gwenzi Chief,
Jadagu G.T,
Khumalo D. T,
Mabhugu F. E,
Machingaifa T,
Makore J,
Makwarimba C,
Manyeruke J,
Marava M,
Masendu Chief,
Mashavakure N,
Mathuthu T.A,
Matiirira A,
Mawire J,
Moeketsi V,
Mohadi T.B,
Mugabe C.T,
Mumvuri D.D.E,
Muronzi M,
Murwira T,
Musaka M.B,
Muzenda T.V,
Ncube S,
Ndhlovu J,
Nebiri Chief,
Ngungumbane Chief,
Ntabeni Chief,
Nyambuya M.R Rtd. Gen.
Nyangazonke Chief,
Nyathi R,
Sekeramayi S.T,
Shiri A,
Shoko G,
Siansali Chief,
Sibanda A,
Sibanda B,
Sinampande H.M,
Tawengwa C. Z,
Timveos L.

In attendance in terms of section 138(2) and (3) and section 104(3) of the Constitution

Hon. Chinamsa P.A, Hon. Bimha M., Hon. Dr. Gumbo J., Hon. Kagonye P., Hon. Ziyambi Z.

Printed by Order of the Senate

Absent with leave

Hon. Sen. Makone T., Hon. Sen. Mavhunga M.

1. The President of the Senate made an announcement regarding the death on Wednesday, 14 February, 2018 of the President of the Movement for Democratic Change and Prime Minister during the subsistence of the Government of National Unity, Mr. Morgan Tsvangirai, and invited all Honourable Members to rise and observe a minute of silence in respect of the late Mr. Tsvangirai.
2. The President of the Senate informed the House that KIDZCAN (a cancer relief organization for children) had invited Hon. Senators to participate in “Orange Week”- a children with cancer awareness project, from 11th to 18th February, 2018. All Hon. Senators were invited to create their own Orange Day by dressing up in orange and donating a dollar in order to support the worthy cause of KIDZCAN.
3. Questions without notice.
4. Hon. Sen. Mohadi, seconded by Hon. Sen. Shiri, moved: That time for Questions without Notice be extended by ten minutes.

Motion put and agreed to.

5. Questions with notice.
6. The Minister of Justice, Legal and Parliamentary Affairs moved: That Notice of Motion No. 1 and Orders of the Day Nos. 2 to 9, for today, stand over until Order of the Day No. 16 has been disposed of.

Motion put and agreed to.

7. The Minister of Finance and Economic Development, moved: THAT WHEREAS, Section 310(1) of the Constitution of Zimbabwe provides that an Auditor General is appointed by the President with the approval of Parliament;

AND WHEREAS, Section 340(1)(a) of the Constitution provides the President with the power to reappoint a Public Office holder into such office;

NOW THEREFORE, in terms of the aforementioned Section 310(1) of the Constitution, this House resolves and approves that Mrs. Mildred Chiri be appointed Auditor –General of the Republic of Zimbabwe for a further term in office effective from the 25th February 2017.

Motion put and agreed to.

8. The Minister of Justice, Legal and Parliamentary Affairs, moved: That Notices of

Motion Nos.11 to 13, for today, stand over until Order of the Day No. 16 has been disposed of.

Motion put and agreed to.

9. SECOND READING: *Estate Administrators Amendment Bill* (H.B. 8A, 2016) – ***The Minister of Justice, Legal and Parliamentary Affairs.***

Bill read a second time. Committee, with leave, forthwith.

(House in Committee)

Clauses 1 to 12 put and agreed to.

Bill to be reported without amendment.

(House resumed)

Bill reported without amendment.

Third Reading, with leave, forthwith.

Bill read a third time.

10. On the motion of the Minister of Justice, Legal and Parliamentary Affairs: The Senate adjourned at five o'clock pm until Tuesday, 6th March, 2018, at half past two o'clock in the afternoon.

E. MADZONGWE,
President of the Senate.

TUESDAY, 6TH MARCH 2018

ORDERS OF THE DAY AND NOTICES OF MOTIONS

1. THE MINISTER OF LABOUR AND SOCIAL WELFARE

THAT WHEREAS Section 327 (2) (a) of the Constitution of Zimbabwe provides that any Convention, Treaty or Agreement acceded to, concluded or executed by or under the authority of the President with one or more foreign states of governments or International Organisations shall be subject to approval by Parliament;

WHEREAS the Republic of Zimbabwe is desirous of becoming party to the Marrakesh Treaty to facilitate Access to Published Works for Persons who are blind, visually impaired or otherwise print disabled;

WHEREAS the Marrakesh Treaty recognizes that Governmental and Non – Governmental Organisations play an important role in providing persons with print disabilities with access to alternative format materials;

WHEREAS the Republic of Zimbabwe is desirous of ratifying the Marrakesh Treaty;

WHEREAS the entry into force of the aforesaid Treaty shall be conditional upon its ratification by the Member States in accordance with their Constitutional Procedures;

NOW THEREFORE, in terms of Section 327 (2) (a) of the Constitution of Zimbabwe, this House resolves that the aforesaid Treaty be and is hereby approved for ratification.

2. THE MINISTER OF LABOUR AND SOCIAL WELFARE

THAT WHEREAS Section 327 (2) (a) of the Constitution of Zimbabwe provides that any convention, treaty or agreement acceded to, concluded or executed by or under the authority of the President with one or more foreign states of governments or International Organisations shall be subject to approval by Parliament;

WHEREAS Zimbabwe is committed to promote and protect the social and economic rights of its people and guarantee International Organisations and regional best practices in the labour market;

AND WHEREAS Zimbabwe approved of the SADC policies on Child Labour, Social Security, Use of Chemicals, HIV and HIV and Decent work it remains desirous to realize the aspirations of regional cooperation and integration in the employment and Labour sector;

AND WHEREAS, His Excellency, the President of the republic of Zimbabwe, Cde. Robert Gabriel Mugabe on the 18th of August 2014 at Victoria Falls signed SADC Protocol and Employment and Labour;

NOW THEREFORE, in terms of Section 327 (2) (a) of the Constitution of Zimbabwe, this House resolves that the aforesaid Ratification of the SADC Protocol on Employment and Labour be and is hereby approved for acceptance.

3. THE MINISTER OF LABOUR AND SOCIAL WELFARE

THAT WHEREAS, Section 327 (2) (a) of the Constitution of Zimbabwe provides that any Convention, Treaty or Agreement acceded to, concluded or executed by or under the authority of the President with one or more foreign states or governments or International Organisations shall be subject to approval by Parliament;

WHEREAS Zimbabwe is a member State of the International Labour Organisation and seeks to eradicate forced labour in all its forms;

AND WHEREAS Cabinet approved of the Ratification of the ILO Protocol to the Forced Labour Convention P029 on the 1st of June 2017;

NOW THEREFORE, in terms of Section 327 (2) (a) of the Constitution of Zimbabwe, this House resolves that the aforesaid Protocol be and is hereby approved for acceptance.

4. COMMITTEE: Consideration of an *Adverse Report* by the Parliamentary Legal

Committee on Statutory Instrument No. 110 of 2017-Presidential Powers (Temporary Measures) (Extension of State Liabilities Act to the Assets of Chitungwiza Municipality) Regulations, 2017—*Hon. Samukange*

5. COMMITTEE: Consideration of an *Adverse Report* by the Parliamentary Legal Committee on Statutory Instrument No. 79 of 2017-Agricultural Marketing Authority (Command Agriculture Scheme for Domestic Crop, Livestock and Fisheries Production) Regulations, 2017—*Hon. Samukange*
6. HON. SEN. MLOTSHWA
HON. SEN. B. SIBANDA

That this House-

DISTURBED by the lack of commitment by the Ministry of Lands and Rural Resettlement to provide alternative resettlement areas for communities from Zwehamba; Mahatshe; and Matankeni evicted to pave way for developmental national projects;

CONCERNED at the apparent lack of consideration for such communities who had to bear the brutal brunt of oppression in 1947 when they resisted eviction;

COGNIZANT that it is their right to enjoy the fruits and the benefits of the war of liberation in view of their heroic exploits when they resisted colonial oppression;

MINDFUL that such communities have to be involved in the Command Agriculture Programme which was launched in 2016, a year which coincided with their unscheduled evictions.

NOW THEREFORE; calls upon the Executive to expeditiously resolve the issue of providing arable land to sixty-two households from Zwehamba; Mahatshe; and Matankeni areas in the Matobo District so that they can resume their farming activities unperturbed so as to live a prosperous and stable life premised on peace and stability which is requisite in the whole of Zimbabwe.

7. Adjourned debate on motion on the First Report of the Thematic Committee on Gender and Development on Access to Safe and Clean Water in Rural Areas (*Adjourned 19th December, 2017- Hon. Sen. Makore.*)

[Days elapsed: 12]

Question proposed: That this House takes note of the First Report of the Thematic Committee on Gender and Development on Access to Safe and Clean Water in Rural Areas, [S. C. 18, 2017] – *Hon. Sen. Makore.*

8. Adjourned debate on motion on protection of consumers from corruption (*Adjourned 13th February, 2018- Hon. Sen. Mawire*)

[Days elapsed: 3]

Question proposed: That this House-

MINDFUL of the need to protect consumers from unscrupulous business people bent on maximizing profits at the expense of the majority of the people;

DESIROUS to have consumers that fully appreciate the role of the Consumer Council of Zimbabwe, the law enforcement agency and other agencies of the State that protect them from exploitation of their hard earned cash;

CONCERNED at the ineptitude and flippant attitude by banking institutions who cover up for their inefficiencies under the guise of network system that are always alleged to be down;

DISTURBED by unwarranted price hikes for goods on hire purchase that have seen consumers falling victim to malpractices by individuals who have even gone to the extent of siphoning some civil servants' salaries without their knowledge through the Salary Service Bureau.

NOW, THEREFORE, calls for concerted efforts by the State to stamp out such corrupt practices by formulating effective Consumer friendly laws to protect Zimbabwean citizens and thereby instill a sense of confidence in the economy among our people. **Hon. Sen. Mawire**

9. 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 19th December, 2017- Hon. Sen. Tawengwa*).

[Days elapsed: 29]

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**.

10. Adjourned debate on motion on the First Report of the Thematic Committee on Sustainable Development Goals on SDG No. 3 (*Adjourned 19th December, 2017- Hon. Sen. Tawengwa*)

[Days elapsed: 36]

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**

11. Adjourned debate on motion on 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 (*Adjourned, 19th December, 2017—Hon. Sen. Tawengwa*).

[Days elapsed: 25]

Question proposed: 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)- **Hon. Sen. Mumvuri**.

12. Adjourned debate on motion on the Report of the Zimbabwe delegation to the International Conference on Promoting Stakeholder and Parliamentary Dialogue on Arms Trade Treaty (*Adjourned 19th December, 2017- Hon. Sen. Timveos*)

[Days elapsed: 19]

Question proposed: That this House takes note of the Report of the Zimbabwe delegation to the International Conference on Promoting Stakeholder and Parliamentary Dialogue on the Arms Trade Treaty (ATT) held at Pullman Teranga Hotel in Dakar, Senegal from 13th to 14th June, 2017- **Hon. Sen. Timveos**.

13. Adjourned debate on motion on the Report of the 7th Retreat of the Association of Senates, Shoora and equivalent Councils in Africa and the Arab World (ASSECAA) (*Adjourned 19th December, 2017- Hon. Sen. Sinampande*)

[Days elapsed: 10]

Question proposed: That this House takes note of the Report of the 7th Retreat of the Association of Senates, Shoora and equivalent Councils in Africa and the Arab World (ASSECAA), held from the 26th to 27th November 2016 in Addis Ababa, Ethiopia- **Hon. Sen. Makore**.

14. Adjourned debate on motion on the Report of the Parliament of Zimbabwe Delegation to the Eighth Retreat of the Association of Senates, Shoora and Equivalent Councils in Africa and the Arab World (ASSECAA) (*Adjourned 19th December, 2017- The Minister of State for Manicaland Province*)

[Days elapsed: 10]

Question proposed: That this House takes note of the Report of the Parliament of Zimbabwe Delegation to the Eighth Retreat of the Association of Senates, Shoora and Equivalent Councils in Africa and the Arab World (ASSECAA), held in Addis Ababa, Ethiopia from 20th to 21st May 2017- **Hon. Sen. Sinampande**.

THURSDAY, 8TH MARCH 2018

QUESTIONS FOR ORAL ANSWERS

◆ QUESTIONS WITHOUT NOTICE.

* QUESTIONS WITH NOTICE.

- *1. HON. SEN. CHIMBUDZI: To ask the Minister of Lands, Agriculture, and Rural Resettlement to explain:

- (a) Whether or not farmers in resettlement areas are insured against natural disasters;
- (b) How a farmer can be assisted in case of losses of one hundred and fifty or more hectares of maize crop due to veld fires.
- (c) How farmers are sensitised on setting up fireguards or fire breaks in place to avert veld fires.
- (d) What the Ministry's policy is as regards the protection of farmers from unscrupulous buyers who want to cash in on maize that was harvested under the Command Agriculture Programme.

[Deferred from 28th September, 2017]

*2. HON. SEN. GOTO: To ask the Minister of Lands, Agriculture, and Rural Resettlement to:

- a) Inform the House what measures have been put in place to assist farmers who lost their crops due to water logging and veld fires after benefitting from the Government's Command Agriculture Programme.
- b) State whether the repayment of debt to the Grain Marketing Board (GMB) would not be spread over a period to allow farmers to first recover from their losses so that they may remain viable as farmers.
- c) Further state how farmers who could not access fertilizers would be expected to repay their loans in view of the fact that they are not able to meet their obligations due to poor yields that they realized.
- d) How Government would support those farmers affected by the shortage of diesel and electricity during the winter wheat cropping season, and also in view of the fact that some farmers have abandoned their activities mid-way through the season due to lack of such resources.

[Deferred from 2nd November, 2017]

*3. HON. SEN. CHIMHINI: To ask the Minister of Lands, Agriculture, and Rural Resettlement to explain to the House why the Mupotedzi Irrigation Scheme in Honde Valley, under Mutasa Rural District Council was abandoned considering that the Government had already spent money on irrigation pipes and the perimeter fence for the area which was allocated to beneficiaries.

[Deferred from 2nd November, 2017]

*4. HON. SEN. CHIMBUDZI: To ask the Ministry of Finance and Economic Development:

- a) To explain the Ministry's policy with regards to ensuring that all imported vehicles that are currently parked in most areas of the country pay taxes to the government;
- b) To further explain why they are parked when they are already in the country;
- c) How these vehicles got into the country when they are not being used for their intended purposes.

- d) To state whether citizens are fully conversant with laws governing the importation of vehicles and the consequences of breaching such laws.

[Transferred 5th October, 2017]

- *5. HON. SEN. KHUMALO D.T.: To ask the Minister of Health and Child Care to explain why district hospitals do not have the capacity to help malnourished children, and to send them to private or mission hospitals for recovery.

[Deferred from 2nd November, 2017]

- *6. HON. SEN. KHUMALO D.T.: To ask the Minister of Health and Child Care to explain why district and provincial hospitals managements are not aware of the one thousand nutrition days for mother and Child.

[Deferred from 2nd November, 2017]

- *7. HON. SEN. KHUMALO D.T.: To ask the Minister of Health and Child Care whether the Ministry is aware that Nutritionists are not part of the decision making team in districts and provinces yet this is where critical issue relating to Hospitals are discussed.

[Deferred from 2nd November, 2017]

- *8. HON. SEN. KHUMALO D.T.: To ask the Minister of Health and Child Care to explain why food nutrition is not recognized as a science subject when training nurses.

[Deferred from 2nd November, 2017]

- *9. HON. SEN CHIMHINI: To ask the Minister of Information, Media and Broadcasting Services:

a) To explain the misinformation by the Ministry relating to the alleged \$10 000,00 payments per month for what was owed to Zimbabwe Music Rights Association (ZIMURA) in 2010, when in fact the Zimbabwe Broadcasting Cooperation (ZBC) had only paid \$30 000 as at 18 October 2017 as opposed to \$90 000 which should have been paid by that time.

b) To inform the House when the Ministry intends to clear arrears to ZIMURA in excess of \$650 000 which were accrued over a seven year period.

c) To state how the Ministry will assist musicians to receive royalties, in view of the fact that many of them live in abject poverty.

[Deferred from 2nd November, 2017]

- *10. HON. SEN. CHIMHINI: To ask the Minister of Home Affairs and Culture to explain to the House why the Ministry has failed to curb incidents of blatant infringement and flagrant breach of copyright legislation where piracy of music, books and other intellectual property rights is being conducted with impunity on daily basis as if there are no laws to stop piracy.

MEETINGS OF COMMITTEES

Monday, 5th March 2018

At 1400 hours in Committee Room No. 3.

Gender and Development: Hon Sen. Makore. J.-(*Chairperson*), Hon. Sen. Bhobho H, Hon. Sen. Buka F, Hon Sen. Chiduku Chief, Hon. Sen. Chitanga Chief, C, Hon. Sen. Goto R, Hon. Sen. Jadagu G.T., 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. Mugabe C.T, Hon. Sen. Nembire Chief, Hon. Sen. Shiri A, Hon. Sen. Sibanda A. (*Committee Clerk—Mr. A. Kunzwa*)

At 1400 hours in Committee Room 413.

HIV and AIDS: Hon. Sen. Timveos L.-(*Chairperson*) Hon. Sen. Bhebe 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. Komichi M., Hon. Sen. Manyeruke J, Hon. Sen. Marozva Chief, Hon. Sen. Masuku A., Hon. Sen. Mkhwebu A, Hon. Sen. Mohadi T.B, Hon. Sen. Mumvuri D.D.E, Hon. Sen. Murwira T., Hon. Sen. Ncube S., Hon. Sen. Ndlovu J, Hon. Sen. Nebiri Chief, Hon. Sen. Ngungumbane Chief, Hon. Sen. Nyathi R, Hon. Sen. Shoko G, Hon. Sen. Sibanda B., Hon. Sen. Sinampande H.M (*Committee Clerk – Mr. T. Chiremba*)

Tuesday, 6th March 2018

At 1000 hours in Committee Room 413.

Sustainable Development Goals: Hon. Sen. Mtshane Chief-(*Chairperson*) Hon. Sen. Bhobho, Hon. Sen. Chifamba J, Hon. Sen. Dandawa Chief, Hon. Sen. Gwenzi Chief, Hon. Sen. Khumalo D. T., Hon. Sen. Makwarimba C, Hon. Sen. Masendu Chief, Hon. Sen. Masuku A, Hon. Sen. Mkhwebu A, Hon. Sen. Mlotshwa S, Hon. Sen. Mugabe C.T, Hon. Sen. Muronzi M., Hon. Sen. Shiri A, Hon. Sen. Shoko G, Hon. Sen. Siansali Chief, Hon. Sen. Tawengwa C. Z. (*Committee Clerk—Mrs. C. Mataruka*)

Wednesday, 7th March 2018

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. Chipanga T, 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. Mashavakure N, Hon. Sen. Mawire J, Hon. Sen. Hon. Sen. Moeketsi V, Mtshane Chief, 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. J. Mazani*)

Thursday, 8th March 2018

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—Miss E. Masara*)

1000 hours in Committee Room No.413

Indigenisation and Empowerment: Hon. Sen. Mavhunga M- (*Chairperson*), Hon. Sen. Bhebe M, Hon. Sen. Bhobho H. Hon. Sen. Chimanikire A, Hon. Sen. Chief Chitanga, Hon. Sen. Chizema C.F, 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*).