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No. 36

PARLIAMENT
OF
ZIMBABWE

**VOTES AND PROCEEDINGS OF
THE NATIONAL ASSEMBLY**

FIFTH SESSION – EIGHTH PARLIAMENT

THURSDAY, 25TH JANUARY, 2018

Quarter past two o'clock p.m.

The Speaker in the Chair.

PRAYERS.

Members Present

Budha - Masara

Chabaya B.

Chakona P

Chamisa N

Chibagu G

Chidhakwa S

Chigudu M
Chigumba C C.
Chikuni E
Chikwama B
Chikwinya N
Chimanikire G
Chimwamurombe A
Chinanzvavana C
Chingosho C.P.M
Chinotimba J
Chipato A
Chirisa F
Chisorochengwe T.
Chitembwe V J
Chitindi C
Chiwetu J Z
Cross E G
Damasane S A.E;
Dube S
Dziva T M
Gandawa G
Gangarahwe G.
Gonese I.T
Gwanetsa K K
Gwanongodza E
Guzha N.K.
Hungwa G
Kachepa N
Kadungure D A
Kagonye P
Karoro D

Katsiru L.
Kaundikiza M
Khanye N
Khumalo T
Kwaramba G
Labode M R
Mabuwa C
Machingauta C
Machingura R
Maduza T.
Madondo T
Madzinga P
Majaya B
Majome F J
Makoni R R
Makonya J
Makunde T
Mandipaka O
Mangami D
Mangwende S
Maondera W
Masamvu L
Mashakada T
Mashonganyika D
Masuku P
Matambanadzo M
Matienga M
Matsikenyerere N
Matsunga S.
Matuke L
Mavenyengwa R

Mawere M D V
Mawere M RN S
Maziwisa P.
Mbwembwe E
Mguni N.
Mhlanga N J
Mhona F T
Misihairambwi P M
Mkandla M
Mlilo N.
Mliswa P.T.
Mombeshora D T
Moyo E N
Moyo L
Mpariwa P
Mpofu B
Mpofu M M
Mpofu S
Muchenje F
Muchenje M S
Mudambo T
Mudarikwa S
Mudau M
Mudzuri E
Mudyiwa M.
Mufunga A
Mugidho M.
Muguti R.
Muponora N
Mukupe T.
Mukwangwariwa F G

Mukwena R
Munengami F
Munochinzwa M.
Murai E
Musanhi K S
Musundire A L
Musvaire W
Mutinhiri A
Mutomba W
Mutseyami P C
Muzondiwa E S
Ncube G M
Ncube H
Ndebele A
Ndhlovu Alice
Ndlovu D M;
Ndlovu M S
Ndlovu N
Ndorol L F
Nduna D
Nhambu B.
Nhema C F.D.;
Nkomo Mail
Nyamupinga B B
Nyanhongo M
Nyere C
Omar J.
Paradza K
Passade J
Rudzirwayi J M
Runesu B

Saruwaka T J.L.;
Savanhu T
Shongedza E
Sibanda L
Sindi C
Sipani – Hungwe O.
Tarusenga U D
Thembanani S Z
Toffa J
Tongofa M
Tshuma B
Tshuma D
Tsomondo C
Uta K.
Vutete M
Zemura L
Zhou P
Zhou T
Zindi I
Ziyambi Z
Zwizwai M

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

Printed by Order of the House

Absent with leave

Hon. Bimha, Hon Chapfika; Hon. Chikukwa; Hon. Chinamasa, Hon. Kazembe.; Hon. Madanha; Hon. Marapira; Hon. Mpofo O.M.; Hon. Muchinguri, Hon. Mandiwanzira S.C.

1. The Speaker informed the House that the business of the National Assembly and its Committees would be adjourned today, until 6th February 2018.
2. The Speaker also informed the House that the Committee on Standing Rules had made the following appointments;
 - a) ACP-EU
Hon. Nduna to replace Dr. Shumba and Hon. Zindi appointed as leader of the delegation.
 - b) Committee on Standing Rules and Orders
Hon. Mlilo to replace Hon. Kazembe and Hon. Musanhi to replace Dr. Shumba
 - c) Parliamentary Legal Committee
Hon. Mazivisa to replace Hon. Ziyambi.
3. The Speaker reminded the House that Hon. Chinotimba invited all Hon. Members to attend the *Masasi aChinoz* book launch to be held on the 26th January, 2018 at five p.m. at the Harare City Library.
4. The Speaker further informed the House of assignment of Hon. Members to Portfolio Committees as follows;
 - a) Defence, Home Affairs and Security Services
Hon. O. Mguni
 - b) Environment, Water, Climate and Hospitality Industry
Hon. Uta
Hon. Mpala
Hon. Dr. Mombeshora
 - c) Finance and Economic Development
Hon. O. Mguni.
 - d) Foreign Affairs, Industry and Commerce
Hon. Mabuwa
Hon. F. Moyo
 - e) Health and Child Care
Hon. Shava
Hon. Dr. Mombeshora
Hon. Kwaramba
Hon. Mangami

Hon. Nyamupinga
Hon. Dutiro

f) Lands, Agriculture and Rural Resettlement

Hon. Chiwetu
Hon. Zhou T.
Hon. Porusingazi
Hon. Beremauro
Hon. Sithole
Hon. N. Ndlovu

g) Local Government, Public Works and National Housing

Hon. Chingosho

h) Justice, Legal and Parliamentary Affairs

Hon. Mlilo
Hon. Chiwetu

i) Media, Information and Communication Technology and Cyber Security

Hon. Chitura
Hon. Porusingazi

j) Mines and Energy

Hon. D.M.Ncube
Hon. Mupereri
Hon. Chidhkwa S.

k) Primary and Secondary Education

Hon. Mpofu M.M.
Hon. Seremwe

l) Public Accounts

Hon. D.M. Ncube
Hon. Mupereri

m) Transport and Infrastructural Development

Hon. Gezi
Hon. F.N. Moyo
Hon. Guzha

n) Women and Youth Affairs

Hon. Chingosho

5. The Speaker advised the House that Parliament had received the following petitions:

a) From the United Alliance (UCA), beseeching Parliament to exercise its legislative function and enact legislation that will address comprehensive electoral reforms so that Zimbabwe's electoral law conforms to regional and international standards.

b) From the Kambuzuma Local Environment Action Plan (Blue Agenda) beseeching Parliament to exercise its oversight function over the Environmental Management Agency (EMA) and the Minister of Environment, Water and Climate.

The petitions were referred to the Portfolio Committees on Justice, Legal and Parliamentary Affairs and Environment, Water, Climate and Hospitality Industry respectively.

6. THE SPEAKER: "I would like to inform the House that at its meeting held on 24 January, 2018, the Joint Business of the Houses Committee established a sub-committee to manage business on the Order Paper.

The Sub-Committee shall meet on Thursday mornings when the House is sitting to determine the business to be covered in a particular week. The Members of the Sub-Committee were nominated as follows;

The Deputy Speaker, Deputy President of the Senate, Chief Whips and the Leader of Government Business (Minister of Justice, Legal and Parliamentary Affairs).

Honourable Members are, therefore, advised to approach their respective Whips if they want their motions to be debated during a particular week as only those motions agreed upon by the Sub-Committee will be included on the Order Paper. Ministers are also advised to approach the Leader of Government Business if they want their motions and Bills to be debated during a particular week. The rest of the motions shall stand deferred pending the next meeting of the Sub-Committee".

7. Hon. Matuke, seconded by Hon. Kwaramba moved: That Notices of Motion Nos. 1 to 2, and Orders of the Day Nos. 3 to 7 for today, stand over, until Order of the Day No. 8 has been disposed of.

Motion put and agreed to.

8. COMMITTEE: *Estates Administrators Amendment Bill* (H.B.8, 2016) – ***The Minister of Justice, Legal and Parliamentary Affairs.***

(House in Committee)

Clauses 1 to 9, put and agreed.

On new clause inserted after clause 9,

The Minister of Justice, Legal and Parliamentary Affairs moved:

On page 8 of the Bill, after clause 9, insert the following new clause, the subsequent clauses being renumbered accordingly: —

“10 Amendment of section 54 of Cap. 27:20

Section 54 (“Improper or disgraceful conduct”)(1) of the principal Act is amended by the insertion of the following paragraphs after paragraph (g)—

- “(h) demands from any client, employee or prospective employee any sexual favour as a condition of—
- (i) the rendering of any service in his or her capacity as a registered person;
 - (ii) the mitigation or waiver of any fee for any professional service in his or her capacity as a registered person;
 - (iii) doing anything in relation to an employee or potential employee of the registered person that would constitute an unfair labour practice by an employer in terms of section 8(g) of the Labour Act [*Chapter 28:01*]
 - (iv) engages in unwelcome sexually-determined behaviour towards any client or employee, whether verbal or otherwise, such as making physical contact or advances, sexually coloured remarks, or displaying pornographic materials in the place where the registered person carries on his or her work.”

Amendment put and agreed to.

New clause inserted after clause 9, put and agreed to.

Clauses 10 to 12 and second schedule, put and agreed to.

Bill to be reported with amendments.

(House resumed)

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

9. The Minister of Justice, Legal and Parliamentary Affairs moved: That the House reverts to Order of the Day No.1 on today’s Order Paper.

Motion put and agreed to.

10. The Minister of Labour and Social Welfare moved:

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 committed to promote and protect the social and economic rights of its people and guarantee International and regional best practices in 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 the SADC Protocol on Employment and Labour;

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

Motion put and agreed to.

11. The Minister of Labour and Social Services moved:

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.

Motion put and agreed to.

12. On the motion of Hon. Matuke, seconded by Hon. Mpariwa: The House adjourned at three minutes to four o'clock pm. Until Tuesday 6th February, 2018 at a quarter past two o'clock p.m. in the afternoon.

HON. ADV. J.F. MUDENDA,

TUESDAY 6TH FEBRUARY, 2018

ORDERS OF THE DAY AND NOTICES OF MOTIONS

1. Adjourned debate on motion on the Marrakesh Agreement establishing the WTO Agreement. (*Adjourned 3rd October, 2017– Hon. Minister of Industry, Commerce and Industry Development*)

[Days elapsed: 22]

Question proposed: 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 to the World Trade Organisations (WTO) since 5 March 1995. In December 2013, WTO member states concluded negotiations on a new agreement, the Trade Facilitation Agreement (TFA), at Bali Ministerial Conference;

WHEREAS the Member states adopted a protocol of amendment to insert the new agreement into Annex 1A of the WTO Agreement. In accordance with Article 10 (3) of the Marrakesh Agreement establishing the WTO Agreement; any new Agreement negotiated will enter into force once two thirds (2/3) of the WTO member states complete the domestication processes and submit Instruments of Acceptance / Ratification.

WHILST Zimbabwe was in the midst of finalizing its internal processes, on the 22nd February 2017, the number of other WTO member states reached the required threshold of two thirds (2/3) instigating the Protocol to enter into force;

AND WHEREAS the Protocol has to pass through Parliament for approval and Presidential assent before the instrument of Acceptance is submitted to the WTO secretariat, Zimbabwe as a member of the WTO is supposed to accept the Protocol of Amendment;

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. – ***Hon. Minister of Industry, Commerce and Enterprise Development***).

2. COMMITTEE: To resume on Consideration of an *Adverse Report* by the Parliamentary Legal Committee on the *Shop Licences Amendment Bill* (H.B. 10, 2016) – ***Hon. Samukange***.
3. COMMITTEE: To resume on Consideration of an *Adverse Report* by the Parliamentary Legal Committee on Statutory Instrument No. 74 of 2017 Police (Association) Regulations, 2017 published in the Government Gazette during the month of July 2017. – ***Hon. Samukange***.
4. 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***.
5. 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***.
6. SECOND READING: *Mines and Minerals Amendment Bill* (H.B. 19, 2015) – ***The Minister of Mines and Mining Development***.
7. Adjourned debate on motion on the SECOND READING of the *Public Entities Corporate Governance Bill* – (H.B. 5, 2017) – (Adjourned 19th December 2017 – ***The Minister of Finance and Economic Development***).

[Days elapsed: 10]

Question proposed: That the *Public Entities Governance Bill* (H.B.5, 2017) be now read a second time – ***The Minister of Finance and Economic Development***.

8. Adjourned debate on motion on the SECOND READING of the *Insolvency Bill* – (H.B. 11, 2016) – (Adjourned 3rd October 2017 – ***The Minister of Justice, Legal and Parliamentary Affairs***).

[Days elapsed: 23]

Question proposed: That the *Insolvency Bill* (H.B.11, 2016) be now read a second time – ***The Minister of Justice, Legal and Parliamentary Affairs***.

9. SECOND READING: *Electoral Amendment Bill* (H.B.6, 2017) – ***The Minister of Justice, Legal and Parliamentary Affairs***.

10. HON. MUDEREDZWA

HON MUTSEYAMI

That the motion on the Report of the Portfolio Committee on Defence, Home Affairs and Security Services on service delivery by the Registrar General's Department in Zimbabwe which was superseded by the end of the Fourth Session of the Eighth Parliament be restored on the Order Paper in terms of Standing Order No. 73.

11. HON. MAONDERA
HON. TSHUMA J.

That the motion on the First Report of the Portfolio Committee on Local Government, Public Works and Urban Development on Service Delivery by Local Authorities, which was superseded by the end of the Fourth Session of the Eighth Parliament be restored on the Order Paper in terms of Standing Order No. 73.

12. HON. NDUNA
HON. MAONDERA

That the motion on the Second Report of the Portfolio Committee on Transport and Infrastructural Development on the inquiry into the Aviation Industry in Zimbabwe, which was superseded by the end of the Fourth Session of the Eighth Parliament be restored on the Order Paper in terms of Standing Order No. 73.

13. HON. NDUNA
HON. MAONDERA

That the motion on the First Report of the Portfolio Committee on Transport and Infrastructural Development on the Familiarisation tour of the Victoria Falls and Harare Airports and the Plumtree – Mutare Road Projects, which was superseded by the end of the Fourth Session of the Eighth Parliament be restored on the Order Paper in terms of Standing Order No. 73.

14. HON. SHAMU
HON. NDORO

That the motion on World Radio Day, which was superseded by the end of the Fourth Session of the Eighth Parliament be restored on the Order Paper in terms of Standing Order No. 73.

15. HON. MAJOME
HON. MAONDERA

That the motion on stiff mandatory sentences, which was superseded by the end of the Fourth Session of the Eighth Parliament be restored on the Order Paper in terms of Standing Order No. 73.

16. HON. MAJOME

HON. MAONDERA

That the motion on the state of Harare and other Roads, which was superseded by the end of the Fourth Session of the Eighth Parliament be restored on the Order Paper in terms of Standing Order No. 73.

17. HON. MPARIWA
HON. MADONDO

That this House adopts the Report of the Public Accounts Committee on the Ministry of Health and Child Care on the 2015 Appropriation and the 2011 to 2014 Fund Accounts (S.C. 20, 2017).

18. HON. NDUNA
HON. MANGWENDE

That this House takes note of the Report of the Portfolio Committee on Transport and Infrastructural Development, on the Enquiry into the remittances to the Traffic Safety Council from Third Party Insurance payments. (S.C. 5, 2017).

19. HON. CHAMISA
HON. MLILO

That this House takes note of the First Report of the Portfolio Committee on Information Technology, Communication, Postal and Courier Services on the State of the Postal and Telecommunications Sector and the Regulatory Environment.

20. HON. MANGAMI
HON. CHIDHAKWA

That this House takes note of the First Report of the Portfolio Committee on Small and Medium Enterprise and Cooperative Development on the State of Financial Inclusion of Small and Medium Enterprises, Cooperatives and other challenges affecting this sector in Zimbabwe. (S.C. 19, 2017).

21. HON. ZIYAMBI
HON. GONESE

That this House takes note of the Report of the Portfolio Committee on Justice, Legal and Parliamentary Affairs on the Petition by the Election Resource Centre. (S.C. 22, 2017).

22. HON. DR. MATARUSE
HON. CHAKONA

That this House takes note of the First Report of the Portfolio Committee on Higher and Tertiary Education, Science and Technology Development on the projects funded by Zimbabwe manpower Development Fund in Tertiary Institutions (ZIMDEF).

23. HON. DUTIRO
HON CHINANZVAVANA

That this House takes note of the Report of the Portfolio Committee on Environment, Water, Tourism and Hospitality Industry on the United Nations Climate Change Conference held in Marrakesh, Morocco from the 7th to 18th November, 2016.

24. HON. NYAMUPINGA
HON. MANGWENDE

That this House takes note of the Second Report of the Portfolio Committee on Women's Affairs, Gender and Community Development on the Living Conditions of Female Prisoners at Chikurubi Female Prison (S. C. 17, 2017)

25. HON. DHEWA
HON. MARIDADI

That this House takes note of the First Report of the Portfolio Committee on Media, Information and Broadcasting Services on the Operations of Local Commercial Radio Stations in Zimbabwe

26. HON. MLILO
HON. MPALA

That this House -

MINDFUL that Section 35 of the Constitution of Zimbabwe provides for citizenship by birth, descent or registration;

AWARE that Zimbabwean citizens are entitled to the rights, privileges and benefits of citizenship accruing from them being citizens;

RECOGNISING that there are duties and obligations that go with being citizens;

COGNISANT that provisions of the Constitution that entitle citizens to dual citizenship, can be easily circumvented by citizens claiming their foreign nationality and yet benefitting from the protection, travel documents and any other primary documents accorded to them through citizenship;

DISTURBED that dual citizenship can be abused;

NOW THEREFORE, calls upon;

- (a) The Executive to amend the Constitution so that dual citizenship by descent and registration is completely abolished; and
- (b) The Registrar General to sensitize the Nation on the compelling need to amend the provisions of the Constitution so as to do away with dual citizenship altogether and to further explain the implications and benefits of such actions to the majority of Zimbabwean nationals who do not have dual citizenship status and allegiance to other countries.

27. HON. MARIDADI
HON. MISIHAIRABWI-MUSHONGA

WHEREAS the Constitution of Zimbabwe in Section 73 establishes “Environmental Rights” as part of the “Fundamental Human Rights and Freedoms” which form Part Two of Declaration of Rights in Chapter Four of the country’s governing Chapter;

WHEREAS several statutes among them the Water Act (Chapter 20:24), and Environmental Management Act (Chapter 20:27), were brought into existence for the protection of the environment of which wetlands are arguably the most important as they are a source of drinking water hence life itself;

CONCERNED that very little regard is given by those in authority to protect wetlands and thus preserve the ecosystem that generates water for the livelihoods of both flora and fauna;

WORRIED that Zimbabwe in general, and Harare in particular, has no other natural sources of drinking water except wetlands.

ALARMED at the rate at which wetlands are being destroyed for agricultural purposes and for the construction of brick and mortar structures that permanently destroy ecosystems which generate water;

NOW THEREFORE resolves that this House calls upon the Executive and all agencies of Government and the State at every level to;

- (a) Stop construction and development on Wetlands;
- (b) Stop using wetlands for agriculture purposes; and
- (c) Put in place mechanisms for the protection and preservation of wetlands.

28. HON. MISIHAIRABWI-MUSHONGA
HON. MLISWA

ENCOURAGED by the spirit of nationalism that was demonstrated in the historic people’s march of the 18th November, 2017;

ACKNOWLEDGING the Preamble of the Constitution of Zimbabwe which among other endeavours to commit ourselves to build a united, just prosperous nation, founded on the values of transparency, equality, freedom, fairness and the dignity of hard work;

NOTING the unfinished business of national healing and reconciliation which can now be fully pursued with vigour in the spirit of a new beginning and a united front in national consensus building.

NOW THEREFORE, resolves that this House;

- (a) Congratulate the people of Zimbabwe for their conduct before and during the transition to the new government;
- (b) Applaud the people of Zimbabwe for demonstrating their support for a democratic change;
- (c) Implore the new President of the Republic of Zimbabwe to inculcate a tone of a reconciled nation and that he personally espouses the principle of reconciliation, unity and the value of Ubuntu;
- (d) Thank the Speaker of the National Assembly for steering the transition and respecting the Constitution; and
- (e) Invoke Section 140 (3) of the Constitution of Zimbabwe and invites the new President to attend Parliament to answer questions relating to the transition.

29. HON. NDUNA
HON. MAPIKI

That this House:

COGNISANT that Section 77 of our Constitution provides that “Every person has the right to safe, clean and potable water” thus making the right to water an inalienable right for all citizens of Zimbabwe;

AWARE that Zimbabwe is a signatory to and has committed itself to attaining the Sustainable Development Goals and in particular, SDG 6 “Clean Water and Sanitation”;

RECOGNISING that one of the key drivers and assumptions of ZIMASSET is increased investment in water and sanitation infrastructure;

DEEPLY CONCERNED that the majority of the urban Zimbabwean populace in general either do not have access to clean water at all or are accessing unclean and unsafe water;

ALARMED that a National level water bodies have not been fully utilized;

WORRIED that the current sewer reticulation system in towns and cities has outlived its lifespan and has been overtaken by the population balance;

MINDFUL that during the period 2009 to 2011 over 700 people were hospitalized and more than 274 lost their lives due to the cholera epidemic nationally;

COGNISANT that clean and safe water is a prerequisite for the realization of other fundamental human rights such as the right to health and the right to a clean and safe environment.

FURTHER COGNISANT that Section 77 enjoins the State to take reasonable legislative and other measures to achieve the progressive realization of the right to safe, clean and potable water;

NOW THEREFORE, calls upon the relevant Ministries to:

- (a) Prioritize investment in water and sanitation infrastructure countrywide;
- (b) Take appropriate measures to ensure that every citizen in Zimbabwe has access to safe, clean and potable water;
- (c) Remove and replace most councils which have continued to charge exorbitant rates to citizens for water which is not readily supplied and continually abuse such funds at the expense of the health of unsuspecting citizens; and
- (d) Immediately take advantage of the copious amount of water bodies around the country which require minimum amount of chemicals to treat, in order that they provide portable.

30. HON. MAJOME
HON. SARUWAKA

That this House-

DEEPLY CONCERNED by the failure of Government to timeously disburse funding for the 460 students on Bilateral Scholarship in Algeria as well as for other students in Russia and Cyprus;

ALSO CONCERNED that the former Minister of Higher and Tertiary Education, Science and Technology Development, after making an undertaking to pay \$3000.00 per student per year to respective universities, had failed to do so with only 25% having been paid in 2015;

DISCONCERTED that the students are currently starving and living in destitution since their semester break starting from 19th December 2017;

WORRIED that the students have no means of returning back home and some were arrested after engaging in demonstrations against their poor living conditions;

DISAPPOINTED by the lack of response by the relevant government departments;

NOW, THEREFORE, resolves that;

- a) The Ministry of Finance and Economic Development in liaison with the Ministry of Foreign Affairs and other relevant government departments disburse funds for the stranded students as a matter of urgency;
- b) The Minister of Higher and Tertiary Education, Science and Technology Development report to the House how his ministry intends to rescue the stranded students;
- c) The Portfolio Committee on Higher and Tertiary Education, Science and Technology Development urgently inquire into the status and living conditions of Zimbabwe Students on bilateral scholarships in Algeria, Russia, Cyprus and other destinations and report its findings to the House.

31. HON. MAJOME
HON. MPALA

That this House takes note of the Report of the Zimbabwe delegation on the bilateral visit to Cuba held from 22nd to 20th October, 2017.

32. HON. A. MNANGAGWA
HON. TOFFA

DEEPLY CONCERNED with the hardships affecting orphans and vulnerable children in institutions and in Zimbabwean society in general;

APPLAUDING the great efforts that some Children's Homes are doing, given the prevailing difficult socio-economic environment;

NOTING WITH CONCERN the cultural barriers that discourage the practice of adoption of orphans and vulnerable children in Zimbabwe, and the apparent lack of clear policies and legal framework for adoption of these children;

COGNISANT that Zimbabwe is a signatory to regional and international instruments (African Charter on the Rights and Welfare of the Child; and the UN Convention for the Rights of the Child) that recognises the right to a name and identity as one of the fundamental human rights.

FURTHER COGNISANT that these rights are also enshrined in Section 81 of the Constitution of Zimbabwe;

DISAPPOINTED that in spite of the existence of these instruments, that protect and uphold the rights of the children, orphans and vulnerable children in Zimbabwe continue to face challenges in the acquisition of birth certificates.

DISHEARTENED that the withholding of birth records by hospitals due to outstanding maternal user fees, coupled with the prohibitive provisions in the current outdated Birth Registration Act, inhibit acquisition of birth certificates for children in difficult circumstances;

NOW THEREFORE, this House calls upon;

- a) The Ministry of Justice, Legal and Parliamentary Affairs to urgently review the legislation relating to child adoption and acquisition of birth certificates;
- b) The Ministry of Labour and Social Welfare and the Juvenile Courts to remove all bureaucracy associated with child adoption procedures.
- c) The Ministry of Labour and Social Welfare to ensure timeous disbursement of grants to Children's Homes;
- d) Churches, Traditional Leaders and Members of Parliament to champion the child adoption cause by making efforts to change people's attitudes and mind sets.
- e) The Ministry of Health and Child Care to stop forthwith the withholding of birth records for non-payment of maternity fees;
- f) The Ministry of Home Affairs and Culture to closely monitor and supervise the operations Registrar General's Office to ensure effective and diligent service delivery to the nation and to replicate the Electronic Queue Management System, currently found at the Registrar General's Office in Harare, to other centres especially the remote areas.
- g) Government to consider amnesty for birth certificate registration for all children in Zimbabwe without birth certificates for various reasons.

33. HON. TOFFA
HON. GONESE

That this House takes notes of the Report of the delegation to the 41st Plenary Assembly of the SADC- Plenary Forum held in Mahe, Seychelles from 4th to 15th July, 2017.

34. HON. CHAKONA

HON. MACHINGURA

That this House takes note of the Report of the delegation to the 136th Assembly of the Inter Parliamentary Union (IPU), held in Dhaka, Bangladesh, from 1st to 5th April, 2017.

35. Adjourned debate on the Second Report of Portfolio Committee on Lands, Agriculture, Mechanisation and Irrigation Development on Agricultural Colleges and Command Agriculture -(Adjourned 30th November, 2017 - **Hon. Rungani**).

[Days elapsed: 12]

Question proposed: That this House takes note of the Second Report of Portfolio Committee on Lands, Agriculture, Mechanisation and Irrigation Development on Agricultural Colleges and Command Agriculture. [S.C. 11, 2017] –**Hon. Chitindi**.

36. Adjourned debate on motion on the First Report of the Portfolio Committee on Health and Child Care on the Fact Finding Mission to Zambia on Cancer Management and Blood Services -(Adjourned 5th December, 2017 – **Hon. Rungani**).

[Days elapsed: 11]

Question proposed: That this House takes note of the First Report of the Portfolio Committee on Health and Child Care on the Fact Finding Mission to Zambia on Cancer Management and Blood Services (S.C.23, 2017)-**Hon. Mahiya**.

37. Adjourned debate on the First Report of the Portfolio Committee on Transport and Infrastructural Development on the Inquiry into the Turnaround Strategy for the National Railways of Zimbabwe -(Adjourned 28th November, 2017) **Hon Rungani**.

[Days elapsed: 13]

Question proposed: That this House takes note of the First Report of the Portfolio Committee on Transport and Infrastructural Development on the Inquiry into the Turnaround Strategy for the National Railways of Zimbabwe. (S.C. 13, 2017). -**Hon Nduna**

38. Adjourned debate on the Second Report of the Portfolio Committee on Transport and Infrastructural Development on the Inquiry into the Turnaround Strategy for the Central Mechanical Equipment Department (C.M.E.D.) (S.C. 14, 2017). – (Adjourned 29th November, 2017- **Hon. Rungani**)

[Days elapsed: 12]

Question proposed: That this House takes note of the Second Report of the Portfolio Committee on Transport and Infrastructural Development on the Inquiry into the

Turnaround Strategy for the Central Mechanical Equipment Department (C.M.E.D.) (S.C. 14, 2017). - **Hon. Nduna**

39. Adjourned debate on the Report of the Portfolio Committee on Women Affairs, Gender and Community Development on the Women Development Fund (WDF) projects. (*Adjourned 29th November, 2017 – Hon. Rungani*)

[Days elapsed: 12]

Question proposed: That this House takes note of the Report of the Portfolio Committee on Women Affairs, Gender and Community Development on the Women Development Fund (WDF) projects. (S.C. 16, 2017). – **Hon. Nyamupinga**

40. Adjourned debate on motion on the high cost of sanitary wear – (*Adjourned 9th January, 2018- Hon. Rungani*)

[Days elapsed: 9]

Question proposed: That this House-

ALARMED by the high cost of sanitary wear which has made it almost inaccessible to the majority of girls and women;

CONCERNED that the main producer of sanitary wear is faced with imminent closure;

FURTHER CONCERNED that schools are about to open and parents have to buy sanitary wear for their girl children;

NOW THEREFORE, calls upon the Executive;

- (a) To immediately and urgently give a directive to the Reserve Bank of Zimbabwe to provide the required foreign currency to the main producer of sanitary wear so as to avert the closure;
 - (b) To allow traders to import sanitary wear duty free as a short term solution;
 - (c) To allow the dispensation for duty free importation of the material used to produce sanitary wear as provided for in the last budget; and
 - (d) To implore upon the Non-Governmental Organisations and the donor community to assist in provision of sanitary wear to the less privileged womenfolk- **Hon. Misihairabwi -Mushonga**.
41. Adjourned debate on motion on appreciation and support for the measures being taken by H.E. the President E.D. Mnangagwa to rebuild Zimbabwe. (*Adjourned 11th January 2018 – Hon. Matuke*)

[Days elapsed: 7]

Question proposed: That this House:

INSPIRED by His Excellency, The President E. D. Mnangagwa's sterling inaugural address to the nation on Friday 24 November 2017 at the National Sports Stadium, envisaging a new dispensation;

ACKNOWLEDGING the measures already taken such as:

- (a) Efforts to stamp out corruption at all levels as demonstrated by the 90-day moratorium on those who externalized cash and assets, and
- (b) the meetings held with Permanent Secretaries and Public Service Commission highlighting the need to downsize government structures and appoint a lean cabinet, and retiring civil servants who have reached their retirement age.

FURTHER ACKNOWLEDGING the need to strengthen institutions of governance through separation of powers among the three arms of the State namely; the Judiciary, the Legislature and the Executive;

COGNISANT of the call by His Excellency to shun any forms of retribution and divisions as a way of fostering unity among Zimbabweans regardless of colour, creed, gender and ethnicity;

MINDFUL of His Excellency, the President's desire to revive the economy leading to the creation of jobs;

APPLAUDING the sentiments expressed towards restoration of international relations through engaging the international community;

NOW, THEREFORE, expresses its unequivocal and deepest appreciation and support for the measures being taken to rebuild Zimbabwe. - **Hon. Zindi**

42. Adjourned debate on motion on working towards objective Sustainable Development Goals (SDGs) and meeting requirements of the 2030 Agenda for SDGs and the Paris Climate Agreement (*Adjourned 31st October, 2017- Hon. Matuke*)

[Days elapsed: 17]

Question proposed: That this House-

DISTURBED by under representation and deprivation of women in socioeconomic issues and decision making;

FURTHER DISTURBED by the Executive has failed to implement gender equality and equitability on access to energy services and supplies;

NOTING WITH CONCERN that the Executive has failed to conduct an analysis on gender sensitive strategies and mobilisation of resources for purposes of boosting energy renewal and combating Climate change.

COGNISANT that the country as a member state that participates in International and Regional forums is a signatory and has ratified most instruments and Protocols at that level and is therefore obligated to provide basic services such as energy, water, roads and infrastructure to marginalised communities.

NOW THEREFORE, calls upon the Executive;

- (a) To work towards achieving the Sustainable Development Goals (SDGs) and meeting requirements of the 2030 Agenda for Sustainable Development Goals and the Paris climate agreement which emphasise the acceleration of private public cooperation under the deployment of new technology on Gender Inclusion in Renewable Energy;
 - (b) To make available equal opportunities to both men and women in their involvement in government policies and programmes related to Gender Inclusion Renewable Energy;
 - (c) To explore further advancement of technology on Gender Inclusion Renewable Energy; and
 - (d) That the Executive works closely with organisation and institutions responsible for renewable energy so that they share best practices. - **Hon. Chirisa**
43. Adjourned debate on motion on Code of Ethics and Conduct for Members of Parliament- (*Adjourned 17th October, 2017-Hon. Chamisa*).

[Days elapsed: 20]

Question proposed: That this House -

RECOGNIZING that in 1999, Parliament adopted the final report of the Parliamentary Reform Committee (PRC); and one of the recommendations contained in the report was that of establishing a Code of Conduct and Ethics and Implementation Register

for Members of Parliament.

ACKNOWLEDGING that the Constitution of Zimbabwe, in section 198 provides for the enactment of an Act of Parliament which must provide measures to enforce the provisions of principles of public administration and leadership, including measures to—

- (a) require public officers to make regular disclosures of their assets;
- (b) establish codes of conduct to be observed by public officers; and
- (c) provide for the disciplining of persons who contravene the provisions of Chapter 9 of the Constitution or any code of conduct or standard so established.

NOTING that the recommendation by the PRC and the requirement by the Constitution culminated in Standing Order 49 of the Standing Rules and Orders of the National Assembly.

COGNISANT OF the approval of the Code of Conduct and Ethics and Implementation Register by the Committee on Standing Rules and Orders on 21st of April, 2016.

NOW, THEREFORE, resolves that the Code of Conduct and Ethics and Implementation Register be adopted. – *Hon Chamisa*

44. Adjourned debate on motion on regional and gender imbalances in society-*(Adjourned 3rd October, 2017-The Minister of State in the Vice President and Minister of National Healing, Peace and Reconciliation)*.

[Days elapsed: 27]

Question proposed: That this House -

ACKNOWLEDGING that Section 18 of the Constitution provides for regional equality and states “The state must promote the fair representation of all Zimbabwe’s regions in all institutions and agencies of government at every level;

FURTHER ACKNOWLEDGING that Section 17 provides that “The State must promote full gender balance in Zimbabwean society, and in particular the state must promote the full participation of women in all spheres of Zimbabwean society on the basis of equality with men;

NOTING that both Section 18 and Section 17 place obligations on the state to take specific measures to rectify both regional and gender imbalances in society;

CONCERNED that the process of identifying providers of government services and government tenders are violating Section 17 and Section 18;

NOW THEREFORE resolves to call upon the Executive to ensure that:

- (a) All processes of identifying providers of services to government are conducted in a transparent and accountable manner;
- (b) Awarding of government and parastatal tenders promotes fair regional representation; and
- (c) A 30% quota of all government tenders are reserved for women. – **Hon Misihairabwi-Mushonga.**

45. Adjourned debate on motion on the closed Shabani – Mashava Mines (SMM) (*Re - instated 3rd October, 2017 –Hon. Holder*).

[Days elapsed: 51]

Question proposed: That this House:

RECALLING that the Shabani – Mashava Mines (SMM) closed more than 15 year ago and prejudiced over two thousand employees due to non-payment of salaries and wages, poor service delivery as well as deteriorating living standards as a result of poor maintenance of basic facilities such as sanitation, sewer and water reticulation system, roads and infrastructure among others;

NOTING that the credit status of the company has been getting worse since the closure of the mine;

COGNISANT that the company was a big contributor to the economy and that it is deteriorating;

CONCERNED at the consequences of not been reopened

WORRIED that the workers may never get what is due to them and also that the prospects of the re – opening of the mine may never dawn;

NOW, THEREFORE, this House resolves that:

- (a) Through the government, a board be set to run the affairs of the Mines
- (b) The board secures a new investor to resuscitate the Mines and that it be revived in line with dictates of the ZIMASSET Blueprint;
- (c) The welfare of the Mining community and the workers of these mines be improved;

and

(d) The flagship of the town be raised- **Hon. Holder.**

46. Adjourned debate on motion on stiffer custodial sentences for people who start veld fires-
(Adjourned 5th October, 2017– **Hon. Rungani**)

[Days elapsed: 24]

Question proposed: That this House:

AWARE that the veld fire season runs from the end of July to the end of October;

MINDFUL that frequent burning has serious implications on the environment, wildlife habitat, human health and livelihoods;

RECALLING that the impacts of veld fires range from severe environmental degradation to loss of property and life;

COGNISANT that Zimbabwe has received normal to above normal rainfall during the 2016/17 season;

NOTING that the growth of vegetation countrywide translates to high fuel load with a high probability of veld fire outbreaks during the dry season;

ACKNOWLEDGING that the fire prediction for 2017 season indicates 80% of high to extreme fire risk;

CONCERNED that human activities increase the frequency, extent and pattern of veld fires;

NOW, THEREFORE, calls upon the Executive to-

- (a) Amend the legislative framework that deals with veld fires so that it provides for stiffer custodial sentences for people who start fires; and
- (b) Take steps to ensure that court cases on environmental crimes are resolved speedily – **Hon Mudyiwa.**

47. COMMITTEE OF SUPPLY.

WEDNESDAY, 7TH FEBRUARY, 2018

QUESTIONS FOR ORAL ANSWERS.

◆ **QUESTIONS WITHOUT NOTICE.**

* **QUESTIONS WITH NOTICE.**

- *1. HON S. MANGWENDE: To ask the Minister of Health and Child Care to state the plans that the Ministry has put in place to avail clinical cancer testing centres across the country to ensure early detection of breast cancer.

[Deferred from 6th December, 2017]

- *2. HON. MAJOME: To ask the Minister of Environment, Water and Climate to state whether the proposal by the Harare Wetland Trust for the City of Harare to be awarded the Ramsar Wetland City status would assist the City in securing funding for the provision of water in the City.

[Deferred from 24th January, 2018]

- *3. HON MAJOME: To ask the Minister of Environment, Water and Climate to inform the House when the Ministry would gazette the new Harare Wetland Map that was produced by the Environmental Management Agency as well as the National Action Plan.

[Deferred from 24th January, 2018]

- *4. HON MAJOME: To ask the Minister of Environment, Water and Climate to state measures being taken to curb illegal occupation and farming on wetlands.

[Deferred from 24th January, 2018]

- *5. HON. MAJOME: To ask the Minister of Environment, Water and Climate to state whether the Ministry has approved the development activities taking place on Ashbrittle Vlei near Borrowdale, since it is a wetland and if so, whether the Environmental Management Agency had approved the Environmental Impact Assessment for such developments.

[Deferred from 24th January, 2018]

- *6. HON PHIRI F.: To ask the Minister of Mines and Mining Development to inform the House the RBZ loan beneficiaries in Kadoma, especially Kadoma Central Constituency.

[Deferred from 10th January, 2017]

- *7. HON NDUNA: To ask the Minister of Mines and Mining Development to state measures being put in place to cede the 300 Zimbabwe Mining Development Company Ward 10 houses to former and current employees of Elvington Mine in Chegutu, in accordance with the agreement entered into by the mining company and employees more than 10 years ago.

[Deferred from 24th January, 2018]

- *8. HON NDUNA: To ask the Minister of Mines and Mining Development to:
- a) state whether there are plans in place to give former Broken Hill Proprietary (BHP) Company Limited houses in Ward 11 in Muvovo District in Chegutu West Constituency to the former employees of the BHP, now ZIMPLATS.
 - b) Clarify the position of the Zibagwe Trust which is claiming ownership and rentals of houses by the former BHP employer to the employees.
 - c) state the amount left to the Zibagwe Trust in monetary terms, for the benefit of the former employees

[Deferred from 24th January, 2018]

- *9. HON. MASUKU P.: To ask the Minister of Local Government, Public Works and National Housing to explain
- (a) Why the Bulawayo City Council is failing to provide the reticulation system to households in Ward 26 Emnganwini in Nketa Constituency.
 - (b) Why the residents of millennium Houses in Ward 26 and Emnganwini Houses in Ward 26 at Emnganwini are not given a waiver to offset the rentals that they have been paying ever since they were built as it is their view that the City Council has over benefitted from such payments.
 - (c) Why the City of Bulawayo is not giving home ownership for free to residents of millennium houses at Emnganwini areas and to further state whether or not there is a deliberate attempt to ensure that a certain percentage is reserved for the locals.

[Deferred from 6th December, 2017]

- *10. HON MPOFU S: To ask the Minister Local Government, Public Works and National Housing to inform the House:
- (a) Whether or not it is Government policy to remunerate one of the parties in cases of disputed chieftainships, while the matter is yet to be resolved and if so.
 - (b) Whether such a position does not border on bias, prejudice and outright compromise on the other party which is not privileged to receive such payments.

[Deferred from 6th December, 2017]

- *11. HON MAJOME: To ask the Minister of Local Government, Public Works and National Housing to state:
- a) strategies the Ministry has put in place to mitigate against loss of life in the event of natural disasters such as veld fires, floods and landslides.
 - b) whether the Civil Protection Unit is adequately prepared to respond to natural disasters; and;
 - c) whether Government is considering setting up a Fund to compensate victims who lose properties in natural disasters.
- *12. HON. PHIRIF.: To ask the Minister of Primary and Secondary Education to inform the house when the Rimuka Primary School is going to be completed.

[Deferred from 6th December, 2017]

- *13. HON BUDHA – MASARA: To ask the Minister of Primary and Secondary Education to state the Ministry's policy position regarding boarding schools forcing parents to buy uniforms at schools at exorbitant prices whilst depriving them of buying elsewhere .
- *14. HON PHIRIF.: To ask the Minister of Defence, Security and War Veterans Affairs to inform the House
- a) What the Ministry is doing to assist War Veterans businesses that are facing financial challenges.
 - b) How much the Ministry has given to the Tinzweiwo Bus Company (Kadoma).

- c) Which projects are being supported by the Ministry in Kadoma.

[Deferred from 6th December, 2017]

- *15. HON. NDUNA: To ask the Minister of Defence, Security and War Veterans Affairs to state:

- a) Progress made in demining land mines in the Eastern Highlands and other affected areas throughout the country;
- b) The size of land which still require demining and;
- c) The amount of resources required, human and financial and the contribution of the Zimbabwe government and development partners involved.

- *16. HON PHIRI F.: To ask the Minister of Women and Youth Affairs to state women groups and individuals in Kadoma who have benefitted from loans and equipment programmes that the Ministry has started.

[Deferred from 6th December, 2017]

- *17. HON. NDUNA: To ask the Minister of Women and Youth Affairs to appraise the House whether there is any progress in the Establishment and capitalisation of the Empower Bank targeted specifically at the youths.

[Deferred from 6th December, 2017]

- *18. HON. NDUNA: To ask the Minister of Finance and Economic Planning to appraise the House on the progress the country has made towards the clearance of debts owed to the African Development Bank, the World Bank, the European Investment Bank and other multilateral institutions through the Arrears Clearance Strategy.

[Deferred from 6th December, 2017]

- *19. HON. GONESE: To ask the Minister of Finance and Economic Planning to disclose to The House the findings of the Commission of Enquiry headed by the Retired Judge Smith regarding the erosion of the Insurance Policies and Pension Plans due to the dollarization and demonetization of the Zimbabwean currency.

[Deferred from 6th December, 2017]

- *20. HON MAJOME: To ask the Minister of Finance and Economic Development to explain why the Office of the Auditor General continue to subcontract audit work to small private firms when it has qualified chartered accountants and is financially constrained.

*21. HON. MAJOME: To ask the Minister of Finance and Economic Development to inform the House when the Audit Office Board will be constituted more than seven years after Audit Office Act was enacted and to state when the Ministry would review the conditions of service for the Audit Office in the absence of such a Board.

*22. HON MAJOME: To ask the Minister of Finance and Economic Development to explain why the Office of the Auditor General is not independent in terms of its operational budget in line with best regional and international practices.

*23. HON. NDUNA: To ask the Minister of Industry, Commerce and Enterprise Development to inform the House on the impact of S.I. 64 of 2016 in terms of promoting local production and enhancing capacity utilisation.

[Deferred from 6th December, 2017]

*24. HON. NDUNA: To ask the Minister of Industry, Commerce and Enterprise Development what progress has been made towards the disposal of IDC's loss making units and reversal to its core function of venture capitalist.

[Deferred from 6th December, 2017]

*25. HON: CHIKOMBA L. To ask the Minister of Industry, Commerce and Enterprise Development to explain to the House, Government's position regarding prosecution of companies such as Ok Mart in Bulawayo which have two different pricing system, e.g. the shelf price and the till price.

[Deferred from 6th December, 2017]

*26. HON. MAJOME: To ask the Minister of Sports, Arts and Recreation to state measures being taken in ensuring equality between men and women in the Sporting field in terms of promotional activities and remuneration, considering that the Warriors were paid \$40 000 each for participating in the Africa Cup of Nations while Might Warriors were paid \$500 for participating in similar games.

*27. HON. MAJOME: To ask the Minister of Sports, Arts and Recreation to state when ZIFA would fulfil its promise to award residential stands to the Mighty Warriors Team which participated in the Africa Cup of Nations in Cameroon in 2015 and the 2016 Olympics in Brazil.

*28. HON. SARUWAKA: To ask the Minister of Lands, Agriculture and Rural Resettlement to:

- a) explain the discrepancies observed in the distribution of inputs under the Presidential Inputs Scheme considering that, some beneficiaries in some districts and wards are allocated more inputs compared to others from other districts and others receive the inputs at the onset of the planting season while others at the middle or towards the harvest time.
- (b) provide a schedule showing quantities of inputs allocated each district throughout the country, the number of targeted beneficiaries in each district and the dates on which they received their allocations.

BILL UNDER CONSIDERATION BY THE PARLIAMENTARY LEGAL COMMITTEE

1. *Public Health Bill (H.B. 7, 2017) - (Referred on 11th January, 2018) – The Minister of Health and Child Care.*
2. *Estates Administrators Amendment Bill (H.B. 8, 2016) – (Referred on 25th January, 2018) The Minister of Justice, Legal and Parliamentary Affairs.*