

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
WINDHOEK
11 OCTOBER 2018**

The Assembly met pursuant to the adjournment.

HON DEPUTY SPEAKER: took the Chair and read Prayers and the Affirmation.

**ANNOUNCEMENTS IN TERMS OF RULE
20(B) OF THE STANDING RULES AND ORDERS**

HON DEPUTY SPEAKER: I have a birthday announcement. Let us join hands together in congratulating Honourable Dr Iivula-Ithana on her birthday as well as tomorrow our Right Honourable Prime Minister will also celebrate her birthday, can we clap hands for them. May God Bless you and live long.

HON DEPUTY SPEAKER: Reports of Standing and Select Committees? Other Reports and Papers? I recognize okay quickly Deputy Minister of Finance.

TABLING: REPORTS OF THE AUDITOR-GENERAL

HON DEPUTY MINISTER OF FINANCE: (Not on microphone.)

11 October 2018

**TABLING OF REPORTS
HON NANDI-NDAITWA**

HON DEPUTY SPEAKER: Please table the reports. You did not wait for the red light. Okay I recognize Honourable Deputy Prime Minister.

HON DEPUTY PRIME MINISTER AND MINISTER OF INTERNATIONAL RELATIONS AND COOPERATION: (Not on microphone).

HON DEPUTY SPEAKER: Honourable Deputy Prime Minister can you just wait for the red light. Take out yes then you can.

**TABLING: POLICY ON INTERATIONAL
RELATIONS AND COOPERATION**

HON DEPUTY PRIME MINISTER AND MINISTER OF INTERNATIONAL RELATIONS AND COOPERATION: Thank you Honourable Deputy Speaker, I was saying last year I undertook to share with this Honourable House the Revised Policy on International Relations and Cooperation once it is published. I now lay upon the Table the 2017 Namibia's Revised Policy on International Relations and Cooperation for the information of this Honourable House. I so move Honourable Deputy Speaker.

HON DEPUTY SPEAKER: Please table the report. Thank you I recognize Honourable Kavekatora.

11 October 2018

**TABLING OF REPORTS
HON KAVEKOTORA**

HON KAVEKOTORA: Thank you very much Honourable Deputy Speaker. Mine is going to be very short and it is on the comment that the Honourable Deputy Minister of Finance meant to table these reports to this august House. I want to just demonstrate one typical example, the Regional Council of the Zambezi Region. The reports that are being tabled today in this House is for the Financial Years ended 31st March 2013, 2014 and 2015. This is the report that is being tabled in 2018.

You might recall that I put a question to the Honourable Minister of Public Enterprises about what we are going to do about some of these things. The report that has been tabled years after everything has been said and done, this report will go to the Public Accounts Committee, the Public Accounts Committee will have to do justice to such a report that is totally outdated. I want to humbly request because there is a law that makes provision that when your financial statement needs to be completed at a given point in time so that the audit can take place in a reasonable period of time and many are times these things do not happen and create chaos because when I come here and I put a report to this august House on findings of 2013 everybody will laugh at me because that is pre-historical data which has got no relevance to the current 2018 situation. So I want to humbly request again that we must do away with this type of reports because they are outdated. In many cases you will also be told that the Chief Regional Officer is no longer with us so I cannot respond to any questions and any irregularities that have taken place during the period when I was not there and I think that is not right. We are not doing justice to the scrutiny and the oversight responsibility. Thank you.

HON DEPUTY SPEAKER: Actually you raised a concern a relevant one I am sure the different Ministries and institutions will take note of that but I also note that there was a time when there was a heavy backlog of this type of this type of reports. Yes you can also bring to the attention of the Auditor General of the concern you raised here when you sit with him in the Public Accounts Committee can you not share it also?

11 October 2018

**TABLING OF REPORTS
HON KAVEKOTORA**

HON KAVEKOTORA: (Not on microphone).

HON DEPUTY SPEAKER: A comment again, okay.

HON KAVEKOTORA: Yes we followed that the bottleneck does not lay with the Auditor General the bottleneck lies with the completion of the financial pediment to be wedded.

HON DEPUTY SPEAKER: Okay thank you. Any other Reports and Papers? Notices of Questions? I recognize Honourable Van Wyk.

NOTICE OF QUESTIONS

HON VAN WYK: Thank you Honourable Deputy Speaker. Honourable Deputy Speaker, I move again Notice that on Thursday 24th October 2018 I shall ask the Honourable Minister of Environment and Tourism Honourable Shifeta the following.

Honourable Minister Oriental Tobacco Corporation a Chinese Company was granted an environmental clearance certificate by the Ministry of Environment and Tourism for a project in the Zambezi Region. It is alleged that an area pleaded so far exceeds the 10,000 hactares permitted and clearance still continue. I shall therefore ask the following:

11 October 2018

**NOTICE OF QUESTION
HON VAN WYK**

1. Could the Honourable Minister enlighten this august House the nation and the residence of the Zambezi Region in particular as to what the situation is with regards to the Sellor Farm in the Zambezi Region?
2. What measures does your Ministry have or will it implement to stop the illegal cutting down of trees in the area referred to as well as other areas in general?
3. What is the impact of the deforestation in the Zambezi Region on the Fauna and Flora at this stage about six years after the project has started?

Honourable Deputy Speaker I also give notice that on the 18th of October 2018 I shall ask the Honourable Minister of Land Reform Honourable Utoni Nujoma the following. Honourable Minister Namibia Oriental Tobacco Corporation apparently has a lease agreement with the Government through the Ministry of Land Reform. I shall therefore ask the Honourable Minister, could you enlighten the nation on the period of the lease agreement and how the local people and Government will benefit from the said agreement.

I shall move Honourable Deputy Speaker.

HON DEPUTY SPEAKER: Yes, table the questions. Next I recognize Honourable Van Den Heever.

HON VAN DEN HEEVER: Thank you Honourable Deputy Speaker, I hereby give Notice that on Thursday the 25th of October 2018 I shall ask the Right Honourable Prime Minister Honourable Saara Kuugongelwa-Amadhila the following.

11 October 2018

**NOTICE OF QUESTION
HON VAN DEN HEEVER / HON AUCHAB**

Several Motions and contributions have been tabled in this august House over the years. Some have been referred to the relevant Parliamentary Standing Committee for further deliberations and subsequently recommendations have been made. These recommendations have also been brought back to Parliament and further request the relevant Ministries and/or Departments for consideration and implementation. I would therefore like to ask the Right Honourable Prime Minister:

1. Can you please explain to this august House what is the stipulated procedure of implementing these recommendations?
2. How far have these recommendations been implemented? If there are any, please specify to us.
3. Who is answerable to this House for following up on the implementation of these recommendations and has there been any report back of the progress made so far?
4. If yes, are these reports readily available for us to view?
5. If no, we would like to know what is lacking and why?

I so submit, Honourable Deputy Speaker.

HON DEPUTY SPEAKER: Table the questions please. Next I recognize Honourable Auchab.

HON AUCHAB: Thank you Honourable Deputy Speaker. Honourable Deputy Speaker, I give Notice on Thursday 18th of October 2018 I shall ask the Deputy Prime Minister and Minister of International Relations and Cooperation Honourable Netumbo Nandi-Ndaitwah the following

11 October 2018

**NOTICE OF QUESTION
HON AUCHAB**

questions. Corruption undermines Africa we want visionary in the AU agenda 2063 which is the Strategic Framework for the Socio Economic Transformation of the Continent.

May the Honourable Deputy Prime Minister and the Minister of International Relations share with the Members of this august House how Namibia Government has embraced the SGDs who are at universal call action to end poverty and ensure that all people enjoy peace and prosperity.

Honourable Minister, what mechanisms have you put in place to advise the Government in addressing the challenges of illicit financial outflows reported by the United Nations Economic Commission for Africa show that there was an average US\$70 billion net initiate financial flow between Africa and the world annually between 2000 and 2015. I believe that you agree with me Honourable Minister that the fight against corruption must go hand in hand with sustainable development and strengthening of democratic governance and cooperations institutions. I so move Honourable Deputy Speaker.

HON DEPUTY SPEAKER: Please table the question. Any other Notices of Questions? Notices of Motions? None. Message from the Head of State? Ministerial Statement? Can we reach consensus in the order in which we will start because the Order of the Paper is only one item. Can we tackle that and then we go to the questions? Can we do that? (No response). Ha? Can we do that? Those in agreement, there is only one item and thereafter after we have finished this item we go to the questions. Those who say yes, hands up? Then I will go to the questions since it is not a popular proposal.

HON MEMBER: No, what is the problem?

11 October 2018

**BASIC EDUCATION BILL
HON IIPUMBU**

HON DEPUTY SPEAKER: No I saw people who did not (laughter). Can I humbly ask the (no order). The question is on the Order Paper we only have got one item and thereafter today is Thursday and Thursday traditionally is the day for the questions. I propose that we start with this one item and then we go to the questions. So agreed? Okay thank you.

When the Assembly, you can read the First Order?

**RESUMPTION OF DEBATE ON
SECOND READING: BASIC EDUCATION BILL**

SECRETARY: Resumption of Debate on Second Reading: Basic Education Bill [B.4 – 2018]

HON DEPUTY SPEAKER: When this Assembly adjourned yesterday the 10th of October 2018 the question before the Assembly was a Motion by the Honourable Minister of Education, Arts and Culture that the Bill be read a second time. I will now give the floor to the Deputy Minister of Industrialization, Trade and SME Development Honourable Lucia Ipumbu, you have the floor.

HON DEPUTY MINISTER OF INDUSTRIALISATION, TRADE AND SME DEVELOPMENT: Word of the Minister a happy birthday today and tomorrow respectively. I should first appreciate the efforts of the Minister of Education, Honourable Katrina Hanse-Himarwa and her deputy Honourable Ester Nghipondoka for tabling this very important Bill in this august House. We all know that basic education is the foundation of our country's development. This sector is one that is close to all of us

11 October 2018

**BASIC EDUCATION BILL
HON IIPUMBU**

and Government has made efforts that are commendable in trying to improve the accessibility and quality of education in Namibia. I would like to agree that all of us were concerned early this month or last month when it was reported that over 600 learners dropped out of school in Oshana Region in the first trimester. Some of them those dropouts were claiming that they are tired of learning repeatedly and these figures we all can testify that are worrisome and this Bill I believe is our hope in addressing some of these issues. If we be the guidance teachers at each school we need to be empowered to follow up on every drop out so that they determine the cause and the reasons before encouraging these young learners to return or to remain to school.

Honourable Members, I engaged some of the moderators who came to Windhoek a while ago to record the continuous assessment marked for learners. I am reliably informed that sometimes learners are subjected to a general fifteen marks deduction if their teacher was incompetent in teaching of the specific subjects thus at the end of the day it reduced the learner's probability to pass and you must therefore know that our teachers, their individual performance also have an impact in the academic performance of their learners. It is therefore my wish that Section 98 and page 74 the Bill should include a disciplinary measure for incompetent teachers especially those who have learners sitting for the national final examinations.

Furthermore, it has been reported that most of the private schools do not comply with the specific requirements that are set by various regulations in our education sectors. The notable one is that of the requirements in terms of qualification. Many of the private schools have matters with law that they are not supposed to be regulated 100% by our regulations go far beyond the normal standards. What we gathered is that they pay less in terms of currency and as such sometimes they pick unqualified teachers for them to be able to afford their parents as sometimes they do it as a reason for taxation.

In terms of qualifications all Namibian teachers and those that come from outside need to adhere and to be regulated by the standards required by the

11 October 2018

**BASIC EDUCATION BILL
HON IIPUMBU**

Education sector in terms of qualifications. Even if they are private schools they must be subjected to those national requirements. We also have a responsibility to safeguard the job opportunities of the Namibian young graduate teachers and I will call on the Ministry of Education in conjunction with the Ministry of Home Affairs and Immigration to monitor some of these private schools who sometimes are not adhering to the standards requirements of our education. I studied the Bill and I hope that there are certain points that I would wish to commend on.

On page 13 under the Sub Heading of loans and standards on basis education, is clearly outlined on page 47 that all schools that adhere in terms of infrastructure and capacity to specific set standards, the interventions on this regard contained in the Bill are welcomed. However, the standards should be applicable to private schools as well. We all know that private schools nowadays are another means of creating employment and another means of earning an income however, some of the standards are not compatible or are not in compliance with the requirements of a standard in terms of the school facilities.

Honourable Members, I visited a private school a while ago I was shocked and surprised in terms of the setup of the school. It is one-open-all that is demarcated with half rhino bond material, with classrooms that do not have doors and the infrastructures contained therein are just not up to standard. And on further enquiry when I found out that the prices that are being paid at that school is way above normal. One wonders what happens to the money that is paid for quality education and a conducive learning environment that is missing in some of that. The national standards that are set in terms of the school infrastructures should be applicable to all schools without leaving some out especially the private schools. In as much as we Government cannot regulate how private schools should charge their fees most of these schools charges are very exorbitant. Perhaps one can argue that we need to engage the Namibia Competition Commission or other regulatory authorities to examine how fair some of these fees and how they were determined.

11 October 2018

**BASIC EDUCATION BILL
HON IIPUMBU**

Some private schools charge as much as double what is paid at tertiary level and we recall that there was a public outcry a while ago when some Media released some information in terms of how much some schools charge around N\$70,000 per annum per learner, one wonders how do you justify such a thing irrespective of how well equipped that school could be.

It was also reported that some learners are subjected to some kind of cover clothes identification. Some learners at certain schools are given cover cards that identify them for those that will have paid get a green card, those that still owe a red card for the purpose of restricting them from entering the classrooms. This is dehumanizing irrespective of whether these are private schools. Dehumanizing especially for a young learner who does not know the reason why the school fees were not paid and sometimes this happens without the engagement of the parents or the guardians.

Honourable Deputy Speaker, Honourable Members, I would like to continue on page 14 under the sub heading of prohibition of physical or mental violence and initiation practicable against the learners. Considering the increase of violent incidences in our school there is a need for punishment measures to be instituted. In some instances school violence is met only with the school to deal with though it warrants drastic measures. One incident can take place at one school and it will be punished in a different way and another incident can take place at another school and will be punished in a different way. Here I am not including those that are supposed to be even serious to a level of being reported to the police. I believe it will be better and of great importance for us to set standards punishable measures so that we discourage school violence at all costs. For example, sexual harassment may be treated severely in one school and it may be treated wisely in a different school, however, we need a standard punishment for such acts.

On page 19 under the sub heading Integrated Early Childhood Development, I believe the Bill is providing guidance. However, I feel there is need for (indistinct) or ECD to make provision for the creation of

11 October 2018

**BASIC EDUCATION BILL
HON IIPUMBU**

the regional boards and national boards. On page 21 under the sub heading Learner Participation in School Governance this is the Clause that talks about learner representative council. There should be related on 50/50 basis so that we encourage gender equality already at that level. In addition, I also feel that there should be a portfolio amongst that Council or Committee of a portfolio that address the needs of physically challenged or special learners because we are saying we have an inclusive education but still we must flag out all that are with special needs because if they are not represented on leadership there might not be anyone to attend to their needs.

There also should be a requirement for learners to be first excelling in their academic performance before they are considered for leadership positions. This will serve us encouragement and motivation for those that would want to serve for them to lead by example in terms of their academic performance. Also discipline and leadership skills should be other considerations for such learners.

Honourable Deputy Speaker, Honourable Members I continue, on page 38 under the sub heading of Prohibition of Certain Items and Powers of Search and Seizure and the list of prohibited items it will be good to specify the commonly known items found with learners such as screw drivers, pangas, knives and sharp objects sometimes that are made of household utensils. You know a fork can be turned into a weapon and sometimes when it is carried by a learner it will innocently be considered as just another utensil. Again we need to look at Section (b) that talks about illegal drafts. It says only those that are illegal by the laws of Namibia however we know there are drugs that can be procured locally but not prohibited by the law. For example, we have steroids as a substance to stimulate muscle growth. These drugs are prohibited in sport and have a long term effect on the user hence they too need to be prohibited on school premises.

Additionally we also know that sometimes our young people consume drugs that are prescribed. For argument sake one can give an example of

11 October 2018

**BASIC EDUCATION BILL
HON IIPUMBU**

a container of (indistinct) syrup but once it is used below the normal required standards than what was prescribed by the doctor it also results into some undesirable effects. With all this and many other drugs such as and material search up mentholated spirit, benzene or apex they can easily be procured in any of our supermarkets and they are also not regulated in terms of Namibian law and regarded as drugs but we know that at school if they are used they can also cause disastrous effects. That is why you must also look at them and classify them as some of the dangerous items.

On page 38, Honourable Muharukwa you can take the floor after me. On the sub heading of Registration of Learners for Home Schooling: While we appreciate the development of home schooling we should also stipulate that assessment on this regard should be done by the qualified teacher or an assessor who is not a mother or a parent but is providing education at home because sometimes if we are parents and there are no set standards in terms of assessing our children we will believe they meet the requirements of moving to the next grades when in actual fact when we go on formal education they might not be up to standard. So assessment for home learners should be done by the system by qualified teachers.

Furthermore, I want to comment the year initiative by the Honourable Minister of friends of education. I believe these efforts will not go unnoticed. Likewise I also want to further encourage the communities and the private sector involved in extension to support Government not only by donating construction constructed classrooms and hostel accommodation but come together as community members to build community hostels. A while ago when I have been going around with the programme of the Namibia/German Special Initiative in some instances we felt community hostels that were built by members of the community to accommodate the learners especially in the marginalized communities of this country and those are commendable efforts that are meeting Government halfway. However, I do not want us to compromise on the standards because the Ministry of Education, Arts and Culture has specific set standards for such accommodation that they should meet the standards because once they have met the standards they have met the standards the

11 October 2018

**BASIC EDUCATION BILL
HON IIPUMBU**

Minister will actually certify them and they become Government properties.

Honourable Minister there is one specific item I want to address; I know there is a policy that was passed a few years ago that has abolished the arrangement of school facilities to be used for some other national or community activities. I would want to recommend that we revisit these items for I know there are some schools that were organized that were deriving a notable income from the use of facilities and therefore especially the halls there are schools that have big enough halls that can accommodate some other community activities but because of these arrangements it does not happen any longer and are sometimes missing on the income that was derived from such arrangements.

I know we all want to guard against the vandalism (intervention).

HON DEPUTY SPEAKER: Point of order? Yes?

HON MUHARUKWA: I must as well disrupt with the query for clarity if the Honourable Member would love?

HON DEPUTY SPEAKER: Would you like to accept a question from Honourable Member?

HON DEPUTY MINISTER OF INDUSTRIALIZATION, TRADE AND SME DEVELOPMENT: Yes.

11 October 2018

**BASIC EDUCATION BILL
HON IIPUMBU**

HON DEPUTY SPEAKER: Yes.

HON MUHARUKWA: Thank you Honourable Deputy Minister, you talked about the last aspect that you talked about, the crux of the clarity that I see is pertaining (intervention).

HON DEPUTY SPEAKER: Just talk through the microphone.

HON MUHARUKWA: Yes the crux of the clarity that I seek is pertaining benefit versus losses to schools. Perhaps the school would get a N\$5,000 from the use of its mobile given entity of person but at the same time we have also seen lately especially in the reports we have seen what happened to Ramatex, the toilets and the vandalism that public does to this effect. How do we weigh in your might if we are to revisit that, how do we weigh that the losses that occur from vandalism of public or whatever on school or State facility versus perhaps the immediate benefit that could come from there? Would you think that if we refer to that policy you actually do more harm in the long run whilst gaining and supposed to be a short term some income.

HON DEPUTY MINISTER OF INDUSTRIALIZATION, TRADE AND SME DEVELOPMENT: I would want to throw it back to you. Currently the private schools that we have that are making use of better arrangements and are earning an income from such facilities how much is the damage that you have assessed now that you said you have a report? What are the reports saying in terms of those that are earning an income? I believe facility usage just like all other facilities come with care and essential responsibility. All of us go to church, whichever church we go I

11 October 2018

**BASIC EDUCATION BILL
HON IIPUMBU**

know we are Christians and we all have a responsibility to maintain and keep that church clean and whenever it gets dilapidated we have a responsibility over it and churches are also used for memorial services and all other activities and I believe if there are rules and regulations that are to be implemented in all facilities there are applicable whether it is school whether it is hospital because if I am talking about events national activities or national events such as immunization campaigns and elections where we get the elected even if we speak here. These are all national activities that involve all of us and if you have an elderly who is supposed to come and vote or a young fragile baby that does not need to be exposed to some harsh weather conditions it would be better if they are to be accommodated in such facilities provided that care and care is observed at all times.

On that note then allow me to conclude by saying that our national (indistinct) and games have started. I encourage all of us to create a conducive environment for our learners. Many times we only focus on noise pollution that comes from the nearby bars and hang-out spots yet we ignore what is happening in our homes. We do have much other potential destruction to our learners for them to engage in their studies. Some of these are the Television Sets, the cell phones and our houses hold friends that come by and we laugh and have fun at the expense of the conducive environment for our children. It is therefore upon us as parents to assist our children in attaining the desired exams results. The education of our children is a collective responsibility which starts at home. In this year we must assist our children by continuously following their academic performance, following up on their continuous assessment marks because only then we can determine the level of their needs for us to assist them as they do their revision for I believe when they do their revision we need to be there for them and assist them and guide them all the way. So we must start like saying that charity starts at home and it continues at the community level before it reaches the teachers and the classrooms. I believe we have a role to play and I thank you and I support the Bill.

11 October 2018

**BASIC EDUCATION BILL
HON KAVEKOTORA**

HON DEPUTY SPEAKER: I recognize Honourable Kavekatora.

HON KAVEKOTORA: Thank you Honourable Deputy Speaker. Due to activities that are linked to this House I was out for some time and I could not apply my mind fully to this Bill and I would like to apply my mind fully to this Bill. I would like to ask for the indulgence of this House to postpone these discussions until next week Tuesday for my contribution.

HON DEPUTY SPEAKER: Tuesday the 16th, so the debate on this Bill is adjourned to next Tuesday the 16th. In the absence of anyone who would like to take the floor on the Bill we now go back to questions. I put question 76 put by Honourable Van Den Heever to the Minister of Sport, Youth and National Service, would you like to put the question?

HON VAN DEN HEEVER: Yes I put the question.

HON DEPUTY SPEAKER: Honourable Minister.

HON MINISTER OF SPORT, YOUTH AND NATIONAL SERVICE: Thank you very much Deputy Speaker. I rise to respond to a question asked by Honourable Jennifer Van Den Heever of the PDM, sorry my dear Honourable, pronunciation to me is always tough. As a Ministry and ultimate custodian responsible for the sports development in the country we took note of the recent newspaper reports nationally and continentally concerning the bribe allegations raised by the Namibian referee Mr Jackson Pauaza regarding the AFCON Football games. It is

11 October 2018

**RESPONSE TO QUESTION BY
HON VAN DEN HEEVER
HON UTONI**

thus common knowledge and no secret that match fixing and corruption in sport has a long history dating back at least 2800 years. It represents an ongoing threat to the integrity, reputation and societal welfare dimension of sport. It is an illegal activity that can be transnational and is typically directly linked to criminal networks exploiting unregulated gambling markets.

Current evidence indicate the pervasive nature of match fixing across all levels and that of sport courts. We have learnt in recent times that the key to the new form of match fixing has become globalization. In the last ten years the sport gambling markets like the music and travel industry has been literally transformed. Gamblers now in any part of the world can place a bet on almost any professional sport, event in almost any country of the world. These particular individuals travel the world on mission to fix sporting events by forming alliance with local criminals who in turn are able to form connections with corrupt players, referees and team officials. Honourable Members the Ministry of Sport, Youth and National Service therefore would like to comment Mr Jackson Pauaza the son of the soil for his bravery. Saying no to the temptation of being bribed is not an easy thing to do given the current economic hardships that we as individuals face. We are reliably informed that this was a third attempt this sporting crooks trying to convince Mr Pauaza but failed. This man is really a hero to us, yes. As a nation we applaud and should be proud of the exceptional behaviour that Mr Pauaza has shown in turning down such ill activities. He has demonstrated to be a man of good ethics and understand that crime does not pay.

Honourable Members to answer the Honourable Member's question of rewarding Mr Pauaza allow me to inform this august House that the Namibian Sport Commission has what is called the Namibian Sport Award. This annual event examines and identifies both men and women in sport including administrators with exceptional skills and talents for recognition. Thus it is up to systems such as the annual sport award that was put in place by the Government of the Republic of Namibia that is tasked to continuously identify or recognize as act and reward deserving

11 October 2018

**RESPONSE TO QUESTION BY
HON VAN DEN HEEVER
HON UTONI**

those that deserve. Let me assure this august House that the responsible Committee is always around every sporting event and interact with sport men and women on daily basis. Therefore as a nation and sport officials we must continue to put into place new forms of protection in terms of well crafted rules and regulations for the sporting games. The ultimate responsibility to keep sport clean for match fixing lies with the sport governing bodies.

It is therefore imperative that sport governing bodies have clear rules and for those rules to be communicated in an effective manner which is clearly understood by all participants, all competitors. Thus, in the Ministry of Sport, Youth and National Service we have come to terms that Mr Pauaza is a role model who has demonstrated that not only is corruption regarded as sabotage or progress but also an act that can prevent fair play in any given competition between teams.

So Honourable Members this is the only answer that I think I can provide that Mr Pauaza to us is a role model and is a man of ethics who does not want to be corrupted. So with this I thank you.

HON DEPUTY SPEAKER: Okay, normally 15:40 is our tea break so would you like to go for tea or we continue? (Noise I do not hear any. So we continue? Okay I put Question 77 put by, yes Minister of Health and Social Services Dr Haufiku.

HON MINISTER OF HEALTH AND SOCIAL SERVICES: Comrade Speaker I think we need to stand up and sit down again just to do this and then sit down. No it is very important. Can we stand? No we do not need to go away, just stand up please and then we stretch and then we sit down again.

11 October 2018

**RESPONSE TO QUESTION BY
HON VAN DEN HEEVER
HON UTONI**

HON DEPUTY SPEAKER: Can we stand? Yes, he is the Minister of Health.

HON MINISTER OF HEALTH AND SOCIAL SERVICES: And down here.

HON DEPUTY SPEAKER: And then sit.

HON MINISTER OF HEALTH AND SOCIAL SERVICES: Stand and sit down.

HON DEPUTY SPEAKER: Okay thank you.

HON MINISTER OF HEALTH AND SOCIAL SERVICES: Okay thank you very much.

HON DEPUTY SPEAKER: Thank you the next time what Honourable Dr Haufiku the Minister of Health and Social Services is telling us that we need tea break for health purposes but for the sake of time we cannot proceed. Next time we should adhere to the tea break. The next question is 77 put by Honourable Van Den Heever to the Right Honourable Prime Minister. Yes Right Honourable Prime Minister?

11 October 2018

**RESPONSE TO QUESTION BY
HON VAN DEN HEEVER
HON DR KUUGONGELWA-AMADHILA**

RT HON PRIME MINISTER: Yes sabotage from PDM. Yes Honourable Deputy Speaker, I thought the Honourable Member was going to withdraw the question because it is overtaken by events and I also found it to be quite interesting that at the time that the question is to be put the neighbour to the Honourable Member left the Chamber. Oh, I see he is returning now because I thought the neighbour was going to answer the question because the neighbour is one of the Members of Parliament who were designated to represent Parliament on the high level Committee preparing for the Land Conference at which the agenda and the list of invitees were discussed. Unfortunately the Honourable Member decided to, how do I say it? To leave Parliament and (intervention).

HON DEPUTY SPEAKER: And come back again?

RT HON PRIME MINISTER: In the middle of nowhere by abdicating his responsibility to go to the Land Conference as part of the High Level Committee citing reasons of his own political party forgetting the fact that he was deployed to the High Level Committee by Parliament not by his own political party.

That notwithstanding I would like to say two more things besides that point the list of attendees was on display at the Land Conference and anyone who was at the Land Conference had an opportunity to view the list and I know that all Members of Parliament were invited to the Conference and the Rule Book (ZISWA) that we have press that Members of Parliament are to ask questions in order to raise queries on issues that they need information on which information they do not access but now if you put information into the public domain and the person decides I am not going there to look at that information and decides to come to Parliament and say Prime Minister must provide me with that information that was put in the public domain which they decided not to look at then I

11 October 2018

**RESPONSE TO QUESTION BY
HON VAN DEN HEEVER
HON DR KUUGONGELWA-AMADHILA**

believe that is no longer upholding the spirit of the rules of the House that we have adopted, that is secondly.

That notwithstanding I would like to say the following because I am a very accommodating person. That question 77 I am a very accommodating person, first and foremost the list is available, has been available since the first day of the Conference and the list would also be available together with the report when it is issued to the public besides the live coverage Television, Radio, Newspapers and social media that was giving in this Land Conference. There will still be a formal report and that report would contain the attendance to the conference that is first and foremost. There would also be a report of the High Level Committee that would include the list of invitees so that one will be able to tell who was invited but did not attend that is the second one. Now the other policy ordinarily falls away (interruptions).

If that Honourable Member who asked the question on this issue I just would like to tell the Member I would not answer because he walked out of the High Level Committee (intervention). That specific Honourable Member cannot ask me a question (intervention).

HON DEPUTY SPEAKER: Can we listen please? Can all of us listen?

HON VAN DEN HEEVER: (Not on microphone).

RT HON PRIME MINISTR: No, okay I know what you are going to do. You also boycotted the conference where we provided this information. Anyway me being a very accommodative person let me go on and answer the question. I have

11 October 2018

**RESPONSE TO QUESTION BY
HON VAN DEN HEEVER
HON DR KUUGONGELWA-AMADHILA**

also explained several times before that we could not have two plus million Namibians attending this conference, it does not have to be anywhere in the world that you can have the Consultative Platform where each and every individual be they a natural person or a juristic person would be in attendance. It is for that reason that we have a Parliament where we exercise the sovereignty of the citizens of Namibia. Only us we take decisions on their behalf. It is only us Members of Parliament that can amend the constitution but that constitution becomes a fundamental law of the State.

The only thing that we do to make sure that the laws that we pass here reflect the wishes of the Namibian people is to consult prior to formerly adopting decisions to pass these laws and we have done that at the Land Conference and what we have done to make sure that those people's voices can still be heard with our ears at the conference is to make sure that representative bodies were invited but I do not think that it would be practical for somebody to ask me a question why some institutions were not invited. You want to say I must invite each and every structure that calls itself an institution in the Republic of Namibia to that conference, absolutely not. Actually you were at that High Level Committee you had the opportunity to propose. We have recommended, we have accommodated the recommendation in regard to the bursary as I am supposed to take.

HON MUHARUKWA: (Not on microphone).

RT HON PRIME MINISTER: You see you do not have a moral high ground even to say I must answer because you walked away when we wanted to brief you. (Intervention).

11 October 2018

**RESPONSE TO QUESTION BY
HON VAN DEN HEEVER
HON DR KUUGONGELWA-AMADHILA**

HON DEPUTY SPEAKER: Right Honourable Prime Minister sorry.

RT HON PRIME MINISTER: I wanted to brief you, you walked away. You cannot come back to demand answers that I was trying to offer to you voluntarily and you rejected. Yes so in what capacity was the General Martin Shali invited? I am not aware of any invitation which came from General Martin Shali. I know that there was a draft list which included me but the final list that went out went to the Head of the Veterans Association and you would have known that also if your Members did not boycott the conference.

HON DEPUTY SPEAKER: Can we listen?

HON VAN DEN HEEVER: (Not on microphone).

RT HON PRIME MINISTER: Question number 4 falls away as a result of the answer to question number 3.

HON DEPUTY SPEAKER: Yes Chief Whip can you listen to the Honourable Prime Minister.

11 October 2018

**RESPONSE TO QUESTION BY
HON VAN DEN HEEVER
HON DR KUUGONGELWA-AMADHILA**

RT HON PRIME MINISTER: It was the leaders of this association that were invited not General Shali. If he was there he was there in another capacity but we did not invite him as, yes. Why are the dictators of genocide? I think this falls away the dictators of genocide were there. Thank you very much.

HON DEPUTY SPEAKER: Thank you. I would like to give the following up question by the person who asked the question. (No order). Sorry can we understand one another. The question was asked by Honourable Van Den Heever. Logically, legally, rule wise she is supposed to come and follow up (noise and no order)

HON MUHARUKWA: (Not on microphone).

HON DEPUTY SPEAKER: No you could have raised already because she has already finished. You can only raise a point of order while the person who is supposed to answer is standing. No, I did not give you the right to talk please. Fromm now onwards we must follow the rules. I can no more tolerate anyone who, no please sit down Honourable Member, you are a lawyer and you are also Member of Parliament and I know in Courts you follow the rules. Honourable Van Den Heever (intervention).

HON MUHARUKWA: (Not on microphone).

11 October 2018

**RESPONSE TO QUESTION BY
HON VAN DEN HEEVER
HON VAN DEN HEEVER**

HON DEPUTY SPEAKER: No, I am telling you to follow the rules. I am saying and even when you stand you are out of order you were not given a chance. No, Honourable you cannot have the floor I did not give you the floor. I did not give you the floor sit down. I humbly ask you to sit down. Honourable Van Den Heever do you have follow up question?

HON VAN DEN HEEVER: Honourable Deputy Speaker, I think it is just fair that you would really give Honourable Muharukwa the chance to defend himself. Now give me chance now I am on the floor. Give me the chance please because (intervention).

HON DEPUTY SPEAKER: Can we listen to one another? Can we listen? Do you have a follow up question to what the Honourable Prime Minister said?

HON VAN DEN HEEVER: What I want to say Honourable Deputy Speaker is that the Prime Minister implicated Honourable Muharukwa in this (interruption).

HON MUHARUKWA: I am not (indistinct) to defend myself.

HON VAN DEN HEEVER: And I stated the question and I said to her respond to the questions because I asked the questions but you decided to implicate him and said that he knew about this list and when I asked this question (intervention).

11 October 2018

**RESPONSE TO QUESTION BY
HON VAN DEN HEEVER
HON VAN DEN HEEVER**

HON DEPUTY SPEAKER: Can we listen to the person who put the question.

HON VAN DEN HEEVER: When I asked the question (intervention).

HON MEMBER: This is the rule.

HON VAN DEN HEEVER: What rule are you talking about? When I posed this question in this House Honourable Deputy Speaker (intervention).

HON DEPUTY SPEAKER: Yes, Honourable all of you.

HON VAN DEN HEEVER: I am talking; I am stating my things. Before she said that I had the chance to be at the Land Conference to see to that list now when I posted this question it was prior to the conference and there was a draft list circulated and it was because of that draft list that I posted this question but then now (interruptions).

HON DEPUTY SPEAKER: Can we listen to one another? Can we listen to one another everybody?

11 October 2018

**RESPONSE TO QUESTION BY
HON VAN DEN HEEVER
HON VAN DEN HEEVER**

HON VAN DEN HEEVER: Now you allowed the Prime Minister to make the political statement. You allowed her to make that political statement.

HON DEPUTY SPEAKER: No Honourable Van Den Heever can you stand up. Just state what you want to follow up as a follow up question to the Prime Minister.

RT HON PRIME MINISTER: Let us proceed because there is no follow up question to me. Let us proceed.

HON DEPUTY SPEAKER: Before I proceed to another question I should think all of us are honourable and all of us are having been elected to represent our followers. We must adhere to the rules. I will kindly ask everybody, I said everybody, what are you saying? Everybody to adhere (interruptions from Honourable Van Den Heever).

No honourable Chief Whip just sit down. I expect everybody to follow the rules. I expect everybody, I have heard what Honourable has said (intervention).

HON MUHARUKWA: (Not on microphone).

HON DEPUTY SPEAKER: I am not going to follow it I will ignore it. I just want everybody to follow the rules and to behave like Members of

11 October 2018

**RESPONSE TO QUESTION BY
HON AUCHAB
HON ALWEENDO**

Parliament really. I would like now to put the next question is 78, the question is put by Honourable Auchab to the Minister of Mines and Energy. Honourable Minister would you like to answer the question?

HON MINISTER OF MINES AND ENERGY: Thank you Honourable Deputy Speaker. Maybe just in a bit of a moment to cool down the tempers a bit, my question is probably as the previous question but Honourable Deputy Speaker, let me thank the Honourable Auchab for the question and then I would like to answer it as follows.

The first question was with regards to and it says, the Minister to appraise the august House on the methods and policies the Ministry has impact on to prevent producers and suppliers from building huge profits into tariffs so as to keep (indistinct) affordable. Honourable Deputy Speaker, I would like to answer as follows:

In line with international basic practises the SADC Region Energy Ministers Council adopted the principle of course reflective tariffs for electricity as far back as 2004 and approve the migration towards full cost recovery serving a deadline for December 2013 for all SADC Member States to reach full cost reflectivity. In 2005 Cabinet also resolved that tariffs should reach and remain cost reflective by the Financial Year 2010/2011 which target period was reversed to the financial period of 2011/2012 and so far we have reached the target. Honourable Deputy Speaker, cost reflective tariffs are tariffs that reflect the true cost of supplying electricity and remove any reliance on external subsidies. All budget allocations from Government to cover the variance between current tariffs and true costs of producing, transmitting and distributing a unity of electricity, therefore cost reflective tariffs are important in order for us to attract investment in generating projects in the industry. Although the Government has adopted this SADC Energy Ministers' principle of cost reflectivity we are aware that cost reflective tariffs place at sometimes a heavy burden on the final consumers especially the poor

11 October 2018

**RESPONSE TO QUESTION BY
HON AUCHAB
HON ALWEENDO**

and the vulnerable. Therefore in an attempt to ensure that the customers are treated equitably the Government through the Ministry have devised the national electricity support tariff mechanism. This entails to make electricity more affordable through a subsidized tariff to household consumers on connection capacity of below 15 AMPs.

Furthermore before approving a tariff the ECB consultant takes into consideration the expectations of key stakeholders including the Government, Private Sector, Licensees and also consumers. The regulators considers many factors including national development plans and also our Government policies. The regulator also further assesses the likely impacts that tariffs may have on the end consumers and the Namibian economy at large. The Ministry will continue to closely oversee the regulation of tariffs through the ECB and attempts to keep tariffs as affordable as possible.

The second question was about measures that the Minister has taken to ensure that Namibia is identifying new means to get more electricity locally to make more accessible and affordable. It is more or less similar to the previous question but Honourable Deputy Speaker let me answer this one as follows.

The Ministry had developed the National Integrated Resource Plan (NIRP) which was approved in 2017 and the National Integrated Resource Plan (NIRP) is a twenty year development plan for our electricity supply industry for the period 2016 to 2035. That road plan provides projections of the future electricity demand and also identifies a means of these post electricity generation options in order for us to meet the country's electricity needs. Given the abandoned resources Namibia is endowed with especially the renewable sources such as solar, wind and biomass Government thought it prudent to draft an independent power producer policy that outlines the key provisions of the Government's commitments to encourage private investment in Namibia's power sector and also to apply the power market model crossing regime procuring approach and the requirements for the IPPs to develop power generation

11 October 2018

**RESPONSE TO QUESTION BY
HON AUCHAB
HON SCHLETTWEIN**

projects and see plus is for implementing the projects. Honourable Deputy Speaker, those were the answers for the two questions from the Honourable Auchab, thank you very much.

HON DEPUTY SPEAKER: Yes thank you. Any follow up question Honourable?

HON AUCHAB: Thank you very much for your response.

HON DEPUTY SPEAKER: Thank you so much. I put question number 8 from the same Honourable to the Minister of Finance. Honourable Minister of Finance would you like to respond to Question number 80? Okay.

HON MINISTER OF FINANCE: Thank you Honourable Deputy Speaker. Honourable Auchab posed the question regarding the readiness of Government to adopt and implement the International Public Sector Accounting Standards in its accounting and financial reporting table. Honourable Speaker, Honourable Members the International Public Sector Accounting Standards (IPSAS) in its accounting and financial reporting paper.

Honourable Speaker, Honourable Members, the International Public Sector Accounting Standards or (IPSAS) as we know it accept or are bound to accounting standards issued by the IPSAS board which is an international board to guide the operations of the Government and the public entities financial sectors. It constitutes of a migration from a cash

11 October 2018

**RESPONSE TO QUESTION BY
HON AUCHAB
HON SCHLETTWEIN**

based accounting system to an accrual based accounting system is adopting IPSAS and therefore the accrual accounting we believe these are necessary reform for Central Government. However, such a reform or such reforms take time to realize and we should not just adopt them for the sake of adoption so before we are ready we have the systems in place. That was a capacity and enabling legislation and conditions have to be put in place before implementing such a reform. This capacity building and the creation of the enabling environment is a prerequisite for actually migrating from a cash base to an accrual basis accounting system.

For the Central Government this reform initiative requires a number of prerequisites such as the change of as I said:

- (a) The development of policies, standards and processes,
- (b) Development of more advanced accounting skills and
- (c) The change to the integrated financial management system that is the ID Platform through which we handle our accounting systems.

The Ministry of Finance has made progress and early steps towards adopting IPSAS such as we have commenced with capacity building among the Government officials through capacity building initiatives with the IMF. We have a working group. We are on the IMAS part of. The recent capacity building exercise in this regard was undertaken in July this year that was the last with a focus to improve the ability to become IPSAS compliant. This capacity building event was equally attended by all Offices, Ministries and Agencies including the Auditor General's Office and of course on old based approach is an effort to once ready we have capacity in all Offices. Work to modernize the legal framework that is to transform the State Finance Act into a new Public Finance Management Bill is underway and elements that are representing the IPSAS migration are contained in the working documents.

Now the second question that was containing whether the Minister can share how adoption and implementation of IPSAS will disclose the

11 October 2018

**RESPONSE TO QUESTION BY
HON AUCHAB
HON SCHLETTWEIN**

accruals accounting system, a comprehensive view of the State financial performance or give a period of what benefit it will have for the country? Honourable Deputy Speaker, IPSAS provide the framework for the preparations of financial statements on accrual basis of the accounting and therefore plays a significant role of the financial reporting of Government and public entities. In accrual accounting for instance revenues are reported on earning not when money is received which is the case on the cash basis. Whilst expenses are reported when incurred, but not when paid again pay is on a cash basis system. Thus accrual accounting will provide a more comprehensive view and accountability by covering all investments, assets, liabilities, payables, receivables and inventories. Accrual based IPSAS will benefit Namibia to reflect the full economic impact for better decision making, enhance financial accountability, transparency and governance. It will also ensure consistence and financial reporting with public entities and international organizations.

Lastly, the question is a statement which says that, Honourable Minister I strongly believe that you will agree with me that Namibia needs more accountability in State finances and therefore the adoption of IPSAS will enable us to migrate from cash basis accounting systems through a Cabinet Resolution for public finance policy from the Ministry of Finance. As I said we are in agreement that an accrual based accounting system would give more relevant and more parallel information set to Parliament to the public of how public finances are expended. However, if the capacities are not there heavily deserted framework is not there, a Cabinet decision or administrative action will actually be a nullity because you have to have the legal framework and the ID Statistics in place to effectively move into that direction and we are in the progressive base to prepare for legislative framework, prepare the ID systems, prepare the capacity and once we have that we can migrate so it is not possible to take the decision how while we have got the systems in place.

But (indistinct) want to go that route is there, I thank you.

11 October 2018

**RESPONSE TO QUESTION BY
HON DIENDA
RT HON DR KUUNGONGELWA-AMADHILA**

HON DEPUTY SPEAKER: Thank you. Honourable any follow up questions?

HON AUCHAB: Thank you very much Honourable Minister, you did well because as a country we are moving in a direction thank you very much.

HON DEPUTY SPEAKER: Thank you so much. Question number 87, sorry pardon me, question number 81 is the question put by Honourable Dienda to the Right Honourable Prime Minister. Would you like to put the question?

HON DIENDA: I would like to put the question.

HON DEPUTY SPEAKER: Right Honourable Prime Minister.

RT HON PRIME MINISTER: Honourable Deputy Speaker, the Honourable Member put a number of questions to myself which I am going to respond to as follows. The third question was, there was an introduction I am going to go straight to the question because I cannot respond to what was in the newspaper but the individual questions I am going to respond to them one by one.

11 October 2018

**RESPONSE TO QUESTION BY
HON DIENDA
RT HON DR KUUNGONGELWA-AMADHILA**

The first question is, which categories in Government qualify for fixed overtime payment according to the Public Service Act? The answer is, the fixed overtime is the mechanism and administrative mechanisms designed to overcome an administrative burden due to the frequency of overtime claim by the affected job categories on the public sector and the Public Service whose jobs require them to perform overtime consistently on a daily basis. Within the Ministry of Health and Social Services the following categories are receiving fixed overtime:

- (a) Medical officers
- (b) Medical Superintendents
- (c) Specialists,
- (d) Dentists and
- (e) Pharmacies.

In the Ministry of Agriculture, Water and Forestry the job category is the Veterinarians receive the fixed overtime allowance but this is an administrative mechanisms as I said not a statutory provision under the Public Service.

Then question number 2. Which criteria are being used to determine the amounts paid to service providers providing services to the Government on fixed term? The answer is the criteria are the following:

- (a) Inevitable overtime work on a regular basis must be prudent through the submission of actual overtime claims for a period of 12 months not in order to qualify to get the fixed allowance for overtime.
- (b) If it is established that overtime is worked on a regular basis a number of normal and standee overtime hours are determined based on the actual claims submitted. This is then taken up in an agreement that is

11 October 2018

**RESPONSE TO QUESTION BY
HON DIENDA
RT HON DR KUUNGONGELWA-AMADHILA**

signed by each staff member with the employer. The current agreement provides for nine normal hours and three Sunday hours per week and,

- (c) The amount paid is calculated as prescribed in Section 17 and Section 10 of the Labour Act of 2007 for the payment of overtime per hour whether that is normal overtime or Sunday hours. The annual salary of the functional level of the job category concerned is used to calculate the hourly rate as prescribed in Section 10 of the same Labour Act. That amount is then used to calculate the fixed overtime allowance.

The third question was, if a service provider or staff member is on study leave, sick leave or annual leave what happens to this fixed overtime payment in his or her absence? Answer: The fixed overtime allowance continues during periods of annual leave and sick leave that is no longer than 30 days only for annual leave and sick leave and when these are no longer than 30 days. It is discontinued for a period of study leave. The persons on study leave are not working so they do not get this. However, Government continues to pay fixed overtime to registrars which are medical officers pursuing specialization training programme while on special study leave with full remuneration especially those specializing at South African teaching hospitals. The Namibian Government complete an undertaking form from the Department of Home Affairs in South Africa as part of secondment of these students to do practise there which states that the Namibian Government shall pay the Registrar of salaries during the specialization training before they are accepted for such teaching in hospitals they would not be admitted you do not make that cross arrangement.

The reason why the Registrars retain their fixed overtime is due to the fact that they are doing calls and work on a work sheet of 52 hours the same as other medical officers at home for which they are not eligible to be compensated by the teaching hospitals because they are in supernumerary positions. So in other words they are saying they are working, the South

11 October 2018

**RESPONSE TO QUESTION BY
HON DIENDA
RT HON DR KUUNGONGELWA-AMADHILA**

Africans cannot pay them because they are not their people. They are doing that by paper by allowing them to be there and if they were doing work here in Namibia we would be paying them so we have agreed to continue to pay them that amount so this is an exception for them because of the nature of the work that they do.

Question number 2, how comparable are these salaries against the amounts number of patients required to be attended to per day, per week or per month? Answer: The abovementioned health professional salaries are fixed per job category as speculated in the Public Service Personnel Administrative Measures (PSPAM) and not by number of patient seen.

Then the fifth question: Is it true that these doctors are only allowed to see seven patients per week? Answer: No there is no such a practise in the Ministry of Health and Social Services. Question number 6, what is the possibility of a revision of this law to allow service providers that is now staff members, doctors, dentists and so forth to be paid according to work done as compared to the current fixed income seen not to be monitored? Answer: The revision is already ongoing inspite of the fact that some of the parts of the report were not correct. I am indicating that there is a revision that is currently ongoing and the payment of overtime is a basic condition of employment as prescribed by the Labour Act and has to be paid when the conditions of employment demands the payment of overtime. However, the employer can make organizational changes and employment arrangement that prevent work to be done in excess of the prescribed hours of work and therefore the payment of overtime as indicated because sometimes people are required and need to do work for much longer than they would otherwise be allowed under the Labour Act. They are willing to render their services because we are faced with a critical shortage of staff to deliver critical services so the law does allow that special arrangement to be made thus would allow us to live within our means and this is what has happened.

Therefore, if the reasons that compelled that the working of overtime is no longer there the payment of overtime whether in the format of claiming

11 October 2018

**RESPONSE TO QUESTION BY
HON DIENDA
RT HON DR KUUNGONGELWA-AMADHILA**

for each hour separately which is a standard practise or in the form of an allowance can be discontinued. The overtime allowance itself can therefore not be considered as an entrenched condition of service that cannot be changed. The current arrangement was mainly due to a shortage of staff members in the job categories indicated as I indicated earlier. This has changed overtime and as a result the fixed overtime arrangement will be revisited with the aim to revert back to the claiming of overtime in the normal manner if and when overtime work is required. So once we reach the desired level of staffing then we will be able to operate normally and then we go back to the normal way of remunerating overtime.

Question number 7: Can provision be made for a proper and transparent monitoring system to avoid abuse and corruption? Answer: A system of monthly reporting and provision of statistical information on various human resource functions is being developed and implemented in this regard. The payment of the fixed overtime allowance is part of that. The results out of that review will be used to determine future policy change separately.

HON DEPUTY SPEAKER: Thank you. Any follow up questions?

HON DIENDA: (Not on microphone).

HON DEPUTY SPEAKER: Okay thank you. Question number 82 is the question put by Honourable Nauyoma to the Deputy Prime Minister and Minister of International Relations and Cooperation. Honourable Deputy Prime Minister would you like to answer the question?

11 October 2018

**RESPONSE TO QUESTION BY
HON NAUYOMA
HON NANDI-NDAITWA**

HON DEPUTY PRIME MINISTER AND MINISTER OF INTERNATIONAL RELATIONS AND COOPERATION: Thank you Honourable Deputy Speaker, Honourable Members and thank you Honourable Nauyoma for asking this question I really noted your interest on international relations based on the question that you did pose. The question is very clear but you have to understand this question could have been maybe directed to the implementing Ministries because it is more of the Justice or Safety and Security. Nevertheless I am ready to inform you what the Ministry of International Relations and Cooperation has done being a facilitating Ministry. What we have done we have linked up with our colleagues in Angola of course working together with the Ministry of Justice as well and the Ministry of Safety and Security. As a result of those engagements Namibia and Angola signed a Treaty on extradition on the 24th of October 2007 and an agreement on the transfer of sentenced offenders or persons deprived of liberty on the 5th April 2018.

Now notwithstanding that willingness expressed by both countries to strengthen their judicial diplomacy I have to say that both the Treaty and the Agreement has not yet gone through the national or domestic legal procedures in both countries. So as a result they have not yet entered into force because the two Parliaments have to consider and then permit or ratify the two instruments so where we stand now as a Ministry we are just waiting for the two Governments using the appropriate offices to indicate to the Ministries of International Relations and Cooperation as to when they will finalize the process and then from there we will facilitate to ensure that the instruments are deposited in both countries. So that is the answer I can give to you Honourable Member. Thank you very much.

HON DEPUTY SPEAKER: Thank you. Any further questions or clarity?

11 October 2018

**RESPONSE TO QUESTION BY
HON NAUYOMA
HON NAUYOMA / HON NANDI-NDAITWA**

HON NAUYOMA: Thank you very much Honourable Deputy Speaker. Honourable Netumbo Ndaitwah thank you very much for the answer but I think the sooner our two Governments facilitate these agreements the better because the complaints are coming from the Police officers especially on the border sides that they are to move over and there is no instrument for them to follow up and it makes it very difficult for them to operate. But in the absence of that agreement being ratified I think we hope and pray that this process must be speeded up in order for the smooth running of our especially for our borders. Thank you very much.

HON DEPUTY SPEAKER: Yes Honourable Minister.

HON DEPUTY PRIME MINISTER AND MINISTER OF INTERNATIONAL RELATIONS AND COOPERATION: Thank you very much Honourable Member for your understanding of the explanation and as you understand there are two Governments that are involved but we will do our part through the diplomatic channels and contacts working with the specific line Ministries in both sides just to see how best we can speed up that process but we understand when there are two countries involved it is not as easy as when you have one country that is doing the domestic policy or domestic law. In case Members want to see the copies I have them available of the two documents so I can make them available just for you to know and which are signed.

HON DEPUTY SPEAKER: Thank you. The next question is question number 83 was ruled out. We go to question number 84 by Honourable Auchab to the Minister of Agriculture, Water and Forestry, would you like to put the question to the Honourable Minister of Agriculture, Water and Forestry?

11 October 2018

**RESPONSE TO QUESTION BY
HON AUCHAB
HON !NARUSEB**

HON AUCHAB: (Not on microphone).

HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:

Thank you Honourable Deputy Speaker. I would also like to thank Honourable Auchab for the questions that I shall respond as follows. I will not read the questions Honourable. The food and agriculture organization of the United Nations that is FAO in short, define agriculture to include crop and livestock production, fisheries and forestry amongst others. Therefore the calculation takes into account budget allocated to the Ministry of Agriculture, Water and Forestry, Ministry of Fisheries and Marine Resources and the Ministry of Land Reform during the 2018/2019 and in terms of the definition I mentioned earlier Treasury allocated a combined budget of almost N\$2,900,000 which is 4.91% of the national budget which is N\$58,500,000,000 that is the national budget. The average allocation during the 2016/2017 to 2018/2019 Financial Years were 5.3%. Before it is clear that our Government and then we are not pointing fingers we are as Government leaders including yourself as Members of the National Assembly very mindful of the financial situation that our Government is dealing with. Now our Government has not achieved the Maputo Declaration target of allocating 10% of the national budget to agriculture which is largely attributed to limited financial resources which should cater for a lot of development priorities and public needs. We know that there are conflicting demands on the Treasury. Our Government is committed to uphold the commitment towards the Maputo Declaration as well as Malabo Declaration to increase the allocation of 10% of the total national budget to agriculture and thus achieve the 6% growth that we should have been agriculture.

Crop and livestock production, fisheries and forestry are critical sectors of the Namibian economy and I can only urge all of us including our august House to jointly consider the Maputo Declaration during the allocation of the national budget to the relevant Ministries in order to improve the

11 October 2018

**RESPONSE TO QUESTION BY
HON AUCHAB
HON !NARUSEB**

current share of the national budget. I was dealing with your second question Honourable Auchab, I am moving to your third question.

Honourable Auchab I fully concur with you. I should also highlight that the Ministry of Agriculture, Water and Forestry is mandated to manage the sustainable utilization of the Agriculture, Water and Forestry resources to the benefit of all Namibians. As such Agriculture plays a crucial role in alleviating poverty and ensuring food security both at household and national levels. About 70% of our population is dependant directly or indirectly on agriculture in terms of food, income and livelihood it is for this reason that at national level the agriculture sector has been singled out by our Government as one of the priority sectors which should be harnessed to bring about the much needed socio economic development and improvement to the well being of the majority of the Namibian people. The Ministry is implementing in the case of projects along the main perennial rivers and dams in various regions of our country with a view to put 27,000 hectares under irrigation by the year 2030.

Government has also constructed the first produce business hubs at strategic locations around the country to provide the market for horticulture producers. The national strategic food reserve is another key component of any national food security strategy. In this regard Honourable Auchab the Ministry has constructed strategic food reserve facilities some call it the silos with the purpose of guaranteeing food security through the procurement and storage of a defined quantity of stable food in the country. The overall objective is to ensure that at any given time the country has enough food stock to feed its people.

In addition to these strategic food reserves are also constructed in the crop growing regions with a view to intervene in the food market in case of increase in food prices which may undermine excessive food especially by the lower income and vulnerable members of the society.

Honourable Speaker, Honourable Members, our Government has also through the Ministry of Agriculture, Water and Forestry constructed

11 October 2018

**RESPONSE TO QUESTION BY
HON AUCHAB
HON AUCHAB**

abattoirs in the country to provide a market for the livestock producers especially those in the northern communal areas who currently have to know very well have no access to the international market even the local market in their areas south of the Veterinary Cordon Fence we are not going to talk about it. That is the issue that we as a nation must jointly find solutions for because we are together in it and we have to put (indistinct) in order for us to find a solution. Nobody from nowhere will do that on our behalf.

The Ministry is also providing subsidized inputs such as seeds and fertilizers as well as ploughing services to the farmers in the crop growing regions to increase food producers more production and productivity and food security at household levels. That really takes care of the question put by Honourable Auchab and I thank you.

HON DEPUTY SPEAKER: Thank you Honourable Member. Follow up comment or question?

HON AUCHAB: Thank you very much Honourable Minister. You made the position of the Government very clear in terms of commitment and that is a good thing because the nation out there also hears what the Ministry is doing in the meantime thank you very much.

HON DEPUTY SPEAKER: Thank you. The next question is Number 85 is from the same Honourable Member to the Minister once more of Finance. Honourable Minister of Finance would you like to respond?

11 October 2018

**RESPONSE TO QUESTION BY
HON AUCHAB
HON SCHLETTWEIN**

HON MINISTER OF FINANCE: Thank you Honourable Deputy Speaker.

HON DEPUTY SPEAKER: Sorry, no cross communications yes Honourable Minister.

HON MINISTER OF FINANCE: Thank you Honourable Deputy Speaker. I thank the Honourable Member for the two questions which I will try to summarize as follows. First, why the none banking financial sector regulator (NAMIBAIR) has failed the country in its task certainly why the Government allowed private insurance companies to be forced to compromise and agreed to what was called a net retention of 5%. I will deal with these questions in return and I start also with question 1. As you are aware Parliament passed the Namibian National Reinsurance Corporation Act, Act 22 of 1998, the whole of the Act which in turn established the Namibian National Reinsurance Corporation (NAMIBAIR), it did so in an attempt to create a framework for the regulations of reinsurance business in Namibia. Reinsurance is insurance for insurance companies. It entails the transfer of risk from an insurer to a reinsurer. NAMIBAIR started objecting. Objects were laid down by this House. They included the promotion of the development of and the participation of the people of Namibia in the insurance and reinsurance industry, the provisions of reinsurance cover of international standards and development of local intention capacity and insurance and reinsurance business to minimize replacement of insurance and reinsurance business outside of Namibia. To meet these objects the Act provides for the compulsory session of insurance contracts, the compulsory session of reinsurance business and provides for a right refusal to NAMIBAIR for reinsurance over and above that which acceded to it in terms of the Act.

11 October 2018

**RESPONSE TO QUESTION BY
HON AUCHAB
HON SCHLETTWEIN**

In 1999 private insurers represented by the Namibian Association of Insurers woke and challenged through the constitutionality of the Act. The Government and NAMIBAIR opposed the challenge and succeeded in defeating it before the full bench of the High Court. The Private Insurers appealed the decision through the Supreme Court. However, before the appeal was heard, my predecessor acting on advice concluded a settlement agreement with private industry that was intended to avoid further unnecessary litigation. In terms of the settlement agreement private insurers agreed to place 5% of their net retained business after reinsurance with NAMIBAIR then agreement has now lapsed.

During 2016 having reviewed the extent to which the objects of limiting capital outflows and building domestic reinsurance capacity it became apparent that the implementation of measures provided for under the Act was necessary. This is not because of any failure of NAMIBAIR's part but because the none implementation of suspenders as a consequence of the settlement agreement at limited NAMIBAIR's ability to fulfill its statutory objects. We can now move to question 2.

For the reasons explained above the Government and industry agreed to a net retention of ratio of 5% following the challenge to the constitutionality of the Act in 1999. However, as I said in 2016 I began to take steps to implement fresh matters under the Act in order to assist NAMIBAIR to achieve a statutory objects including to minimize the outflow of reinsurance capital. This was made by meager challenge by the industry in December 2016 in which it was contended that there had not been sufficient public consultations. In order to avoid further and unnecessary delays arising from protected mitigation relating to the procedure followed and without conceding that the challenge admitted I withdrew the measures and initiated a process of public consultation. This commenced on 17 February 2017 and concluded in October 2017. As a consequence of that process I then caused Government Notices 333, 334, 335, 336, 337 and 338 the Notices to be Gazetted in terms of the Act.

11 October 2018

**RESPONSE TO QUESTION BY
HON AUCHAB
HON SCHLETTWEIN**

In addition on 29 December 2017 I promulgated regulations in terms of the Act, published in Government Notice 332 in the Government Notice number 6496 according to regulations in his answers. The measures came into effect on 27th June 2018. The Notices and Regulations contained measures, designed to address capital plight and are now again subject to legal challenge. There are currently three separate legal proceedings called and I said the insurance companies operating in Namibia which include:

1. A challenge to the constitutionality of Section 39, Section 40 and Section 43 of the Act bought by twelve insurance companies.
2. A review and setting aside of the measures that are promulgated under the Act on 29 December 2017 and
3. The insurance launch proceedings on the 30th of June 2017. This was a consultative process was underway with regards notices and regulations which I intended to introduce seeking information which underlines my proposed decisions as regard the opposed notices and regulations which were published for comment on the 14th of February 2018.

These matters are currently all pending before the High Court of Namibia and these circumstances it would not be appropriate for me to comment for matters which are subjudicare. I should however, perhaps briefly summarize the current state of the legal proceedings for the information of Honourable Members. An exception was raise don behalf of my Ministry and NAMIBAIR to the constitutional challenge. In response the private insurers accepted that they are required to be amended. On 14th September 2018 by order of the High Court the private insurers by agreement are to amend their claim. On 30th September 2018 in a separate application the High Court handed down a judgment an order which is now subject to an application for leave to appeal. This is against an order made by the Court that the application and implementation of the Act and

11 October 2018

**RESPONSE TO QUESTION BY
HON AUCHAB
HON SCHLETTWEIN**

the 2017 Notices are to be said pending the final determination of the constitutional challenge and the review application.

The legal advice I have received is that this order is in conflict with or particularly parts 1, 2, 3, 5, 25 and 63:1 of the Constitution was unprocedural and otherwise not justifiable at all. If that application for leave of appeal is wanted by the High Court which has been asked to hear independently an appeal will be lodged with the Supreme Court. If leave is not granted by the High Court the Supreme Court will be approached directly to view the report the end of the year. Honourable Deputy Speaker, I am committed to ensuring that the issue of capital outflow is addressed and that measures are implemented which enable Namibia to achieve its statutory objects.

I thank you.

HON DEPUTY SPEAKER: Thank you. Any comment?

HON AUCHAB: Thank you very much Honourable Minister. Your response is well taken. Thank you.

HON DEPUTY SPEAKER: Thank you. We proceed to question and before that I should think the House is becoming thinner and thinner because we are just above 26 so let us keep it like that otherwise if we go beyond 26, I am just warning all of us. Come again sorry? Sorry? Let us keep it like that but however, it shows the prudence there of us 15:40 to have tea break next time we will do that so that people cannot have excuses to go and thank me and come and go. We are now going to go to

11 October 2018

**RESPONSE TO QUESTION BY
HON FLEERMUYS
HON HANSE-HIMARWA**

question number 86 put by Honourable Fleermuys to the Minister of Education, Arts and Culture. Would you like to put the question, Honourable Minister.

HON MINISTER OF EDUCATION, ARTS AND CULTURE: Thank you very much Honourable Deputy Speaker, Honourable Members. I rise to respond to a question that was asked by Honourable Salmon Fleermuys with regards to the language Khoi Goa as it is known in our schools today. The Honourable Member wanted to know why the Nama language is referred to as Khoi Goa in the school curriculum. Allow me Honourable Deputy Speaker to provide background information on the origin of the name Khoi Goa for the language that was previously known and official Government administrative quote us as Nama/Damara or Damara/Nama.

The then Department of Banto onderwys and the Banto onderwys I was talking about yesterday. (Afrikaans) Department for Banto onderwys for (Afrikaans) and said this Africa had a body under DTA and a body that was called the Nama/Damara Tower Committee. Nama/Damara language Committee in English which was responsible for the status and Kobus Planning of the language that was officially known as Nama/Damara and the structure was issued in 1917 Spell Reus number one orthography number one it is known as the orthography number one. Then Nama/Damara Spell Reus number 2, orthography number 2 in 1977. The Damara mother tongue speakers from the then Damaraland and the Nama mother tongue speakers from the then Namaland who served as the members of the Nama/Damara Tower Committee, who compiled the Spell Reus number one the orthography number 1 which was published in 1917 were Mr Eiseb E, Mr Fleermuys J, Goaseb J, Oachab no it is not here, Oachab A.B, Masek G, George W.M, Tjihenuna A, Witbooi H and Oaeb F.

Now the Damara mother tongue speakers from the then Damaraland and the Nama mother tongue speakers from the then Namaland who served as

11 October 2018

**RESPONSE TO QUESTION BY
HON FLEERMUYS
HON HANSE-HIMARWA**

the Vembas of the Nama/Damara Tower Committee who spoke during the periods from July 1976 to June 1979 and compiled the Spell Reus number 2 the orthography number 2 that was published in 1977 were Mr Geingob A not our President, Witbooi H, Boois J, Buda K, Eiseb E, Isaak D, Jod W.N, Lebart Daniel, Schmidt P.A, you know these names some of them my brother, Garoeb I. So the Nama/Damara Tower Committee the Damara/Nama Language Committee was replaced by the Khoekhoegowab Curriculum Committee which was known as the Khoi Khoekhoegowab Curriculera Committee after attainment of independence on 21st March 1919 and the birth of the Namibian nation.

Now this body the Khoekhoegowab Curriculum Committee which is still in existence today under the auspices of NIED, NIED is the Institute for Educational Development which is one of the Directorates of the Ministry of Education, Arts and Culture as issued the Khoekhoegowab Guato orthography 3, Orthography Guato where financial support of GDZ upgrading African Languages project the AFRILA in 2003 that the autograph number 3 was reprinted in 2012 Autograph number 3 Guato Xa. The Nokogowab mother tongue speakers and Namagowab mother tongue speakers who served as the members of the Khoekhoegowab Curriculum Committee who also served as the members of the Khoekhoegowab Orthography Edition Working Group during the period from August 1996 to October 2002 and they have compiled the orthography number 3 that was forced published in 2003 and reprinted twice in 2012 where Mr Davids L S, Mr Boois J, Garoeb I.F, Gondes K, Goraseb N. G A, Hage Professor Hage W.H.G, Uiseb A.J and Namaseb L. Now the origin of the name Khoekhoegowab, both the then Nama/Damara Tower Committee and the Khoekhoegowab Curriculum Committee always comprised of a mixture of Namagowab mother tongue speakers, Nukogowab speakers and the Hillomgowab speakers and the members were selected to represent the wide spectrum of the demographical zones where the Namas, the Damaras and the Hillom were found in significant dominant numbers.

11 October 2018

**RESPONSE TO QUESTION BY
HON FLEERMUYS
HON HANSE-HIMARWA**

So the name Khoekhoegowab was agreed upon given that the names Damara>Nama, Nama/Damara excluded the Hillom people whose language too belongs to this family. Now the representatives of the Namas, the Damaras and the Hillom who served on the Nama/Damara Tower Committee formed part of the decision makers who agreed to replace the Nama, Damara cum Damara>Nama with the name Khoekhoegowab and the Khoekhoegowab Curriculum Committee merely used this adopted name formally. Otherwise the Khoekhoegowab is the collective name used for the language subject talk informal education at both school levels as well as at the institutions of higher learning. From Namagowab the language of the Nama people, Nokogowab the language of the Damara people and the Hillomgowab the language of the Hillom people. The word Khoe means a person, a human being. Khoe means 'human being', a person. In the Khoekhoegowab language and the name Khoekhoe is from the word Khoe 'the person' with the reduplication and the suffix to indicate the plural.

Now Professor W.H.G Hage a linguistic expert known one around Namibia of Khoekhoegowab accused that Khoekhoegowab literally Khoekhoe language is the original closer name for what had become known as Nama/Damara in the later half of the 20th Century. The name Khoekhoegowab was after Namibia's attainment of independence officially reintroduced as the name for the language spoken by not only Nama but also Damara and Hillom. We may argue differently on that issue because there are here and there in my opinion very minimal differences that do not hamper fluent and smooth communication and understanding between these groups of people. The closer name Khoekhoegowab is gradually displaced by Nama through the work of the missionaries in the 19th Century. The spellings Khoe and Khoekhoe are obsolete because they were spelling it the Khoi of the 'i' instead of an 'e' and should be replaced by the linguistically correct spelling Khoe and Khoekhoe respectively as I have explained now instead of 'i' of the Khoi it is an 'e' not as Afrikaans when you are for the 'o' and the 'e' you read it

11 October 2018

**RESPONSE TO QUESTION BY
HON FLEERMUYS
HON HANSE-HIMARWA**

as 'u' but in the Khoe language the Nama/Damara language you read it as Khoe and not as 'u' like in Afrikaans. The language will henceforth refer to as Khoekhoegowab so this is a little bit of debate.

Honourable Speaker, Honourable Members and Honourable Deputy Speaker, the Khoekhoegowab belongs to the Khoe language family and is one of the most widespread of the Khoe languages of Southern Africa that contain main click sounds so this language belongs to the Southern Africa originates there and it is spoken in Namibia, Botswana and South Africa by three ethnic groups namely the Nama/Damara including the Nemidaman from Sesfontein and Hillom as well and the pekoe dialect cluster which is intermeeting between Hillom and the Kalahari Khoe languages. Even though there are commonalities and similarities as I have indicated already these languages are distinct enough that they might or can be considered two or three distinct languages.

Namagowab is the name of the language of Nama people whereas Nokogowab is the name of the language of the Damara people. Names such as the Damara/Namagowab or the Nama/Damaragowab are misleading because they imply that the Namas and the Damaras are speaking the one and the same language. It is not precisely the one and the same and I will explain later as I am going at the explanation.

Honourable Deputy Speaker, Honourable Members you would agree with me that it is only in the central regions of our country that one would fail to discern peculiarities in terms of the lexicon the adage and the sentence but those of us who belong and work amongst Namas and Damaras are able to distinguish the dialect political diversity with which of those two languages and the similarities and the de-similarities between those languages among the Damara and the Nama communities. But the representatives of the Namas, Damaras and the Hillom who served on the Nama/Damara Power Committee formed part of the decision makers who agreed to replace the name Nama or Damara with the name Khoekhoegowab. Khoekhoegowab is known as Namagowab by the Namas and as Nokogowab or Damaragowab by the Damaras. By

11 October 2018

**RESPONSE TO QUESTION BY
HON FLEERMUYS
HON HANSE-HIMARWA**

implication the name Namagowab is in my understanding not really thrown away because those of us who are speaking Namagowab keeps on referring to it as Namagowab because that is what we are speaking.

Safeguarding and developing indigenous language such as Khoekhoegowab is an important elements when it comes to the maintenance of the diverse linguistic and multicultural heritage of a country such as Namibia of its multilingual and multiethnic, multiracial and multicultural population. There are more pressing matters. Madam Deputy Speaker, I think in my opinion that we need to focus on then calls for the renaming of the language because this will have counterproductive impact on the current capas and the status of the language. Let us therefore rather strife for having the Geneva Convention provision for the recognition of the linguistic heritage of the Khoekhoegowab mother tongue speakers as part of the whole family of languages. We have to approach UNESCO still the UNESCO plus the office for Southern Africa in Pretoria under the Geneva Convention for promoting the language rights of the indigenous people for the official-isation of the Khoekhoegowab after that including the cliques sign.

Last but not the least at all the name Namagowab is being used in the Republic of South Africa and Namagowab was introduced as a language subject at two prime schools in the northern Cape Province namely at Khobus in the Nama quad street and Rheinfatimark in the ZAF Khaku Distrtict. Thus the name of the language is surely not that, not in Namibia, not in South Africa, not in any Southern Africa area where the language has originated. With that I hope and believe that my dear brother Salmon Fleermuys understands the reasons, the background of how we have arrived at Khoekhoegowab. Thank you.

11 October 2018

**RESPONSE TO QUESTION BY
HON FLEERMUYS
HON FLEERMUYS**

HON DEPUTY SPEAKER: Yes thank you for that explanation. Any comment and I am sure we would like to have the explanation paper by the Minister but you have the right to follow up with the question (intervention).

HON FLEERMUYS: Thank you Honourable Deputy Speaker. Thank you Honourable Minister for the explanation.

HON DEPUTY SPEAKER: Can we listen?

HON FLEERMUYS: Indeed, what has been done by the representatives they have forgotten one thing, they have not gone back to the people where those languages were grouped at before they could take that decision for the purposes of harmonization. Our people asked me, you are the one who was on top of issue of the leverage (intervention).

HON DEPUTY SPEAKER: Referring to you?

HON FLEERMUYS: They even to the United Nations (intervention).

HON DEPUTY SPEAKER: Referring to you?

11 October 2018

**RESPONSE TO QUESTION BY
HON FLEERMUYS
HON FLEERMUYS**

HON FLEERMUYS: Yes Honourable Speaker because we have even established an indigenous organization which we have called Nama Indigenous People's Forum and we have even started with the United Nations. Indigenous People's Forum in Geneva and we have fought for our basic fundamental rights. Whenever you talk about your language you are not talking about something to cooperate with you are talking of roots and our children's children would one day not know how because they will read in the history of Namas however there will be no more truth of Nama language because it is substituted by Khoekhoegowab therefore I fail to accept that including international labour organizations has also found that a specific organ which they have called in the National Women on Economics Social, Cultural and Political Rights and Declaration on Indigenous People's Rights which has been called ILO Convention 169 and indeed that is where we have failed our Comrades because of the name Khoekhoegowab and fortunately the Minister herself knows when we talk of Khoekhoe. There is something that I hate n Khoekhoe because we use in Nama and Damara. What the Khoekhoe, I have made you human being while you were nothing, that is one of the reasons I do not like that name Khoekhoe because it is downgrading someone's values. So that is not just all. Those who have taken that decision did not have authoritative rights because they have not gone to the broader opportunities who own the languages.

So thank you very much Honourable Minister for your very good explanation but somebody has failed us because those representatives like Professor Hage I know him quite well because me and him have got very huge fight in South Africa because of that name Khoekhoe where I had also been representing the Nama Indigenous People's Forum at a conference where they have taken this decision of Khoekhoegowab.

Thank you very much Honourable Speaker, Honourable Minister (intervention).

11 October 2018

**RESPONSE TO QUESTION BY
HON FLEERMUYS
HON HANSE-HIMARWA**

HON DEPUTY SPEAKER: That is your comment?

HON FLEERMUYS: That is how I feel about Nama language because I do not like to cooperate with somebody to just lose my basic fundamental values. Thank you.

HON DEPUTY SPEAKER: Short comment Honourable Minister.

HON MINISTER OF EDUCATION, ARTS AND CULTURE:
Honourable Deputy Speaker, I take note of the sincere concerns of Honourable Fleermuys. I must add by saying this is not craft in a storm it is not casted in a stone and I agree with you and that is typical, the none consultation is typical of the regime that we have been living under some of the people sitting here today and pretending that they were doing something good for us. There were no consultations, with the shoe if it fits you, there were no consultations things were imposed upon us and our language that got lost or the name that got lost in the process is one good example of the autocratic side in which the country was being governed by that system.

So I can advise by saying if you feel strong about the name you can bring a Motion and we can take it upon and we can go for public hearings and the people's voice can be heard because the oppressive regime did not allow us to decide over our own things. Thank you.

HON DEPUTY SPEAKER: Yes thank you. With that I should think you can do something. We proceed to question number, where are we now? Okay all the questions put by Honourable Maamberua we defer to

11 October 2018

**RESPONSE TO QUESTION BY
HON MBAI
RT HON KUUNGONGELWA-AMADHILA**

the next table because there is not a second person representing his party here. All his questions namely 87, 88, 89, 90, 91 yes there, we still have time. We go back to question 92 a question put by Honourable Mbai of NUDO. Yes Right Honourable Prime Minister.

HON MEMBER: (Not on microphone).

HON DEPUTY SPEAKER: No, maybe she wants to (intervention).

RT HON PRIME MINISTER: Yes Honourable Deputy Speaker, I thought that in regard to question number 87 because it concerns the drought situation (intervention).

HON DEPUTY SPEAKER: It is silent?

RT HON PRIME MINISTER: Question number 87 concerns the drought situation in Aminos. I think that probably we would be better served to allow that I answer this question unless if there are objections in order that the public is informed about what is being done because I think the issue is just important. If he wants to come and pose additional questions when he comes he can do that but I was ready to answer this question.

11 October 2018

**RESPONSE TO QUESTION BY
HON MBAI
RT HON KUUNGONGELWA-AMADHILA**

HON DEPUTY SPEAKER: It is okay I hope where he is he will follow and he can come up with maybe clarification. Honourable what is your name again (laughter).

HON MUHARUKWA: I am just here I have not changed since March 2014.

HON DEPUTY SPEAKER: Okay you have the floor.

HON MUHARUKWA: Yes thank you I want to thank the Right Honourable Prime Minister for saying that provided there are no objections. I agree it is a very important issue that we should all accept to and also provided Honourable Maamberua will be allowed if he wants to hear the whole answer again to hear it again and to pose the questions. Also provided she does not do the political ambushes that she likes to do that she just did with me.

HON DEPUTY SPEAKER: Oh please hey, you are going to issue the statement?

RT HON PRIME MINISTER: I said I do not really, yes I was only attempting to provide information which really I thought was important. But if this creates any kind of problems I can always issue this statement from the Office of the Prime Minister because this issue was discussed by

11 October 2018

**RESPONSE TO QUESTION BY
HON MBAI
RT HON KUUNGONGELWA-AMADHILA**

Cabinet, there is a Cabinet decision so I can release that information from there.

HON DEPUTY SPEAKER: Honourable Prime Minister I should think you have already prepared you can respond to that. You want to have the floor?

HON MUHARUKWA: No more political stand it is fine.

HON DEPUTY SPEAKER: Right Honourable Prime Minister you can be allowed to come with a Prime Minister Statement.

RT HON PRIME MINISTER: He is very energetic today and he is very young. I am not so young tomorrow I will turn 52, he is probably half that age so I do not want to compete with him in that regard although in terms of ideas I can but in terms of just this no I would release this information by all means Honourable Deputy Speaker.

HON DEPUTY SPEAKER: Okay thank you. We go now to say we go directly to the question put by Honourable Mbai. Who would like to put the question on behalf? Okay Honourable Minister of Agriculture, Water and Forestry would you like to respond to the question, question number 92?

11 October 2018

**RESPONSE TO QUESTION BY
HON MBAI
HON !NARUSB**

HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:

Thank you Honourable for the question. Again I am very pleased to respond to the question posed by Honourable Mbai. He is not here?

HON DEPUTY SPEAKER: No.

HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:

Are you posing it?

HON DEPUTY SPEAKER: Ehe, I pose it on his behalf.

HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:

Again I will not read the question but go directly to the response. Desalination of sea water for drinking and industrial purposes will remain a key strategy for water supply in Namibia to meet the increased demand. Those who were present at the Land Conference may the Good Lord Bless you for having been present at that event the significant event. Very significant event (noise), now let us continue? Shall we continue?

HON DEPUTY SPEAKER: Order! Sorry, Honourable Minister just continue to Respond.

11 October 2018

**RESPONSE TO QUESTION BY
HON MBAI
HON !NARUSB**

HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:

Yes, one of the very significant resolutions that we have passed at that conference that was convened on behalf of the toiling masses of this nation which was attended by the overwhelming representative quarter of the people of this nation took amongst others a resolution to do something about the desalination of the water from the Atlantic Ocean. Now desalination of sea water (interruptions).

HON DEPUTY SPEAKER: Can we listen to the Honourable Minister please. Yes, you have the floor Honourable Minister (interruptions). Honourable Minister you have the floor.

HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:

You know Honourable Deputy Speaker, all of us are coming from that background where we were political agitators but we have moved to the stages where we are jointly now running in administration of the country. It is not that we are not, we know political agitation. We can, any time change our desks and do the same. So do not think the fact that we are a little bit moderate to deal with grey hair we have forgotten where we are coming from. So if I can continue Deputy Speaker, if I can continue?

HON DEPUTY SPEAKER: There is an objection there, point of order.

HON KAVEKOTORA: Honourable Deputy Speaker, Honourable Minister of Agriculture, Water and Forestry is asking the Good Lord to Bless those people who were at the Land Conference, the mockery Land Conference and he did not,

11 October 2018

**RESPONSE TO QUESTION BY
HON MBAI
HON !NARUSB**

basically by implication he is actually saying that the people who did not attend must be cursed and I want the Honourable Minister specifically just to correct that.

HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:
Honourable Deputy Speaker, as a mere mortal I have no standing to prescribe to the Almighty. I can only beseech in politics activism and I have that authority to ask whom I would want to be blessed but ultimately certainly with him (clapping).

HON DEPUTY SPEAKER: Can you proceed now to answer question 92.

HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:
Now you are igniting that political activism. Okay good.

HON DEPUTY SPEAKER: Honourable Minister can you just start answering.

HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:
Now let me speak to my response. Thank you now I am very flexible I have beseeched the Almighty to bless us all.

11 October 2018

**RESPONSE TO QUESTION BY
HON MBAI
HON !NARUSB**

HON DEPUTY SPEAKER: Okay with that can you now start?

HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:

Now desalination of sea water for drinking and industrial purposes will remain a key strategy for water supply in Namibia to meet the increased demand especially for mining activities at our coasts and the coast part of it is in the Erongo Region, Kunene Region and all over. With the establishment of the Cabinet Committee on water supply security the technical Committee of experts is working towards attaining the goal of constructing a desalination plant at the coast. The request for consulting services for a feasibility study for desalination plant and water carriage system to secure water supply to Central Coast, Windhoek and enroute users has been sent out. The required funding Honourable Muharukwa my good young friend for the study has been secured from the German Federal Ministry for Economic Cooperation and Development. The study aims to carry out a comprehensive feasibility study which shall ensure the long term provision of portable commercial or administrative and industrial water supply to central coastal towns, the central coastal area, Windhoek and communities located next to the plant transmission may be between the Coast and Windhoek.

In addition the study shall investigate the likely option of providing desalinated portable water from the Atlantic Ocean via Windhoek to Botswana capital city Gaborone. The feasibility study is expected to be completed in December 2019 God willing. Thereafter construction can start the funding mode can be determined through the study which could include Public Private Partnership and the Chinese grant or loan earmarked for water infrastructure. At the moment the uranium mines at the coastal regions are supplied with desalinated water from the Orano plant that used to be Areva at Goldstar Bargain under the agreement of Orano to provide for cubic metres per year to be supplied to the mine. At the same NamWater with a transactional advisor was given mandate to negotiate with Orano to agree on the purchasing of their desalination plant

11 October 2018

**RESPONSE TO QUESTION BY
HON MBAI
HON !NARUSB**

at Flobskabagen or to enter into a medium and/or long term agreement for the supply of water.

Now going to Honourable Mbai's second question, the core function of the Directorate of Forestry in the Ministry of Agriculture, Water and Forestry is to practise and promote the sustainable and participatory management of forestry sources and other wood vegetation to enhance socio economic development hence the environmental stability while the vision of the Directorate is to promote a well organized Forestry Sector that is socially, environmentally and economically sustainable while creating significant and equitable wealth and fortunate is a word, by all Namibians, 'all Namibians'.

Debushing project was designed to address the bush encroachment problem as one of the challenges facing the farming community in our Land of the Brave. Its primary objective was to develop and improve strategies for boost control to abstain the debushing in the country through value addition opportunities and employing enabling environment to sustain the biomass sector. The projects works with members of selected bush based value chain such as charcoal and in the Kamanjab area it is a well known industry. Animal feed and wood chips for power generation includes Government and non Governmental Organizations, communal farmers, private sector, academia and other stakeholders in efforts to create economic development and employment opportunities in our country.

A study was carried out by the Ministry of Agriculture, Water and Forestry together with GIZ support to debushing projects and Legal Assistance Centre which described ways to streamline the regulatory system to promote environmentally sound bush feeling to commercial banks that is Agri Bank and Development Bank of Namibia (DBN) signed a one year memorandum of understanding with the Ministry of Agriculture, Water and Forestry and GIZ support to debushing projects. The Memorandum of Understanding (MOU) has covered cooperation in areas such as product development, those risk assessments in areas such

11 October 2018

**RESPONSE TO QUESTION BY
HON MBAI
HON JAHANIKA**

as, oh, yes I am repeating the same line, information sharing, capacity building and monitoring hence evaluation of short to long term economic and environmental impact.

Honourable Speaker, Honourable Members, national strategy and resource mobilization plant for boost control is now ready for implementation and various key components of the strategy have been mainstreamed for budgeting into the Hasiade that is the Harambe, this Hasiade is linked to the Harambe Prosperity Plan that is there together with our National Development Plan Number 5 (NDP5) and other related policies and plans for our nation. The modern charcoal killers, technologies developed and tested in order to boost production, improved environmental compliance and allow for improved later standards and improved charcoal fillers technology provides higher efficiencies and better compliance. The production of animal feed from encroacher bush materials was successfully piloted and tested.

Furthermore, the feed were teletizing using teletizing machines for storability. On the biomass energy topics one such support stream was to NamPower through the initiative of the plant 20 megawatts, 40 megawatts biomass power plants at Oshikoto side. Advisory services were provided to farmers. SMEs and Governmental extension personnel through workshops in the semantic areas of bush encroachment, value chain development and after care that is really so far I can go with response to Honourable Mbai's questions. Thank you.

HON DEPUTY SPEAKER: Yes thank you. Any follow up questions?

HON JAHANIKA: Thank you very much Deputy Speaker. I was wondering when the Minister was answering the questions. In my experience this is the first time the Government will be able to source

11 October 2018

**RESPONSE TO QUESTION BY
HON MBAI
HON JAHANIKA**

funds within nine days after the conference. So it seems like it was already sourced before the Land Conference. So I am happy that (intervention).

HON DEPUTY SPEAKER: Can we listen?

HON JAHANIKA: It was already sourced before the Land Conference (intervention).

HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:
From where?

HON JAHANIKA: And resolutions because within nine days is impossible to get source of funds from somewhere unless if it was already done before.

HON DEPUTY SPEAKER: And what is the problem with that?

HON JAHANIKA: No do not ask me I am responding to the Minister.

HON DEPUTY SPEAKER: No, is it good or bad?

11 October 2018

**RESPONSE TO QUESTION BY
HON MBAI
HON JAHANIKA / HON !NARUSEB**

HON JAHANIKA: I said it is good.

HON DEPUTY SPEAKER: Oh, okay.

HON JAHANIKA: If all the resolutions will be implemented as soon as possible like this one.

HON DEPUTY SPEAKER: Okay thank you.

HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:
Thank you Honourable Deputy Speaker and I thank Honourable Jahanika for his very kind observation. But you know Government's plan well in advance and do not tell me that just because we have taken a resolution at the Land Conference of last week that Government has not been seized with planning to desalinate the water from the Atlantic Ocean. Do not tell me that is what you want to say.

HON JAHANIKA: No it is okay.

HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:
Good then thank you for (intervention).

11 October 2018

**RESPONSE TO QUESTION BY
HON MBAI
HON JAHANIKA / HON NGHIMTINA**

HON DEPUTY SPEAKER: Okay thank you we proceed to (intervention).

HON JAHANIKA: But before proceeding?

HON DEPUTY SPEAKER: Okay yes let him talk Honourable Minister. Honourable Minister can he talk and you follow up?

HON MINISTER OF LABOUR, INDUSTRIAL RELATIONS AND EMPLOYMENT CREATION: No according to the rules of this House (intervention).

HON JAHANIKA: No, no you are not (indistinct).

HON MINISTER OF LABOUR, INDUSTRIAL RELATIONS AND EMPLOYMENT CREATION: You cannot answer the question like the one which Honourable Muharukwa was trying to do.

HON DEPUTY SPEAKER: Sorry?

11 October 2018

**RESPONSE TO QUESTION BY
HON MBAI
HON NGHIMTINA / HON JAHANIKA**

HON MINISTER OF LABOUR, INDUSTRIAL RELATIONS AND EMPLOYMENT CREATION: The person who asked the question is the one to comment.

HON DEPUTY SPEAKER: Oh, okay.

HON MINISTER OF LABOUR, INDUSTRIAL RELATIONS AND EMPLOYMENT CREATION: Not somebody who only says yes let something, it is the rules of this House. We should not treat the others different from the others. It was Honourable Mbai not him. It is not him.

HON DEPUTY SPEAKER: Yes I take note of that. Honourable Can you sit down all of you. Honourable Jahanika can you sit down please.

HON JAHANIKA: (Not on microphone).

HON DEPUTY SPEAKER: No he is just reminding me. Actually he is right to say a person (intervention).

HON JAHANIKA: (Not on microphone)

11 October 2018

**RESPONSE TO QUESTION BY
HON AUCHAB
HON !NARUSEB**

HON DEPUTY SPEAKER: Oh, no, no. okay ii take note of that can we proceed to Question number, where are we now? Ha, question number 93 by Honourable Auchab to the Minister of Agriculture, Water and Forestry.

HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:
I will not touch on the very important Land Conference of last week (laughter). Very important, very important, those who were not there missed out really. You missed out.

HON DEPUTY SPEAKER: Yes please Honourable Minister. Do not spare the (interruptions).

HON MUHARUKWA: We did not miss out (not on microphone).

HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:
Some people think political mileage gaining is their only but it is the domain exclusively for them.

HON DEPUTY SPEAKER: Sorry Honourable Minister.

11 October 2018

**RESPONSE TO QUESTION BY
HON AUCHAB
HON !NARUSEB**

HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:

We can also do that and very good at that. Now let us go back to the (intervention).

HON DEPUTY SPEAKER: To the question.

HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:

My good Honourable dear brother's question Honourable Auchab. You know I pronounce his name quite correctly, he is Honourable Auchab not Ouchab.

HON DEPUTY SPEAKER: It is okay some of us we, yes we thank you.

HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:

Honourable Auchab the 2017/2018 to 2021, 2022 Strategic Plan is a guiding framework on which the Ministry of Agriculture, Water and Forestry's development interventions are seeking to respond to the aspirations and the needs of the stakeholders within the Agriculture, Water and Forestry sectors. The purpose of this strategic plan is to position the Ministry of Agriculture, Water and Forestry to become a responsive efficient and effective institution.

Furthermore, the Strategic Plan is an instrument to chat the constitution of the Ministry of Agriculture, Water and Forestry towards the attainment of the objectives of the Harambe Prosperity Plan because that is the plan that drives this period that we are in and that plan is not taken in isolation, the plan is premised on our national development plans in this case NDP5 in

11 October 2018

**RESPONSE TO QUESTION BY
HON AUCHAB
HON !NARUSEB**

the short and medium term as well as Vision 2030. We heard about that vision 2030 in the long term. This strategic plan will drive the Ministry of Agriculture, Water and Forestry to live up to its mandate, achieve its vision and also space as the road map to the successful implementation of its third objectives. Through that chat or mapping the Ministry will be able to provide targeted and enhance service delivery at central, regional and local levels and also to contribute to a public sector that is accountable, transparent and professional. The Ministry is now in its second gear of implementing the Strategic Plan and the Ministry is on track in striving to achieve its annual target and corrective measures are taken during the periodic reviews of the strategic plan implementation by the Department and performance agreements of the staff members and you should know that the self same performance agreements of the staff members finds its way to the top excellence of the Ministry, the Minister, Deputy Minister, Permanent Secretary should account at the end of the day for what they have said in their Performance Agreements and you know yourselves that this year is a year of reckoning and you do not listen.

Now I am coming to your second question Honourable Auchab. Now the Ministry through the Directorate of Agriculture Production Extension and Engineering Services has already rolled out the strategic plan to all agriculture development centres the Agricultural Technicians at these centres have come up with annual work plans which are aligned to the strategic plan of the Ministry.

In addition all activities, projects and programmes being implemented are in line with the Strategic Plan of the Ministry and Honourable Auchab I want to thank you for the questions that I know you did not ask them for the sake of putting them but you asked them to get general information to be desalinated with the proper out there and I thank you for that.

11 October 2018

**ADJOURNMENT
HON PROF KASINGO**

HON DEPUTY SPEAKER: Thank you. Any comment?

HON AUCHAB: Thank you very much Honourable Minister. This question, I came up with this question because if we look at the Extension Officers at the ODCs they are waiting for the people to come to the ODCs but to my view they should go to the people in order to facilitate what has been planned in the Strategic Plan so that people can understand very well. That will also help us to get everybody on board but thank you very much for your response.

HON DEPUTY SPEAKER: Yes, there is only how many minutes left to the time? I should think before we adjourn I should think we have answered a number of questions. I hope the rest will be finalized next Thursday. Before we adjourn I was informed to request the Members of SWAPO Party to remain in the hall for two minutes.

With this the House is adjourned till next Tuesday the 16th at 14:30. So adjourned.

HOUSE ADJOURNS AT 17:45 UNTIL 2018.10.16 AT 14:30

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
WINDHOEK
16 OCTOBER 2018**

The Assembly met pursuant to the adjournment.

HON DEPUTY SPEAKER took the Chair and read Prayers and the Affirmation.

HON DEPUTY SPEAKER: Welcome once more. I just want to humbly respectfully ask Honourable Members to adhere to the rules contained in the books Rules and Order when they get the floor. Reports of standing Committees, any report, other reports and papers. I recognize the Deputy Minister of Tourism.

**TABLING: ANNUAL REPORT OF THE
ENVIRONMENTAL INVESTMENT FUND OF NAMIBIA**

HON DEPUTY MINISTER OF ENVIRONMENT AND TOURISM: Thank you Honourable Deputy Speaker. I lay upon the table the annual report of the Environmental Investment Fund of Namibia for the Financial Years 2015-2016 and 2016-2017.

I so move Honourable Deputy Speaker.

HON DEPUTY SPEAKER: Please table the report. Any other reports and papers, notices of questions, I recognize Honourable !Auchab. I do not know how to pronounce the case.

NOTICES OF QUESTIONS

16 October 2018

**NOTICE OF QUESTION
HON !AUCHAB**

HON !AUCHAB: Thank you very much Deputy Speaker. Honourable Deputy Speaker I give notice that on Thursday 25th of October 2018 I shall ask the Minister of Public Enterprises Honourable Leon Jooste the following questions. Transformation must position Namibia's public enterprises to play their meaningful role in the country's development agenda and to ensure that public enterprises are well managed in order to reduce the financial burden on the state.

1. Will the Honourable Minister share with this August House how the Ministry managed the biggest challenge the Ministry is facing in the legal environment and
2. How effective is the current mandate of oversight to deal with the transformation of the public enterprises landscape.
3. May the Honourable Minister also share with Members and public the urgency to give legitimacy to the hybrid governance motto which was approved by the Cabinet
4. in July 2016 and how effective is this five key processes who have been reviewed and re-engineered for the public enterprises compliance reporting and performance

Honourable Deputy Speaker on the same day I shall ask the Minister of Environment and Tourism Honourable Pohamba Shifeta the following questions. Namibia has huge and well-looked after populations of elephants and have passed legislation in 1996 to empower local communities to actively manage and benefit from both the consumptive and non-consumptive sustainable utilization of wildlife through the formation community conservancies.

1. May the Honourable Minister share with the Members of this August House and the public out there how the good intensive to encourage wildlife recoveries and environment restoration through 1996 legislation has turned into human wildlife conflict.

16 October 2018

**NOTICE OF QUESTION
HON TJONGARERO**

2. May the Honourable Minister also share with the public how the proposal from Namibia to adopt a mechanism to permit commercial exports of ivory without further discussions was rejected and how the reaction could have been influenced by a report presented by Africa Elephant Specialist Group at COP17 that Africa's elephants population has declined due to poaching
3. Honourable Minister I strongly believe that the current situation as it is now contravening the Namibian constitution that stipulates communities should benefit sustainably from the resources that they look after including wildlife.

I so move Honourable Deputy Speaker.

HON DEPUTY SPEAKER: Please table the questions. On the Notice of Questions, I recognize Honourable Agnes Tjongarero Deputy Minister of Sports.

HON DEPUTY MINISTER OF SPORT, YOUTH AND NATIONAL SERVICE: Honourable Deputy Speaker I give notice that on 25th October 2018 I shall ask Minister of Agriculture, Water and Forestry Honourable !Naruseb the following questions. Honourable Minister before the year 1978 the people of Otjimbingwe had a good life in terms of feeding themselves by growing vegetable gardens and have their livestock farms in the Swakop River thus poverty and hunger was not known. These people had attentive suspense and have been contributing to the nation's economic for all was taken from them with the building of the Swakop Port Dam.

1. Honourable Minister would you agree with me that after the building of the Swakop Port Dam the livelihood of these people changed drastically and they are suffering?

16 October 2018

**NOTICE OF QUESTION
HON TJONGARERO / HON VAN DEN HEEVER**

2. My question therefore is what was the intended purpose of this Dam
3. Is the Swakop Port Dam needed?
4. If not (incomplete).

HON DEPUTY SPEAKER: Can we listen to the Honourable Member who is taking the floor, yes, please?

HON DEPUTY MINISTER OF SPORT, YOUTH AND NATIONAL SERVICE: Is the Swakop Port Dam needed. If not, can this Dam be reopened so people make use of the river for self-support and self-sustenance?

I so move Honourable Deputy Speaker.

HON DEPUTY SPEAKER: Table the questions please. I recognize the next is Honourable Van Den Heever, yes, take out and then put it off, Madam Honourable Becky.

HON VAN DEN HEEVER: Thank you Honourable Deputy Speaker. I hereby give notice that on the 1st of November 2018 I shall ask the Minister of Urban and Rural Development Honourable Peya Mushelenga the following. According to the Auditor General's reports on the accounts of the Ministry of Urban and Rural Development the Ministry underspend in total N\$310 068 473.71 during the Financial Year ended 31st of March 2017. Several Village Councils, Town Councils, Regional Councils and Municipalities have also been reported as having disclaimed audit

16 October 2018

**NOTICE OF QUESTION
HON VAN DEN HEEVER**

opinion, adverse audit opinion, qualified audit opinions or disclaimers of audit opinion among other irregularities for the previous years. Am I protected Honourable Deputy Speaker?

HON DEPUTY SPEAKER: Oh, yes, yes.

HON VAN DEN HEEVER: From Honourable Tweya and the General.

HON DEPUTY SPEAKER: Yes, please.

HON VAN DEN HEEVER: Several documentation was reported as missing or was not provided to the Auditor General to perform his duty fully hence these entities have failed to account for ASAP and relevant fund allocated to them but we have accounting officers who are paid to do these jobs all over the country. I therefore would like to ask the Minister.

1. What was the basis for the under spending in your Ministry in view of the various urban and rural development challenges that still parch Namibia?
2. Does this mean that we have exhausted all avenues of urban and rural development and all is in order but we still see a lot of challenges?
3. Are you failing to direct the state underspent funds for the betterment of urban and rural areas in Namibia or is there something we are failing to see with regards to the village, town and regional councils as well as the Municipalities that are having so many irregularities, what are the actual challenges being faced by these entities for them to

16 October 2018

**NOTICE OF QUESTION
HON VAN DEN HEEVER / HON VENAANI**

mostly have qualified opinion, disclaimed opinion or adverse opinion from the Auditor General

4. Have you summoned the Accounting Officers to your office to further clarify their positions with regards to these reports?
5. If yes, what do they say?
6. If not, when can we expect your office to furnish us with such feedback?
7. We have smaller village council such as Aruab and Ongwediva that are producing unqualified audit opinion, what do you as the Minister feel is lacking on the part of those entities to produce the same unqualified audit opinion?
8. What are you as the Minister going to do to make sure that this does not continue unmonitored and comes to an end forthwith

I so submit Honourable Deputy Speaker.

HON DEPUTY SPEAKER: Please table your questions. Next is recognize Honourable Venaani.

HON VENAANI: Honourable Deputy Speaker I give notice that on the 25th of October the year 2018 I shall ask the Honourable Minister of Treasury and Finance Calle Schlettwein the following but it is common that many Government projects and tenders were abruptly stopped due to the country's financial liquidity challenges I thus ask the following.

1. Honourable Minister how much money were paid in total on penalties to service providers whose projects and tenders were cancelled

16 October 2018

**NOTICE OF MOTION
HON SHIFETA**

2. May the Honourable Minister provide this House with a thorough breakdown on penalties for the past three Financial Years
3. May the Honourable Minister can he explain how much money were paid on penalties to the mass housing project, the whole storage facility project and other major development

I so move Honourable Deputy Speaker.

HON DEPUTY SPEAKER: Please table the questions. Notices of Motions, I will come back to you, notices of Motions, none, I recognize the Minister of ICT.

NOTICES OF MOTIONS

**REPORT ON THE IMPLEMENTATION
OF THE ENVIRONMENTAL MANAGEMENT**

HON MINISTER OF INFORMATION COMMUNICATION AND TECHNOLOGY: Thank you very much Honourable Deputy Speaker. Honourable Deputy Speaker I give notice that tomorrow on 17th October 2018 I shall move that this Assembly agrees to the ratification of the African Union Convention on cyber security and personal data protection.

I so move Honourable Deputy Speaker.

16 October 2018

**TABLING OF REPORTS
HON ITHETE**

HON DEPUTY SPEAKER: Table the Motion. Any notices of Motion, none, message from the Head of State, Ministerial Statement. Allow me to revert back to give the Deputy Minister of Finance to table the report. He came late when I announced it.

TABLING: REPORTS OF THE AUDITOR GENERAL

HON DEPUTY MINISTER OF FINANCE: Honourable Deputy Speaker, Honourable Members thank you for allowing me to table this report. I therefore would like to lay upon the table the report of the Auditor General on the account of the

1. Municipality of Grootfontein my birth town for the Financial Year ended 30th June 2016
2. Town Council of Karibib for the Financial Year ended 30th June 2017
3. Town Council of Ondangwa for the Financial Year ended 30th June 2017
4. Town Council of Oshikuku for the Financial Year ended 30th June 2017 and
5. Town Council of Outapi for the Financial Year ended 30th June 2016

I so move Honourable Deputy Speaker.

16 October 2018

**NOTICE OF MOTION
HON SHIFETA**

HON DEPUTY SPEAKER: Table the reports. In the absence of none, today we are going to start with a Notice of a Motion by the Minister of Environment and Tourism.

Does the Honourable Minister Move the Motion? Who seconds?

HON MINISTER OF ENVIRONMENT AND TOURISM: Yes, Honourable Deputy Speaker.

HON DEPUTY SPEAKER: Any objection, agreed to. Honourable Minister you have the floor.

HON MINISTER OF ENVIRONMENT AND TOURISM: Thank you very much Honourable Deputy Speaker, Honourable Members let me at the onset thank you for the opportunity to address this August House on the implementation of our Environmental Management Act, Act number 7 of 2007. My request to table this report came from the Cabinet decision taken in August 2016 which directed all offices, agencies and Ministries to adhere to the provisions of the Environmental Management Act and further directed the Ministry of Environment and Tourism to report back on the progress made by the OMAS in complying with the Act.

I am pleased to report to this August House that the Ministry is now submitting annual reports both to Cabinet and the National Assembly on the implementation of this important Act. This is the second such report to be tabled to this National Assembly and it covers the 2017-2018 Financial Year. Honourable Members the Environmental Management Act is a vital piece of legislation for this country. Its main objective is to promote the sustainable management of the environment and the use of the natural resources to establish in principles for this making on matters

16 October 2018

**NOTICE OF MOTION
HON SHIFETA**

affecting the environment and to provide for forces of assessment and controlled activities which may have significant effect on our environment.

This process of assessment and control takes the form of components or applicants and organs of state applying for environmental clearance for activities that are listed both in our Act and its regulations. The provisions of this Act Environmental Management Act apply to all citizens, organs of state and the components that are undertaking activities that had impact on the earth or our environment. It therefore keep this legislation to give effect to Article 95(1) of our constitution which commits the state to ensure the maintenance of our echo systems, essential ecological processes and biodiversity of Namibia and utilization of living natural resources on sustainable basis for the benefit of all Namibians present and future.

The implementation of the Act is at the core of the work of the Ministry and involves a wide range of functions including processing applications for environmental clearance certificates in a form of environmental impact assessment and environmental management plans and the monitoring and enforcing environmental management plans and a broader compliance with the Act and also preparing and publishing policies, strategies and the standard for the protection of our environment. My statement here today to focus on how this important functions were implemented during the 2017-2018 Financial Year.

Honourable Deputy Speaker section 27 of our Act that is the Environmental Management Act provides a list of activities that may not be undertaken without any environmental clearance certificate and the list is further elaborated in environmental impact assessment regulations which were gazette in February 2012. This list covers the range of activities that are likely to have significant impact on the environment such as the mining, quarrying, infrastructural development and the waste management among others. I am concerned to report that both Government and private sector efficiency continue to violate section 27 as

16 October 2018

**NOTICE OF MOTION
HON SHIFETA**

many of them continue to undertake listed activities without acquiring environmental clearance certificate. Nonetheless, 2017-2018 saw an increase of 13% in the total number of applications for environmental clearing certificates which is in fact encouraging with a total of 655 applications received. 28% of these applications came from offices, Ministries and agencies with the majority of this coming from state owned enterprises or public enterprises such as Namwater and Nampower and the various Regional Councils, Municipalities and Town Councils. Only three Ministries submitted applications for environmental clearing certificates and the four strategic environmental assessment were received.

Honourable Members given the large volume of application for environmental clearing certificate being received, the ability of the Ministry to monitor and impose compliance to the Act through inspectors is an ongoing challenge. Nevertheless, inspections were still undertaken to a wide range of sites during the period under review including waste, sports or sites, mines, sand mining operations, clinics, hospitals, tourism operations, schools and hostels. We continue to issue notifications and compliance orders to offenders and sand mining activities, standards of work, sports or sites, incinerations of waste from hospitals and clinics and some tourists operations remaining also particular concern to us as a Ministry.

With regard to sand mining a number of awareness meetings were held with various traditional authorities in communal areas. As a result of these meetings new procedures were developed and are now being applied for sand mining in communal areas. These procedures seek to improve compliance and involve a detailed questionnaire and allow for traditional authorities and regional councils to be proponent in cases of sand mining. Best procedures would be fully implemented this year.

Honourable Members with regard to waste management, I am pleased to inform this August House that we finalized and launched the national solid waste management strategy in February this year. This is an important strategy to strengthen standards of waste management in the country and hence for Namibia to be leading country in Africa in terms of

16 October 2018

**NOTICE OF MOTION
HON SHIFETA**

solid waste management by 2028. During the period under review we commenced with the implementation of this strategy and undertook consultations with a view to introducing a levy on plastic bags that would be ring fenced for our environmental investment fund.

We also have commenced with the developmental waste management regulations, standards and guidelines to assist local authorities in an environmentally sound management and disposal of waste is provided for in our Environmental Management Act. Honourable Members capacity of staff, lack of awareness amongst stakeholders of the Act and systematic inefficiency have seriously been identified as challenges in the implementation of this very Act. I am pleased to report that the Ministry has taken measures to address best challenged during the period under review.

In terms of strengthening capacity the Ministry entered into Memorandum of Understanding with the Indian Centre for Science and Environment. This is an international renowned policy research institution that will develop the capacity of our Government staff and provide assistance to streamline environmental regulations, guidelines, procedures, environmental monitoring, structuring, inspection, manuals and the relevant standards to enhance the enforcement and the compliance orders. Several officials were already trained on these issues during the period under review with a view to increasing efficiency and improving service delivery in terms of implementing the Act. Three significant initiatives were undertaken during the period under review. These were one, undertaking of a first ever client satisfaction survey relating to the application courses for environmental clearance, two a review of the Act and its regulations and three, the development of online application system for environmental clearance certificates.

The overall desire of the clients satisfaction survey were positive in terms of the efficiency and effectiveness of the process and the performance of staff. The clients surveyed also made a number of recommendations that the Ministry is now busy implementing. This recommendation would have shift to an online application system for environmental clearance

16 October 2018

**NOTICE OF MOTION
HON SHIFETA**

certificates. The best system was further developed during the period under review and is currently operational on the internal Ministry cable where it is being tested being it is officially launched and remain available to the public and our clients.

With regards to the review of the Act and its regulations, a comprehensive conservative process was undertaken during the period under review and I am confident that I will soon be able to table a proposed amendment to the Act to this August House. This amendment will help us to overcome some of these shortcomings of this Environmental Management Act including the limited focus it currently has on issues of site closure, restoration and rehabilitation especially of mines. Two, the lack of provision for strategic environmental assessments for policies, lands and programs. Three, the delays caused by the submission of application for environmental clearing certificate to the competent authorities and fourth, other more operational issues to streamline the processes and procedures for application for environmental clearing certificates.

Moving forward Honourable Members other important strategic priorities for the Ministry during the current Financial Year are one, to strengthen capacity and the institutional framework for monitoring and enforce our compliance to the Act, second, strengthening further collaboration with the organs of state, third, full implementation of the national solid waste management strategy and gazetting of approved waste sport society, development and completion of waste management regulations, fifth increased awareness, raising and the sensitization of the Act among all our stakeholders and last full operationalization of the online application system for our environmental clearance certificate.

With these few words Honourable Members, very, very few, I thank you for your humble attention and also for the opportunity to table this and I hereby submit to you the report on the implementation of the Environmental Management Act, Act number 7 of 2007 for the Financial Year 2017-2018. Thank you very much once again.

16 October 2018

**NOTICE OF MOTION
HON HINDA**

HON DEPUTY SPEAKER: Thank you. Any discussions, so the report is agreed. Alright in the absence of anyone who would like to take the floor, I would like to ask the Honourable Minister to say something. Honourable Maureen before you take the floor I have omitted something the birthday announcement again of Honourable Kavetuna. I was told but I am sorry, sorry, Kavekatora happy birthday. Alright Honourable Maureen you have the floor now.

HON DEPUTY MINISTER OF HOME AFFAIRS AND IMMIGRATION: Thank you Honourable Deputy Speaker, if I have the floor.

HON DEPUTY SPEAKER: Yes, you have the floor. Can we listen to the Honourable Deputy Minister you have the floor.

HON DEPUTY MINISTER OF HOME AFFAIRS AND IMMIGRATION: If I have the floor, can I ask for the postponement of the discussion until tomorrow. Thank you very much.

HON DEPUTY SPEAKER: Yes, the discussions on this report is postponed until tomorrow. We will now go to the order of the day. You would like to say something.

HON DEPUTY MINISTER OF HOME AFFAIRS AND IMMIGRATION: The sitting tomorrow because the order paper does not state tomorrow so maybe.

16 October 2018

**NOTICE OF MOTION
HON SHIFETA**

HON DEPUTY SPEAKER: We will see from the discussion of the order paper. Maybe somebody will.

HON DEPUTY MINISTER OF HOME AFFAIRS AND IMMIGRATION: If it not then, I will ask for next week Tuesday and not Thursday.

HON DEPUTY SPEAKER: Come again.

HON DEPUTY MINISTER OF HOME AFFAIRS AND IMMIGRATION: If there is no tomorrow order paper, the order paper of tomorrow if there is no order paper of tomorrow, I will prefer it to be the next week Tuesday.

HON DEPUTY SPEAKER: Alright or alternatively tomorrow so the debate is adjourned to next week Tuesday then.

The Secretary will read the first order of the day.

**RESUMPTION OF DEBATE ON SECOND
READING – BASIC EDUCATION BILL [B. 4 – 2018].**

SECRETARY: Resumption of Debate on Second Reading – Basic Education Bill [B. 4 – 2018].

16 October 2018

**BASIC EDUCATION BILL
HON KAVEKOTORA**

HON DEPUTY SPEAKER: When this Assembly adjourned on Thursday the 11th of October the question before the Assembly was a Motion by the Honourable Minister of Education, Arts and Culture that the Bill be read a second time. Honourable Kavekatora adjourned the debate and you have now the floor.

HON KAVEKOTORA: Thank you Honourable Deputy Speaker, Honourable Tweya welcome back. Honourable Deputy Speaker, the Bill in front of us aims among others to promote and regulate free and compulsory basic education and to ensure equitable inclusive quality education and life-long learning. In achieving this objective section 9(1) stipulates that it is compulsory for a learner to attend school during the school hours from the first day of the academic year in which he or she which is the age of 6 years old until the last school day of the year in which he or she obtain the age of 18. Am I correct therefore Honourable Minister or Deputy Minister to say that once the Bill this Bill is passed and enacted into law it is illegal in Namibia to find a child between the age of 6 to 18 on the street and not attending school? If that is the case, who will be the guilty party? Is it the child?

HON DEPUTY SPEAKER: Just proceed. Do not react to informal suggestions.

HON KAVEKOTORA: Is it the child, the parents or is it the Government if a child in that age category is not in school? How realistic is this pronouncement in an environment of classroom shortages, teachers shortages, remoteness and the vastness of our country? Honourable Minister do you anticipate a specific timeframe in which this is to be achieved? On part 2 under professional management of state schools section 48 talks about quality assurance. Then you go on at length you

16 October 2018

**BASIC EDUCATION BILL
HON KAVEKOTORA**

elaborate on what the Minister must do and what the Permanent Secretary must do. Then under part 8 subheading 'monitoring and evaluation of schools and hostels' you again incorporated section 91 quality assurance containing only two subsections.

Is there any reason why quality assurance was split into two sections and why can it not be incorporated under one section? The Bill once again attempt to insure equitable inclusive and quality education. There comes the word inclusive again. You would agree with me Honourable Minister that there is currently a serious gap between schools and major urban centres of Namibia and those in rural areas. There is a gap in the qualification of teachers. There is a gap in the school facilities. There is a gap in the distribution of equipment. There is a gap in the availability of teaching material and there is also a gap in the access to technology and electricity. How do you intend to close these gaps and in what timeframe? Without closing the gap inclusive and quality education will be a pipe stream in our school areas. The Bill again made reference to the national policy on basic education something to be established. The national policy on basic education is a very important tool or instrument that will determine an informed effective implementation of this Bill. Do you have a timeframe in mind for the development of this national policy on basic education because without such a policy, this Bill will even if it is enacted will be meaningless?

Then comes the relationship between the Regional Directors, the school Board and the Principal in my view is poorly defined. On the one hand the Minister will consult the school Board on issues such as language policy at state schools but then it is the Permanent Secretary who will consult the school Board when it comes to the expulsion of a learner from state schools and hostels. The closure of state schools and hostels again is a matter between the Minister and the relevant regional educational forum. This relationship need to be properly defined to avoid duplications and confusion at the implementation stage.

Under section 47 Honourable Minister powers and functions and principles at state schools' subsection 3 states that the Principal of a state

16 October 2018

**BASIC EDUCATION BILL
HON KAVEKOTORA**

school must present an academic performance improvement plan to the Regional Director at a date determined by the Regional Director and then it goes on to say table the academic performance report at a school Board meeting. Now the question is what is the understanding here? Do the Director, the Principal present a performance improvement plan and to the school Board he or she tables academic performance plan? What is the distinction between tabling and presenting?

A matter for discussion and approval takes place and what must precede what? We all know that the school Boards plays a very critical role in our education system but currently the appointment of school Board members is done without due consideration of the roles and responsibilities. In many instances school Board members sometimes do not have the required understanding and the required competency to meet what is expected from them. I looked at a function and allocated function of school Boards and it is quite involved. It really requires a high level of competency in education, in management and in leadership.

Honourable Minister are you anticipating another thing to suggest the required competency for one to become a school Board member to do you intend to retain the status quo. Another missing link in the Bill is teachers' recruitment. There is another discriminatory practices in the entire recruitment process that lead to the deterioration of service delivery. The issue of teacher learner ratio it also to be looked at and enforceable standards devised and applied. Honourable Minister let me make a few remarks on the national advisory Council on education.

Section 94(3) states the Advisory Council consist of not less than 20 and not more than 10, sorry not more than 30 members appointed by the Minister and for the purpose of appointing the Minister must select two staff members and two persons each from among persons nominated under subsection 4. The Bill went on to list the bodies to nominate these persons for appointment on the Advisory Council. On this score I would like the Honourable Minister to elaborate more on the following bodies. One of the bodies that is listed there is public enterprises. The question is how do you go about electing two people from this category? As far as I

16 October 2018

**BASIC EDUCATION BILL
HON KAVEKOTORA**

know there are hundreds of public enterprises and they do not have an association where all of them belong. Two, a selection will also come from each regional educational forum. Does it mean that each regional education forum will nominate two persons and what is the logic of incorporating them in this grouping if they are tasked to perform specific functions under the same Bill?

Then the other question also related to that is if each one select two, then mathematically is 14 times 2 and that would be 28 nominees. That intention of having between 20 and 30 nominees and then the majority of them therefore coming from the educational forum or is that an oversight. Then the last category here is recognized association. There are so many associations in different sectors and some of these associations has got nothing and are still relevant to education whatsoever. Can Honourable Minister be more specific in defining this grouping because I mean if you get an association of former Generals, what is the relevancy of former Generals to education?

HON DEPUTY SPEAKER: Yes, proceed.

HON KAVEKOTORA: Then there is a question of the number of Advisory Councils between 20 and 30. It says but it also goes on, the Bill goes on to say that these people would be given allowances and we know our situation and that has been a trend and I think perhaps the Minister is just following the trend because every single Bill that comes here there is a body to be established. There is a number of people to be employed and therefore there is cost to be apportioned to that particular body and that really sort of put a heavy burden on the finances of this country. The question is therefore did the Minister take a cost implications into consideration when you determined the 20 to 30 members of the Advisory Council.

16 October 2018

**BASIC EDUCATION BILL
HON KAVEKOTORA**

If education in Namibia is to be used as a vehicle for economic growth in my view, then the awaited average of institution of higher learning, the national employer's organization, the teachers' union and representative bodies of learners and students must carry more weight than some of the bodies that has been identified that has got very little relevance to the educational system. It is stated in the Bill that the Minister must appoint two members from the list of four names elected by members to be Chairperson and the Deputy Chairperson of the Advisory Council.

Now I just would want to understand the logic behind it. We have and I would intuitively assume that this Advisory Council is a very authoritative body with people with the right competences basically to advise the Minister on educational matters but now the Minister says give me four names and I will appoint two out of those four. The question is but why does the Minister need to appoint the Chairperson and the Deputy Chairperson? Is it not prudent if my assumptions are correct that this is going to be an authoritative professional body? Let them do the appointment themselves the Chairperson and the Deputy Chairperson and just inform the Minister accordingly. It is stated in this Bill that the Minister must, sorry the Honourable Minister the question is basically why do you have to do that and lastly, section 94(8) say the Minister may remove a member of the Advisory Council if such a member if guilty of misconduct according to the Public Service staff rules.

I believe also that what you want to do on closing end you must also try to do it at the opening end and my suggestion therefore would be there must be a section also dealing with eligibility of those who are coming on board to prevent criminals from being appointed to the Advisory Council. With these humbles comments Comrade Deputy Speaker, I rest my case. Thank you.

HON DEPUTY SPEAKER: Thank you. I recognize Honourable Doctor Ankama. I recognize you.

16 October 2018

**BASIC EDUCATION BILL
HON DR ANKAMA**

HON DEPUTY MINISTER IN PRIME MINISTER OFFICE:

Deputy Speaker I this year at the very beginning I present a paper on education and I do not want really dwell much on this one. This is a Bill on the table. A lot has been said and I feel yes, there is something little but I want just to touch on. A lot has been discussed here. The Bill in its entirety, the ideal logic is quite acceptable, it is fine but it needs panel beating. I want to touch something on chapter 3, 73 to 74, chapter 3 and that is part 7 on educational curriculum and qualifications mainly on clause 88(1) on the institution of courses of study constructed or are done as practice at school level yes and then they sell them to us.

We have got a lot of students or learners who go up to high or senior secondary school level or high school level and when they graduate even at Grade 10 level, they do not know just how to construct a house. They do not know how to clean themselves. That is exactly the understanding from that perspective. The other thing I would want us to look at I say possible in (a) subject to subsection 2 the Minister after consultation with the Advisory Council may institute courses for the education, instructions or training for the learners in state schools or discontinue any course instituted under paragraph (a) so meaning that courses may come and they may get out if they do not make any meaning. That is fine but let me give you an example.

Pottery we have got clay ceramic mine in this country. Pottery or any other utensils that we could use being port-links can be taught at school from or during that practical period. Students can go to Ondimbowo or clay pottery just for learning how to do it held hands on practice, handle the clay. At the end of the day there would be able to do it themselves or we have got a lot of makalanis, mats from makalani leaves can be done. They can be sold. They can be treated so that they are much stronger. It all depends on what we want to do a lot of approaches that are useful so I feel strongly that this point should be revisited so that we look at our local products, give them or add value with the learners at that level at that study when they are growing so they start handling these things with their hands and they can remember very well how they get it done at that younger age, tender age. I am not going to dwell much as I said. I have

16 October 2018

**BASIC EDUCATION BILL
HON VAN DEN HEEVER**

presented the paper here sometime back. I hope we are going to reflect on this one so that we just add value and skills to our young ones as they grow up. I thank you.

HON DEPUTY SPEAKER: Thank you. I recognize Honourable Van Den Heever.

HON VAN DEN HEEVER: Thank you Honourable Deputy Speaker. I would like to postpone the debate on behalf of Honourable Van Wyk until Thursday.

HON DEPUTY SPEAKER: Yes, alright so in the absence of anyone who would like to take the floor, the debate on this issue is postponed until next, you say Thursday 2018 for Mr Van Wyk.

The Secretary will read the second order of the day.

**DEBATE ON THE CURRENT BUREAUCRACY
IN PUBLIC INSTITUTIONS THAT HAMPERED
EFFICIENT SERVICE DELIVERY TO CITIZENS**

SECRETARY: Debate on the Current Bureaucracy in Public Institutions that Hampered Efficient Service Delivery to Citizens

16 October 2018

**CURRENT BUREAUCRACY IN
PUBLIC INSTITUTIONS
HON ANKAMA**

HON DEPUTY SPEAKER: When this Assembly was adjourned on Tuesday the 9th, the question before the Assembly was a Motion by Honourable Venaani that the Motion be adapted. Honourable Minister of Finance has deferred the debate and he is now here. Anyone who would like to take the floor? In the absence of any, yes.

HON MINISTER OF FISHERIES AND MARINE RESOURCES: I would like to postpone the debate on his behalf.

HON DEPUTY SPEAKER: Alright, the debate is postponed until when?

HON MINISTER OF FISHERIES AND MARINE RESOURCES: Next week Tuesday maybe.

HON DEPUTY SPEAKER: Until next Tuesday.

HON MINISTER OF FISHERIES AND MARINE RESOURCES: Yes, to Tuesday to be safe on the safe side.

HON DEPUTY SPEAKER: The Secretary will read the third order of the day the last one.

16 October 2018

**LISTING OF CLIENTS AND CREDIT
PROVIDERS AND FINANCIAL INSTITUTIONS
HON ANKAMA**

**RESUMPTION OF DEBATE ON LISTING OF CLIENTS BY
CREDIT PROVIDERS AND FINANCIAL INSTITUTIONS
AND THE IMPACT THAT SUCH CREDITORS HAS
ON THE LIVES ON THE NAMIBIAN PEOPLE**

SECRETARY: Resumption of Debate on Listing of Clients by Credit Providers and Financial Institutions and the Impact that Such Creditors Has on the Lives on the Namibian People

HON DEPUTY SPEAKER: When this Assembly was adjourned on Wednesday the 10th, 2018, the question before the Assembly was a Motion by Honourable Muharukua that the Motion be adapted. The Minister of Finance has asked for the floor. He is not here. Honourable Minister of Finance.

HON MINISTER OF FISHERIES AND MARINE RESOURCES: On behalf of Mr Calle Schlettwein, I would like to postpone this debate until next Tuesday as well.

HON DEPUTY SPEAKER: Tuesday, this debate is also adjourned to next week Tuesday. This brought us to the end of the session. I will humbly with respect ask the Right Honourable Prime Minister to adjourn the House until, alright Right Honourable Prime Minister can you adjourn the House until Thursday 14:30.

16 October 2018

**ADJOURNMENT
HON PROF KASINGO**

RT HON PRIME MINISTER: Thank you very much Deputy Speaker. I move that the House rises until Thursday the usual time 14:30.

HON DEPUTY SPEAKER: Thank you. The House is adjourned until Thursday 14:30.

HOUSE ADJOURNS AT 15:44 UNTIL 2018.10.18 AT 14:30

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
WINDHOEK
18 OCTOBER, 2018**

The Assembly met pursuant to the adjournment.

HON DEPUTY SPEAKER took the Chair and read Prayers and the Affirmation. Please be seated.

**ANNOUNCEMENT IN TERMS OF RULE
20(B) OF THE STANDING RULES AND ORDERS**

HON DEPUTY SPEAKER: I have announcements to make that actually an invitation that only backbenchers of the National Assembly are kindly invited to a briefing session a luncheon on Sanitation to be hosted by UNICEF under the cooperation agreement with the national Assembly that should take place on Tuesday the 23rd of October 2018 at 11:00 to 12:30 at the Avani Hotel formerly known as Kalahari Sands. So announced.

Any Report of Standing Committees? I recognize Honourable Kavekatora.

TABLING: REPORTS OF STANDING COMMITTEE

HON KAVEKOTORA: Thank you Honourable Deputy Speaker. I lay upon the table for discussion on Tuesday the 23rd of October 2018 reports of a Public Accounts Committee on:

- 1) Central Government audited reports for the Financial Years on that 31st March 2013 to 2014.

16 October 2018

**TABLING OF REPORTS
HON SIMATAA**

- 2) State Owned Enterprises audit reports for the Financial Years ended 31st March 2005 to March 2014 and
- 3) Lastly a report on International Conference on trafficking Illicit Financial Flows held from the 24th to the 26th of May in Cameroon.

I so move honourable Deputy Speaker.

HON DEPUTY SPEAKER: Please table the reports. Any other reports from Standing Committee? Any other reports? I recognize Honourable Minister of Information and Communication and Technology.

TABLING: ANNUAL REPORTS

HON MINISTER OF INFORMATION COMMUNICATION AND TECHNOLOGY: Thank you very much Honourable Deputy Speaker. I lay upon the table Annual Reports of Telecom Namibia for the years 2015/2016 and 2016/2017 respectively. I so move Honourable Deputy Speaker.

HON DEPUTY SPEAKER: Please table the reports. Any other reports and papers? Notices of questions? I recognized Honourable Van Wyk.

NOTICE OF QUESTIONS

16 October 2018

**NOTICE OF QUESTION
HON VAN WYK**

HON VAN WYK: Thank you Honourable Deputy Speaker. Honourable Deputy Speaker I hereby give Notice that on Thursday 25 October 2018 I shall ask the Honourable Minister of Land Reform Honourable Utoni Nujoma the following. Honourable Minister it has been reported in the print media yesterday 17 October 2018 about the land deal between Government and a foreign national before the second Land Conference (interventions).

HON MEMBER: Honourable Member where were you (indistinct).

HON DEPUTY SPEAKER: Yes can we listen (indistinct).

HON VAN WYK: The same transaction has raised many questions that needs answers as it suggests corruption, bribery and misuse of office. I shall therefore ask the following. Honourable Minister could you enlighten the nation as to:

1. Under what legal instrument the transaction took place?
2. Could you inform this august House as to the relationship between your Ministry and a foreign national in this transaction?
3. Also inform the nation as to why Government had in the first place not acquired the said farms through normal procedures?
4. What was the motivation behind the Bill and who are the people who are involved?
5. Could you inform or deny that this transaction was manipulated in such a way that the said land could be exempted by resolutions taken

16 October 2018

**NOTICE OF MOTION
HON KAFULA**

at its just concluded second Land Conference to benefit a selected to lead and friends.

6. Who will be responsible for the payment of land tax for the farms in question and will the new owner be eligible to apply for exemption from paying of land tax in future?
7. What amount of land tax was paid on the land registered in the name of the foreign national for the period 2014 to date.
8. Was any exemption granted to the foreign national for the payment of land tax in the past? If yes what was the amounts involved? When was it exempted and what were the reasons for the exemption?

I so move Honourable Deputy Speaker.

HON DEPUTY SPEAKER: Table the questions. Any other notices of questions? Notice of Motion? I recognize on Motion Honourable Agnes Kafula.

NOTICE OF MOTION

INFORMAL MARKETS

HON KAFULA: Honourable Deputy Speaker, I give Notice that on Tuesday 23 October 2018 I shall move that in view of helping the informal market to help themselves that this Assembly discusses:

1. The formalization of the informal sector.

16 October 2018

**NOTICE OF MOTION
HON TWEYA**

2. That this Motion be referred to the Standing Committee on Economics and Public Administration for scrutiny and make recommendations.

I so move Honourable Deputy Speaker.

HON DEPUTY SPEAKER: Please table the Motion. I recognize Honourable Minister Tweya, Honourable Minister of Trade and Industry.

NOTICE OF MOTION

AFRICAN CONTINENTAL FREE TRADE

HON MINISTER OF TRADE AND INDUSTRY: Thank you Honourable Deputy Speaker, I give Notice that on the 25th of October 2018 I shall move that this Assembly agrees to the establishment of African Continental Free Trade Area. I so move Honourable Deputy Speaker.

HON DEPUTY SPEAKER: Just like that? Table your Motion. Table it. Next is from the Head of State, Ministerial Statement I recognize Honourable Deputy Minister of Land.

**MINISTERIAL STATEMENT IN TERMS OF
RULE 98 OF THE STANDING RULES AND ORDERS**

16 October 2018

**MINISTERIAL STATEMENTS
HON BOOIS**

HON DEPUTY MINISTER OF LAND REFORM: Thank you Honourable Deputy Speaker. Honourable Speaker, Honourable Members I rise this afternoon to brief this august House and the nation on just concluded second National Land Conference that was successfully held from the 1st to the 5th of October 2018 at the Safari Hotel in Windhoek under the theme Towards a Comprehensive and Sustainable Land Reform in Namibia. The Ministry also feels compelled to immediately inform the House and the nation on the outcome of the conference. Honourable Deputy Speaker, Honourable Members, the Ministry of Land Reform was tasked with the convening of the convening of the second National Land Conference under the auspices of the Office of the Right Honourable Prime Minister. The second National Land Conference which was officially opened by His Excellency Dr Hage Geingob the President of the Republic of Namibia sought to address the structure of land ownership in Namibia and debated the following issues amongst others.

1. To review progress made towards the implementation of the resolution of the 1991 National Land Conference and the land question in Namibia.
2. To deliberate over what more could be done to fast track the implementation of the 1991 Land Conference and other related issues emerging during the implementation of the Land Reform Programme.
3. The willing seller willing buyer principle
4. The essential land for restitution.
5. Expropriation of agricultural commercial land in the public interest.
6. Urban Land Reform in resettlement criteria.
7. The Veterinary Cordon Fence and other imminent land related issues.
8. Honourable Deputy Speaker, Honourable Members the hosting of the second National Land Conference accorded an opportunity to

16 October 2018

**MINISTERIAL STATEMENTS
HON BOOIS**

Namibians to deliberate on the current Land Reform Programme and other emerging land issues in order to engage, listen and capture the bills of the debate Namibia nation over land issues the Government undertook regional consultations in all the 14 regions.

The regional consultations on deliberations for the second National Land Conference were held over two days in each of the 14 regions during the period of 19 to 20 as well as 22nd to 27th of July 2018. The teams were headed by members of the high level Committee accompanied by members of the Inter Ministerial Committee officials from the Ministry of Land Reform, Ministry of Urban and Rural Development as well as the Ministry of Agriculture, Water and Forestry who served as resort persons during the consultations.

The regional consultations were attended by Traditional Authorities, Regional Councils, Local Authorities, Farmers Organizations, Line Ministry, Tertiary Education Institutions, Non Governmental Organizations (NGOs), Council of Churches in Namibia, Communal Land Conservancy, community leaders, Women Organizations, Youth Organizations, Political parties, business persons, civil society organizations and individual Namibians we wished to attend. Each region was assigned or facilitated and a report writer during the consultation and each region was responsible for generating its general or regional consultation report and for the final validation of the recommendations that were adopted. The regional reports compiled of the resource materials at the National Land Conference.

Honourable Speaker, Honourable Members it is imperative that I share with you some of the key issues that emanated from the 14 Regional Consultations that form the basis for the conference agenda as follows: First of all we start with incensory land claims and restitution willing seller willing buyer in principle national resettlement programme and criteria expropriation of agricultural land under which we have got the foreign owned farm land, underutilized land, S & T Landlords, land tax, farm size and numbers.

16 October 2018

**MINISTERIAL STATEMENTS
HON BOOIS**

Often land reform programme, removal of the Veterinary Cordon Fence which is the Red Line, land evaluation and pricing, pre and full settlement support to resettled farmers, affirmative action schemes and resettlement programmes, accessibility to land for women and youth and bankability to communal lands. The 14 regions also identified the following five issues at other important land matters just required interrogation and this included repatriation of persons of Namibian descent to the country, boundary space between the traditional authorities, national referendum to amend Chapter 3, Article 16 of the Namibian Constitution, land delivery, prioritization of regional residence in resettlement processes.

Honourable Speaker, Honourable Members, following discussions and debates on the various land related issues that I have just enumerated the Conference agreed and adopted 40 resolutions at the second National Land Conference. These resolutions are based on four semantic areas as follows:

1. Commercial Land Reform Programme in related matters.
2. Communal Land Reform Programme and related matters.
3. Urban Land Reform and related matters.
4. Land tax and evaluation systems and related matters.

Now the 40 resolutions were shared and are available on the Ministerial website. Honourable Speaker, Honourable Members, the hosting of the Second National Land Conference came at the opportune time following 28 years of implementing the 24 resolutions that were adopted at the First National Land Conference on land and the land question of 1991. The Ministry has received the current aspirations of the Namibian people in respect to land reform and will act accordingly guided by the cordial resolutions that were agreed upon at the just concluded land conference. The Ministry under the auspices of the Office of the Right Honourable Prime Minister remains proud of the honour bestowed upon it to lead and host a conference of such importance and magnitude.

16 October 2018

**MINISTERIAL STATEMENTS
HON NUJOMA**

Lastly, the Ministry reiterates its support of the Harambe Prosperity Plan and further would matter in the work of the 40 resolutions of the Second National Land Conference to fully strengthen the implementation of the resolutions as articulated by the Namibian people and with this, I thank you Honourable Deputy Speaker.

HON DEPUTY SPEAKER: Yes today firstly and we will start with questions. Honourable Minister of Land Reform would you like to? You are standing on?

HON MINISTER OF LAND REFORM: Just one, we omitted one little something which is my colleague there the Deputy Minister, she mentioned four semantic areas but there are five semantic areas and the fifth semantic area includes the ancestral land and the restitution just that correction, I wanted to emphasize, thank you.

HON DEPUTY SPEAKER: Okay thank you for that correction. So she said all the information is available at the Ministry's website. We will now go quickly to the questions up to 15:40. What is that again? Honourable Minister of Land Reform, Ministerial Statement, ha?

HON MINISTER OF LAND FORM: Yes Ministerial Statement, thank you very much Comrade Deputy Speaker. I just rise this afternoon to give information to this august House and the nation in respect to the proposal to Government by Komusa S.A to purchase and acquire four farms situated in the Khomas Region that was widely reported in the media during November 2017 and recently this week. I would also like the House and the nation to know that the Government rejected outright

16 October 2018

**MINISTERIAL STATEMENTS
HON NUJOMA**

proposal by Komusa S.A to acquire the four farms measuring 17,000 hectares but instead has consented to a leasehold for a period of 99 years.

Honourable Speaker, Honourable Members this decision to issue a 99 year lease agreement was preceded by an offer and request for a letter of concern on the 28 of November 2017 to the Ministry of Land Reform by Komusa S.A through Sisa Namandje and Company Incorporated in respect of four farms from the Khomas region situated in registration division K as required under Section 17 Sub Section 4 and 58 Sub Section 5 of the Agricultural Commercial Land Reform Act 1995 as amended.

Honourable Speaker, Honourable Members, the Ministry rejected the proposal and refused to grant Komusa as a letter of consent in terms of Section 58 of the Agricultural Commercial Land Reform Act of 1995, Act No.6 of 1995 as amended to acquire the farms concerned from the owners and develop them. However, in view of the massive developmental and economic benefits and various employment opportunities the matter was taken to Cabinet for further deliberations to inform the decision that the Government will eventually take on the matter. Honourable Speaker, Honourable Members having interrogated the issue comprehensively Government agreed to grand consent to Komusa S.A to lease the concerned four farms but under very stringent conditions. In that Komusa S.A will have to buy the four farms from the private farms at their own full cost and have the farms directly transferred into the name of the Government and become Government property through a donation and Komusa S.A leases the same farm from Government with the following conditions:

1. That Komusa S.A must take annual rental to the Government equivalent to the Farm Texas paid by all commercial farms. I repeat that Komusa S. A must pay annual rental to the Government equivalent to the Farm Texas paid by all commercial farmers.
2. That all improve the difference of the lease enclosure for hotels and other properties and infrastructures will at the end of the lease become the property of the Government of the Republic of Namibia.

16 October 2018 **QUESTIONS ON MINISTERIAL STATEMENTS**
HON VAN WYK

3. That Komusa S.A will recruit 15 children of the Liberation Struggle who will commence employment on or before the 1st of January 2019.
4. This is in addition to other people in the surrounding areas who are currently recruited and working for Komusa S. A already.
5. That Komusa S. A build and establish a tannery and employ people from the nearby communities.

Honourable Speaker, Honourable Members, the four farms have been as I am speaking registered in the name of the Republic of Namibia and Komusa S.A is currently leasing the farms. I thank you.

HON DEPUTY SPEAKER: Yes, I take note that the Ministerial Statement by the Ministry of Land Reform address the question put by some issues concerning the question put by Honourable Van Wyk. Are you happy with that statement? If you are going to get a copy you still stand by your question as put?

HON VAN WYK: Thank you Honourable Deputy Speaker, yes I will stand for my questions. I think the Minister can just answer the questions and then I can come up with follow up questions.

HON DEPUTY SPEAKER: Follow up questions, can you sit down a little bit. I just want to remind all of us concerning the question which will follow up on the statement Rule No.98(b) which says that no debate may arise on such statement but the Speaker or Deputy Speaker can use that discretion to allow short question to be put to the Minister. I have the floor, making statement for the purpose of elucidating on it, clarity on it. Based on that can you ask for clarification?

16 October 2018 **QUESTIONS ON MINISTERIAL STATEMENTS**
HON MAAMBERUA

HON MAAMBERUA: Thank you Comrade.

HON DEPUTY SPEAKER: Honourable Maamberua, yes.

HON MAAMBERUA: Thank you Comrade Deputy Speaker. I have a small question and now this question you see some of us have lived in African countries (intervention).

HON DEPUTY SPEAKER: Is it related to get more clarity on the statement?

HON MAAMBERUA: Yes, we have lived in African countries, we have witnessed what has transpired there over many years. The Minister just informed us that the transaction was approved by Cabinet in terms of that arrangement so that it could happen. Some of us are not prepared to get Namibia destroyed as has happened to many other African Countries.

HON DEPUTY SPEAKER: You should clarify.

HON MAAMBERUA: For me I am not prepared to participate in the destruction of Namibia.

16 October 2018 **QUESTIONS ON MINISTERIAL STATEMENTS**
HON MAAMBERUA

HON DEPUTY SPEAKER: No, sorry just clarify the reason why you see that that agreement of Cabinet (intervention).

HON MAAMBERUA: Shenanigans with the laws and the procedures and so on that I am not prepared to. You see I have wasted my youth fighting for this country and I am not going to be participating in schemes (intervention).

HON MEMBER: There at Omuguluwambashe (laughter).

HON MAAMBERUA: In schemes that are going to destroy this country.

HON DEPUTY SPEAKER: Just clarify how big the decision of the Cabinet in your mind (intervention).

HON MEMBER: At Omuguluwambashe.

HON MAAMBERUA: You were not there you were young when I was in exile you were not there.

HON DEPUTY SPEAKER: No I am talking to you I am just saying, order.

16 October 2018 **QUESTIONS ON MINISTERIAL STATEMENTS**
HON MAAMBERUA

RT HON PRIME MINISTER: On a point of order I just (intervention).

HON MAAMBERUA: I am addressing myself to Cabinet to Government and to the people of Namibia.

RT HON PRIME MINISTER: Point of order I just want to be clear if tomorrow I quote the Honourable Member (intervention).

HON DEPUTY SPEAKER: Honourable Maamberua maybe you can accept the point of order.

RT HON PRIME MINISTER: He will not further misquote me. Did I hear him say he wasted his time fighting for the liberation of the country? I just want him to confirm whether that was what you said? Did you say you wasted your time fighting for this country?

HON DEPUTY SPEAKER: Can we listen to one another please? I did not hear (intervention).

RT HON PRIME MINISTER: Honourable I am asking Honourable Maamberua (not on microphone).

16 October 2018 **QUESTIONS ON MINISTERIAL STATEMENTS**
HON MAAMBERUA

HON DEPUTY SPEAKER: Can you. Honourable yes now you can proceed.

RT HON PRIME MINISTER: As to whether I got him right that he actually just said that he wasted his time when he fought for the liberation of the country? I just want him to confirm whether that is what he said? He considers his contribution to the liberation of this country to be a waste of time, is that what you said? I just want him to say yes that is what he said or no that is not what he said and I will rest my case?

HON DEPUTY SPEAKER: And Honourable Maamberua I also wanted you to clarify why do you think in your opinion the decision by the Cabinet is leading to the destruction of the country, say it just for the sake of clarity?

HON MAAMBERUA: The land that is being given, no if you continue to do what you are doing the Shenanigans that I talked about then my contribution through the youth and the destruction of the country that we are busy then it means I have wasted my time fighting for this country. That is what I am saying.

RT HON PRIME MINISTER: So it was him who said he wasted his time fighting for this country.

16 October 2018 **QUESTIONS ON MINISTERIAL STATEMENTS**
HON MAAMBERUA

HON MAAMBERUA: No if you continue what you are doing, the destructive activities of your Government, that is what I am saying and can I answer you my Deputy Speaker?

HON DEPUTY SPEAKER: Yes please, can we listen to one another senior Members even the leaders of political parties. Yes.

HON MAAMBERUA: The so called 99 year lease to a foreigner of our ancestral land, of our ancestral land that is leading to the destruction of this country because it is going to continue to create more despondence among the people of this country that is what I am saying.

HON DEPUTY SPEAKER: Yah, okay.

RT HON PRIME MINISTER: Point of Order?

HON DEPUTY SPEAKER: Yes.

RT HON PRIME MINISTER: Honourable Speaker (intervention).

HON DEPUTY SPEAKER: Deputy Speaker, yes.

16 October 2018 **QUESTIONS ON MINISTERIAL STATEMENTS**
HON MAAMBERUA

RT HON PRIME MINISTER: To defend the laws of the Republic of Namibia, there is a law that is approved by this Parliament that authorizes for sale of land and leasing of land. SWAPO Party Government brought a Bill to this House to try and amend that clause in the law and it was that specific Honourable Members that said that that amendment cannot be considered until after the Land Conference and when we went to the Land Conference it was also part of the resolutions of the Land Conference that foreigners may not be allowed to purchase land in the country.

HON FLEERMUYS: (Not on microphone).

HON DEPUTY SPEAKER: Can we listen to one another? Honourable Fleermuys please.

RT HON PRIME MINISTER: May not be allowed to purchase land in the country but they can be allowed to lease land. So there is nothing destructing and nothing that is carried out of the country that this lease of land represents. So I think the Honourable Member truly should withdraw that statement. He can express his disagreement with a decision but to say that that decision constituted destruction of the country and all of the things that he is saying is unacceptable.

HON DEPUTY SPEAKER: Honourable Maamberua, have you said what the Right Honourable Prime Minister is saying?

16 October 2018 **QUESTIONS ON MINISTERIAL STATEMENTS**
HON MAAMBERUA

HON MAAMBERUA: I said (intervention).

HON MEMBER: It is bogging down to a debate.

HON MAAMBERUA: Let it be a debate. Let it be a debate (repeatedly).

HON DEPUTY SPEAKER: Honourable Maamberua?

HON MAAMBERUA: No, do not worry.

HON DEPUTY SPEAKER: Honourable Maamberua?

HON MAAMBERUA: It is me.

HON DEPUTY SPEAKER: Yes I have heard what you said. By the nature, Right Honourable Prime Minister.

HON MAAMBERUA: She is then smiling so yes.

HON DEPUTY SPEAKER: It appears that any (intervention).

HON MAAMBERUA: It was a point of order.

HON DEPUTY SPEAKER: Reaction to this statement will lead to the whole debate. Why do we not just, unless you ask for clarification on the statement made. Ha, clarification on the statement. Can you stand up so that I can also quickly?

HON MAAMBERUA: Yes as I am saying, yes quickly, as I am saying I am not even addressing myself to the Minister, I am addressing myself to Cabinet and to the Government of the Republic of Namibia because those are the people who are actually messing up. Yes through that decision, how can you lease our ancestral land for a farm 27,000 hectares to a foreigner for 100 years? You say after 100 years then the Russians can give back the land, what logic is that? What logic is that, we still have people who are yearning for land and you are giving the land to a Russian for 100 years?

HON DEPUTY SPEAKER: Can you listen now to the Presiding Officer Honourable Maamberua?

HON MAAMBERUA: On the question of law, let me respond to the Prime Minister. On the question of law our laws and that is the resettlement laws do not prohibit resettlement of any person in Namibia, that you have to have morality in the practise of resettlement. You cannot when we have got more than 300,000 people on the lease looking for land

16 October 2018 **QUESTIONS ON MINISTERIAL STATEMENTS**
HON MAAMBERUA

you resettlement Permanent Secretaries, Ministers, Governors and what a view and so on and so forth? Where is the question of morality?

HON DEPUTY SPEAKER: No.

HON MAAMBERUA: So it is not a question whether the laws are not there it is a question of how do you choose between the poor and the rich.

HON DEPUTY SPEAKER: Honourable Minister you can come later after the reaction by the Honourable Members?

HON MAAMBERUA: No the Minister should stay put we are not talking to the Minister. Leave the Minister alone. We are addressing ourselves to Government not to the Minister. Let the Minister just stay cool there.

HON DEPUTY SPEAKER: I am just saying (intervention).

HON MAAMBERUA: We are now talking serious business. We are now talking State issues. This is now State issues we are talking about.

16 October 2018 **QUESTIONS ON MINISTERIAL STATEMENTS**
HON MAAMBERUA

HON DEPUTY SPEAKER: Honourable Maamberua you are talking to the Presiding Officer. I am saying I am not preventing anybody to react to the statement but if it happens to go to the debate I will withdraw my discretion and I can make use of Rule 98 and withdraw my discretion to allow short questions. Can you Honourable Maamberua, summarize (interventions).

HON MAAMBERUA: Yes let me summarize. Let me summarize.

HON VENAANI: No he cannot be stopped in this House.

HON DEPUTY SPEAKER: No, no Honourable Leader of the Official Opposition. No these people cannot stand. Honourable Member (intervention).

HON MAAMBERUA: The Prime Minister must sit down.

HON DEPUTY SPEAKER: All of you three?

HON MAAMBERUA: No, the Prime Minister must sit down.

HON DEPUTY SPEAKER: All of you can you sit down. Can you sit down all of you? Can you sit down all of you I am using my discretion and I am no more going to allow any statement. I am using my discretion.

Can we have order? Order! Order!

HON VENAANI: We are seeing in this House where the discretion of the Speaker is influenced by one side of the House.

HON DEPUTY SPEAKER: Not really.

HON VENAANI: Yes not really. Not really are you confirming? (Oshiwambo)

HON DEPUTY SPEAKER: No I am not *shiveri* I am *showere*.

HON VENAANI: (Oshiwambo)(laughter), this issue is so serious. It is a serious national concern issue.

HON DEPUTY SPEAKER: It is.

HON VENAANI: The Minister has raised decisions (intervention).

RT HON PRIME MINISTER: Those are the problems (intervention).

HON DEPUTY SPEAKER: Right Honourable Prime Minister can we listen to his objections. Can we listen to his statement?

HON VENAANI: Yes I am allowed, you see it is the Prime Minister who only remote controls the House. The Prime Minister cannot remote control the Speaker.

HON DEPUTY SPEAKER: No, Honourable the leader of the Official Opposition, I just do not want, I know how very important this issue is, I just do not want, can we listen to one another?

HON MAAMBERUA: You give our land to a Russian? No.

HON VENAANI: Now can I say the following, two sentences. My cousin says a person bought the farm and donated the farm, the minute that you donate property to Government it becomes private Government property. So it is immaterial whether that donation was by him or the other person and I am just saying to make a very brief statement, we are going to test the legality of this transaction in court tomorrow, we are going to test it tomorrow.

HON MAAMBERUA: Point of order.

16 October 2018 **QUESTIONS ON MINISTERIAL STATEMENTS**
HON MAAMBRUA

HON DEPUTY SPEAKER: Honourable Maamberua, (interventions) please the Presiding Officer, can we listen to one another. No I just want to say there is one (intervention).

RT HON PRIME MINISTER: You ask (not on microphone).

HON DEPUTY SPEAKER: Right Honourable Prime Minister help me I am trying to bring the House to order to say that there are serious issues concerning this. Can somebody come up with a Motion? I just do not want the whole thing, the Ministerial Statement to turn into a debate. Come up with a Motion and then we panel beat it here.

HON MAAMBERUA: Yes.

HON DEPUTY SPEAKER: Please a Motion concerning this.

HON MAAMBERUA: Yes thank you very much Comrade Deputy Minister.

HON DEPUTY SPEAKER: No Deputy Speaker, I am not even a Deputy Minister. I am Deputy Speaker.

16 October 2018 **QUESTIONS ON MINISTERIAL STATEMENTS**
HON MAAMBRUA

HON MAAMBERUA: Deputy Speaker, sorry, the overwhelming sentiment (interruptions by Prime Minister). Can you please call the Prime Minister to Order please.

HON DEPUTY SPEAKER: Can we listen to one another. I have called her to order she has not heard me.

HON MAAMBERUA: Yes please.

HON DEPUTY SPEAKER: Yes what are you saying? You have the floor.

HON MAAMBERUA: Did you call the Prime Minister to order you said?

HON DEPUTY SPEAKER: I did already, you have not heard.

HON MAAMBERUA: The overwhelming (intervention).

HON DEPUTY SPEAKER: Even the Leader of the Official Opposition I called him to order both of you.

16 October 2018 **QUESTIONS ON MINISTERIAL STATEMENTS**
HON MAAMBRUA / HON KAVEKOTORA

HON MEMBER: Send them out.

HON DEPUTY SPEAKER: Otherwise you will go. Yes?

HON MAAMBERUA: The overwhelming strong feeling in terms of patriotism is that the transaction between the Government of Namibia at that Russian millionaire or billionaire is not acceptable and therefore that transaction must be cancelled immediately. We in Namibia are not going to allow to have that transaction to proceed. That is what you can rule. Thank you.

HON DEPUTY SPEAKER: Honourable Kavekatora or you do not want to? I also want just a formal Motion and you debate thoroughly on this. Yes Honourable Kavekatora.

HON KAVEKOTORA: Honourable Deputy Speaker.

HON DEPUTY SPEAKER: Yes Honourable Kavekatora you have the floor, you just listen to the Presiding Officer.

HON KAVEKOTORA: I am waiting for the people to (intervention).

16 October 2018 **QUESTIONS ON MINISTERIAL STATEMENTS**
HON KAVEKOTORA

HON DEPUTY SPEAKER: no, no they are quiet. They are normally quiet like that.

HON KAVEKOTORA: In terms of (interruptions).

HON DEPUTY SPEAKER: I will send somebody outside, I am telling you. I do not say who, yes?

HON KAVEKOTORA: On a point of order?

HON DEPUTY SPEAKER: Honourable Maamberua can you listen to your colleague?

HON KAVEKOTORA: Honourable Deputy Speaker, for those of us who are accountants by tribe (intervention).

HON DEPUTY SPEAKER: What by tribe?

HON KAVEKOTORA: Accountant by tribe, my profession there is a term called smart accounting.

16 October 2018 **QUESTIONS ON MINISTERIAL STATEMENTS**
HON KAVEKOTORA

HON DEPUTY SPEAKER: A what?

HON KAVEKOTORA: Smart Accounting and that is the smart accounting that led to the collapse of some system in the United States because people applied Smart Accounting (intervention).

RT HON PRIME MINISTER: Enron Smart Accounting.

HON KAVEKOTORA: Enron yes thank you very much. The first transaction is a smart manipulation. This transaction that was just alluded to is a smart manipulation of the law because what I do not understand and what does not make any sense is the following. We have somebody interested in buying a particular piece of land from a private entity that particular individual was prevented from buying that land. He eventually discussed to manipulate the system with the Government (intervention).

HON VENAANI: (Not on microphone),

HON DEPUTY SPEAKER: No Honourable leader of (incomplete).

HON KAVEKOTORA: On the piece of land to the Government just for the Government to lease it over to him. That is just nothing other than smart manipulation and if the Government of the day is in the process of manipulating the system in order to benefit friends and people like that,

16 October 2018

**RESPONSE TO QUESTION BY
HON VAN WYK
HON KAPOFI**

that cannot obviously even you Honourable Deputy Speaker you cannot allow that to happen. Now I was telling Namibia in a very manipulative way (intervention).

HON DEPUTY SPEAKER: No you should not use (intervention).

HON KAVEKOTORA: We cannot do that I mean that is totally wrong, it is unearthical unless if the Government agrees that you do not care about that, that is totally unearthical.

HON DEPUTY SPEAKER: Honourable Kavekatora? We now go to Question 105, this is a question I understand the Honourable Minister of Home Affairs and Immigration is travelling and he humbly requested to answer this question. Does the Honourable Member who put the question 105, is it Honourable Van Wyk or who. Do you like to put the question? Yes Honourable Minister of Home Affairs and Immigration.

HON MINISTER OF HOME AFFAIRS AND IMMIGRATION: Are we (interruptions).

HON DEPUTY SPEAKER: Yes you have the floor. (Noise) Can we listen? I rely on all of you.

16 October 2018

**RESPONSE TO QUESTION BY
HON VAN WYK
HON KAPOFI**

HON MINISTER OF HOME AFFAIRS AND IMMIGRATION:
Thank you *(indistinct)(Portuguese) (laughter)*.

HON DEPUTY SPEAKER: Honourable Minister, try to answer please not to create problems.

HON MINISTER OF HOME AFFAIRS AND IMMIGRATION:
Honourable Members of this House do you want me to repeat?

HON DEPUTY SPEAKER: No, please do not repeat just answer the question.

HON MINISTER OF HOME AFFAIRS AND IMMIGRATION: I rise to respond to the question posed by Honourable Jan Van Wyk regarding allegations of corruption and nepotism at the Ministry of Home Affairs and Immigration. Before I reply I would encourage fellow Members as I have done on many occasions to be at all times especially when we attribute words or deeds to other persons. In this way we can preserve the dignity of our public discourse. Of recent it has become the norm in our society to label fellow Namibians as corrupt and actors of maladministration. We see this featuring in our daily media chiefly on social media networks. Regrettably these allegations are often found baseless when they are investigated by appropriate public institutions.

In a research note titled, 'The Perception of Corruption' published by Oxford University Press on behalf of the World Association for Public Opinion Research 2010. The author Melga R argued that high level of

16 October 2018

**RESPONSE TO QUESTION BY
HON VAN WYK
HON KAPOFI**

corruption perception could have more devastating effects than corruption itself. It generates a culture of distrust towards some institutions and may create a culture of tradition of gift giving and hence raising corruption. Having expressed my sentiments on the importance of making distinctions between factual and untruthful perceptions or innuendos I now wish to provide an overall reply to the questions by Honourable Van Wyk.

The recruitment process of the Ministry is guided by the recruitment policy framework of the Public Service of Namibia. It is in no way different from other Ministries, Agencies and Offices of the Government. Section 25 of the Public Service Act, Act 13, 1995 and the Public Service staff rules made in terms of Section 35 of the Act set the process and guidelines for recruitment. Generally the process takes the following course. Position should be advertised especially promotion posts, shortlisting of suitably qualified candidates will be done by the Human Resource office to get out the heads of divisions and directorate as per the upgrade requirements for the shortlisting criteria used by the Ministry. The Permanent Secretary appoints the interview panel for the respective positions and the process continues. It is therefore of significance to indicate to the Honourable Member that at no point is the Permanent Secretary directly involved in the recruitment process apart from constituting the interview part and issuing the appointment later after the recommendations of the Public Service Commission for position on Grade 4 and above or after a recommendation by the manager responsible for human resources position lower than Grade 4.

In addition no rule exists that prohibits family members from working in the same Ministry. The question presented to me focus on position in the Ministry and how certain officials in the Ministry allegedly recruited their relatives and associates. Secondly, the Honourable Member assessed that it has been reported that corruption and nepotism has become daily news at Home Affairs and Immigration. I wish to inform this august House that when I was deployed to the Ministry of Home Affairs and Immigration early February 2018 I obtained a report of an investigation commissioned by the Secretary to the Cabinet into alleged corrupt practises and

16 October 2018

**RESPONSE TO QUESTION BY
HON VAN WYK
HON KAPOFI**

nepotism. The Secretary to Cabinet instituted an inquiry at the Ministry in July 2017 on the request of the Anti Corruption Commission following a complaint received from an anonymous person on the alleged corrupt practises at the Ministry of Home Affairs and Immigration. The report dated Augusts 2017 was compiled by the Public Services Commission.

To put this into context the question posed by Honourable Members and the complaints or issues submitted by the anonymous person are exactly the same. Having made this correlation one may deduce that the anonymous person seems not to be satisfied with the outcome of the investigation instituted by the Secretary to the Cabinet. In this regard I wish to appraise the Honourable Member that the inquiry as already investigated the alleged cases of nepotism cited in these questions, the inquiry concluded and I quote. "The inquiry has not found evidence of such malpractices as alleged hence these allegations are drawn to a close until such time that concrete evidence can be presented to challenge these findings.

Honourable Deputy Speaker, Honourable Members, nepotism and favoritism has never been a policy of the Government nor is it allowed for any State official to practise. All rules and processes followed by the Ministry are geared toward ensuring that fairness is administered to afford an equal opportunity to applicants to compete for positions on merit. I encourage Honourable Members and citizenry at large to use the provisions of law and approach our respective institutions if allegations of corruption and nepotism for due process to take its course. Lastly, I wish to thank the Honourable Member for these questions and I thank you.

HON DEPUTY SPEAKER: Yes, follow up questions?

16 October 2018

**RESPONSE TO QUESTION BY
HON VAN WYK
HON VAN WYK**

HON VAN WYK: Thank you Honourable Deputy Speaker. Thank you Honourable Minister I do not know who provided you with those answers. I am a Human Resources practitioner by profession I exactly know how the procedures work when it comes to recruitment.

HON DEPUTY SPEAKER: Can you listen?

HON VAN WYK: Follow up question Honourable Minister, was the pay roll audit done to make sure that this alleged corrupt practises was brought forth or you are sure that this is true? Only a pay roll audit can confirm what we are saying there. Unfortunately not all the questions are answered because the questions were specific. You answered in a general manner. So Honourable Minister I still have my questions. As I have said only a pay roll audit can prove that yes you are right and I am wrong. Thank you Honourable Deputy Speaker.

HON DEPUTY SPEAKER: Honourable Minister.

HON MINISTER OF HOME AFFAIRS AND IMMIGRATION: Yes Honourable Van Wyk. I have gone through your questions one by one not by way of answering you now. As I said to you the questions that you raised were similar questions that were investigated verbatim were the same. There were names cited, people this one have appointed this one, this one Human Resources did this and that one did that. There were even names cited of certain people linked to these other people. Those people are there some of them but the lineation between those people is what cannot be proven. All the questions as you asked were investigated. Yes

16 October 2018

**RESPONSE TO QUESTION BY
HON VAN WYK
HON KAPOFI**

many a people that were cited to be saying there is this one and that one, this name of this one and this one is related to that. Those names, those issues were investigated by that independence investigators and they concluded as such. That is what I am informing you. The audit, we are not disputing that those people are not there we are not disputing that and of course pay roll audit will not tell you that this one is a brother to this one, it is not reflected there.

HON VAN WYK: (Not on microphone).

HON MINISTER OF HOME AFFAIRS AND IMMIGRATION: The? I do not hear you but you see it cannot tell you. The audit can just verify that this name is there or it is not there but the process that was followed because it was a question that was the process was questioned that these people just brought because I also spoke to these individuals myself when I read a report I made it a point to myself to speak to individuals to tell me the relationship that they have with these people. Okay people can say I do not know but those that have investigated has provided the answer that those allocations cannot be proven. So I have given you an honest view that I have found and I could not have done otherwise, Honourable Member, thank you.

HON DEPUTY SPEAKER: Okay thank you. We now revert back to the order. The question up to probably 16:30, I put question 87 put by Honourable Maamberua to Right Honourable Prime Minister. Would you like to put the question?

16 October 2018

**RESPONSE TO QUESTION BY
HON MAAMBERUA
RT HON DR KUUNGONGELWA-AMADHILA**

HON MAAMBERUA: Yes I put the question.

HON DEPUTY SPEAKER: Right Honourable Prime Minister, 87.

RT ON PRIME MINISTER: Okay thank you very much Honourable Deputy Speaker. Yes I was ready to answer the question previously. I had to hold back the answer because the opposition parties were not willing to receive the answers in the absence of the Honourable Member and as promised I released the information through the website of the Office of the Prime Minister and also through other platforms because I thought this was important information that really would have triggered the interests of the public when the question was posed. So the long and short of the answer is, yes we have been approached with a request from this constituency in Omaheke Region about the drought situation prevailing there and we looking into the matter and we have confirmed that indeed there is a drought situation and there are people who cannot cope by themselves but would need to be assisted in terms of the existing policies of Government and the package of support on the affected communities has been approved by Government and the efforts have already commenced to distribute the relief to the affected communities which is actually in the form of food.

He then went on to ask whether it is so that there is a threshold to qualify for the drought assistance that we provided to the communities in that area and my response is to say that we have standing criteria that we apply whenever we assist emergency stricken communities and these criteria could include threshold in terms of combined income of household before one qualifies for assistance and also a requirement that one should not be a recipient of a relief under other programmes of Government and these are the same criteria we are applying in Aminos, in Omaheke so we do not have specific criteria especially just for them. The criteria that we are

16 October 2018

**RESPONSE TO QUESTION BY
HON MAAMBERUA
HON MAAMBERUA**

using are the same ones that we are using everywhere else. The importance of having these criteria really is to make sure that we do not pray that we have too few and end up not being able to make an impact on those that are most vulnerable and can otherwise not help themselves by duplicating actually assistance that is already provided through other programmes. So we want to spare the little that is available and target it to those that are most vulnerable. So this is what is happening. The details of the information as I indicated have been released through the Press Statement that we issued.

HON DEPUTY SPEAKER: Yes, any follow up?

HON MAAMBERUA: Yes thank you Comrade Deputy Speaker and I would also like to thank the Right Honourable Prime Minister for the information. Indeed it is true that we have heard of the intervention measures that Government is already busy with through the media. In the same mode I have already commended the President and Government for that particular intervention. It is public and it was done though the media. I would only appreciate for record purposes the answer as the Prime Minister the region one if need be just for further records. Otherwise thank you very much.

HON DEPUTY SPEAKER: Okay thank you. I put question number 88 by the same Honourable to Honourable Minister.

HON MINISTER OF PRESIDENTIAL AFFAIRS : Thank you very much Honourable Deputy Speaker. Please forgive me because of my

16 October 2018

**RESPONSE TO QUESTION BY
HON MAAMBERUA
HON AMBASSADOR ANDJAMBA**

horsy voice. I will not repeat the question that was asked by Honourable Maamberua because all of us have it. But I wish to respond by underscoring the fact that as a matter of policy the matter of appointing Ministers is a prerogative of the Head of State and the President appoints Ministers as per the powers vested in him by Article 32 of the constitution that when appointing Ministers the President considers a number of factors including and most importantly the needs and expectations of the Namibian people with the sole purpose of ensuring effective service delivery and contribute to the social economic development of our country.

I wish to put it on record that the President is committed to and advocates for fiscal consolidation measures aimed at reducing the budget deficit. In this context a number of cross-cutting measures having put in place by the President and of course are in the public domain but I can just mention a few. One of them is the travelling restrictions that the question as imposed on Ministers and Deputy Ministers and other political office bearers to further himself when he travels outside the country on official business and when circumstances permit he travels by commercial plane. This is something very important that is not done in most cases by Heads of States but when circumstances permit our President travels also commercially (intervention).

HON VENAANI: (Not on microphone).

HON DEPUTY SPEAKER: Honourable Venaani why should you come up with an informal intervention, oh no.

16 October 2018

**RESPONSE TO QUESTION BY
HON MAAMBERUA
HON AMBASSADOR ANDJAMBA / HON MAAMBERUA**

HON MINISTER FOR PRESIDENTIAL AFFAIRS: But the point that I am making is that (intervention).

HON DEPUTY SPEAKER: Honourable Minister you are not supposed even to answer that informal intervention. Please can we listen to one another? Yes Honourable Minister?

HON MINISTER OF PRESIDENTIAL AFFAIRS: The question also reduces the size of his delegation. This is all aimed at cutting costs. And in the area of, not once off it should be done maybe many times but in the areas of Governors the question is committed to the fight against corruption and he is only committed to promoting transparency and accountability. These are all measures taken to address the issue of Cabinet cost and a number of other instructions I think implemented by the Office of the Prime Minister and of reducing costs. These pressures as we all know restrict spending by public office holders either to curtail wastage or State resources. All these measures are in the interests of curtailing public expenditure and attests to the fact that the President is committed to the fight or to the plan of fiscal recovery and consolidation. I can answer your question only at this stage in the way I have done it. Thank you Honourable.

HON DEPUTY SPEAKER: You follow up, okay.

HON MAAMBERUA: Thank you Honourable Deputy Speaker and I thank the Minister also though of course the answer is not targeted at the question. I did not ask for a list of measures that the President has taken

16 October 2018

**RESPONSE TO QUESTION BY
HON MAAMBERUA
HON MAAMBERUA**

over the period of time, I asked a specific question. Now maybe in order to redirect and to make sure that the answer of the question understands what I am asking. The question is, despite all the other measures taken we still are in the economic doldrums is that the President under the current circumstances prepared to reduce his Cabinet in order to save further costs, that is the question.

HON DEPUTY SPEAKER: No, I should think the Minister (intervention).

HON MEMBER: He answered.

HON DEPUTY SPEAKER: Minister did try to answer because as he stated he is not a President. He is not a President and he stated that the prerogative of picking Ministers as President, I should think he finds himself in dilemma. Maybe prudently you can really try to have appointment and have discussions with the Head of State. I so prudently advise.

HON MAAMBERUA: Deputy Speaker, are you answering on behalf of the State House (laughter).

HON DEPUTY SPEAKER: No I am just guiding. Okay the Minister can respond.

16 October 2018

**RESPONSE TO QUESTION BY
HON MAAMBERUA
HON MAAMBERUA / HON AMBASSADOR ANDJAMBA**

HON MAAMBERUA: The question is directed to the Head of State through the Minister. The question is, is the President prepared? I am not asking whether the President must lose his Constitutional prerogative I am just asking a simple question under the circumstances is the President considering reducing his Cabinet? Yes or no?

HON DEPUTY SPEAKER: Honourable Minister it is a follow up question.

HON MINISTER OF PRESIDENTIAL AFFAIRS: Honourable Deputy Speaker I have answered the question right at the beginning that that is the a prerogative of the President and if anything else in the direction of what the Honourable is saying that will be done at the appropriate time and that you will be informed accordingly. Thank you.

HON DEPUTY SPEAKER: Okay now the next question is 89 again by the same Honourable Member to the Minister of Works and Transport. Would you like to put the question Honourable Maamberua?

HON MAAMBERUA: Yes.

HON DEPUTY SPEAKER: Yes, Honourable Minister of Works and Transport. Okay Deputy Minister.

16 October 2018

**RESPONSE TO QUESTION BY
HON MAAMBERUA
HON SANKWASA**

HON DEPUTY MINISTER OF WORKS AND TRANSPORT: Thank you very much Comrade Deputy Speaker. The few questions that I will take questions 89 and 90 at the same time, I acknowledge Honourable Maamberua's questions and our response is as follows: The Okahandja, Okandjira Road is a priority road and has been put on the Roads Authority re-gravel programme for the next three years. Roads Authority is currently busy resolving the issues of funding suitable material for road construction with various options currently being investigated. In addition the option for additional funding is also being pursued to seal this section of the road by re-gravel.

Honourable Speaker, Honourable Members, as much as it is good to have Okandjira and Okahandja Roads, Karibib, Otjimbingwe Road upgraded to bitumen standards cognizance must be given to the fact that there are regions and constituencies in Namibia which do not have even the luxury of a gravel road. As leaders we must be more concerned with those regions that have received lesser attention in the past few years therefore we should be embracing the principle of no one must feel left out.

There is a second question of whether the Ministry has done cost benefit analysis. Yes the Karibib/Otjimbingwe has been prioritized. In the next Financial Year 2019/2020 should the economy change? The feasibility study and detail design will be undertaken. The cost analysis be it cost efficiency or cost benefit analysis is usually done during the feasibility study of any project. It is on these basis that such a project is costed and budgeted for.

The next question will be, do you agree with me that the condition of these roads are risky to the road users? No I would not agree with you simply because, I would not agree with you Honourable Member, accidents are not only caused by roads but by many factors such as over speeding, drunken driving, showing off so I do not agree with that basis.

16 October 2018

**RESPONSE TO QUESTION BY
HON MAAMBERUA
HON SANKWASA**

As much as we need to restore the roads to its original state we must be mindful of our prevailing economic situation.

HON DEPUTY SPEAKER: Can we listen please?

HON DEPUTY MINISTER OF WORKS AND TRANSPORT: We all know that with the economic downturn currently prevailing it is now impossible to implement all projects at once therefore some of the projects will only have to commence after the completion of the ongoing projects.

The next question was, why the public roads information signs are written in Germany not in the official language? The Honourable Speaker belongs to SWANU and there is no South West Africa in this country anymore.

HON DEPUTY SPEAKER: Honourable Deputy (interruptions).

HON DEPUTY MINISTER OF WORKS AND TRANSPORT: I am answering both 89 and 90.

HON DEPUTY SPEAKER: Let us pose for a while so that we know as to whether there is follow up questions on question number 89. Do you have any follow up questions?

16 October 2018

**RESPONSE TO QUESTION BY
HON MAAMBERUA
HON SANKWASA**

HON MAAMBERUA: Yes, thank you Deputy Speaker, Comrade Deputy Speaker and I would like to thank the Deputy Minister partly.

HON DEPUTY MINISTER OF WORKS AND TRANSPORT: Ha?

HON MAAMBERUA: Partly and I have to explain that specifically the last question 3 where the Minister does not agree that the conditions of these roads are a risk to the road users deliberating avoiding the next sentence that qualifies it or justifies it where it says, which could be caused by tyre bursts and unstable road negotiating provisions. So the Minister still insists it is not a risk. I am not amused by that answer. Thank you.

HON DEPUTY SPEAKER: Yes Honourable Deputy Minister.

HON DEPUTY MINISTER OF WORKS AND TRANSPORT: Thank you Comrade Speaker. I still want to repeat, when you negotiate you are driving on a road that you know the road is bad, why do you over speed? And why do you drive on such a road when you know the road is bad but you are drunk? Why do you not take all the necessary precautions to make sure that you negotiate the bend and your tyres are also fit and you do not show off because you know the conditions of the road, why do you do it? Why do you even overload your truck with cattle when you know the road is not good? So that is what we call the wrong attitudes on the road. Proper road usage requires proper attitude from the driver. There is an issue of the road sign given in Germany (intervention).

16 October 2018

**RESPONSE TO QUESTION BY
HON MAAMBERUA
HON SANKWASA**

HON DEPUTY SPEAKER: No.

HON DEPUTY MINISTER OF WORKS AND TRANSPORT: No, the next one so I stop there? Thank you.

HON DEPUTY SPEAKER: Yes okay there, it is a follow up. Answer to your follow up questions to question number 89. Can we proceed to the next? Okay I will put question 90? Honourable Deputy Minister then you can answer question number 90?

HON DEPUTY MINISTER OF WORKS AND TRANSPORT: Question 90 is about the road information sign written in Germany not in the official language. This road sign says, it is a road sign with direction that is intended for tourism and I am reliably informed that the road sign was approved by the Department of Transport brought to the establishment of the Roads Authority institution. Out of such negatively perceived view that maybe this Germany sign is wrong comes a positive sign where it directs tourists and we know the majority of the tourists in this country are from Germany. In terms of erective traffic road signs along public procurement roads any applicant may approach the Roads authority to apply and seek consideration for the approval of such sign to be erected next to the road within the road reserve to give direction to a place of interest of that particular individual or group. Currently there is no specific Government policy regarding the language of information sign selected along public roads to cater for personal or groupings such as in this case where it is for Germany soldier's grave. However, all road signs information erected by the Roads Authority are done in accordance with the SADC Road Traffic Signs Manual and the Namibian Road Traffic Signs Policy.

16 October 2018

**RESPONSE TO QUESTION BY
HON MAAMBERUA
HON SANKWASA / HON MAAMBERUA**

What is the Government's policy on information signs? The Namibian Road Sign Policy is silent regarding to which language may or may not be used on information road signs. It is however, important to highlight that Roads Authority have in the past erected many road signs across the country with various names of places but not in the phrases in this particular point, written in different languages, local languages as well as in English, we have such road signs. Germany is also one of the local languages (intervention).

HON MEMBER: In Rukwangali (indistinct).

HON DEPUTY MINISTER OF WORKS AND TRANSPORT: Why is that Rukwangali is an official (laughter)? The Ministry has directed Roads Authority to investigate and establish the extent of prevailing legal and procedural provision regarding the type of information that may be written on Namibian road signs. Roads Authority Comrade Chairperson will further investigate how this particular road sign was applied for and subsequently approved. If there is nothing regular about it, it will be remain but should it be found irregular it will be addressed. Kindly, Honourable Maamberua accept the assurance of the Ministry that we are operating within the legal framework of the country, thank you.

HON DEPUTY SPEAKER: Any follow up?

HON MAAMBERUA: Thank you. The latter part, the last part actually of the Deputy Minister with regards to the fact that investigations will be carried out to establish as to how that particular road sign was applied for,

16 October 2018

**RESPONSE TO QUESTION BY
HON MAAMBERUA
HON MAAMBERUA**

came about and was approved actually to be in Germany because I am talking about an official road sign. A road sign is not for Germany tourists a road sign is for all road users Germans, Namibians, English, Australians and whoever comes to Namibia and only language of communication officially so approved for such purposes is English. So the rest of the insinuations about the hullabaloo around the first issues I think would not have gone to assist to answer the question those are add-willing remarks the Deputy Minister made. So please I think we need to be serious on (intervention).

HON DEPUTY SPEAKER: Can we listen to one another?

HON MAAMBERUA: When we deal with this very important public information issues we need to address them accordingly and not talk about German tourists and things like that and so on. There is nothing about Germany tourists with regards to public road information, please. Thank you we are awaiting the investigation and we shall keep on monitoring the situation because it is really very serious.

HON DEPUTY SPEAKER: Yes thank you. Now we go to question number 91 by the same Member. Do you not think that it has been taken by events ha?

HON MAAMBERUA: Yes.

16 October 2018

**RESPONSE TO QUESTION BY
HON AUCHAB
HON SCHETTWEIN**

HON DEPUTY SPEAKER: Is it okay it has been taken by events?

HON MAAMBERUA: But it is overtaken by events.

HON DEPUTY SPEAKER: Yes taken over by, okay we go to question number 94 by Honourable Auchab. He is not here. Would you like to? Yes his colleague would like to ask on behalf of the Honourable Member. Honourable Minister of Finance would you like to respond?

HON MINISTER OF FINANCE: Thank you Honourable Speaker. Honourable Auchab raised three questions regarding Namibia's influence on the tax agenda through its membership to the African Taxes Administration Forum (ATAF). The first question asked whether the Honourable Minister may share with the Honourable Members the position of Namibia at the African Taxes Administration Forum concerning re-enforcing Africa's position to benefit from Global Tax Agendas. Honourable Speaker, I wish to indicate that yes Namibia is a Member of the African Taxes Administration Forum and we joined the ATAF at its inception and participated in all the conferences in Kampala, Uganda in 2009. The objectives of the ATAF are the following:

- (a) To strengthen African Tax Administration to improve domestic resource mobilization for economic development.
- (b) Enhance the professionalism of the African Tax Administrators through capacity development dialogue and interaction.
- (c) To innovate, develop, share and implement best practises in African revenue administrations.

16 October 2018

**RESPONSE TO QUESTION BY
HON AUCHAB
HON SCHETTWEIN**

- (d) Combat tax evasion and avoidance through cooperation between African Tax Administrators authorities and international stakeholders.
- (e) To develop key relations with civil society.
- (f) To have through good governance, transparency and accountability.
- (g) To ensure greater scenage and cooperation and capacity development among all relevant stakeholders in order to keep great and matters support to the African Tax Administrator and finally,
- (h) To provide the mechanisms of allowing African prospective on tax issues to inform and influence the global dialogue on tax issues.

Honourable Speaker, Namibia as a member of the African Taxes Administration Forum (ATAF) supports the ATAF initiatives in influencing Africa's position on global tax agenda. The policy objectives of the African countries vary in accordance with their economic profile and priorities of each African country and wellbeing different from those of developed countries. ATAF assists African country to carry out research and ensure that each country is in a position to make a fully informed decision on its strategy concerning its tax objectives to improve domestic resource mobilization. In this specific field Namibia's position on the ATAF was to have a specific look at transport prizing, property shifting and capitalization that is the outflow of our financial resources through transport pricing and that we should assist and get assistance and capacity to implement anti transport pricing strategies. That was our specific point of recent.

The second question Honourable Speaker, was may the Minister also share with this august House what vital role Namibia has played and is playing that Africa is not left behind in this transformational tax systems. Honourable Speaker, I wish to state that Namibia together with other African countries under the coronation of the ATAF participates in decision making to set an advance Africa's objectives in influencing the

16 October 2018

**RESPONSE TO QUESTION BY
HON AUCHAB
HON SCHETTWEIN**

global tax agenda. Namibia cooperates with other African countries in relation to tax legislation and experience on tax administration through established best practises. Namibia participates in hosting the African Tax Administrators (ATA) capacity building events and programmes. Specifically we consulted the African Taxes Administration Forum (ATAF) on double taxation agreements that we have with other countries and especially African countries. We followed their blueprint double taxation agreement that takes care of the tax and interests between developing and developed countries when we craft double taxation agreements with these developed countries.

Thirdly, the question is that can the Minister appraise about the position taken by the Africa Tax Administration of 21 countries including Namibia in the Kigali, Rwanda how the countries want to influence the global tax issues revision in 2020 on basic erosion, property shifting to ensure they are fit for purposes in Africa.

Honourable Speaker, I wish to state that over 120 officials from the Ministry of Finance and African Tax Administrators of 21 countries, Members of Parliament, civil societies, business representatives, development partners, academics and individual tax and policy experts met in Kigali, Rwanda on the 30th and 31st July 2018 for the second African Taxes Administration Forum (ATAF) high level tax policy dialogue to discuss how to reinforce Africa's position to benefit from the global tax agenda. The event was hosted by the Rwandan Revenue Board and supported by the African Development Bank. The meeting embraced the vital joint African initiatives and confirmed the need for Africa to start to determine the tax policy and administration, decisions and needs to make in the context of the global tax agenda if it is to effectively stand illicit financial outflow and improve domestic resource mobilization which is central to the development on our continent.

The meeting commended ATAF for its work in influencing the global standards setting processes such as the Organization of Economic Cooperation and Development (OECD) on Base Erosion and Property

16 October 2018

**RESPONSE TO QUESTION BY
HON AUCHAB
HON SCHETTWEIN**

Shifting (BEPS) this is, inclusive framework that is the BEPS inclusive framework. However, there is now a need to step up this work and for Africa to stop following and start initiating changes in the global tax agenda. Vital global tax issues such as Base Erosion and Property Shifting (BEPS) outcomes will be reviewed in 2020 and the OECD reports on tax challenges of digitalization will be completed in the same year. It is crucial that the African Union, Ministries of Finance, Tax Administrations, Civil Society and Business participate actively in this work and influence its outcomes to ensure that they are fit for purpose in Africa and assist in improving domestic resource mobilization on the continent.

The meeting noted that the African Union at its July Summit had endorsed ATAF as the lead technical advisory body for Africa on this work as it has approved on track record of success influencing the global tax agenda. The meeting agreed that ATAF should monitor on the value progress on the global tax work carried out by Africa. It called upon ATAF to set targets for that work and as soon as possible report progress on those targets to Finance Ministers at the next AU meeting. The meeting highlighted that to make this step to change will require African countries to work collaboratively to ensure the outcomes meet the needs of all African countries, to do so African countries will need to pull their resources together to create the capacity needed to deal with this highly complex technical tax policy issues. The meeting recommended for Africa to establish an African Inter Governmental Tax Policy Board with African Taxes Administration Forum (ATAF) as its technical support.

Honourable Speaker, the fourth question was, what action have been taken at the Namibia Broadcasting Corporation for not paying overpay contribution to the Receiver of Revenue? Honourable Speaker, the tax law does not make a distinction between board tax payers or parastatals or corporate tax payers or whatever, tax payers are just tax payers. Appropriate actions in recovering the outstanding tax are tightened for all tax payers including parastatals. In the case of the NBC we have on a number of occasions instructed their banks as agencies to transmit

16 October 2018

**RESPONSE TO QUESTION BY
HON AUCHAB
HON SCHETTWEIN**

balances in the account to the Receiver of Revenue in order to recoup unpaid taxes. The tax flow imposes penalties and interests on any tax payer that is in default and parastatals are excluded from this provision. So we are trying to do whatever we can to recoup our taxes and NBC is not spared from these efforts. Thank you.

HON DEPUTY SPEAKER: Yes thank you. I should think we come now to the end of the questions. But before we revert to the Order Paper I was requested by the Honourable Minister of Finance who came late and he has got an urgent Notice of Motion. I will now allow you to table your Notice of Motion. It is urgent because he is the Minister of Finance we may (laughter). I just make exception to that. (Noise) Yes please.

HON MINISTER OF FINANCE: Honourable Minister thank you very much for being flexible. My apologies for being not in time to table this Motion, it is the honour therefore that I want to give Notice that on the 23rd of October 2018 I shall move that leave be given to introduce a Bill to provide for the establishment of the Namibian depositor and authority to manage and administer the scheme to provide for the establishment of the depositor and his team and the deposit guarantee fund for the payment of compensation to depositors in the event of the deposits help by a member institution becoming unavailable and to provide for incidental matters. I so move Honourable Speaker.

HON DEPUTY SPEAKER: Yes table the Motion.

Okay the Secretary will read the First Order.

16 October 2018

**CYBER SECURITY AND
DATA PROTECTION
HON SIMATAA**

Yes, we start with the Motion by the Minister of Information and Communication Technology. Does the Honourable Minister move the Motion?

HON MINISTER OF INFORMATION AND COMMUNICATION TECHNOLOGY: I move the Motion Honourable Deputy Speaker.

HON DEPUTY SPEAKER: Who seconds? Any objection? Agreed to. You have the floor Honourable Minister.

HON MINISTER OF INFORMATION AND COMMUNICATION TECHNOLOGY: Thank you very much Honourable Deputy Speaker for giving me the floor to submit to this august House the African Union Convention on Cyber Security and Data Protection for your consideration. Honourable Deputy Speaker, Honourable Members we all live in a world which is networked together ranging from internet banking to Electronic Government Services. This being the case network protection is no longer an option but it has become a fundamental obligation. The exponential growth in the internet has led to a competent spike in cyber crime. Internet users as all of us I can see we are busy on our cell phones and iPeds, are exposed to security risks of being part of a very large network. The potential for harm is severe not only for business but for casual users as well.

However, despite the benefit to be derived from the digital revolution it is incumbent upon us to implement strategies that address the risks that are associated with internet usage which may consequently trigger cyber crimes. Cyber crime has become a major concern for law enforcement agencies. Nations ability to combat cyber crimes should be an inclusive

16 October 2018

**CYBER SECURITY AND
DATA PROTECTION
HON SIMATAA**

effort involving all stakeholders including international organizations. In an attempt to mitigate some of these challenges the African Union adopted the convention on cyber security and personal data protection on 27 June 2014. The convention amongst other things seeks to adopt the essential security rules for a credible digital environment enabling the development of modern information society in Africa. The ultimate goal is to address the imperative for a harmonized legislation in the area of cyber security in the Member States of the African Union and to also establish in each state party a mechanism capable of combating violations of privacy that may be generated by personal data processing, transmission, storage and uses. Over all the main objective of this convention is to provide the necessary security and legal framework for the emergency of the knowledge economy in Africa. Furthermore the convention guarantees that whatever form of processing is used shall respect the basic freedom and rights of individuals while also taking into account the prerogatives of the States and the rights of communities and the interest of businesses. The convention also factors in internationally recognized best practises.

Additionally the convention establishes a framework aimed at strengthening the fundamental rights and public freedoms particularly the protection of physical data and penalizes any violations of privacy without prejudice to the principles of free flow of personal data.

Chapter 1 of the convention comprises of three Sections and ten Articles. This Chapter provides the scope of application of electronic commerce and stipulates contractual obligations in electronic forms.

Chapter 2 provides the objectives of the convention with respect to personal data protection, the scope of application of the convention and preliminary personal data processing formalities. It also provides for the establishment of an institutional framework for the protection of personal data.

Chapter 3 provides for cyber security measures that needs to be taken at the national level and criminal provisions thereto. This, amongst other

16 October 2018

**CYBER SECURITY AND
DATA PROTECTION
HON SIMATAA**

things include the establishment of a national cyber security framework, consisting of a national policy and national strategy and the adoption of legislative and regulatory measures in the area of cyber security. Member States that ratify this convention should ensure that there is a national cyber security monitoring structure where each State party shall adopt the necessary measures to establish appropriate institutional mechanisms.

Chapter 5 which is the final provision provides for the procedures and measures to be taken at the level of the African Union. It provides for the establishment of monetary mechanisms for the operations of the convention. The convention is open to all Member States of the African Union and comes into force 30 days after the date of receipt by the Chairperson of the Commission of the African Union of the 15th Instrument of Ratification.

The last time I checked in terms of how many Member States have ratified the number stood at 10 as of May this year. Honourable Deputy Speaker, Honourable Members, as a Member of the African Union, Namibia is encouraged to ratify this convention moreso when we are in the process of finalizing the Electronic Transactions Bill which we hope will come to this august House before the end of this session and whilst we have embarked on the process of developing the Personal Data Protection and Cyber Security Bills which of course will have to factor in some of the applicable provisions of this convention once it is ratified.

Honourable Deputy Speaker, I now have the pleasure to submit the AU Convention on Cyber Security and Personal Data Protection for your consideration and subsequently support. I thank you.

HON DEPUTY SPEAKER: Thank you. Any discussions? I recognize Honourable Dr Chief Ankama.

16 October 2018

**CYBER SECURITY AND
DATA PROTECTION
HON DR ANKAMA**

HON DEPUTY MINISTER IN THE OFFICE OF THE PRIME

MINISTER: Yes Deputy Speaker I would like to thank my brother the Minister of Information and Communication Technology for tabling the African Union Convention on Cyber Security and Personal Data Protection. These or the convention itself is a very important document indeed, it should be supported. But I have just very short interventions or rather a request that yes when we ratify many conventions we do so without necessarily looking at the consequences or maybe domesticating many or aligning our Instruments towards or Instruments that are contained here towards ours so that they really speak to our language. I understand there is an idea or that soon or later we will receive the, is it ICT Bill what is it all about?

HON DEPUTY SPEAKER: Ha?

HON DEPUTY MINISTER IN THE OFFICE OF THE PRIME

MINISTER: Oh the Construction Bill oh yes actually, I believe that when such instruments number one we should think of perhaps looking at how we can include within a section we build in school curriculum so that the youngsters when they are coming up they understand more the language particularly on cyber security it is very important. Currently we do use our gadgets be it now cell phones or iPods, iPeds and so on we do not know where this information how far they go before they reach us or before they reach the next person. So it is important that we understand the language that these gadget speak and how they transmit information that is where we should concentrate.

I am requesting that this be included or an insertion should be made into our school curriculum from the early stages of primary school or we call it now basic education but I know from primary education so that the learners from that level understand the consequences, the goods or the

16 October 2018

**CYBER SECURITY AND
DATA PROTECTION
HON NUJOMA**

pros and cons of using gadgets and that is a transmission. Right now, we do for some of us, I mean I believe many of us here do our banking transactions through our phones, iPeds but if you make a mistake and you do not know what to do next unless if you have to run to the bank. Not only that we have got social media, twitters, we twit, we have got Whatsapp and so on and so forth they are many. You see with these things we would like playing around. Sometimes you press a button, well it could be a right button but you press the button before you conclude what you want to say or maybe mistakenly you wanted to send to (a) but you sent to (b) or you sent to everyone so these are very serious issues. I would like to thank you Comrade Minister for bringing this one but I think we need to domesticate let it to speak to our local language in terms of the cyber security transmission. I thank you.

HON DEPUTY SPEAKER: Thank you. Any further discussions? I recognize Honourable Minister of Land Reform.

HON MINISTER OF LAND REFORM: Thank you very much Comrade Deputy Speaker for the opportunity. I just wanted to thank the Minister for introducing this very important African Union Convention on Cyber Security and Personal Data Protection. As I always say sometimes we rush to ratify some of these conventions while we do not have really well established mechanisms to address the dangers and risks deriving from the use of electronic data and individual records. With the view I am talking about now the need to respect privacy. Privacy is very important it needs to be protected as well as the fundamental freedoms. While we are of course promoting the use of ICT it is really frightening when you open this Whatsapp you see things there Comrade Minister.

The other day the other Minister sent me a Whatsapp there somebody whether it is in Zambia I do not know, a very horrific picture of bodies

16 October 2018

**CYBER SECURITY AND
DATA PROTECTION
HON NUJOMA**

opened and body parts, Comrade Minister I am worried we hear this opposition they demand a list of people, list of this but I wanted to make a comment that during the Second World War when Hitler, the General can elaborate a little bit further, they started demanding a list of people, list of this and list of that. Soon after that 6,000,000 Jews were killed. 6,000,000 were eliminated because they had the list (interventions).

HON DEPUTY SPEAKER: Honourable Minister can we come directly to the Bill.

HON MINISTER OF LAND REFORM: Short memories thinking that if Uutoni is refusing some of these things here is the personal (intervention).

HON DEPUTY SPEAKER: No Honourable Minister can you come back to the Bill (laughter).

HON MINISTER OF LAND REFORM: So some of these things are dangerous. Yes and accused of list and the common parallels of corruption and you see I really wanted to (interventions).

HON DEPUTY SPEAKER: Can we come back to the topic Honourable Minister?

16 October 2018

**CYBER SECURITY AND
DATA PROTECTION
HON NUJOMA**

HON MINISTER OF LAND REFORM: There are politicians who suffer from political dymecia (laughter).

HON DEPUTY SPEAKER: No, no what does that have to do with the Bill.

HON MINISTER OF LAND REFORM: I wanted to, what is the status of political dymecia just to (intervention).

HON MINISTER OF GENDER, EQUALITY AND CHILD WELFARE: The definition here is something like Kavekatora.

HON MINISTER OF LAND REFORM: The definition of a person for example Mr Kavekatora (laughter).

HON DEPUTY SPEAKER: Point of order.

HON MINISTER OF GENDER, EQUALITY AND CHILD WELFARE: It is a joke man.

16 October 2018

**CYBER SECURITY AND
DATA PROTECTION
HON NUJOMA**

HON KAVEKOTORA: Honourable Deputy Speaker, I do not know when we are going to become serious about some of these issues. Allowing some of the utterances like what Honourable Minister is making is just inviting more problems in this august House.

HON DEPUTY SPEAKER: No I called him to order.

HON KAVEKOTORA: The resettlement list that the Honourable Minister is refusing to give is not his document it is an official document that needs to be given to the party for the party to know how corrupt some of these things are being done because we are here to root out corruption (intervention).

HON MINISTER OF LAND REFORM: It is there.

HON KAVEKOTORA: If corruption is prevailing in some of these resettlement things the Minister cannot hide behind the fact that list cannot be issued because it might cause war. I mean we cannot allow those types of things to happen in Parliament honestly.

HON DEPUTY SPEAKER: The question before the House is the Motion tabled by the Minister of Information and Communication Technology concerning the cyber security and data protection. Can we confine ourselves to that?

16 October 2018

**CYBER SECURITY AND
DATA PROTECTION
HON NAMOLOH**

HON KAVEKOTORA: Let me end up there.

HON MINISTER OF LAND REFORM: I have issues to address and so Comrade Minister my request really is let us put mechanisms in place so that opportunists, political opportunists do not get that opportunity to abuse the system. Like here Parliamentary questions, it is being abused here. Abused to vilify and to denigrate other Honourable Members and the Speaker allows them because apparently (intervention).

HON DEPUTY SPEAKER: Allow who? You are out of order. No you are out of order.

HON MINISTER OF LAND REFORM: Okay I am out of order. Comrade Minister thank you.

HON DEPUTY SPEAKER: Yes Honourable Minister of Safety and Security.

HON MINISTER OF SAFETY AND SECURITY: Thank you very much Comrade Deputy Speaker. I also want to add my voice for this very important convention which was tabled here by the Minister. I think we should look very carefully to this convention though it is already in circulation when we are going to adopt our own cyber security that it is not only copy and paste some of these are copied and pasted in here and do not reflect the bloc or national content which we want to operate. I

16 October 2018

**CYBER SECURITY AND
DATA PROTECTION
HON NAMOLOH**

think if you look at page 24, Chapter 3 there, it says, “Promoting cyber security and combating cyber crime”. Section 1 cyber security measures to be taken at national level.

As most of the Comrades have said also whether we have ours already in place in order for us to be able to do what? Ha? (intervention).

HON MEMBER: In Oshiwambo.

HON MINISTER OF SAFETY AND SECURITY: Ah Oshiwambo, shut up (laughter). I am trying to find a better word for that. Maybe in Oshiwambo it is also not there. So that ours is first and we come to adopt this it is a reflection of what we have already but if this one first is like putting a cart before the horse so we need to do ours because it was here. I think it was sent back people feared, they are going to fear the African Union one but I am strong that Comrade Minister as it is also part of our constitution that when we adopt the other conventions it is a reflection of our national laws also so we cannot only jump to this first and then ours later on possibly maybe we can accelerate ours to come here. Before we go for this or maybe parallel I am just saying we need to do that that first ours and then this one, national policy, national strategy and then the extracted blabla which will reflect also these ones and so forth so I just want to make my voice on that Comrade Deputy Speaker, thank you.

HON DEPUTY SPEAKER: Thank you. Any further discussions? I recognize Honourable Minister of Finance.

16 October 2018

**CYBER SECURITY AND
DATA PROTECTION
HON SCHLETTWEIN**

HON MINISTER OF FINANCE: Thank you Honourable Deputy Speaker. I also rise to fully support the Honourable Minister when he tables this African Union Convention on Cyber Security and Personal Data Protection. Honourable Deputy Speaker, Honourable Members I think the use of cyber space, cyber networks, social media whatever you want to call it created a situation where in a very anonymous way a platform was made available to anybody where any derogative, very harmful statements can be made and this convention help us in preventing it.

Honourable Deputy Speaker, I am specifically happy to see that the convention defines racism and xenophobia in the Information and Communication Technology as meaning any written material, picture or any other representation of ideas of theories which advocates or encourages or incite hatred, discrimination or violence against any person or group of persons for using space on race, colour, ancestry, national ethnic origin or origin. Then the convention helps us further in Section and Article 14 where it puts forward specific principles for processing sensitive data. Here it says State parties shall undertake to prohibit any data collection or processing revealing racial, ethnic or retail origin, parental affiliation, political opinions, religious or philosophic or believes, trade unions, membership, sex life or domestic information or generally data of state of health of the data subject. It also provides as principle seeks the principle of confidentiality and security of personal backup processing.

It is in those areas where our personal information has been misused and misused in a way that the misuse cannot be traced, cannot be prosecuted, cannot be brought to book and I am therefore very happy that this convention is now following what our constitution is actually explicitly saying on racism, on xenophobia and it slashes all harm to prevent this very nasty trends that by the way raised the argue head of recent.

When we talk about tribalism when we talk about racism if we are honest to each other we have witnessed them of late becoming more obvious and

16 October 2018

**CYBER SECURITY AND
DATA PROTECTION
HON SIMATAA**

more relevant in our talk and our discussions and our postings volumes to social media. On that I am very happy that this convention as I said again is now putting an explicit obligation on us to create what Comrade General Namoloh has said, create national legislation that falls in line with this convention. So that is work still to be done and I hope we will see that soon. I thank you.

HON DEPUTY SPEAKER: Any further discussions on this? None. I will give the floor to the Honourable Minister to respond.

HON MINISTER OF INFORMATION AND COMMUNICATION TECHNOLOGY: Thank you very much Honourable Speaker. Let me thank the Honourable Members who participated in the ensuing debate on this convention and upfront let me thank them for the support that they have expressed. I have taken note of the many issues that were raised.

Honourable Ankama, the need for us to reflect this in our curricula I see my sister the Deputy Minister of Basic Education is there, we will reflect on that. I think she is busy reflecting already and see whether it is advisable for us to do that and if need be we will look into that because our children really from early on needs to be conscientized particularly on some of the technology and the language that we use including by the way the need for us to introduce coding in our schools to also facilitate innovation and so on. So we will look into that.

Honourable Minister Nujoma, you are right Comrade Minister. It is very important that we should have regard to the privacy and the rights of other citizens particularly when we are sharing or we are using information to write or to do research. There are ethics that we need to comply with. It is true that we will have to continue to educate our people because the tendency that indeed I have also seen where people even when they come

16 October 2018

**CYBER SECURITY AND
DATA PROTECTION
HON SIMATAA**

at an accident scene, do you know what we do with our instruments? Accident scene people are in distress, the first thing that we will do is to take the pictures. Take the pictures, we have got no respect whatsoever even for dead bodies for that matter contrary to the fundamental values and traditions that we have.

There was, I believe you know was it last year a picture circulating on social media instead of assisting. Dogs attacking, biting the child and the first thing the person did was to stand there with pleasure and then record that and then share it on social media. So you are right there Honourable Minister. Our society like I am fond of saying, we have lost our bearing in terms of our traditions and values and I think we need to do a lot in terms of education because it is unearthical to do that.

In the same vein also even for those who are in the media domain it is unearthical to abuse and misuse personal information and I am glad that in this convention those issues as *Honourable Schlettwein* has indicated has been adequately addressed and I believe in the process of us developing our legislation in the area of personal data protection and also cyber security I would like to assure you that these are the issues that we will be attending to and the need for us to domesticate and make sure that we contextualize whatever is reflected in this convention so that it is grounded in terms of policy and legislation on the Namibian situation I fully agree on that and that is what we intent to do in the process of developing all the legislations that we are busy developing. Otherwise Honourable Members thank you very much for your support. Even those on the other side and this side who were silent thank you very much for your silent support.

HON DEPUTY SPEAKER: I now put the question that the convention be adopted. Any objection? Then agreed to.

The Secretary will read the First Order.

16 October 2018

**BASIC EDUCATION BILL
HON VAN WYK**

**RESUMPTION OF DEBATE ON SECOND
READING: BASIC EDUCATION BILL [B.4 – 2018]**

SECRETARY: Resumption Of Debate On Second Reading: Basic Education Bill [B.4 – 2018]

HON DEPUTY SPEAKER: When this Assembly adjourned on Tuesday the 16th of October the question before the Assembly was a Motion by Honourable Minister of Education, Arts and Culture that the Bill be read the second time. Honourable Van Wyk the debate was adjourned on your behalf, you now have the floor.

HON VAN WYK: Thank you Honourable Deputy Speaker. Honourable Deputy Speaker and Honourable Members, the Bill introduced aims to introduce various issues in the education sector. The Bill promotes and regulates free and compulsory education but however, we need to point out from the start that the Bill does not attend to all issues including for example learner responsibility whilst parent responsibility is also not taken care of.

Honourable Deputy Speaker, Honourable Members we need to admit that there are shortcomings in this Bill and I therefore would like to bring some of these shortcomings to the attention of the Assembly and I beg it will be considered. The Constitution of the Republic guarantees free education. However, as a country we have seen that free education is just not possible. I suggest that the Bill defined the word free quality and compulsory education instead of just free compulsory education. Government has taken a decision to introduce free education without defining it properly. It resulted in various problems in schools across the country. I suggest that free education could only be free if all the

16 October 2018

**BASIC EDUCATION BILL
HON VAN WYK**

resources are available to at least cover the most basic needs for example textbooks, stationary, cleaning materials just to mention a few.

Honourable Deputy Speaker, Honourable Members, inclusive education is defined in the Bill. I however, suggest that that inclusive education should include well resourced schools, specialized essential equipment, assertive technology and of course adequately trained human resources. Honourable Deputy Speaker, Honourable Members I was able to get some inputs from people in the education sector who raise concern that while the meaning of corporal punishment is clearly defined no effort is made to put in place measures to attend to learners who must behave while at school premises.

Honourable Deputy Speaker, Honourable Members, the Bill give impression that we do not trust our teachers but here I am referring to Section 8 on the Bill. It seems that everything is put in place to warn teachers not to this and that but once again no protection is given to teachers when it comes to unruly behaviour of learners and even parents because we know that sometimes even parents can come to schools and start fighting with teachers. So the Bill does not in any way try to protect the teachers.

Honourable Deputy Speaker, Honourable Members, teenage pregnancies are problems at schools across the country. I do understand that we should put measures into place to address this evil situation. Honourable Deputy Speaker, Honourable Members in order for us to address the issue of moral values the only solution is to reintroduce bible studies at schools. Section 26 in the Bill will not have the desired outcomes it just comes and we have heard about Muslims but what I am saying is that bible studies we need to reintroduce that in our schools, that is the solution. I am not in agreement with Section 13 of the Bill as it from a layman's point of view encourage school children to become involved in sex. Schools, we have actually encouraged to become involved in sex (interruptions).

Yes that is what the Bill is saying. Schools and hostels has become maternity wards. Thus teachers on our Facebook have done this as

16 October 2018

**BASIC EDUCATION BILL
HON VAN WYK**

midwives and ambulance drivers. That is true Honourable Members. That is true. The Standing Committee on Human Resources and Community Development had public hearings very recently and during those hearings it came out clearly that the issue with teenage pregnancies is causing problems to teachers. They are complaining. In the Bill it is indicated that action will be taken against men who prey on our children. I do not know how we will manage to really address the issue. If you look at the inputs given at public hearings it was clear that some of our parents we really sell our children and receive money so that in fact is prostitution. When you receive money to avail sex and if you paid for sex that is prostitution that is what is happening in our communities and I am not quite sure that this Bill will address this problem.

Honourable Minister I suggest that the Minister consider the recommendations made by the Committee of Human Resources and Community Development because really that information will be able to (intervention).

HON DEPUTY SPEAKER: Point of order.

HON MINISTER OF FINANCE: Honourable Speaker may I have the permission to ask a question to the Honourable Member?

HON DEPUTY SPEAKER: Yes.

HON MINISTER OF FINANCE: The Honourable Member said that the Act is promoting sexual activities in the Bill and then the Honourable Member went on and said that one of the aspects that he is worried about

16 October 2018

**BASIC EDUCATION BILL
HON VAN WYK**

is that parents sell their children for sexual activities but first of all that is not prostitution, prostitution is something else. What you have described is more and totally slavery.

The question I have is, is the Member not aware that in other pieces of legislation these activities that he prescribed are actually defined as criminal acts and that they are attracting very serious fines, life imprisonment and so on so how does he believe that we come with an Act where we promote what is a criminal act? Thank you.

HON VAN WYK: Thank you Honourable Deputy Speaker. Honourable Minister what I am trying to say is that yes legislation is in place. The problem is to implement that legislation and I gave an example here earlier this year with regards to a case that was reported to the Police of an under aged child and the Police refused to take the case. So how will this Bill ensure that of course the implementation of other Instruments that is in place that is not (intervention).

HON DEPUTY SPEAKER: Another point of order. Yes, you are topping the question there Honourable?

HON EKANDJO: Honourable Deputy Speaker, I have a small tiny question, not a big one?

HON VAN WYK: Okay.

16 October 2018

**BASIC EDUCATION BILL
HON VAN WYK**

HON DEPUTY SPEAKER: Are you accepting, yes.

HON EKANDJO: Honourable Member you have taken an oath that you will respect and defend the constitution and the laws of the Republic and that you will defend and talk the truth and nothing else but the truth. When you pray I see you always put your hands up praying seriously whenever the Speaker or the Deputy Speaker reads the prayer, you told us now if I listened correctly, the schools are becoming maternity wards and teachers midwives. When did it happen can you mention where the teachers are midwives in the classes? Where did it happen, truth and nothing else? Thank you.

HON DEPUTY SPEAKER: Just clarify more in detail the report you were referring to. You mentioned a report of a certain Committee?

HON VAN WYK: Thank you Honourable Deputy Speaker, yes the information that I am giving here will be in the report that will still come to Parliament. This information came from communities. It came from schools where we had public hearings with teachers and the teachers gave this information. Even yesterday (intervention).

HON DEPUTY SPEAKER: Can he say a bit and you will come?

HON VAN WYK: Even yesterday it was reported that in the Kunene Region for example now 47 learners are pregnant.

16 October 2018

**BASIC EDUCATION BILL
HON VAN WYK**

HON EKANDJO: And they are in class?

HON VAN WYK: In the class, they are in class. It was also indicated that (intervention).

HON DEPUTY MINISTER OF GENDER, EQUALITY AND CHILD WELFARE: Now on the way to Parliament if that was done because it was the Committee that was out now the Honourable Member is saying is in a report, now are we already discussing that report that is on the way to Parliament? Then I want also to say that I do not agree with you that the Police have refused. If they have refused there are other means for example they can come to the Ministry of Gender, Equality and Child Welfare, they can come to the Ministry of Health and Social Services or other to report that case so I do not agree with you. If you have that evidence just bring it. Thank you.

HON DEPUTY SPEAKER: Honourable Van Wyk.

HON VAN WYK: Let me just continue because every time now, but what I can say is that we are not discussing the report. The report will still come. The Honourable Member was asking for evidence so that will be in the report when we discuss the report and teenage pregnancy is part of the Bill that is why I am raising it.

HON MEMBER: (Not on microphone).

16 October 2018

**BASIC EDUCATION BILL
HON VAN WYK**

HON VAN WYK: No it is not true Honourable. The Honourable Minister should consider some of the recommendations that will be in that report. For exa... (intervention).

HON DEPUTY SPEAKER: Yes point of order.

HON MINISTER OF SAFETY AND SECURITY: Comrade Deputy Speaker, as Parliamentarians I want us as it was said here to say the truth but to say here in Parliament publicly that the case was reported to the Police and they refused to take action, no please. I want you to bring this information to me. The place, the Police Station and the date, I want you to bring it to me because we are spreading rumours without truth, a Police can never refuse a case. No, cannot refuse a case, please give me all the details so that we can follow it up if it is true.

HON DEPUTY SPEAKER: Honourable Member, yes.

HON VAN WYK: Let me continue. That issue was raised here Honourable Minister you were here. I mean was that not in Keetmanshoop? Honourable Deputy Speaker, Honourable Members for example (intervention).

HON DEPUTY SPEAKER: Can we listen?

16 October 2018

**BASIC EDUCATION BILL
HON VAN WYK**

HON VAN WYK: In the report of yesterday it was indicated that alcohol was the contributing factor, a contributing factor with regards to the pregnancies of the 47 learners in the Kunene Region.

HON DEPUTY SPEAKER: What did you say? It was reported yesterday?

HON VAN WYK: It was on the news yesterday.

HON DEPUTY SPEAKER: Yes just say in the news it was reported so and so.

HON VAN WYK: Yes it was also suggested that 60% of pregnancies in these pregnancies in schools is due to alcohol abuse. Once again this Bill is not very clear or there is nothing in the Bill to address issue of alcohol abuse by learners. We also know that it is possible for learners and it happens that learners take alcohol to schools but because teachers are not allowed to search them nothing happens. At one case once it happened that it was expected that a learner is having something on him at school and the teacher had to call the Police to come and do the body search.

Honourable Deputy Speaker, Honourable Members taking into consideration that Government is not having enough funds to ensure that education is free this Bill should have encouraged the private sector to make donations to schools. I suggest that the Bill should provide incentives such as tax, right offs to encourage donors to contribute to the education sector and schools in particular.

16 October 2018

**BASIC EDUCATION BILL
HON VAN WYK**

Another concern is that schools need to pay VAT. I suggest that schools should be exempted from paying VAT whilst the high bank charges that schools have to pay is also a great concern. Banks are in the process to abolish the use of cheques the builders that provide for alternatives such as EFTs, the Bill also does not address the issue of officials starting time for schools and especially during the period May to June of the second school term as the decision as to what time schools should start is delegated to the schools and the schools decide.

HON DPEUTY SPEAKER: Yes point of order.

HON MINISTER OF FINANCE: Honourable Deputy Speaker, on a point of information I hear what the Honourable Member says on the payment systems but I do want to inform him that an Education Bill is not that piece of legislation that regulates payment systems. We have a piece of legislation of that which is the Payment System Bill which caters for EFTs, cards and whatever payment system is allowed. I do not think that (intervention).

HON DEPUTY SPEAKER: Which is coming?

HON MINISTER OF FINANCE: It is in existence this House approved it.

HON DEPUTY SPEAKER: The law, okay.

16 October 2018

**BASIC EDUCATION BILL
HON VAN WYK**

HON MINISTER OF FINANCE: That is why you can use your credit card or make an EFT payment or use your wallet provisions. So I think the Honourable Member is correct when he wants to say the whole what he wants to say that schools must be enabled to use payment systems that are available. But to say that the Bill must provide for payment systems for schools specifically I think is not what is possible. Thank you.

HON DEPUTY SPEAKER: Yes.

HON VAN WYK: Thank you. Honourable Deputy Speaker, Honourable Members in conclusion Chapter 5 Section 122 of the Bill talks about expropriation of land and I would like to find out from the Honourable Minister really, what is the reason for this move? I know that for example in the former Rehoboth we do have schools on private land and once I have indicated that we should talk to the farm owners to see how this problem can be attended to. You have for example if I can give you just one example is the school at Slip. That school is registered and the land belongs to the State but the surrounding area is private land and my question now is how will we address the issue? Are we saying that we are going to expropriate the land surrounding the schools also? This is a concern. We know that in some cases currently Government is paying rent to land owners and I am just afraid that constructive expropriation will cause that people lose land without them knowing what is going on.

I can give an example Karibib is one of these, farms where you have school where you now have the invasion of people and there is nothing that the people can do to prevent the people from entering the private land. With these few words Honourable Deputy Speaker, I support the Bill. Thank you.

16 October 2018

**BASIC EDUCATION BILL
HON VAN WYK**

HON DEPUTY SPEAKER: But can you clarify the situation you elaborate it in your statement where you stated that a search was done by a certain school searching for (incomplete). (Interruptions). Yes did they search and what was the result, it is concerning maybe if I heard it, alcohol and something like that? You did not conclude your (incomplete).

HON VAN WYK: Yes what actually happened was that the Police was called in to do a body search on the boys.

HON DEPUTY SPEAKER: On who, the learner?

HON VAN WYK: On the learners and at one stage the Police had to use minimum force to carry out the search. It created problems. I know that afterwards there was a school board meeting where the parents were called in because the story that was told by the children to the parents was different from what happened and it caused conflict between the parents and the teachers. Now this was caused as then teachers had a right to body search the children.

HON DEPUTY SPEAKER: Did they find anything?

HON VAN WYK: They found something yes and this is happening in our schools and as I have said our teachers are not protected if they want to attend to these issues.

16 October 2018

**BASIC EDUCATION BILL
HON DR KAWANA**

HON DEPUTY SPEAKER: Any further discussions on this? I recognize Honourable Dr Kawana?

HON ATTORNEY GENERAL: Thank you very much Honourable Deputy Speaker. I rise to add my voice to the discussion second reading on the Bill. I realize that former teachers have spoken contributing according to their experience, other people from other backgrounds have spoken regarding their experiences. Comrade Deputy Speaker, allow me to take you through memory lane if I may put it that way to say the road to better education in Namibia was not a smooth sailing. May I remind this august House that during the colonial period education for what was termed then 'natives' was only necessary to the extent that it was necessary for the natives to understand basic instructions of the master who happened to be white. In most cases the white men and those were the words of other apartheid architects such as Vervoed. That is recorded, that is where education started.

Now during that period no mathematics, no science was allowed to be taught to the natives because of that apartheid ideology. Now certain institutions came to the rescue, church schools for example were established in a number of areas and some of us were beneficiaries to such institutions. My first school was a church school run by the Catholic Church. I used to walk barefooted 15 kilometres to school, no food, 15 kilometres back to my village, that is where we came from. And you see during those years you could see which family was better off which family was troubling economically because there were no uniforms those years. Those who started clothing could see these people came from a very poor family background. Some had shoes everything they used to show off. Some of us who were from the poor background and I want to state here maybe for the first time the cruelty of apartheid, cruelty of colonialism. My own father was a fighter during the Second World War. His Force number was N5845, those who want to check can check. He got two medals during the Second World War, yes two medals, one Africa service medal, the other one King George IV medal.

16 October 2018

**BASIC EDUCATION BILL
HON DR KAWANA**

At the end of the Second World War his white compatriots if I may put it that way most of them were resettled in these areas of Grootfontein or what do they call the Triangle given free land, farms everything. Him and his fellow Africans were just given bicycles and told to go home. On the basis of that those other people who were given farms whites life pension, the likes of my father nothing. We were to be rescued through church education because apartheid education was basically just to make sure the natives understood the instructions of a white man. That is the education background we came from some of us. I just want to remind some of those people who glorify apartheid education it pains us some of us. In the 21st Century for somebody to stand in this House post apartheid, post independence to glorify Bantu education where Verwoed said it is only necessary for the instruction of a native. It is an insult to this nation, I just want to point out that.

Now Comrade Deputy Speaker, I just want to remind also this House that patriotic Namibians some of them are in this House who were at the forefront in the institution called NANSO, they were at the forefront to reject with content Bantu Education. Just like their compatriots in South Africa, remember Soweto Uprising where blood was shed because the bloody people of South Africa said Bantu education no more that is where we came from. I just want to remind those who glorify Bantu education.

From there Deputy Speaker you will recall after independence we said goodbye to Bantu education. We introduced mathematics to everybody, science subjects to everybody so that we wanted to take this country forward. They were established also Universities that were not here before independence. Now with a view now to improving our education there was Presidential Commission on Education where certain reforms were proposed. After that we passed a new law, Education Act and we wanted to improve even further. Subsequently there was a National Conference on Education presided over by one of the sons of this soil, may his soul rest in eternal peace, the last Dr Abraham Iyambo.

A number of recommendations were made during the National Conference on Education and I am happy Honourable Deputy Speaker to

16 October 2018

**BASIC EDUCATION BILL
HON DR KAWANA**

say those recommendations are now contained in this Bill before this august House and therefore this Bill must be considered as the voice of this nation on education. And I am happy that we have reformed our education from the background I gave you to the extent that today as I said we are producing medical doctors and again I am happy to say one of the beneficiaries is my own daughter who is a medical doctor in her own right and for those who want to say yes because you who belong to certain class your child was in private. My child was never in private school. The only time I took my child to private school was at preschool but otherwise from Grade 1 up to University, Medical Doctor after seven years it was here in the Republic of Namibia the Land of the Brave. Today she is a fully fledged Medical Doctor under the education system that we introduced after Independence, I am proud.

Now Honourable Deputy Speaker, let me point out maybe two areas in terms of this Bill and according to my experience as one of those national leaders who are fond of being patrons of a number of schools. The first one is lack of hostel facilities. I think we need to put more resources Honourable my dear sister in absentia, Deputy Minister of Education my sister the deputy is there because what we have done now is to say lower secondary school is up to Grade 9. Grade 10 is shifted somewhere as part of Higher or Senior Secondary Education. But I think there was supposed to be proper planning and as one area where I might agree with the previous speaker.

I agree with him on one point because you see a child of Grade 9 is very young and that child is required now to continue after Grade 9 somewhere else sometimes hundreds of kilometres when the age of that child is really a child in terms of our laws and that child must fend for himself or herself at that school where there are no hostel facilities, no supervision. At the end of the day and these are experienced as I said I am a patron of so many schools. You find that no some parents they just buy these mainly Chinese made tents these small ones which are very famous for funerals as per my experience. They give the tent to this poor child. They give little bit money for food. This child will go there for the first time from the family background, no control especially and this is my message,

16 October 2018

**BASIC EDUCATION BILL
HON DR KAWANA**

especially when that issue is that child is a girl no control for the first time. Was there, joined the club of what we call mob psychology if I may use that word, start drinking with the colleagues said, in addition to drinking other things, tomorrow that child is two in one pregnant because of no control.

HON MEMBER: Two in one is pregnant?

HON ATTORNEY GENERAL: Yes she is two in one meaning she is pregnant. Now I think my sister let us mobilize more resources to put hostel facilities to these schools. In my humble opinion maybe what we could do in the meantime what we could do is to find resources somewhere, designate certain places where we can even maybe fence off, put even these big tents that we could use as maybe what they call hostel facilities. Big tents, we bring those small mattresses they put there so that there is proper control. Section for girls and section for boys in my humble opinion I think that will really assist.

In addition let us see how we can feed some of these children because some of the parents are really poor. For the first time for this child to leave the home to go hundreds of kilometres to what we call now Senior Secondary so that at least maybe once a day or something like that they can be given meals really that is my plea. So in the meantime let us fast track the construction of hostel facilities in some of these designated schools.

The last one is the issue of School Board Chairpersons. My experience my dear sister especially in rural areas some of these School Boards they are controlled by the teachers totally. I think if it is left to me we could prescribe maybe in the Rules and Regulations to prescribe maybe a certain minimum educational what we call a level of at least the school board chairperson because in some areas you find that some of those rural

16 October 2018

**BASIC EDUCATION BILL
HON DR NDJOZE-OJO**

schools they perform far much better than urban schools by far where there are no even electricity facilities, no roads, no even libraries. The other area which I have also experienced is this Principal will be very strict, certain rules and procedures put in place and as a result you find that that school in rural areas the pass rate is more than 90%. Two/three years this teacher, this principal is transferred even to a primary school. That part I do not really understand why it is like that. Maybe that one also let us look into that aspect. So Honourable Deputy Speaker with these few remarks I wholeheartedly support the Bill. I thank you.

HON DEPUTY SPEAKER: Thank you. With that I recognize Honourable Ndjoze-Ojo.

HON DEPUTY MINISTER OF HIGHER EDUCATION AND INNOVATION: Thank you I would like Honourable Deputy Speaker to adjourn the debate to Tuesday next week the 23rd of October. Thank you.

HON DEPUTY SPEAKER: Thank you. If there is no one to take the floor the debate on the Education Bill is adjourned till next Tuesday the 24th of October. The Secretary will read the (intervention).

HON MEMBER: There is no time.

HON DEPUTY SPEAKER: There is no time? No just read, yes.

16 October 2018

**PUBLIC ENTERPRISES GOVERNANCE BILL
HON SMIT**

**RESUMPTION OF DEBATE ON SECOND
READING PUBLIC ENTERPRISES GOVERNANCE BILL**

SECRETARY: Resumption of Debate on second Reading Public Enterprises Governance Bill

HON DEPUTY SPEAKER: Yes when the Assembly adjourned Wednesday the 10th of October the question before the Assembly was a Motion by Honourable Minister of Public Enterprises that the Bill be read a second time. Honourable Smit adjourned the debate and you have now the floor there are still three minutes.

HON SMIT: Thank you Honourable Deputy Speaker. I would also like to adjourn the debate to next Tuesday.

HON MEMBER: Continue.

HON DEPUTY SPEAKER: When?

HON SMIT: Pardon?

HON DEPUTY SPEAKER: Till which date?

16 October 2018

**ADJOURNMENT
HON DR KAWANA**

HON SMIT: Tuesday.

HON DEPUTY SPEAKER: So the debate on this Bill is also adjourned till next Tuesday the 23rd. We have come to the conclusion of our deliberations today. I ask Honourable Dr Kawana to adjourn the House till Tuesday the 23rd. Dr Kawana can you adjourn the House?

HON ATTORNEY GENERAL: Honourable Deputy Speaker, may I adjourn the proceedings for the House until next week Tuesday 14:30. I so move.

HON DEPUTY SPEAKER: The House is adjourned till Tuesday the 23rd at 14:30.

HOUSE ADJOURNS AT 17:45 UNTIL 2018.10.23 AT 14:30

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
WINDHOEK
23 OCTOBER 2018**

The Assembly met pursuant to the adjournment.

HON SPEAKER took the Chair and read Prayers and the Affirmation.

HON SPEAKER: Welcome back. It was quite a pleasant morning this morning to see some showers. I do not know how widespread. It looks as if it was all over and I think we should continue to pray. Yes, we should continue to smile, any petitions, reports of standing and select Committees, Honourable Ida Hoffman.

**TABLING: REPORTS OF THE PARLIAMENTARY
COMMITTEE ON GENDER EQUALITY, SOCIAL
DEVELOPMENT AND FAMILY AFFAIRS**

HON HOFFMANN: Honourable Speaker I lay upon the table for discussion report of the Parliamentary Standing Committee on Gender Equality, Social Development and Family Affairs on the First World Health Organization Global Ministerial Conference on ending TB in the sustainable development era a multi-sectoral response held in Moscow, Russian Federation from 16th to 17th November 2017.

I so move Honourable Speaker.

HON SPEAKER: Thank you. Table the report. Other reports and papers, Honourable Minister of Finance.

23 October 2018

**TABLING OF REPORTS
HON SCHETTWEIN / HON SIMATAA**

TABLING: REPORTS OF THE AUDITOR GENERAL

HON MINISTER OF FINANCE: Honourable Speaker I lay upon a table reports of the Auditor General on the accounts of.

1. The Government of Namibia for the Financial Year that ended 31st March 2017
2. Municipality of Gobabis for the Financial Year that ended 30th June 2016.

I so move Honourable Speaker.

HON SPEAKER: Thank you, Honourable Simataa.

TABLING: ANNUAL REPORT

HON MINISTER OF INFORMATION COMMUNICATION AND TECHNOLOGY: Thank you very much Honourable Speaker. Honourable Speaker I lay upon the table the annual report of Nampost for the year 2017.

I so move Honourable Speaker.

23 October 2018

**NOTICE OF QUESTION
HON MURORUA**

HON SPEAKER: Thank you. Notices of questions, Honourable Murorua.

NOTICES OF QUESTIONS

HON MURORUA: Thank you very much Honourable Speaker. Honourable Speaker I hereby give notice that on Wednesday the 24th of October 2018 I shall ask the Minister of Finance Honourable Calle Schlettwein the following question.

1. To please appraise this August House and the nation at large on the donation of the four farms that the Russian billionaire Mr Sadarof but my questions are based on the State Finance Act, Act number 31 of 1991 read in conjunction with the provisions of the Agricultural Commercial Land Reform Act of 1995.

Allow me therefore to quote section 18 and 19 of the State Finance Act of 31 of 1991 and section 58(1)(b)(i) and b(ii) of the Agricultural Commercial Land Reform Act of 1995 to start with and I would like to quote the provisions. 'Prohibition on unauthorized disposal of movable and immovable properties of the state notwithstanding anything of the contrary in any other law contained no movable and no immovable property of the state shall be alienated let exchange, donated or otherwise disposed of without the authorization of the Treasury'. Section 19 states 'prohibition on acceptance of gifts to state without Treasury authorization and it states as follows under sub-clause 1, notwithstanding anything to the contrary in any other law contained, no gifts to the state shall be accepted without the authorization of the Treasury and sub-clause 2 the Treasury may whenever it is not apparent to what purpose a gift referred to in subsection 1 has been made determined the purpose of which any such gift shall be utilized or in what manner it shall otherwise be disposed of'.

23 October 2018

**NOTICE OF QUESTION
HON MURORUA**

I further continue to quote the restrictions on acquisition of agricultural land by foreign nationals under section 58(1) 'notwithstanding anything to the contrary in any other law contained but subject to subsection 2 and subsection 62, no foreign nationals shall after the date of commencement of this part, that is part 6 of this Act without the prior written consent of the Minister be competent

- (a) To acquire agricultural land through the registration of transfer of ownership in the registry or
- (b) To enter into an agreement with any other person whereby any right to the occupation or possession of agricultural land or a portion of such land is conferred upon to foreign national.
 - (i) For a period exceeding ten years or
 - (ii) For an indefinite period or for a fixed period of less than ten years but which is renewable from time to time and without it being a condition of such agreement that the right of occupation or possession of the land concerned shall not exceed a period of ten years in total.

Now therefore the questions.

1. Did the Treasury make sure whether this donation was firstly acquired as per the requirements of the Agricultural Commercial Land Reform Act that no foreigners should buy land in Namibia and that therefore the allocation of the lease hold certificate of 99 years was issued in consideration with section 19(2) of the State Finance Act of 1991 in determining the manner in which these farms should be utilized or be disposed of.
2. Did the Russian national made an offer to the Treasury of his donation to the Government of Namibia as per section 18

23 October 2018

**NOTICE OF QUESTION
HON KAVEKOTORA**

3. What was the apparent purpose of the offer of this gift to the Government as per section 19(2)
4. Could the Minister please inform this August House whether there were any conditions attached to this offer of the four farms
5. Was this gift so appealing regardless of its burden of 99 years to allocate the gift to the donor that the Treasury accepted it and what are the benefits that attracted Treasury to accept it
6. When was the decision to accept this donation made by the Treasury as per section 19(1)
7. Did Treasury ever attempted to advice on how these donations which after the offer was accepted became state property should be utilized as per section 19(2).

I so move Honourable Speaker.

HON SPEAKER: Thank you. Next is Honourable Mike Kavekatora.

HON KAVEKOTORA: Thank you Honourable Speaker and welcome back. I give notice that on Thursday the 25th of October I shall the Minister of Urban and Rural Development Honourable Doctor Peya Mushelenga the following questions. The communities of Amilima, Onange, Omutele and Ondjamba and others in Oshikoto region have experienced water shortages for the past two months. Their attempted to get answers from the regional leaders proved futile hence the following questions:

1. Is the Honourable Minister aware of this situation affecting both human and livestock?

23 October 2018

**NOTICE OF QUESTION
HON !AUCHAB**

2. What does the Minister intend to do to solve this problem in a shortest possible time?

And on the same day Honourable Speaker I give notice that on Thursday the 25th of October 2018, I shall ask the Minister of Higher Education, Training and Innovation Honourable Doctor Itah Murangi-Kadjii the following question.

1. How much money is allocated to Namibia National Student Organization NANSO annually from your Ministry's budget over this past three years
2. Who ordered NANSO to ascertain that funds are being used for the intended purpose
3. What was the audit opinion for the last three Financial Years

I so move.

HON SPEAKER: Thank you. Next is Honourable !Auchab.

HON !AUCHAB: Thank you Honourable Speaker. Honourable Speaker I give notice that on Thursday the 1st of November 2018 I shall ask the Minister of Environment and Tourism Honourable Pohamba Shifeta the following questions. Namibia along with other well-known African wildlife destinations ranks surprisingly low on the newly released global wildlife travel index which list the best countries in the world for wildlife travel.

1. May the Honourable Minister appraise this August House why Namibia has scored poorly in the category for natural history, museums and wildlife biodiversity and for each mega fauna

23 October 2018

**NOTICE OF QUESTION
HON MAAMBERUA**

2. conservation national park pioneers and national protected areas, Namibia scored 7 in all categories and for national park prevalence's it obtained a score of 4
3. Can the Honourable Minister share how Namibia can improve to do better and not only better but much better than the 19th position on the wildlife index because of its wildlife attractions

I so move Honourable Speaker.

HON SPEAKER: Thank you. Next is Honourable Maamberua.

HON MAAMBERUA: Thank you Comrade Speaker. I give notice that on Thursday 1st November this year I shall ask the Right Honourable Prime Minister Honourable Sarah Kuugongelwa-Amadhila the following questions. Maybe before I start the question, there is a small preface small one. Unpartist Alfonseka the French critique journalists and novelist earthly described the irony of life when he said '(French)'. That means the more things change, the more they stay the same. In this context since my related to the one I am posing in 2012, many things have changed but many also have remained the same. Comrade Speaker if Article 23(2) of the Namibian constitution enjoins Namibia to redress imbalances and to achieve a balance structure of the Public Service, the Defence Force, the Police Force and the Correctional Service. The first question is:

1. How is it that about 80% or more of the heads of the following Ministries, Offices and Agencies herein reflects to as nerve centres are from the same ethnic group or hundred percent from the northern part of Namibia. North in this case geographically speaking starting from Otjiwarongo that is first question. Second question is

23 October 2018

**NOTICE OF QUESTION
HON MAAMBERUA**

2. How and when does Government intends to correct when you practice tribalism you do not say you are a national leader. You are a tribalist practicing leaders. Now yo want to accuse me. I am asking serious questions here.
- 3.

HON SPEAKER: Let us hear you. Please concentrate on the questions.

HON MAAMBERUA: Yes, can you stop them please for me?

4. How and when does Government intends to correct this imbalance situation before the perception is created that in Namibia ethnicity and or regionalism is practiced.

Here are the examples of nerve centres. First one security nerve centres, Chief of Defence Force, Chief of Police, Chief of Intelligence, Chief of Windhoek City Police.

HON SPEAKER: Let us have order please. Please continue.

HON MAAMBERUA: You see we are national leaders. We have to address the realities of the day. These are the things that we are addressing. We can be putting the things under the beds and try to hide the reality from ourselves. Let me proceed. Chief of the Airforce, Chief of the Navy, Minister of Safety and Security, Minister of Home Affairs and Immigration, Chief of Police Cells and Correctional Services.

Judicial nerve centre, Prosecutor General, Chief Justice, Deputy Chief Justice, Minister of Justice and Deputy Minister, Attorney General.

23 October 2018

**NOTICE OF QUESTION
HON MAAMBERUA**

Public Finance Accountability nerve centre, Chairman of the Public Accounts Committee is from the north, Auditor General, Director of Anti-Corruption Commission. Public Administration nerve centre, Chairman of Public Service Commission, Prime Minister and Deputy Prime Minister and Permanent Secretary, Secretary to Cabinet, President and the Vice President. Speaker can you help me please?

HON SPEAKER: Yes.

HON MAAMBERUA: And Minister of Presidential Affairs. Public Finance nerve centre, Minister of Finance and Permanent Secretary. I just checked he is from Otjiwarongo, Deputy Minister of Finance, Governor of Bank of Namibia, Head of NAMFISA, Head of Agribank, Head of Development Bank of Namibia, GIPF Head.

I so move. Thank you.

HON SPEAKER: Thank you. Honourable Maamberua I listen with particular interest. No one is actually spared by this list, notices of Motions, Honourable Minister of Finance.

NOTICES OF MOTIONS

APPROPRIATION ACT

23 October 2018

**NOTICE OF MOTION
HON SCHETTWEIN / HON HAMBYUKA**

HON MINISTER OF FINANCE: Honourable Speaker I give notice that tomorrow 24th October 2018 I shall move to take leave to be given to amend the Appropriation Act 2018 so as to increase and decrease the amounts of money in the schedule to that to meet the financial requirements of the state for the remainder of the year ending 31st March 2019.

I so move Honourable Speaker.

HON SPEAKER: Thank you. Next on my list is the Deputy Minister Ipumbu. You have the floor.

HON DEPUTY MINISTER OF INDUSTRIALIZATION, TRADE AND SMS DEVELOPMENT: Microphone off.

HON SPEAKER: Thank you. Next is Honourable Hambyuka please.

HON HAMBYUKA: Thank you Honourable Speaker. I give notice that leave of absence due to her own health granted to Honourable Priscila Kavita until further notice.

I so move Honourable Speaker.

HON SPEAKER: Thank you, Honourable Maamberua.

23 October 2018

**NOTICE OF MOTION
HON MAAMBERUA**

HON MAAMBERUA: Thank you Comrade Speaker. Comrade Speaker I give notice that on Thursday the 25th of October this year, I shall move that within its mandate of accountability and oversight that the National Assembly discusses and debate the need for forensic audit or general investigation on the full spectrum of the status of the implementation processes of the resettlement program. Looking at the criteria processes, responsible bodies compliance with legal provisions, specifics on land acquisition including prices and sizes and the list of people who are having resettled since independence to date and challenges and successes experienced thus far in order to improve on the resettlement process and that this motion be referred to a Parliamentary Standing Committee to take up the matter further.

I so move.

HON SPEAKER: Thank you, messages from the Head of State, Ministerial Statements. Are we done? Thank you very much we move on. The first notice of a Motion is the one of the Honourable Minister of Finance. Does Honourable Minister move that the Bill now be introduced, Minister?

HON MINISTER OF FINANCE: I move so Honourable Speaker.

HON SPEAKER: Who seconds the Motion, is there any objection, then it is agreed to. Will the Honourable Minister please table the Bill?

The Secretary will now read the Bill the first time.

23 October 2018

**NAMIBIA DEPOSIT GUARENTEE BILL
HON SCHLETTWEIN**

NAMIBIA DEPOSIT GUARANTEE BILL

SECRETARY: Namibia Deposit Guarantee Bill.

HON SPEAKER: Does the Honourable Minister of Finance move that the Bill be now read a second time?

HON MINISTER OF FINANCE: I so move Honourable Speaker.

HON SPEAKER: Any objection, who seconds, agreed to. Honourable Minister you have the floor.

HON MINISTER OF FINANCE: Honourable Speaker, Honourable Members, I have the honor to table the Deposit Guarantee Bill 2018. The Bill is an offspring of the national deposit goals imbedded in the financial sector strategy adopted in 2011 with the express objective of depending financial sector development and contribution to the domestic economy. The overarching national strategy for the financial sector implicates four main sectors. The establishment of the safety-nets to be put in place to protect depositors in the event of financial institutions becoming insolvent. Honourable Speaker the macro prudential measures to ensure and strengthen financial stability require that we exercise effective bank resolution mechanisms. Such measures must also address the impact on depositors in the event of potential failure of deposit taking banking institutions such as what was witnessed in the case of the SME Bank.

23 October 2018

**NAMIBIA DEPOSIT GUARENTEE BILL
HON SCHLETTWEIN**

The legislative intent of this Bill is to protect depositors in the event of failure over banking institutions. The Bill does so by establishing a deposit guarantee scheme which will collect finance from the banking institutions for compensation to depositors and further by establishing a depositor guarantee authority under governance framework of the Bank of Namibia to oversee the operations of the scheme. The proposed deposit guarantee scheme and its governance framework can minimize the negative impact on depositors and the entire financial system.

The scheme shall ensure that in the event of a bank failure, defined levels of reimbursements to depositors are carried out in an efficient, transparent and speedy manner in order to contain the risk of a bank loan and to minimize the negative impact of delayed access to own funds for especially small depositors. In essence this Bill establishes the national financial safety net mechanism inspired for in the financial sector strategy and it will have the effect of mitigating vulnerability and enhancing the mutual reinforcement objectives of financial stability and financial inclusion.

In the designing of the proposed scheme and its institutional arrangements, appropriate research of benchmarking study was undertaken. Honourable Speaker let me now provide the main provisions of the Bill. Part 2 is where I start sections 2 and 3 of the Bill seek to establish the Namibia Deposit Guarantee Authority as a juristic person responsible for the governance and management of the scheme. The main functions of the deposit guarantee authority are to administer the deposit guarantee scheme and the deposit guarantee fund of the scheme.

Secondly determine and collect premiums from member institutions and pay compensation to depositors in the event that a bank institution becomes insolvent in terms of the provisions of the Bill. In performing these functions, the authority shall operate independently as impartially under the policy supervision of the Board of Directors. Governance and authority is part 3, part 3 of the Bill provides for the governance structure of the authority by providing for the appointment of the governance Board with the policy and governance oversight functions.

23 October 2018

**NAMIBIA DEPOSIT GUARENTEE BILL
HON SCHLETTWEIN**

To avert the proliferation of institutions and related cost, the authority shall fall within the accountability framework of the Bank of Namibia. The Bank may second staff to the authority. Operational independence and impartiality are clarified in the powers of the Board and the routine exercise of the functions of the authority. The Directors are appointed by the Minister of Finance and shall hold office for a term not exceeding three years and shall be eligible for reappointment. The establishment of the scheme is part 4, part 4 of the Bill provides for the establishment of the deposit guarantee scheme which receives premium payments from all member institutions. The scheme membership covers all deposit taking institutions and branches of such institutions as defined in the relevant provisions of the Banking Institutions Act and Building Society Act. The deposit guarantee fund and premiums is part 5 and 6, the scheme shall establish a deposit guarantee fund in terms of part 5 and the payment of premiums in terms of part 6 of the Bill.

The fund shall consist amongst others premiums paid by member institutions and other such monies for the object of the scheme and its administration. The determination of the premium levels will be made in consultation with industry with approval of the Minister take into consideration the risk complexion, the size of the fund and total guarantee deposits to member institutions. Section 7 and 8 are deposit guarantee coverage and payment provisions.

Honourable Speaker section 7 and 8 of the Bill provides for the coverage limit of the fund and the payment process of the fund. The guarantee deposits shall be covered up to a maximum amount determined by the Board with the approval of the Minister. The Board in determining the premiums shall among others consider the appropriate size of the funds to meet its liabilities and its profiles of member institutions. As a start it is envisaged that the deposits will be guaranteed up to a maximum of N\$25 000. At this level approximately 90% of all depositors will be fully covered. This coverage level may increase as the fund size improves.

Enforcements and other matters, the scheme shall keep proper records of money received from spended from the fund by the scheme and all assets,

23 October 2018

**NAMIBIA DEPOSIT GUARENTEE BILL
HON SCHLETTWEIN**

liabilities and financial transactions of the fund. The accounts records of the scheme shall be audited annually. The scheme shall submit to the Minister of finance an audited financial statement not later than three months after the end of each Financial Year. Payment of guarantee deposits, the scheme shall make payments in respect of guarantee deposits if a bank institution have been wind up by an order of the court or a bank institution license has been revoked.

The scheme shall require proof of claims to be filed before paying the guarantee deposits. Entitlement to compensation, the depositor is entitled to compensation from the fund up to the maximum coverage limit determined by the Board and the maximum coverage limit is currently envisaged at N\$25 000 as I said. Where a depositor hold more than one deposit in a banking institution, all deposits amounts held by such depositor in such an institution shall be added together and protected up to a maximum coverage limit. Depositors entitled to compensation shall be required to submit claims within eighteen months after being notified to submit their claims.

The scheme shall have the right to net off payments due to a guaranteed depositor out of the fund in respect of a prejudice deposit against the specified credit facility issued by insolvent member institutions. If the scheme pays a depositor, the scheme is subrogated to the extent of the amount of that payment to all the rights and interests of depositor. In other words the scheme substitute the depositor to the extent of the amount of that payment and assumes all rights and interest of depositor. Confidentiality, any person who acquired information relating to the affairs of the scheme in the performance of his duty should handle such information with absolute confidence and should I think it should mean with absolute confidentiality and should not disclose such information except if the matter is provided in the Bill any person who unlawfully discloses information related to the activities of the scheme shall be subjected to penalties as stipulated in the Bill.

The Bill protects persons acting on behalf of a scheme from personal liability arising from activities or functions executed in good faith and in

23 October 2018

**NAMIBIA DEPOSIT GUARENTEE BILL
HON SMIT**

furtherance of the interest of the scheme. In conclusion Honourable Speaker, Honourable Members when passed the Deposit Guarantee Bill will protect depositors in the event of bank failures by ensuring that depositors are reimbursed for their deposits in an efficient, transparent and speedy manner. The protection of depositors fosters confidence in their financial system and enhances financial stability which is crucial for our country's economic development.

In recent years the number of countries in the world experienced bank failures and Namibia is not spared from this happening as we have witnessed to this SME Bank. It is for this reason that as a country we should establish mechanism to manage bank failures and protect the interest of depositors while ensuring financial stability. The banking industry has been suddenly and thoroughly consulted during the formulation process of the Bill and all the inputs have been considered in this final Bill. With these remarks and to realize the expressed policy intentions of underpinning this legislation, I table the Deposit Guarantee Bill to the House for your favourable consideration and approval. I thank you for your support.

HON SPEAKER: Thank you, any further discussion, Honourable Nico Smit.

HON SMIT: Thank you Honourable Speaker I would like to postpone the discussion on this Bill to the 8th of November.

HON SPEAKER: 8th November, where are we, today is the 23rd simply over a week. Will that be fine? There might be other people who might wish to contribute, fine, so decided. Thank you very much. Let us move

23 October 2018

**PROTECTION OF INFORMAL MARKETS
HON DR KAFULA**

on. The second notice of a Motion is the one of Honourable Agnes Kafula. Does the Honourable Member move the Motion?

HON KAFULA: I so move Honourable Speaker.

HON SPEAKER: Who seconds the Motion, yes, any objection, agreed to. Honourable Member you have the floor.

HON KAFULA: Thank you Honourable Speaker. Honourable Speaker, Honourable Members I would like to start with the question on what is an informal market. The informal market can include many activities. It most often occurs in public spaces. Informal traders are sometimes called street traders, street vendors, peddlers or hawkers. The most visible of an informal market occurs on street and at public markets. The informal economy is mainly driven by unskilled workers who cannot get into the informal economy and as much as the informal economy continues to strive while the formal economy fluctuate, there is a need to protect this valuable and vulnerable class.

As Namibia continue on its remarkable journey to fulfill its vision of eliminating poverty, reducing inequality and addressing the challenge of unemployment it faces a daunting challenge of addressing the structural and social imbalances carried over from the pre-democracy era. Honourable Speaker, Honourable Members the informal economy can then also be defined as the diversified state of economic activities, enterprises, jobs and workers that are not regulated or protected.

The concept originally applied to self-employment in small unregistered enterprises. It has been expanded to include wage unemployment in unprotected jobs. In Namibia street vendors, domestic workers, wood

23 October 2018

**PROTECTION OF INFORMAL MARKETS
HON DR KAFULA**

covers, men on the type of the street, cattle herders and of the rudder cash workers are the major operators in the informal sectors. In many developing countries informal economy is more important than the formal economy. Indeed it might be asserted that the informal economy is not the problem that needs to be resolved to tackle poverty rather the problem is that there is simply too little social protection.

Therefore allow me to make this statement, 'most informal work is vicarious and low paid with workers having little or no access to social protection'. Honourable Speaker, Honourable Members to my surprise the Sun newspaper of yesterday Monday October 22nd 2018 came out with a screaming front page article speak of women street vendors who held a peaceful march in Independence Avenue on Friday. According to the article the women claimed to be harassed by the City Police, goods confiscated and in certain cases they face imprisonment. The street vendors have requested our President Doctor Hage Geingob to please put up an end to their harassment.

The article further reveals that the women are being imprisoned in accordance with section 55 of the Criminal Protection Act of 1977 Act number 51 of 1977. They say that this registration originates from the apartheid era. They continue question, 'we want to know why we are being prosecuted based on an apartheid act in a free Namibia. Our Government is saying that nobody must be left out but we the vegetable vendors feel left out and discriminated against'.

Honourable Speaker, Honourable Members, in the global there has been increasing acknowledgment of the size of the informal economy in which workers are without legal or social protection and the fact that the informal economy is not reducing in size as was once the predicted by the development economist but is in fact growing. The most recent national data from 44 countries confirmed this trend. The data shows that informal work makes up over 80% of a total non-agricultural employment in south Asia, over 60% of total non-agricultural employment in Sub-Saharan Africa and South East Asia. Over 50% of total non-agricultural

23 October 2018

**PROTECTION OF INFORMAL MARKETS
HON DR KAFULA**

employment in Latin America and the Caribbean and 45% of total non-agricultural employment in the Middle East and North Africa.

Therefore, the informal market is the sector in the economy that the products are not taxed not monitored by Government or included in any GDP or gross national product. Subsequently the gross national product can be defined as the market value of all the products in services produced in one year by labour and property supplied by the citizens of a country unlike gross domestic product which defines production based on the geographical location of production GMP allocate production based on a local economy.

Example of informal market are black market or in other words parallel market and grey market. Informal economy or black economies that assortment of paid work which takes place outside the formal structure of paid employment. It is not subject to the normal constraints of registration and taxation and generally therefore, it is supported by cash in hand payments. It is now realized that the study of formal employment does not exhaust the scope of the sociology of work. There are in fact three different economics the formal, the informal and the household.

In the informal economy the one recognized by Governments people say the ability to work for wages and salaries. In the informal economy people might do work of the books like receive cash but not declare it to the state or they might do a job for a neighbor or relative which would be repaid in time and in the household economy the role of women in performing routine cooking, cleaning and caring in the home is recognized as well as do it yourself jobs carried out by both men and women. Honourable Members since 1980 conferences have been held. Research has flourished and books and articles have been published on activities outside employment.

As useful way of clarifying the differences is to imagine a woman ironing a garment at home. She could be ironing the garment before she delivers it to her employer for wages as an outworker. She could be ironing the garment which she proposes to sell to get some extra cash without

23 October 2018

**PROTECTION OF INFORMAL MARKETS
HON DR KAFULA**

declaring it to the state. She maybe ironing the garment as a housewife for her husband upon whom she is financially dependent. Finally, she maybe ironing the garment with no expectation of payment for a friend, a neighbor or a relative or out of some obligation to the local church, club or other voluntary organization to which she belongs.

Although some research suggest that the black economy has grown during the economic crisis of the 1980s, it is important to keep its size and significant in the perspective. In some work outside formal employment needs to be studied in relation to that which goes on inside. Researchers need to consider the interconnection between the two and examine both how wage labour relations penetrate unpaid work and how socially generated ideologies share pattern of waged work. The challenges informal workers encounter is staggering considering the informal economy comprises more than half of the global labour force and more than 90% of micro and small enterprise worldwide according to ILO statistics of February 2018.

Ensuring the sustainable livelihoods of informal workers is therefore a pressing issue demanding Government's attention despite operating beyond the view of taxation or national gross domestic products. Social protection is increasingly playing a key role in securing the livelihood of informal workers around the world. Many of the workers in the formal economy can take certain things for granted. A regular income, health insurance, unemployment benefit if they lose their jobs and a pension when they retire. Such things are a distant dream for workers in the informal economy who in many countries makes up most of the work force. For them unemployment, maternity or retirement can push their families deep into poverty.

An illness or accident may mean hunger, homelessness and destitution. Ensuring that such workers benefit from social protection is important for both social and economic reasons. Informal workers contribute greatly to the broader economy so deserve its support in times of need. Access to health care can prevent an illness from getting worse and help some return to work more quickly. Unemployment and maternity benefits help people

23 October 2018

**PROTECTION OF INFORMAL MARKETS
HON NDJOZE-OJO**

hope with a temporary loss of income. It is in society's interest to prevent retirees from falling into poverty.

Initiatives in various countries have shown that social protection can be extended to workers in the informal economy. Taxing informal workers is one way of extending the tax base and though some informal operators can afford to pay income tax the vast majority are in low paid, insecure and vulnerable employment earning below the tax threshold. Honourable Speaker in conclusion I am happy to learn that there is an organization called the Namibian Informal Sector organization which intends to promote the right of informal traders while at the same time trying to turn the informal sector into a formal sector by addressing the traders concerns.

Namibia's informal economy employs a large number of our country labour force which is estimated at 40% of our national employment creation. It is also the fastest growing economy sector in our country. According to a report released by the Ministry of Labour on Namibia's informal economy earlier this year 70% of the informal work force consist of women while 31% are men fascinating (indistinct). It is for these reasons that I propose to this August House to find ways as to how these men and women who are in the informal work force can be assisted and be included in the economy mainstream. Honourable Speaker, Honourable Members I thank you.

HON SPEAKER: Thank you. Any further discussion?

HON DEPUTY MINISTER OF EDUCATION, TRAINING AND INNOVATION: Honourable Speaker could I ask for a postponement of the debate to Tuesday next week.

23 October 2018

**BASIC EDUCATION BILL
HON NDJOZE-OJO**

HON SPEAKER: Thank you. You want to postpone this to when?

HON MINISTER OF EDUCATION, TRAINING AND INNOVATION: Tuesday.

HON SPEAKER: With that understanding, the matter is postponed to next Tuesday so decided. Thank you very much. We move on.

The Secretary will read the order of the day.

**RESUMPTION OF DEBATE ON SECOND
READING: BASIC EDUCATION BILL [B.4 – 2018]**

SECRETARY: Resumption Of Debate On Second Reading: Basic Education Bill [B.4 – 2018]

HON SPEAKER: When the Assembly adjourned on Thursday the 18th October 2018 the question before the Assembly was a Motion by the Honourable Minister of Education, Arts and Culture that the Bill be read a second time. The Honourable Deputy Minister of Higher Education, Training and Innovation adjourned the debate. I now have the pleasure to give her the floor.

23 October 2018

**BASIC EDUCATION BILL
HON NDJOZE-OJO**

HON DEPUTY MINISTER OF EDUCATION, TRAINING AND INNOVATION:

Thank you Honourable Speaker, Honourable Members. It is by the grace of God I serve in this honourable House and it is on that I rise to contribute to the Basic Education Bill. Firstly, before I do that, allow me Honourable Members to pay tribute to all those who contributed to building the complex phenomenon that is called education for Namibia over the years. As I had always argue that education is a continue, it is a complex phenomenon a continue to which many add a brick at the time with others adding motor to sustain the process to its completion yet its completion is but the foundation to yet another continue.

Thus education is a dynamic continuous process whose contracts to its congruent is as complex as the phenomenon itself. Education is therefore never a construct of a single person nor of a group of people at a particular time but a construct of committed multiple people with multiplicity of skills in a timeless and somewhat seamless journey that take us from the curdle to the grave. Thereto I pay tribute and sincerely acknowledge all those who work tirelessly and selflessly to give us the construct we call education in Namibia and education for Namibians.

I dock my couple each and every one of them to all those who are living and pose famously. Secondly, allow me to thank and congratulate the Honourable Minister of Education, the Deputy Minister for tape and team for tabling this longer waited Bill in Parliament. Indeed it has been long in coming. As someone who had been privileged to have serve the Namibian nationin different spheres of education fraternity, my contribution to this Bill derive a lot from my long journey and it may seem a little bit lengthy. I also have adopted a different approach to study this Bill extensively. I nonetheless take cognizance of the fact that this is our Bill and that much has already been said and I shall not reinvent the wheel. My contribution to this Bill is four fold.

Firstly, I shall argue, justify and propose that this Bill be perceived as an Amendment Act of the existing Education Act of 2001 Act number 16 of 2001 and not a repeal thereof. In so arguing I shall put this Bill in just a position to the Education Act and use their striking similarities to plus

23 October 2018

**BASIC EDUCATION BILL
HON NDJOZE-OJO**

minus 99% as justification that one is an Amendment Act of the other. Secondly, I shall draw inferences from a Namibian constitution as angle to strengthen the Bill in whatever attempts it seeks to find its own trajectory. I shall thus argue that it is only within Article 20 of the Namibian constitution in which the right to education specifically to primary education is enshrined as compulsory and free and to emphatically argue that it is within that sacred and broader right that all other rights should find expression in the Bill.

Thirdly, I shall add my voice to support section 26(1)(2) and particularly (3). This section deals with freedom of religion of state school and I shall draw inferences from the very establishing article of the Republic, Article 1 section 1. Fourthly, I shall talk to section 15 on the right of the learner to the medium of instruction. Thereto I shall draw inferences on article 3 of the Namibian constitution to strongly and unequivocally argue that the right of the child to education is interwoven within the right of the child to the mother tongue in education. I shall thus call for the strict implementation of the right of the child to the mother tongue as the medium of instruction while not similarly deprived of adequate and acceptable fluent in the official language.

In my contribution I shall concentrate on those comments and observations that attempt to strengthen and angle this Bill more on the provision of the Namibian constitution and on the existing Education Act 2001 Act number 16 of 2001. I am reliably informed that this Bill seeks to repeal the existing Act of Parliament as quoted above. Thereto my contribution is to propose that this Act once promulgated should be seen as an amendment of Education Act 2001 Act number 16 of 2001 and not a repeal thereof. This my proposal is supported by the fact that object or both these Acts are very similar with very little changes and little rearrangements and alternations here and there.

I compared and contrasted both and put them in just position to each other as Education Act 2001 versus the Bill and this is what you find. The object of the Act is to provide provision of accessible equitable quality and democratic national education service that has been informed by the

23 October 2018

**BASIC EDUCATION BILL
HON NDJOZE-OJO**

five tenants following the June 10 conference. The object of this Act of this Bill as proposed is to promote and regulate free and compulsory basic education which I said is already enshrined in the constitution. (b) is to provide for the establishment of national advisory council on education and it goes on. I think I will distribute these to be read. (c) is on national examination assessment and certification Board. (d) is on regional education forums and the Bill has equivalences on the other side. In starting the object I inserted a, b, c and d to indicate colorations and to point out similarities as captured below. For example (a) is slightly the only difference. All other points are exactly the same. For example in the Act (b) is on national advisory council on education and it is similar to (e) in the Bill which is also on the national advisory council on education. In the Act (c) is on national examination assessment and certification Board and it is similar to (g) in the Bill which is in national examination assessment and certification Board.

In the Act (d) is on regional educational forums and in similar to (f) in the Bill which is on regional educational forums. In the Act (e) is on school Boards and it is similar to section 49 which is on establishing of school Boards in part 4 of the Bill under governance for state schools. There is therefore need to include establishment of school Boards as part of the object of the Bill in the Bill. In the Act (f) is on education development fund and is similar to (i) in the Bill which is on education development fund. In the Act (g) is on establishment of schools and hostels as similar to (g) in the Bill which is on schools and hostels.

In the Act (h) is on establishment of the teaching service Committee and is similar to (h) in the Bill which is on teaching service. In the Act (i) is to provide for incidental matter and is similar to (j) in the Bill which is to provide for incidental matters. In addition to these objects being the same there are whole parts that are precisely the same and I again put them in just position to each other as follows.

In the Act of 2001 part 6 is on education development fund. However in the Bill part 5 is on education development fund so it is only the parts that are different but the content is the same. In section 26 of the establishing

23 October 2018

**BASIC EDUCATION BILL
HON NDJOZE-OJO**

of the Act is the establishment of education development fund and colorates to section 115 which is establishment of education development fund. Section 27 is constitutional fund colorates to section 116 of the Bill which is constitutional fund. Section 28 of the Act is object of fund and section 117 of the Bill is object of fund.

Administration of fund is section 29 in the Act. Section 118 is administration of fund. Section 30 is banking accounts and section 119 if banking accounts. Section 31 is financial year bookkeeping and auditing of books account and colorates to section 120 financial year bookkeeping and auditing of books accounts. Section 32 exemption from payment of tax and other charges colorates to section 121 exemption from payment of tax and other charges thus part 6 in the Act is precisely the same as part 5 in the Bill. Then you move on part 8 of the Act which is on private schools and in the Bill is part 6 that is on private schools and hostels.

Section 41 is the establishment of private schools in the Act. In the Bill section 75 is the establishment of private schools. Section 42 is registration of private schools. Section 76 is registration of private schools. Section 43 in the Act is register of private school and in section 77 is register of private schools and the story goes on and on and on up to section 52 registration of learner for education at home and section 87 the registration of learner for home schooling thus part 8 in the Act is precisely the same as part 6 in the Bill. Then you have part 4 which is on teaching service. Part 4 is also on teaching service. Section 70 of the existing Act is on establishment of teaching service and section 108 is establishment of teaching service. Section 71 is constitutional teaching service and section 109 constitutional of teaching service. Section 72 object of teaching service. Section 110 object of teaching service. Section 74 is establishment of teaching service Committee and section 112 is establishment of teaching service Committee. Section 75 is function of teaching service Committee and section 113 is functions of teaching service Committee.

The only difference is teacher and teaching at state school is the addition in the Bill thus part 4 in the Act is precisely the same as part 4 in the Bill

23 October 2018

**BASIC EDUCATION BILL
HON NDJOZE-OJO**

with the exception of section 114 in the Bill which is on teachers and teaching state schools. One can go on and on if you Google the existing Act of 2001 Act number 16 of 2001 compare and contrasting with this Bill, you shall find them to be plus minus 99.9% similar even in the content and the content is precisely the same with little changes, additional and alterations and rearrangements here and there.

Hence in my opinion I hope and with the concurrence of the honourable House this Bill is not a new Act but an Amendment Act of the existing Education Act 2001 Act number 16 of 2001. This existing Act is still a credible Act on which the education constructs of Namibia has been built over the past 17 years. It therefore cannot yet be repealed as proposed in section 126 of the Bill but can indeed be amended in the context of new education developments as informed by new national development agenda as a Namibian nation evolves.

Furthermore, we can do better with repealing apartheid laws of education or pre-independence Namibia than to repeal education laws of post-independence Namibia. Moreover we should shy away from repealing post-independence laws unless in exceptional cases and when find absolutely necessary. This is because repealed laws has a rippling effect on the subsequent application of the law and could easily open a chanel worms of law cases upon law cases against the Government of the day.

Hence my proposal above that this proposed law should not repeal the existing Act but only amend it. The Namibian constitution in Article 20 reads, 'all persons shall have the right to education'. That is the Namibian constitution and it was drafted before independence. Number section 2 says primary education, I want this primary education shall be compulsory and the state shall provide reasonable facilities to render effective these rights for every resident within Namibia by establishing and maintaining state school at which primary education would be provided free of charge. It is in the constitution. Section 2 children shall not be allowed to leave school until they have completed their primary education or have attained the age of 16 years whichever is sooner serve in so far as they may be authorized by an act of Parliament.

23 October 2018

**BASIC EDUCATION BILL
HON NDJOZE-OJO**

So I put great emphasis on certain words there and they are aimed at capturing the fact that since the inception or the constitution an independence in 1990 primary education had always been compulsory and free. However, what we as a nation has been working towards since the Dakar Declaration of 2000 has been towards the universality of it and that is where we are at 18 years on. I therefore wish to propose that since this Bill is not a repeal but an

Amendment Act is short title in section 128 on page 98 should be called the Primary Education Amendment Act of 2018 Act number X whatever that number would be of 2018. This is because of the comparative, contrastive and the just position provided above that clearly show that this Act is not a repeal but an amendment of the existing Act.

Moreover it is primary education and not basic education that is enshrined in the Namibian constitution as article 20 and as quoted above. Furthermore, such a name will keep it anchored on the constitution than for us to start searching later for a coloration between primary education as enshrined and basic education as not. This implication of this my proposal if accepted and accommodated it shows that where basic education appears it is to be substituted with primary education to remain within the law. My fair contribution draws inferences on article 1 and this is a controversial one. Article 1(1) establishes the Republic of Namibia as a sovereign, circular, democratic and unitary state founded upon the principles of democracy, the rule of law and justice for all.

All power shall vest in the people of Namibia who shall exercise their sovereignty through the democratic institutions of the state. The main organ of the state shall be the Executive, the legislature and the judiciary. This honourable House is the legislature and it is one of the three key democratic institutions of the state through which the people of Namibia shall exercise their sovereignty. We are particularly mandated to debate, to argue and to agree and to consensus to promulgate Acts of Parliament. If need be we could agree to disagree. However, I have noticed with concern that once this article 1(1) is quoted only the word circular state is foregrounded at the expense of the word sovereignty and democratic state

23 October 2018

**BASIC EDUCATION BILL
HON NDJOZE-OJO**

yet I believe that circularism was not meant to suffocate democracy and sovereignty as they all could and should co-exist.

In fact circular state means a state that is not concerned with religion as a state. However, it does not mean that those who occupy and own the state cannot practice their sovereignty and their democratic right to practice their religion and ensure that their children who are in the majority are taught such religions yet being tolerant and protective of the minority. In other words circularism while protecting the minority within the state cannot be used to deprive the majority in a democratic state to exercise their sovereignty and their right of majority rules within a functional democracy like ours.

In my view religious education can be taught and practice subject to democratic principles as described above and as described in schools where the majority so wish yet without oppressing the minority among them. We cannot use circularism of the state to deprive the majority to democratically practice what they wish for themselves and their children yet we cannot suppress the minorities thereby. It is a matter of keeping the equilibrium right. Religious education can be taught in schools with keeping this delicate balance right. I therefore wish to add my voice and support section 26(3) for religious education in schools subject to democratic principle at a particular school.

After article 1 that establishes the Republic, Article 2 establishes the national symbol such as the national flag, the national coat of arms, the national anthem and the national seal. Then the next article is article 3 which is on language. That is how important language is and article 3(1) declares the official language of Namibia shall be English. I notice during the debate that some people were asking why do we not speak Portuguese or other languages or even our own languages here. It is because of that declaration in Article 3(1) that says the official language of Namibia shall be English.

Shall be and is not will be there is a difference shall be English. That is precisely why it is required of all of us to conduct the official business of

23 October 2018

**BASIC EDUCATION BILL
HON NDJOZE-OJO**

the state in the official language of the state. It is not enough to say well, it is not my language. This is an expression I often hear said. English is the official language of your state, learn it. English was deliberately chosen because it is nobody's language except for the minute percentage of plus minus 2% of those who speak it as their mother tongue in Namibia. It is a neutral language. It is a chosen instrument to facilitate the functioning of the state. We as Namibians and particularly as Honourable Members of Parliament are therefore expected to learn this official language to the best of our ability to enable us conduct the affairs of the state with the required expertise and confidence.

HON SPEAKER: Is that a point of order.

HON DEPUTY MINISTER OF PUBLIC ENTERPRISES: I am seeking clarity.

HON SPEAKER: On point of information.

HON DEPUTY MINISTER OF PUBLIC ENTERPRISES: Yes, I am seeking information.

HON SPEAKER: Alright.

23 October 2018

**BASIC EDUCATION BILL
HON NDJOZE-OJO**

HON DEPUTY MINISTER OF PUBLIC ENTERPRISES:

Honourable Member I am seeking clarity in the terms of the language. I take cognizance that English is an official language of Namibia. However, we have our own languages. Could you possibly think it is wise at this juncture that we look at our languages and get them declared as national languages too in order for them to be appreciated wherever we are communicating. So therefore we have national official language and also have national languages. Can that be considered at this moment? Thank you.

HON SPEAKER: I think the Chairperson will help you voluntarily. All the other Namibian languages are classified as national languages. There are applied that you use the debate and the discussion is entirely up to individual member to express their wish to do so. So whereas English is the official language for the purpose of communication as the Deputy Minister outlined. So there is no discrimination against national languages. They are acceptable as such whether actually even in the constitution. It is very, very clearly stated. Honourable Member please continue.

HON DEPUTY MINISTER OF EDUCATION, TRAINING AND INNOVATION:

Thank you for that question. It shows interest that we are interested in our 28 Namibian national languages. We had 28 of them and they could be used in schools, in addition in fact they should be have been the first taught languages in our schools. I am going to get there and actually that issue you raise is just the next paragraph. Thank you. However, article 3(2) and (3) go on further to make room for other Namibian languages to be used in schools. Even in this legislature it is for your asking so to do. In the judiciary such as in courts and even in regions where the majority speak such languages and mind you as I said, there are plus minus 28 Namibian languages and they are potential mother tongue

23 October 2018

**BASIC EDUCATION BILL
HON NDJOZE-OJO**

instruments. It is from this sub-article 2 that the language policy for schools was derived.

HON SPEAKER: Is that a point of order. It is a question.

HON EKANDJO: I am sorry Comrade Minister. Comrade Speaker I am asking a question because I took the floor already on this matter and if I want to take the floor Speaker will say no, you have already had a say. Therefore, I want to ask a question.

HON SPEAKER: Please ask whatever question you would like to put to the Honourable Deputy Minister.

HON EKANDJO: Minister you mentioned a very, very important point because with the drafting of the constitution there was a question which language do you use the Speaker and Honourable Kemeeta can bear me out and it was decided during the Constitutional Assembly before independence when we were drafting the constitution that we should have a neutral language. Nobody can say this is my language. That is why we chose English as the official. If we choose Oshiwambo the others will say if you choose Damara Nama, Tswana, Lozi, Herero, others will say no, no. That is why we choose English which have united all of us. So that is why English is the official language and all the other languages are still free to be discussed. Even in Parliament Honourable Speaker and Doctor Kameeta can recall late Tashe used to speak in his own language as Member of Parliament the first five Parliament and any Member of Parliament who cannot express himself or herself in

23 October 2018

**BASIC EDUCATION BILL
HON NDJOZE-OJO**

official language, can make arrangements with the Secretariat of the Parliament for translation. It is just a point of order Comrade Speaker.

HON SPEAKER: Thank you.

HON DEPUTY MINISTER OF EDUCATION, TRAINING AND INNOVATION: Thank you. That was a point of information but the information thank you. It has been given that it is for your asking as Members of the legislature to ask if you have difficulty expressing yourself in English but I am just saying it is the official language of your state. You just must learn it. All of us learn it. Now it is from this sub-article 2 that the language policy for schools and I want to emphasis the language policy for schools was derived and developed as far back as 1992. It is when it was decided in 1992 that Grade 1 to Grade 3 should be taught through their mother tongue. It is not in 2018 we are deciding are they going to be taught in their mother tongue. It has been decided. There is a policy.

First, they must be taught in their mother tongue first and they were even gradings before English was introduced as a medium of instruction from Grade 4 onwards. That was the language policy since 1992. So in this Bill we are not developing the language policy. This was later extended, the year was later extended to the first seven years by UNESCO because it was found to be beneficial for students for learners to take their mother tongue alongside their school system for seven years period. It is very, very important to note that this decision was not made for the laugh of mother tongue but was well informed for philosophies of learning.

For example there is the war study hypothesis that precede and I read, 'we defect nature along lines laid down by our native languages and that our thought processes are determined by language such that human beings are at the mercy of their languages'. Each and every one are at their mercy of

23 October 2018

**BASIC EDUCATION BILL
HON NDJOZE-OJO**

their languages and I have written extensively on this issue since 1984. Furthermore, Estic Corder is a Scottish man at the University of Edinbra. In 1982 he looked at the L1 and L2 that is language 1 which is your mother tongue and language 2 theory of language acquisition and he postulate that a language acquired is a better instrument for learning than a language learned.

A language acquired is a better instrument for learning than a language learned. Therefore, the language acquisition means when a child is born, the child is quiet for a long period and one day the child will say mama or mummy or Dady or meme whichever word they will speak first. All this time they were acquiring the language they hear around them and when they start speaking, the first language they speak is the language they internalize deeply and that is the mother tongue or the home language or whatever. Then later they learn from other people maybe there is a granny who speak another language or somebody else who does not speak the language that is the language learned. Sao because of the deep structure of language acquisition when you are learning in that language your conceptualization of ideas will also be deeper and that is why we are saying mother tongue is a better instrument because mother tongue is the only language that is acquired. The right of the child to the mother tongue is that (incomplete).

HON SPEAKER: Are you rising on a point of order, a question, yes. Do you accept a question or you want to conclude?

HON DEPUTY MINISTER OF EDUCATION, TRAINING AND INNOVATION: I am almost done.

HON SPEAKER: Yes, please.

23 October 2018

**BASIC EDUCATION BILL
HON NDJOZE-OJO**

HON DEPUTY MINISTER OF HOME AFFAIRS AND IMMIGRATION: Yes, mine is just a quick question. I actually battle with this understanding with the mother tongue instruction the advantages but whilst battling with that, I want to understand the Minister's understanding on the issue of the early, is it 1 to 8 years where a child is more able to learn a new language and want to speak. I think it is an earlier year that you are able to learn a new language. How would you bring that concept? If that is true, the argument goes to say that that research of mother tongue learning being so advantages, is it not applicable in countries or where these languages are quite advanced like it we talk about Spanish versus France with its English, then probably your mother tongue would be advantages but I tell you if I have to get it in my mother tongue, I think that was my question. Thank you very much.

HON SPEAKER: Thank you. I think it is very clear.

HON DEPUTY MINISTER OF EDUCATION, TRAINING AND INNOVATION: Thank you. In linguistic we say all languages are equal. There is no language that is better than another so if you speak a mother tongue that is spoken in a village and you speak a mother tongue that is spoken in the city and is a wider reach, it means that those languages are equal. The concept you are driving at is 0 to 5 years that a child has the capacity to learn as many languages. He could learn even up to three languages simultaneously and may speak the learn language you see the child is learning those languages. He is not acquiring them. The child has already acquired a mother tongue but if the child is growing and is exposed in the first five years of her life, she will be able to speak up to three different languages with quite remarkable proficiency but still has only one language that she has been acquiring since she was a few days old to one year old.

23 October 2018

**BASIC EDUCATION BILL
HON NDJOZE-OJO**

So the right of the child to the mother tongue is thus supported by empirical evidence that it is not only better to endure careful learning but it is a critical immense cognitive instrument on deeper conceptualization of ideas. We therefore have no credible reason why we over the 26 years are still, no I am not yet to conclude but all the same.

HON EKANDJO: Thank you Comrade Speaker just to ask Honourable Deputy Minister. Is it maybe not you see over the past 28 years the Sixth Parliament the first Parliament, second, third, fourth, five six every Parliament we have got Ministers, new Education Minister and Deputy and sometime we have got one Ministry of Education. Sometimes they are married together one Ministry, divorced two Ministries, Ministry of Higher Education, Job Creation, Innovative something like that and it is as a result of that that is my own view that every time we have Ministries changed that we come with this Bill whereas the Honourable Minister already has that Bill already in the 90s. So every time new Ministries, new ideas. Is it maybe not possible it is a question?

HON DEPUTY MINISTER OF EDUCATION, TRAINING AND INNOVATION: No, you cannot rise on a point of order.

HON SPEAKER: He is on the point.

HON EKANDJO: So my advice is not for the two Education Ministries, maybe for the two Education Ministries to come together and see how they can make a solution to this because this Bill is repealing the 2001 in totality.

23 October 2018

**BASIC EDUCATION BILL
HON NDJOZE-OJO**

HON SPEAKER: I think we will come to that.

HON EKANDJO: So that it is just a proposal maybe the two Ministries Education and Higher can come together and harmonize the two Bills because as she said, we are just repealing. What we repeal is already in this Bill is the same like that one. Then we start to appeal. It is just an advice.

HON SPEAKER: Alright, thank you very much. May I ask you to please continue?

HON DEPUTY MINISTER OF EDUCATION, TRAINING AND INNOVATION: Thank you and I have a few pages and thank you very much. It is like I said this is a legislature and we are entitled to make new laws in the context of new development in the nation. You could amend an Act to accommodate for example when this Act was enacted in 2001, we had not had ENTSIP. We have not had MCA. We had not had integrated early childhood development. These are new developments and they could be integrated so you could amend an existing Act. All I am trying to argue against is for us to repeal our own Acts and replace them with precisely similar Acts as new ones. We therefore have no credible reason why we over the 26 years are still talking about different streams of languages at schools and preferred languages. It is not a question of preferred languages. It is a question of implement the mother tongue education in schools and we have not fully implemented the language policy for schools in all the schools in Namibia.

It is a challenge. This must be done with the urgency it deserves. The mother tongue is the learning tool and unless we empower the learners with this learning tool, they will have difficulty at passing at the end of it.

23 October 2018

**BASIC EDUCATION BILL
HON NDJOZE-OJO**

For example I give my own example. I speak impeccable English, yes and I have been taught through my mother tongue for seven years. I can read and write my mother tongue. That is why I can read and write English. If you do not know your mother tongue you will have difficulties speaking and writing the learned language. So the Chinese speak mandarin. They invent in mandarin. We are looking for focal to learn from the Chinese but we are discarding our own languages at least for seven years in the school system.

So these preferred languages, these streams cannot be equated with the mother tongue and what it does. Another thing that the mother tongue does is to become the linking language between the home and the school. We have been saying the parents are not involved in the education of their children. The first time the child goes to school, the school had preferred English as the medium of instruction for Grade 1. The child cannot be assisted with homework and the mother loses interest and is not interested and the child is not having the support that they need. So the mother tongue also link the home to the school and that will facilitate parental interest and involvement in the activities of the school.

In chapter 1 of the Bill I shall comment on section 3 guiding principles in education matters and you have a, b, c, d there. This should be guided by the right of the child to education as enshrined in article 20. Article 20 should be the guiding principle. When you are talking about the right of the child, you are not reinventing the wheel. You are actually call it on remembrance the constitution and what it says about the right of the child to education. So when you are talking about those principles put the constitutional provisions first. So the rights of children as enshrined in Namibian constitution is the same reference to Article 20.

In other words I am proposing that (c) becomes (a) because it is the underlining constitutional principle in education on which all other principles derive and are to be used. This should be followed by (d) to become (b) to provide for the United Nations convention and the African Charter respectively. Then these principles in education that derive from the supreme law of the land namely the constitution and the UN and the

23 October 2018

**BASIC EDUCATION BILL
HON NDJOZE-OJO**

global community and the continental provisions should follow preferably in prioritized order in lieu of the object of the Bill as stated above. So what we are saying the principles of the guiding principle should be anchored on your object of the Bill. On part 6 it is on private schools and in section 75 to 87. Article 20 subsection 4 is succeeded and it says all persons shall have the right at their own expense to establish and to maintain private schools or colleges or other institutions of tertiary education. However, in section 83 that is on aid to private schools and hostels I have this to say. I have been privileged to have been appointed in 2013 as the first black Principal and the first female Principal of one of the most prestigious private schools in Namibia namely St Paul's College Windhoek in its over 50 years of existence then. St Paul's was 50 years old before it considered appointed a black Principal for it. We know the history of it. It was a Catholic Church School. It was the brothers running it and then eventually in 1982 some eight years before independence it opens to everybody but till then, it was exclusively for whites.

I have been the first Principal black one at that school and also the first female because it was a Catholic oriented school and brothers. They did not consider appointing women white or black as Principal. It was a rewarding experience to have presided over such a school and I have come to learn first-hand on how private schools are organized, run and financed. I acknowledge there are different ways of doing things as models that should be emulated rather than envy it.

Their practice should be emulated rather than envied. There is a great deal we can learn from these schools and through the subsidy or aid friendships could be developed between the private and the public schools to nature better relationships and learning opportunities. However, there is need to enforce compliance such as admissions and retention of the certain percentage of children from formerly disadvantaged communities at these schools if they are to continue to receive Government subsidy or aid and which I support because private schools are in essence the trainers of the top human resources such as Doctors, Engineers etc that Namibia needs to propel herself to a Vision 2030.

23 October 2018

**BASIC EDUCATION BILL
HON NDJOZE-OJO**

A workable mechanism can be put in place to ensure that cordial relationships between these private school and public schools are natured to create win-win situations for both types of schools. In conclusion Honourable Speaker Honourable Members I wish to state again that Education Acts are as complex as the phenomenon education itself. If they are all comprising then they are all consolidating. They are all comprising. They take in everything but they are also consolidating the past into the future. Namibia Education Act of 2001 Act number 16 of 2001 on which this new envisaged are these and ought to be premised in itself a consolidation of pre and post independent attempts in formulating the education construct for Namibia.

In other words while this Bill is to be perceived as a trajectory that attempts to provide better reflection and seek to provide linkages to the new education development agenda of Namibia such as Namibian National Development Plans which were not there at the time through the Harambe Prosperity Plan to Vision 2030. Harambe Prosperity Plan is the instrument you will use to measure to get to Vision 2030. That is why it is being mentioned Honourable Muharukua.

HON SPEAKER: Honourable Nauyoma you want, is that a point of order.

HON NAUYOMA: Yes, Honourable Speaker a question before she concludes. Can I ask the Honourable Deputy Minister before she concludes that because in the whole intervention she has slapped off the whole Bill. Are you saying we are supposed to do away with the whole Bill arrangement and then just amend the old Bill that was there because that is the understanding that I am getting. Is that in that direction that there was no need for this new Bill? Maybe to amend the existing one.

23 October 2018

**BASIC EDUCATION BILL
HON NDJOZE-OJO**

HON DEPUTY MINISTER OF EDUCATION, TRAINING AND INNOVATION: No, all I am saying the Bill being proposed is 99% similar to the existing Act which was passed in Parliament in 2001. So if you want to add the 1% use the Basic Act that is existing and amend that so that this Act is going to be called an Amendment Act of the previous one and in that way you accommodate all the developments of the past 26 years and then you will build on. It does not mean that we should not come out with a new Act but it could be an Amendment Act and I am arguing against repealing the existing Act. The UN sustainable development goals and the continental the Africa Agenda 2063 etc are all helpful instruments.

So this Act I am arguing cannot repeal it but certainly amend it. Considerable attempts were made over the years to tackle obstacles and they were indeed commendably tackled. For instance so I am talking about the consolidation. Since independence in 1990 and writing on the back of June 10 conference and following on the introduction of the five key tenants of access take note of those words, access, quality, equity, democracy, efficiency and effectiveness, they are precisely the (b) in the object of the new Bill. So since the infusion of those into the education construct of Namibia, the Namibian education last cap was changed forever. You can read towards education for all a publication of 1993 which I consider as a philosophy of education of Namibia.

Moreover there have been numerous notable reforms such as education training sector improvement program ETSIP, the Millennium Challenge Account that informed various Cabinet decisions which in turn effected changes. All these many interventions were meant to strengthen the foundation of the construct that is Namibian education system. For example the Basic Education Teaching Diploma BETD was moved from colleges of education to the University of Namibia to be taught as a Bachelor of Education. In essence the colleges were turning into affiliated colleges of the University of Namibia. This was done to help strengthen the shallow content of the BETD to better empower the teachers to teach better.

23 October 2018

**BASIC EDUCATION BILL
HON NDJOZE-OJO**

On higher education for example because I am looking after high education right now, for instance we address the mismatch of vocational skills to industry and to do that, we came to Parliament and pass Vocational Education Act number 1 of 2008. It was developed, promulgated and through this Act the Namibia Training Authority NTA was established to collect 1% levy from industry to ensure that this mismatch was adequately addressed. This Bill is therefore not expected to reinvent the wheel but to build on the foundation laid, modify and refine the Education Act 2001 Act number 16 of 2001 in line with new education development agenda. Honourable Speaker, Honourable Members my interventions are geared towards strengthening the Bill as an amendment of an existing Education Act and to strengthen it with the Namibian Constitution as its anchor. I highlighted the key articles in the Namibian constitution such as Article 20, Article 3, Article 1 that are specifically relevant to those issues I commented on. I further just suppose the object of the two as namely the existing and the proposed Act and finding no significant alterations and changes I have proposed that this Bill be passed as Primary Education Amendment Act 2018 Act number X of 2018.

Through emphasis I also have pointed that primary education has always been free that is state provide. State provided means it has been always free but it was not free to the state. The state has provided for that education and compulsory that is until the age of 16. However, I wish to stress the need for the Ministry of Education, Arts and Culture to strictly regulate the provision of free and compulsory primary education and maybe secondary education questionably by putting in place strict and proper regulations to ensure that only the poorest of the poor are catered for while those who can little afford are encouraged and made to little contribute to the education of their children to ensure education remains a partnership between the Government, the parent and the learner.

Some strict and proper regulations will help ensure that reasonable higher standards are maintained and are not compromised by opening the floodgates to free primary and secondary education for all and sundry. Avoidance of lowering of standards are of paramount importance if

23 October 2018

**BASIC EDUCATION BILL
HON MWANINGANGE**

universal, universal free and compulsory primary education and free secondary education are to be realized for the majority of Namibian children especially those from the formerly disadvantaged and specifically those from the poorest of the poor community and for our beloved nation Namibia as a whole. With this intervention, I support the Bill.

HON SPEAKER: Thank you. That was quite a lengthy intervention build around comparisons, contrasting and of course debate as invited by the Bill. Next on my list is Honourable Billy Mwaningange.

HON DEPUTY MINISTER OF DEFENCE: Honourable Speaker I request that the debate postponed to tomorrow on behalf.

HON SPEAKER: To tomorrow.

HON DEPUTY MINISTER OF DEFENCE: Tomorrow on behalf of Honourable Sylvia Makgone another great teacher to teach us. It is a request.

HON SPEAKER: Wonderful, well I think I do not have any other Member who would like to contribute so we postpone further discussion until tomorrow, so decided. I know the Deputy Minister and the rest of the team are taking notes and they will be able to deal with the issues when the time comes. The Secretary will read the second order of the day.

23 October 2018

**PUBLIC ENTERPRISES GOVERNANCE BILL
HON SMIT**

**RESUMPTION OF DEBATE ON SECOND READING
PUBLIC ENTERPRISES GOVERNANCE BILL**

SECRETARY: Resumption of Debate on the Second Reading of the Public Enterprises Governance Bill.

HON SPEAKER: When this Assembly adjourned on Thursday the 18th October 2018, the question before the Assembly was a Motion by the Honourable Minister of Public Enterprises that the Bill be read a second time. The Honourable Nico Smit had adjourned the debate and I now offer him the floor.

HON SMIT: Thank you Honourable Speaker. At the start please allow me to put the record straight about my perception of the role of Members of this August House when discussing any class Bill that is tabled for consideration during the second reading. Taking a Bill to pieces clause by clause can be left for the third reading. However, I do believe it is our duty to consider the spirit of the Bill and political ramifications of such a document when the country and its people are at large. Honourable Speaker the PDM welcomes the tabling of this Public Enterprises Governance Bill by the Honourable Minister of Public Enterprises. We trust that it will give the Honourable Minister the power he has this far lacked to bring some order to the chaos in most of the 81 state owned enterprises.

In this country that has done nothing for Namibia economy since 2006 than to drain our coffers to the drains. Honourable Speaker the crisis in Government finances which started in 2016 is audibly the biggest pressing Namibia has enjoyed since independence almost three decades ago. For too many years unscrupulous people have believed that they can carry on

23 October 2018

**PUBLIC ENTERPRISES GOVERNANCE BILL
HON SMIT**

enriching themselves by exploiting Government investment and undermining the state owned enterprises. Then the trouble started and our political leaders were forced to tell those they have entrusted with their assets that there is no more money left.

In this process of eroding the state assets base, the biggest damage was done in only two areas. One, the exploitation of the public procurement system to defraud the Government and the most unbelievable riches and two, driving state owned enterprises deeper and deeper into the mud but benefiting along the way by giving jobs and contracts to the families and friends. Honourable Speaker, Honourable Members the definitive steps now taken by the Ministry of Public Enterprises to restore governance at all state owned or state controlled companies, organizations and institutions could not have come at the more opportune time. It is a distressing idling that it took a financial crisis and continue depression of the treasury to crop up inefficient, loss making, unprofitable, poorly managed, Government enterprises before the Government realized how much money has disappeared into the sand and that something must be done now. Honourable Speaker the Public Enterprises Governance Act 2 of 2006 attempted to restore some form of responsible governance but it ultimately failed as indicated by the fact that it had to be amended twice in less than ten years each time under a slightly different name.

The Minister offered his own reasons why this legislation did not work or did not produce an ultimate outcome as he put it. What is the fundamental fact is that the bleeding of state owned enterprises did not stop. The mismanagement continue and in some cases with which you should be familiar I presume it even got worse. Honourable Speaker, Honourable Members let me put it straight. The management of a company or any operational entity must be guided by certain principles to ensure the credibility and viability of that entity. These are basic out in the Companies Act where there are long descriptions of the duties of Executive Managers and of the Directors that are supposed to watch over their activities.

This is where they failed dismally on the governance side. The Board of

23 October 2018

**PUBLIC ENTERPRISES GOVERNANCE BILL
HON SMIT**

Directors of a company or whatever the governing bodies of any organization is formed has the sole responsibility to safeguard the company's assets, its operations and its shareholders. If the Board fails, management inevitably fails and after some time the company fails. That has been happening without public institutions across the board. Weak or absent donors and monitoring structures have led to unravel corruption, exploitation, self-enrichment and theft.

This brings me to the detailed provided by the Minister and contained in this Bill. Honourable Speaker, Honourable Members you all have a copy of the Bill. You heard the Minister during his introduction and you have received a summary prepared by the National Assembly's Directorate of Legal Service. As its main indicate this Bill is all about governance. In other words making sure those who are entrusted with oversight do so diligently, lawfully and in the best interest of the entity and consequently the shareholders which is in all these cases the Government. It is not an exaggeration to say that this Bill for the first time provide the Minister with the legal team to guide the process of Board appointments, Board duties, management oversight and corrective measures where these are found wanting.

As the Minister explained a due governance structure is at the root of so many failures. Consolidating the authority of the shareholder delegating this to a single oversight Ministry and ultimately entrusting governance to a component body solely responsible for the fortunes or misfortunes of any public enterprises in our view will establish framework that should have been implemented 20 years ago. Honourable Speaker having said that, the PDM embraces this legislation with open arms seeing it as a semi qanoon to write the public enterprises and to stop the drain on the Government's resources.

In a bolder context if the public enterprises can be turned around by good governance, this Act is the instrument that will make that happen and as indicated in the Bill or for the first time public enterprises Board members will now be held accountable for the first time, accountably individually and collectively for the outcomes of their governance input. That is very

23 October 2018

**PUBLIC ENTERPRISES GOVERNANCE BILL
HON SMIT**

important and I think this is something that we needed 20 years ago to hold people accountable and responsible. Serving on a Board will now become a duty and a responsibility.

No longer will it be a ticket to a free meal regardless of the consequences of the Board's decisions and actions. They could have done what they want to losses, feared losses, driving the ting into the mud and then instead of being held accountable, they are promoted to another top position. I hope that will stop here. Board members will be held accountable and punishable according to this new Act this Bill, punishable. My only concern is honestly speaking where were the Ministry of Public Enterprises find all these upright and competent people they need to steer the many Boards because it has to be overseen.

Honourable Speaker, Honourable Members overall as I have said we welcome the Bill clear focus on competency and accountability. We further welcome the provisions for investigation and specifically the defined framework of restructuring failed entities. That is also very, we cannot let entities just drag on being a bottomless pit for the Government and let them just carry on. I think this specific laws was really needed. We believe this Bill also paves way for privatization and in extreme cases for the liquidation and dissolution of basket case public enterprises. They will always be certain entities like Nampower, Namwater, Nampost and Telecom that belong in the hands of the Government.

They should be there. The rest should be carefully examined with an eye to retaining them to the private sector. Why do we need 81 Parastatals? They are killing the private sector. They are killing the job creation. This will allow the Government to utilize the handful of really competent people they have to concentrate on making the remaining SOEs those ones that we have to have profitable while providing the required services to the people who pay their salaries namely the Namibian taxpayer. Honourable Speaker, Honourable Members you are all aware that the company does not run by itself. It has to be managed and this management in turn has to be governed.

23 October 2018

**PUBLIC ENTERPRISES GOVERNANCE BILL
HON SMIT**

It appears that economic crisis in general and the governance financial crisis in particular has finally brought us to the point where strong leadership and action are required and hopefully forthcoming now with this Bill. It must be made clear that the failing entity be commercial or civil does not generate an endless stream of dividends. Prosperity is generated through meticulous dedicated action with a clearly defined view to make an entity self-sustainable through credible value adding. It does not come by itself. Prosperity does not come from handout or from stealing from the Government. It comes from visionary, hardworking individuals who see the imperatives of Namibia before their own self-serving greed.

Preventing those individuals from having any form of control over the state assets should be in our view be the most important outcome of the Public Enterprises Governance Bill that is one of the most important articles. The Minister told us that despite a very respectable N\$93 Billion market value of all state assets, those entities are incumbent to a level of N\$44 Billion dissolving in a net asset value of only N\$49 Billion. Put yourself in the shoes of one of those more than 17 000 people working for all the public enterprises how much they feel if a combined return on assets is a mere 1.2%?

Then you are working for a bankrupt company. These are the ordinary Namibians serving their country not the Boards and the Executive Managers. How must they feel and what task do they have in their employer if they see the return on assets as a mere 1.2%? Honourable Speaker, Honourable Members the time is now to stop the wastage and the draining of Government resources. We hope that the deliberations to turn the Public Enterprises Governance Bill into a law will be expedited so that our national assets can become productive assets in the shortest possible time. Honourable Speaker I support the Bill.

HON SPEAKER: Thank you very much. Next on my list is Honourable Reinhold Nauyoma Madhala.

23 October 2018

**PUBLIC ENTERPRISES GOVERNANCE BILL
HON NAUYOMA**

HON NAUYOMA: Thank you Honourable Speaker. Honourable Speaker I also want to comment the Minister on the new initiative that has come about of this new Bill. I hope and pray that it would be implemented in a latter and spirit to save our country from this mess that we are finding ourselves and our way forward. What I want to touch on is I want to touch on chapter 2 on the appointment of Board members because it has been a well- known factor in this country that has been all the years jobs for comrades that this is why we find people who are running business entities that they are not qualified to yes but the fact of the matter is that if you give these business entities to people who do not have the business acumen to run, you run a risk of finding yourself in companies or state enterprises that are being bailed out year in and year out.

One commendable thing is that there should only be two appointments on two different, one individual to two different companies. I think that one can it be reduced to one so that people have enough time to concentrate on their duties because for many at times people have been running up and down and yet nothing happens on the ground. That is one area that I want the Minister to really seriously look at and I hope new appointments would be done if this Bill goes through as we think it will do. I think new people need to be appointed. We should not make a mistake of having an old wine in a new bottle. We cannot afford that. New people this resettling of members from one entity to the other I think it will not work out.

Therefore, we need to start afresh. We must start with new people with new commitments. The Comrades have eaten enough in my view. For 28 years I think they have been. The Comrade who did not have an opportunity of course must come on board now I think. That is one really area that I want Honourable Minister to look at on a very, very serious note that new fresh ideas must come in place and our way forward. That is one area that I wanted to touch. Another one that I wanted to look at the remuneration of Board members. I think it has been an overdue oversight that people were regarded as volunteers. It is an oversight. I have not been convinced that people can do a diligent job on a voluntary basis.

23 October 2018

**PUBLIC ENTERPRISES GOVERNANCE BILL
HON NAUYOMA**

They cannot take commitment because there is nothing for nothing. People have not been committed because they know what has been there for me. As long as they come to the Board meeting or if they do not, no big deal. That is why I think that has been found that it cannot work out. You cannot work for people on voluntary basis all the time. We had enough time to volunteer ourselves all the years to liberate the country but for now I think it is about time that people must invest on the contribution they are making providing a contribution not to go to the Board meetings and sit down and nothing happens and no contribution at all. I think the performance part of it must be monitored closely so that people cannot just come because there is remuneration at the Board.

They come and sit down at Board meetings, no contribution nothing happens. At the end of the day they must be remunerated because of their attendance to the Board meetings. I think all these issues must be looked at critically so that at least we have really people who are committed to serve this nation. I think that is really a commendable initiative that we have found out that it cannot work to have volunteers all the years. Another thing I want to comment on Honourable Minister, Honourable Speaker is a question of annual reports because many at time since they came to this Parliament, you receive annual reports, financial reports of five years old from the Government Company. Now one wonders if you are receiving a report of 2013 in 2018, what essence do I have to go through the report that is five years old when I know most of the issues are already been overtaken by events?

I think really these annual reports must also be looked at and really followed up so that people when they wake up in the morning going to the office, you are going out to the office from 8 to 5 but at the end of the day, you cannot deliver even a report yet you bring the report after five years. It does not really make any reasonable sense at all. Therefore people must be put to task. If those who are tasked with the responsibility cannot really afford or cannot afford it, they must pave way to other Namibians

23 October 2018

**PUBLIC ENTERPRISES GOVERNANCE BILL
HON KAVEKOTORA**

who are ready to serve this nation. Therefore with those few comments, Comrade Minister I support the Bill and I thank you.

HON SPEAKER: Thank you, Honourable Mike Kavekatora.

HON KAVEKOTORA: Thank you Honourable Speaker with your permission if there is nobody who would like to participate, I would like to postpone the debate until tomorrow.

HON SPEAKER: In the absence of anyone wishing to contribute, can we do so, yes, so decided until tomorrow? Thank you very much. Let us move on.

The Secretary will read the third order of the day.

**RESUMPTION OF DEBATE ON
THE REPORT ON THE IMPLEMENTATION OF
THE ENVIRONMENTAL MANAGEMENT ACT OF 2007**

SECRETARY: Resumption of Debate on the Report on the Implementation of the Environmental Management Act of 2007.

HON SPEAKER: When this Assembly adjourned on Tuesday 16th October 2018, the question before the Assembly was a Motion by the

23 October 2018

**ENVIRONMENTAL MANAGEMENT ACT
HON HINDA**

Honourable of Environment and Tourism that the report be adopted. The Honourable Deputy Minister of Home Affairs and Immigration adjourned the debate and I now offer her the floor.

HON DEPUTY MINISTER OF HOME AFFAIRS AND IMMIGRATION: Thank you very much Honourable Speaker. Honourable Speaker right from the onset I want to compliment the Minister of Environment and Tourism for tabling such a report. The report is on the implementation of the Environmental Management Act. While complimenting the Minister, I also wish to see other Acts implementation being tabled or I wish to advise other Ministers also follow suit in reporting on the implementation status and I am the one to say this mainly in light of act like the Public Procurement Act for example by the whole implementation of a specific Act report will give us time to interrogate and understand the extend in which the Act is serving its purpose or if it is failing or if there are loopholes.

I am saying this because the report have highlighted bottlenecks and it has highlighted stumbling blocks and it has also highlighted policies that needs to be put in place. However, I fail to see those that are recommended throughout the report under the recommendation on the last page when the Minister talked about observations and recommendations. I am not able to really extract an actual recommendation but there are recommendations if you read the report so maybe there is a need to improve a little on the standard of the report. Also it highlight areas where it has focused on page 1. It puts up to 1, 2, 3 and 4 areas as far as the OMAS is concerned and then it continued.

It highlights the different Ministeries that are mainly involved, that are required to comply with this Act but Honourable Speaker it would have been nice if one could see because the report refers to some Ministries not in compliance that that be specific so that one understand what are the areas. If I go to the page 2 I see that on point 3 implementing the Environmental Act it highlight once again probably the preparation and

23 October 2018

**ENVIRONMENTAL MANAGEMENT ACT
HON HINDA**

publishing of policies and standards for the protection of the environment but I have a difficult to understand if how far this process has gone. We see that the Minister is saying the legal process should be done by 2018-2019 yet the Minister is putting very interesting target of being by 2023 being a model for Africa.

I believe that those visions are motivating the implementation process but I think there is a need for the necessary speed to be injected to meet those targets. Honourable Minister on point 4 you have highlighted you talk about review of the Environmental Management Act and you have highlighted key issues that are identified but I fail to see specific recommendations to deal with those key issues. I also see that this is the second report. It says but not necessarily specified whether it was last year the first report or was it two years ago, is the report coming every five years or every year. Maybe that will also be interesting so that we put target to know that the report would be annual report or is it over two years' period. I think one need a bit of a longer period if you want to look at the implementation of a specific report.

There are graph given to talk about the environmental clearance but I do not understand if the clearance is now referring to only the OMAS and Government and the Ministries included under point 5. It says the 656 application for clearance and then it talks about 184 from the OMAS. So my question is whether it was included in that. I know that so I am saying the 656 is it included the OMAS. That is what I am saying or do you not understand the English we were taught. The question that I am asking is the 656 that is given for the clearance certificate then there is another one that talks about 184 applications for environmental clearance is from OMAS. Is that included in the 656? That is the question.

Under 5.2 the compliance with Environmental Act the Minister has reported about the 82 sights that were inspected in the different regions and he has listed the regions. The five regions that are not listed does it mean there were not inspections in those regions? That is Kavango West and the four 'O' regions and if they were probably not necessarily the need for this inspection. Under the sand mining it would be nice to see

23 October 2018

**ENVIRONMENTAL MANAGEMENT ACT
HON HINDA**

because there were always this public complaints about accidents for example if probably under the period and the review if there were any accidents that has incurred or occurred.

Also probably I would recommend to look at the aspect of rehabilitation because I think environmental management talks about the rehabilitation let us say of the mining site for example how this aspect is addressing even this sand mining if there are rehabilitations done to avoid future accidents. Honourable Minister under point 6 you have reported on monitoring clients satisfaction of course it has high rate the 71% of client satisfaction but I would be interested to hear about compliance satisfaction because your client satisfaction is it if the client is receiving their clearance certificate in time but what about the interest on compliance and if the rules are strictly applied, will this client still be satisfied so I think satisfaction also need to be looked at from the compliance perspective.

I think the last one I have already mentioned. I do not know if we have a kindergarten in here Honourable Speaker if the kindergarten allows me to finish, I just wanted to say under point 10 we have as I said already observations and recommendations and it highlight the observations but I do not see necessarily the recommendations because that would be helpful. In conclusion probably I think it would be good to also cost the implementation of such an Act to say how much does it cost because I see the Minister refers to there is financial constraints how it hampers its operations but probably it would be good to highlight the cost aspect.

HON SPEAKER: The cost aspect you mean year by year?

HON DEPUTY MINISTER OF HOME AFFAIRS AND IMMIGRATION: Year by year, yes, thank you very much.

23 October 2018

**ENVIRONMENTAL MANAGEMENT ACT
HON SHIFETA**

HON SPEAKER: Thank you but a quick comment from the Honourable Member. Honourable Minister do you wish to quickly respond or you want to give you a bit of time.

HON MINISTER OF ENVIRONMENT AND TOURISM: Honourable Speaker since the Member has raised some critical questions, I just want to look at the time, I want to reply tomorrow. I would be ready to reply to her questions tomorrow. Thank you.

HON SPEAKER: Alright, I am going by the minutes. Obviously there were other questions were thoroughly discussed you responded to that and this is the last few comments that we should allow you to have a bit of time to, do we do this tomorrow or a day after tomorrow, tomorrow, perfect. Can we agree to that? Honourable Maureen Hinda is that and are you happy with that? Thank you very much, so decided. We move on use every opportunity to get on with the job at hand.

The Secretary will read the fourth order of the day.

**RESUMPTION OF DEBATE ON THE CURRENT
BUREAUCRACY OF PUBLIC INSTITUTIONS THAT
HAMPERS EFFICIENCY SERVICE DELIVERY TO CITIZENS**

SECRETARY: Resumption of Debate On The Current Bureaucracy Of Public Institutions That Hampers Efficiency Service Delivery To Citizens.

23 October 2018

**BUREAUCRACY OF PUBLIC INSTITUTIONS
HON SCHLETTWEIN**

HON SPEAKER: When the Assembly was adjourned on Tuesday the 16th of October 2018 the question before the Assembly was a Motion by the Honourable Venaani that the Motion be adopted. The Honourable Minister of Fisheries and Marine Resources deferred the debate on behalf of the Minister of Finance and both of them actually together so having agreed to that, I now offer the Minister of Finance the opportunity to respond.

HON MINISTER OF FINANCE: Honourable Speaker I yet again seek the indulgence of the House both because of time limiting and the fact that the Honourable Minister of Industrialization Trade and SME Development is currently not here whom I need to consult and that this item and the fourth item be postponed to next week Thursday.

HON SPEAKER: Next week.

HON MINISTER OF FINANCE: Yes, please.

HON SPEAKER: That is quite reasonable. We defer the item until next week. Thank you very much. That was very quick.

The Secretary will read the fifth order of the day.

**RESUMPTION OF DEBATE ON LISTING
OF CLIENTS BY CREDIT PROVIDERS AND
FINANCIAL INSTITUTIONS AND THE IMPACT
IT HAS ON THE LIVES OF THE NAMIBIAN PEOPLE**

23 October 2018

**CREDIT PROVIDERS AND
FINANCIAL INSTITUTIONS
HON SCHLETTWEIN**

SECRETARY: Resumption of Debate On Listing Of Clients By Credit providers And Financial Institutions And The Impact It Has On The Lives Of The Namibian People.

HON SPEAKER: When the Assembly was adjourned on Tuesday the 16th of October 2018, the question before the Assembly was a Motion by the Honourable Muharukua that the Motion be adopted. The Honourable Minister of Fisheries and Marine Resources deferred the debate on behalf of the Minister of Finance and now I offer the Minister of Finance the floor.

HON MINISTER OF FINANCE: Honourable Speaker I thought I have asked for the postponement of both these items.

HON SPEAKER: Oh, I missed that.

HON MINISTER OF FINANCE: But that is that I would request for a postponement.

HON SPEAKER: Oh, I missed that. So decided, we defer the matter until next week.

The Secretary will read the sixth order of the day.

23 October 2018

**REPORT ON CENTRAL GOVERNMENT
AUDITED REPORT
HON KAVEKOTORA**

**CONSIDERATION OF THE PUBLIC ACCOUNTS COMMITTEE
REPORT ON CENTRAL GOVERNMENT AUDITED REPORT
FOR THE FINANCIAL YEARS ENDED 31ST MARCH 2013-2014**

SECRETARY: Consideration of The Public Accounts Committee Report On Central Government Audited Report For The Financial Years Ended 31st March 2013-2014.

HON SPEAKER: Does the Honourable Kavekatora move that the report be considered?

HON KAVEKOTORA: I so move Honourable Speaker.

HON SPEAKER: Any objection, then it is agreed to. The Honourable Member you have the floor.

HON KAVEKOTORA: Thank you Honourable Speaker, Honourable Members. As you are aware the duties of the Public Account Committee in terms of rule 69 of the Standing Rules and Orders of the National Assembly are among others to examine, consider and report on all reports of the Auditor General. The accounts showing the appropriation of sums granted by Parliament to meet public expenditures of the Republic these such other accounts, reports and other matters or tasks as maybe referred to the Committee by the House under any other law and (c) all reports of

23 October 2018

**REPORT ON CENTRAL GOVERNMENT
AUDITED REPORT
HON KAVEKOTORA**

the Auditor General on any such accounts. (d) all accounts and reports of account where the state has interest and lastly all state owned enterprises and parastatals.

The report Honourable Speaker represent the outcome of all concerns and issues raised during the Committee's review and examination of the Central Government audit report for the Financial Years ended 31st March 2013-2014 and the State Owned Enterprises Financial Years ended 2015 that is how far we go back to 2014 as tabled in Parliament by the office of the Auditor General through the Ministry of Finance.

Audited reports are divided into four categories namely unqualified clean opinion, qualified which means basically the auditors are satisfied but there are some concerns, disclaimer and adverse opinion that are issued when there are serious and major concerns discovered by the Auditor General. The Committee mostly will concentrate and put more emphasis on the latter. The PAC Committee also evaluated response provided by the Accounting Officers and Chief Executive Officers and where the responses were found not to be satisfactory, further requests were made for clarification in some instances in terms of Article 63(2)(f) of the Namibian constitution.

The PAC Committee invited officials to appear before it and account through a public hearing. Honourable Speaker let me on the outset indicate that Public Accounts Committee strives to contribute positively to the continuous improvement of sound, prudent and transparent public finance management within all the OMAS and SOEs. It is not my wish to go into details of the two reports that I have submitted because I am going to cover them simultaneously which are before the Assembly assuming that Members had an opportunity to read through the reports and will therefore be able to discuss the report in details and make significant contribution.

However, allow me to highlight some few issues of great concern to the Committee when it reviewed the report of the Auditor General as follows.

23 October 2018

**REPORT ON CENTRAL GOVERNMENT
AUDITED REPORT
HON KAVEKOTORA**

1. The Committee was particularly concerned that both the Offices, Ministries and Agencies and the state owned enterprises were not providing their financial statements on time not complying with the requirement of the State Finance Act and other legislations to account for the public funds which are being given to them through Parliament.
2. Most of the OMAS and SOEs failed to provide sufficient supporting documents, vouchers, records and registers to enable the auditors to verify the correctness of their statements, inductions and proper recording of assets hence limiting the audit scope
3. There is a lack of strict financial management or internal control measures to curb unauthorized expenditures thus leading to fruitless irregular and wasteful expenditures
4. There is a growing tendency among OMAS to deviate from normal tender procedures as exempted or approved by the then Tender Board of Namibia
5. The Committee is also concerned about the delay in the submission of the audited financial statements and this is something that we have been saying all along to Parliament and lastly
6. Reconciliation on most accounts were not regularly done bank accounts, bank statements, what a view.

Furthermore, it was found that there is no respect for corporate governance in most SOEs and the due processes, ethics, diligence and care not being followed not even to mention the lack of compliance to Company Act. There is a serious lack of transparency and accountability as most of the SOEs are struggling to strive and survive and most of them are on the verge of bankruptcy or technical insolvent. The Committee is also concerned that no consequences or actions have been taken against the individual public officials, Ministries and Ministers or Parastatals

23 October 2018

**REPORT ON CENTRAL GOVERNMENT
AUDITED REPORT
HON KAVEKOTORA**

whose finances were found to be in chaos but instead they continue to receive more money and bail outs over many years with no accountability.

Honourable Members I would like to reiterate that PAC as an oversight Committee discuss with duties to examine and inform this Assembly on the integrity, economy, efficiency, effectiveness and prudent ways of handling public funds. It is also our duty to inform this House where there is a need for improvement and we have underscored that in our reports. Even if to continue the prudent and transparency financial management, PAC is making the following recommendation.

1. Accounting officers must ensure that their respective OMAS adhere to and comply with financial regulations
2. OMAS must ensure strict controls over the expenditures to eliminate occurrences and reoccurrences of unauthorized expenditures
3. OMAS should institute effective measures to control and monitor their budget and avoid underspending and overspending
4. OMAS should ensure that all supporting documents are kept in safe place and are made available for auditing purposes on an annual basis and timeously submitted financial information to the Auditor General
5. OMAS should establish internal audit function and the Ministry of Finance should take a lead in providing assistance including capacity building in order to ensure enhance internal control because it has a lack of internal audit, then you also have next financial controls within the organization
6. Ensure internal audit units and audit Committees are established in all OMAS and all SOE
7. OMAS should ensure that regular reconciliations are carried out to ensure correctness and records especially when it comes to bank

23 October 2018

**REPORT ON CENTRAL GOVERNMENT
AUDITED REPORT
HON KAVEKOTORA**

statements, when it comes to virement of account and the transferring of one budgetary item to another

8. OMAS should ensure that there is a working strategy in place and monitoring mechanism to compel all staff members who travelled to fill in their claim forms upon return because that is the serious problem where some of the suspense accounts are not being closed off because there are still outstanding balances that have not been reconciled back to the main account
9. Accounting officers who fail to manage the finances prudently should be disciplined and fired if found to be incompetent in performing their duties.

Honourable Speaker as far as state owned enterprises are concerned, the PAC should be given access to financial and audit report of all SOEs including those established under the Company Act because what is happening is that some of the SOEs that are fetching money from Government that are owned by Government are actually not submitting their financial reports and annual reports to this August House and that is not correct. SOEs should put corrective measures in place to ensure that there is prudent use of public funds and put stop to financial mismanagement and I think the Act is also attempting to do that.

HON SPEAKER: Yes, I am aware of the time but this is very important and if you could give me a minute or two, I think we are not looking at the watch please.

HON KAVEKOTORA: I am about to finish. SOEs should put corrective measures in place to ensure that there is prudent use of public funds. The Ministry of Public Enterprises and the line Ministry must

23 October 2018

**REPORT ON CENTRAL GOVERNMENT
AUDITED REPORT
HON KAVEKOTORA**

ensure that SOEs who fails to submit their annual statements on time and fail to manage their funds prudently are taken to task and discipline. The Ministry of Public Enterprise and other custodian OMAS should ensure that the Board of SOEs implement the recommendation made by the auditors to ensure accountability and transparency in the management of the public funds.

Accountability, the Ministry of Public Enterprise must identify the reasons why some SOEs are technically insolvent and recommends solutions to Parliament because we are running some institutions on a technical insolvent basis and that cannot just continue without having a justification of how that SOEs can get out of being insolvency. The Ministry of Public Enterprises also in line with all line Ministries should ensure that technical insolvent SOEs are brought back to solvency. If the Minister comes to the conclusion that this particular institution cannot be brought back to solvency, then the best thing to do is to close that bottomless pit. SOEs must ensure that safekeeping of accurate and verifiable supporting documents are there at all times. SOEs should ensure and keep complete and updated register of movable and fixed assets at all times because you have a situation Honourable Speaker.

HON SPEAKER: Is it a long way to go because we can continue tomorrow?

HON KAVEKOTORA: Very, very clear. As a matter of fact I can even skip the two and go to the last one. PAC should strengthen their internal control system internal audit and processes in order to account for public assets. Budgetary allocation from Treasury must be withheld from SOEs with continuous disclaimers and adverse audit opinion. Why, because what is effectively happening is that if an SOE is getting the disclaimer and an adverse opinion from the auditor, the auditors are simply saying

23 October 2018

**ADJOURNMENT
HON PROF KATJAVIVI**

that I cannot examine the records of this particular institution and if Parliament is allocating resources to that institution, we are sending the wrong message. So this recommendation Honourable Speaker is to try to save the money that is being thrown into a bottomless pit.

There must be some actions taken where we said if you do not improve your financial prudence, then Parliament cannot appropriate money to your particular institution because if we do not do that, we will end up basically continuously you know in some argument say that well, it is a state owned enterprise so what. It has been established for a particular purpose and if it does not serve that particular purpose and the people cannot account for the money given to them, then we have to go to a route of making sure that that money has been stopped and allocated to other social needs that is very fervent in our community. Thank you very much.

HON SPEAKER: Thank you very much. This is very important and there would be no further discussion. We will continue by allowing opportunities those who wish to put questions or raise issues. Can we do that? Hopefully before the end of the week. On that note, we are over the time. The House stand adjourns until tomorrow the usual time. Can we do so? Thank you very much.

HOUSE ADJOURNS AT 17:44 UNTIL 2018.10.24 AT 14:30

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
WINDHOEK
24 OCTOBER, 2018**

The Assembly met pursuant to the adjournment.

HON SPEAKER took the Chair and read Prayers and the Affirmation.

**ANNOUNCEMENT IN TERMS OF RULE
20(B) OF THE STANDING RULES AND ORDERS**

HON SPEAKER: Once again a warm welcome to each and everyone. Honourable Members on the 9th of October 2018 I made an announcement in this Assembly that in accordance with Rule 34(e) of our Standing Rules and Orders no Bills shall be tabled before the Assembly after the 1st of November 2018 each year. This is a normal exercise provided. We cannot skip that provided that the House may upon a Motion move to resolve to extent this time limit in the event of matters of urgency. That rule has been with us for as long as that we as Parliament existed.

The Right Honourable Prime Minister has brought to my attention that there are a number of outstanding Bills which Minister would like to table before we go into recess this year but which are not yet finalized and need to be finalized hopefully but they cannot be finalized before the 1st of November 2018. As such I have considered this request and have decided to extend the deadline by at least one week from the 1st of November 2018 to the 8th November 2018 in order to facilitate the work of those Ministers to finalize their Bills for tabling. So that is hopefully the time limit that we can live with in order to enable Ministers to finalize the Bills in good time. Hopefully one week will be sufficient to facilitate the outstanding work. Honourable Members, yes Honourable Muharukwa.

24 October 2018

**NOTICE OF QUESTION
HON MUHARUKWA**

NOTICE OF QUESTION

HON MUHARUKWA: Thank you Honourable Speaker, I think work must be done at least it is a good thing that an extension has been sought from the Executive side I think it is the right thing to do. However, it is important that you do not just come here and rubber stamp so I would also seek from the Speaker to extent the sitting of Parliament beyond the intended date of rising?

HON SPEAKER: Thank you Honourable Member. That is given obviously if there is work to be done and given the load of work that we have to go through that is permissible and under the appropriate Rule we will be able to do so. But let us wait until we get there.

Good, any petitions? Reports of Standing and Select Committees? Other Reports and Papers? My sister is letting me down, did I see her hand up there? No, not, okay. Notices of Questions? Honourable Muharukwa did you attempt to put your hand up? Oh, okay Honourable Asser Mbai.

HON MBAI: Thank you Honourable Speaker.

HON SPEAKER: Oh, Honourable Muharukwa yours is it a question or Motion?

HON MBAI: It is a question. It is question time.

24 October 2018

**NOTICE OF QUESTION
HON MBAI**

HON SPEAKER: But the colour is what is (laughing). We normally use a different colour for questions?

HON MBAI: Unfortunately, Honourable Speaker, I have got a very new Secretary in the office and you know as I put it in the file I am going to Parliament and it is about time to go to Parliament that is all I found in the my file, I have got no vouchers but it is a question.

HON SPEAKER: Can we permit that provided nobody is going to use it? Yes, please Honourable Bezuidenhout.

HON BEZUIDENHOUT: It is okay as long as he comes back tomorrow and give us the Table colour.

HON SPEAKER: As a correct colour.

HON BEZUIDENHOUT: Yes he will not table it for now but will table it (intervention).

HON SPEAKER: Table it.

24 October 2018

**NOTICE OF QUESTION
HON MBAI**

HON BEZUIDENHOUT: Until you replace it tomorrow with a blue form.

HON SPEAKER: With that understanding?

HON BEZUIDENHOUT: With that understanding.

HON SPEAKER: Honourable Member please do so.

HON MBAI: Thank you so much Honourable Speaker. Honourable Speaker, I give Notice that on Thursday the 1st of November 2018 I shall ask the Honourable Prime Minister the following question.

Honourable Prime Minister first of all I believe that all resolutions of the Second National Land Conference has become available for public domain and even confirmed by the Honourable Deputy Minister of Land Reform here in Parliament. But I have one reservation under the thematic area, Commercial Land Reform Programmes and related matters. Under Resolution number 3, rations of land allocation between dispossessed communities, War Veterans of the Liberation Struggle and their dependence should benefit from the 70% share while 30% is for the national pool. There was no reference to War Veterans of the Liberation Struggle and their dependants and these resolutions originally reads, "Rations of land allocation between dispossessed communities should benefit from the 70% while 30% is for the national pool". I am convinced that this resolution was altered and tempered with by the Secretariat if I am not mistaken.

24 October 2018

**NOTICE OF QUESTION
HON MUHARUKWA**

Under the same identified thematic area of resettlement policy and criteria the last resolution reads as follows: Differentiate between settlement programme, land distribution to all Namibians and resettlement programmes, land distribution to the dispossessed communities. This resolution in itself does not allow War Veterans to automatically fall under the resettlement programme and therefore it is a clear indication that there is a contradiction between the two resolutions under the same thematic area. Therefore I call upon the Prime Minister to look into this matter urgently before the implementation phase and appraise this august House and the public there outside. I so move.

HON SPEAKER: Thank you. You remember you might have to take that and replace it with the appropriate colour. Honourable Muharukwa.

HON MUHARUKWA: Thank you Honourable Speaker. Honourable Speaker, I hereby give Notice that on the 1st of November I shall ask the Minister of Defence Honourable Penda Ya Ndakolo the following.

In view of the economic challenges that the country continues to face the Ministry of Defence seems to still be on a spending spree, acquiring farms left, right and centre. Earlier this year the Namibia Defence Force (NDF) sent thousands of troops on extended leave because the Army could not pay them and house them at their bases. Honourable Minister did your Ministry purchase Farm Greiters located between Windhoek and Rehoboth? If so what was the purpose of this acquisition and at what price was it purchased? What is the farm currently being used for? Did any Government official draw up personal financial benefits or gratification from this deal, if so how much? Did your Ministry purchase land from Green Crest farming in Okahandja? If so what was the purpose of this acquisition and what was the price at which it was purchased? Given the specialized and highly technical nature of Green Crest farming how does it fit into the operations of the Ministry?

24 October 2018

**NOTICE OF QUESTION
HON MUHARUKWA**

I give further Notice Honourable Speaker that on the 1st of November 2018 I shall ask the Minister of Works and Transport Honourable John Mutorwa the following questions.

Is it practise that at our NITIS Offices when women except for those wearing the Islam veil are required to remove all head gear when their driving licence photos are being captured? If so, why should it not be deemed or construed to be a grave invasion of the privacy and dignity of our women? For a lady to remove hypothetically or for instance *otjikaivua* in front of a person who is not culturally suitable to see her without it is your Ministry prepared to forego such requirement and if not why not? Is your Ministry willing to put in place other measures to ensure that the Namibian cultures, norms and customs in question are upheld? If in the affirmative kindly inform the august House of such measures?

Honourable Speaker, I give further Notice that on the 1st of November I shall ask the Minister of Information and Communication Technology Honourable Stanley Simataa the following, do not be afraid it is coming, you are fearing?

Okay, has your Office and all Ministry given a directive to any of the Namibian Broadcasting Corporation (NBC) Radio Services not to afford representatives of unrecognized Traditional Authorities radio airtime for any given purpose. If so what is the basis of such directive?

Further, in some cases certain unrecognized Traditional Authorities rule over bigger traditional communities tan those that are recognized because we all know how recognition is afforded in many cases. Are those traditional communities, yes it is political given, it is given. Yes are those traditional communities not entitled to disseminate information through the national medium that we all duly contribute towards? The Namibian people have a right to freedom of association and a person is entitled to affiliate to a traditional authority that he or she identifies with why should this directive not be deemed to be a breach of the fundamental freedoms or this fundamental freedom?

24 October 2018

**NOTICE OF QUESTION
HON MUHARUKWA**

Honourable Speaker I have two urgent questions. The one is to the Honourable Simaata again and the other one to the Minister Odiko (laughter) Minister of Safety and Security.

HON MINISTER: Okay we do not have (indistinct).

HON MUHARUKWA: It is a geographical area and that is what we meant.

HON SPEAKER: I think the question is directed to specific Ministers?

HON MUHARUKWA: Yes Odiko is not the Ministry it is just I rectified I said the Ministry of Safety and Security.

HON SPEAKER: Let us start with one Social Security?

HON MUHARUKWA: Yes the initial one is, news is circulating that the NBC News, head of or the management team around the news services had issued per directive to censor all the news relating to the sale of Namibia to this Russian. I just want to confirm whether any such news that is circulating on social media has filtered through to you? If so can you confirm whether or not you have actually quashed such directive issued in the name of one Menesia Amunyo, that is one? That is an urgent question.

24 October 2018

**NOTICE OF QUESTION
HON TWEYA**

HON SPEAKER: Can we, I think you are done with that?

HON MUHARUKWA: There is a second one yes.

HON SPEAKER: Can you sit down?

HON MUHARUKWA: Oh he will deal with it and then I will come back?

HON SPEAKER: Yes. Honourable Minister you have the floor.

HON MINISTER OF INFORMATION AND COMMUNICATION TECHNOLOGY: Honourable Speaker, thank you very much. Thank you very much Honourable Muharukwa. I do not carry any knowledge of instructions directing NBC officials whether it is Television or Radio on the subject of sale of Namibian land to the Russians I do not carry that knowledge. If you are talking about the topical issue of the farms that as we explained, we have been explaining that is the subject that I know but I do not carry any knowledge officially in terms of the instructions that were issued by the NBC. So I do not carry official knowledge of that. That is the short answer to your question. Thank you very much Honourable Speaker.

24 October 2018

**NOTICE OF QUESTION
HON MUHARUKWA**

HON SPEAKER: Thank you very much, short and sweet. The next question.

HON MUHARUKWA: Thank you Honourable Speaker, Honourable Minister, now you know please follow up that NBC is trying to censor that, follow up and get clarity on that and maybe come back. The next question Honourable Speaker where there is smoke there is fire that is what rumour is.

HON SPEAKER: Next question?

HON MUHARUKWA: Yes the next question is to the Minister of Safety and Security. Honourable Minister I want to ask a question. It is perhaps on a specific issue that like I asked Honourable Simaata just now whether any keys has been registered at your Ministry or Agency there that is being Police Stations by the Minister of Land Reform of a case of forgery that is signature has been forged and therefore a case has been registered and if so as investigations commenced?

HON SPEAKER: Thank you.

HON MEMBER: (Not on microphone).

HON MUHARUKWA: Land to Russia.

24 October 2018

**TABLING OF REPORTS
HON KAVEKOTORA**

HON SPEAKER: No can I say I really do not see the urgency. Can I just say? Let me just say normally all these verbal questions are necessitated by being an urgent matter. Now I do not see any urgency and therefore I have no call on the Minister to respond. It ends there but maybe do you still want to continue? Thank you very much. Notices of Motions? Messages from the Head of State? Oh, Honourable Kavekatora, you have the floor.

TABLING: REPORTS OF THE AUDITOR GENERAL

HON KAVEKOTORA: Well, I am not standing here for the Messages from the Head of State that is the privilege of the other side. Honourable Speaker, I move that in terms of Rule 27(i) read with Rule 117 of the Standing Rules and Orders of this House for the House to concur that notice is suspended with to table the Motion to refer the following reports of the Auditor General for various years of the local Authorities and Regional Council to the National Council for review and scrutiny.

With your permission Honourable Speaker, the reports are as follows:

1. The Municipality of Henties Bay for the Financial Year ended 30th June 2017.
2. Municipality of Mariental for the Financial Year ended 30th June 2017.
3. Municipality of Otjiwarongo for the same Financial Year.
4. The Municipality of Tsumeb for the same Financial Year.
5. The Municipality of Walvis Bay for the Financial Year ended 30th June 2017.

24 October 2018

**TABLING OF REPORTS
HON KAVEKOTORA**

6. The Municipality of Swakopmund for the Financial Years ended 30th of June 2016 and 2017.
7. Municipality of Grootfontein for the Financial Year ended 30th of June 2016.
8. The Municipality of Gobabis for the Financial Year ended 30th of June 2016.
9. The Regional Council of Hardap Region for the Financial Year ended 30th of June and 31st of March 2017.
10. The Regional Council of Erongo for the Financial Year ended 31st of March 2017.
11. The Regional Council of //Karas Region for the Financial Year ended 31st of March 2017.
12. The Regional Council of Khomas Region for the Financial Year ended 31st of March 2016.
13. The Regional Council for Kavango East Region for the Financial Year ended 31st of March 2016.
14. The Regional Council of the Zambezi Region for the Financial Year ended 31st March 2013, 2014 and 2015.
15. The Regional Council for the Ohangwena Region for the Financial Year ended 31st of March 2014.
16. The Town Council of Nkurenkuru for the Financial Year ended 30th of June 2017.
17. The Town Council of Nelao Nafidi for the Financial Year ended 30th of June 2017.

24 October 2018

**TABLING OF REPORTS
HON KAVEKOTORA**

18. The Town Council of Ondangwa for the Financial Year ended 30th of June 2017.
19. The Town Council of Otjikuku for the Financial Year ended 30th of June 2017.
20. The Town Council of Oshikuku for the Financial Year ended 30th of June 2016 and 2017.
21. The Town Council of Karibib for the Financial Year ended 30th of June 2017.
22. The Town Council of Arandis for the Financial Year ended 30th of June 2016 and 2017.
23. The Town Council of Ongwediva for the Financial Year ended 30th of June 2017.
24. The Town Council of Omuthiya for the Financial Year ended 30th of June 2016 and 2017.
25. The Town Council of Omipa for the Financial Year ended 30th of June 2016 and 2017.
26. The Town Council of Usakos for the Financial Year ended 30th of June 2015 and 2016.
27. The Town Council of Opuwo for the Financial Year ended 30th of June 2016.
28. The Town Council of Outapi where the Honourable Prime Minister comes from for the Financial Year ended 30th of June 2016.
29. The Village Council of Leornardville for the Financial Year ended 30th of June 2017.

24 October 2018

**TABLING OF REPORTS
HON KAVEKOTORA**

30. The Village Council of Bethanie for the Financial Year ended 30th of June 2017.
31. The Village Council of Aroab for the Financial Year ended 30th of June 2017.
32. The Village Council of Kamanjab for the Financial Year ended 30th of June 2017 and,
33. The Village Council of Koes for the Financial Year ended 30th of June 2016 and lastly Honourable Speaker.
34. The Village Council of Witvlei for the Financial Years ended 30th of June 2015 and 2016 and very lastly.
35. The Performance Audit Report on the Sewerage Infrastructure Management by Local Authorities in Namibia for the Financial Years ended 30th of June 2013/2014, 2014/2015, 2015/2016 Financial Years.

I so move Honourable Speaker.

HON SPEAKER: Thank you very much. Let me use this opportunity to request Honourable Muharukwa to submit his questions. (Laughter). Messages from the Head of State? Ministerial Statements? I think we are done. Thank you very much let us move on. The Notice of a Motion is the one by Honourable Minister of Finance. Does the Honourable Minister move the Bill be now introduced?

HON MINISTER OF FINANCE: I so move Honourable Speaker.

24 October 2018

**PROVISION AMENDMENT BILL
HON SCHLETTWEIN**

HON SPEAKER: Who seconds the Motion? Is there any objection? Then agreed to. Honourable Minister please table the Bill.

The Secretary will now read the Bill a First Time.

PROVISION AMENDMENT BILL

SECRETARY: Provision Amendment Bill.

HON SPEAKER: Does the Honourable Minister of Finance now move that the Bill be now read a Second Time?

HON MINISTER OF FINANCE: I so move Honourable Speaker.

HON SPEAKER: Any objection? Who seconds? Agreed to. Honourable Minister you have the floor.

HON MINISTER OF FINANCE: Honourable Speaker, Honourable Members of the National Assembly, fellow Namibians I have the honour to table the 2018/2019 Mid Year Budget Review and the Medium Term Policy Statement a fourth time its maiden introduction in 2015. **(See speech to 16:31)**.

24 October 2018

**PROVISION AMENDMENT BILL
HON VAN DEN HEEVER**

HON SPEAKER: Thank you Honourable Minister, I think we too, in this House would like to thank you for the manner in which you delivered this important and long statement that deals with the state of our Finances and I particularly have taken note to the tone and the manner in which you did it with energy and a sense of optimism. Thank you very much.

Now that said and done, I am looking to this side of the House for the usual customary responses. Honourable Jennifer Van Den Heever, you have the floor.

HON VAN DEN HEEVER: Thank you Honourable Speaker. After consultations I would like to postpone the debate until Wednesday the 7th of November on behalf of Honourable Smit.

HON SPEAKER: Postponed for discussions?

HON MEMBER: (Not on microphone)

HON VAN DEN HEEVER: I am saying after consultations, what is your problem, he spoke already to the Minister?

HON SPEAKER: Yes Honourable Minister?

24 October 2018

**PROVISION AMENDMENT BILL
HON SCHLETTWEIN**

HON MINISTER OF FINANCE: Thank you Honourable Speaker it is true that Honourable Smit consulted me but the consultation ended up in his request to speak at the tail end of the discussion so that the whole discussion is not delayed and postponed till he is there but that at the start really that (indistinct) a chance to speak at the tail end and that would be agreed to.

HON SPEAKER: Wonderful, I think that we will go along with that. So decided?

HON VAN DEN HEEVER: Yes.

HON SPEAKER: Thank you very much. Yes please.

HON DEPUTY MINISTER OF PUBLIC ENTERPRISES: Honourable Speaker, I would like to postpone the debate to next week Tuesday.

HON SPEAKER: Okay that is basically in line with what we are agreeing on.

HON DEPUTY MINISTER OF PUBLIC ENTERPRISES: Tuesday yes.

24 October 2018

**PROVISION AMENDMENT BILL
HON DR KAWAN**

HON SPEAKER: Next Tuesday we will resume the debate on this important subject. But I just want in keeping with the tradition, oh yes Honourable Doctor Kawana.

HON ATTORNEY GENERAL: In front of the queue just one aspect of the budget that I would like to first commend my dear Comrade and friend and the staff of the Ministry National Planning Commission. I am very happy in my capacity as Attorney General that the Ministry of Finance has realized a problem which I have been advising for such a long time. When we saw some of these loans from international entities and moreso the African Development Bank sometimes they insist that their procurement procedures must apply but it has come to my attention really that once you apply those very stringent procurement procedures at the end of the day none of our citizens qualify. I think that part Comrade Minister I really commend you, I salute you because to me a loan is a loan which is paid even with interest and profits and therefore all the procedures must comply with the laws of the Republic of Namibia and especially procurement so that our people can benefit from the resources of this nation because it is the people who pay back that loan so to speak. So on that part I really wanted to commend my colleague, thank you very much.

HON SPEAKER: Thank you very much Minister well done. I just wanted to suggest to keep up with the usual tradition after such a formal important statement normally we go for a break to allow our friends from the Media Houses to have an opportunity to talk to the Minister and to talk to some of you about your inflations in terms of what you heard. Can I do that so we come back at 17:00 just a break?

Rather than taking a break for the whole day I just want to allow up to 17:00 we come back and continue. So decided? Thank you very much.

24 October 2018

**PROVISION AMENDMENT BILL
HON DR KAWAN**

ASSEMBLY ADJOURNS FOR TEA BREAK AT 16:45

ASSEMBLY RESUMES IN PURSUANCE AT 17:04

HON SPEAKER: The Secretary will read the First Order of the Day

**RESUMPTION OF DEBATE ON
SECOND READING: BASIC EDUCATION BILL**

SECRETARY: Resumption of Debate on Second Reading: Basic Education Bill [B.4 – 2018]

HON SPEAKER: When the Assembly adjourned yesterday the 23rd of October 2018 the question before the Assembly was a Motion by the Honourable Minister of Education, Arts and Culture that the Bill be read a second time. The Honourable Deputy Minister of Defence adjourned the debate (interruptions).

No, no we get it, he adjourns on behalf of the Deputy Minister of Fisheries and Marine Resources. Actually it was the Deputy Minister who adjourned the debate on behalf of the Deputy Minister of Fisheries and Marine Resources and now she is in the House. I have the greatest pleasure to offer her the floor. You have the floor.

24 October 2018

**BASIC EDUCATION BILL
HON MAKGONE**

HON DEPUTY MINISTER OF FISHERIES AND MARINE

RESOURCES: Thank you Honourable Speaker for giving me this opportunity to say something on Basic Education Bill and I have to say in line with international standards on education Article 20:1 of the Constitution of the Republic of Namibia provides for the right to education. The education in this Article is an unqualified human right that every Namibian is entitled. The Basic Education Bill in discussion, in its preamble qualifies its education as free, compulsory, equitable and inclusive quality education.

Honourable Speaker, in the whole Bill we can fill the freelance of this education from the financial material and even emotional parts of making sure that no hinders or obstruction should be in a child's way to receive that education. The compulsoriness of this education is reflected in Section 9 of the Bill. That I will talk about later when I come to the specific provision. The inclusiveness to my view is also well taken care of from the definition to the right of learners, no discrimination in all spheres of education and this inclusivity is also reflected in all the different boards created within the Bill.

My concern, Honourable Speaker, however, is when it comes to the qualification of quality education. I would have loved to see this term, quality education in the definitions. What do we mean when we say quality education? Every time when the results of Grades 10 and 12s are released there is always an outcry and you will hear expressions of, 'there is no quality education in Namibia'. I always ask myself, does it mean that if the pass rate was 80% we would agree that we have quality education in Namibia? That is quality education. I know that currently Basic Education ends on certain grades. The emphasis was put on basic confidence because it was basic education. Now that this Basic Education Bill is extended to cover the whole schooling process what will be termed as quality education in this whole process?

Honourable Speaker, let me come to the specific provisions of the Bill. I want to start with page 15, Section 9 Sub 1, Compulsory School Attendance. It is compulsory for a learner to attend school during school

24 October 2018

**BASIC EDUCATION BILL
HON MAKGONE**

hours from the first school day of the academic year in which he or she reaches the age of six years until then we have paragraph (a), (b), (c) and (d) until he or she in the opinion of the Permanent Secretary is ready to leave school. I am not comfortable with the opinion of one person to determine someone's school, it should be a process to my opinion to come to that conclusion. When we go to the same section or Section 2 Sub 2 of that Section 9 which reads, "Despite the provisions of Sub Section 1 the Permanent Secretary may direct that attendance at the school for specialized education is compulsory up to the end there" but when you go (b) "The Permanent Secretary may exempt a learner entirely, partially or conditionally from compulsory school attendance if it is in the best interests of the learner". That I agree with, that is why I feel that Sub 1 (d) should be deleted because it is already taken care of in Sub 2(b) so that is mine because that one is just the opinion of the Permanent Secretary but here ten at least with this one there are certain things that are looked at to decide that it is to the best interests of the learners.

Then the next one is page 18, Section 13 Prevention and Management of Learner Pregnancy but my contribution will be on page 19 Sub Section 4 and it says, "The Minister must ensure that any person who impregnates a learner". I want to go to paragraph (b) "In the case of a staff member, it is in addition to paragraph (a), charged in accordance with the public service Act". Many Honourable Members talked about this provision. Is impregnating a school learner of that age only wrong when it is done by a staff member and I know that when we talk of staff members here many are just thinking about teachers. For me wrong is wrong. It is now more wrong when it is done by another one and when done by someone else we are overlooking it. Then it is just as good (intervention).

HON SPEAKER: Is that a point of order?

24 October 2018

**BASIC EDUCATION BILL
HON MAKGONE**

HON MUHARUKWA: Honourable Minister just a question. I happen to think I am a Member of Parliament this term at least, now I do not fall under the Public Service Act. How do you suppose I am charged under that Act if I do not under that Act if I impregnates a student? How do you do it? You cannot.

HON DEPUTY MINISTER OF FISHERIES AND MARINE RESOURCES: Thank you very much.

HON SPEAKER: Let us get the answer.

HON DEPUTY MINISTER OF FISHERIES AND MARINE RESOURCES: You are getting the answer. That is why I would propose the following insertions to help your (b) ha, which is reading, you have not opened your Bill? Okay it reads, "In the case of a staff member" I want us to insert something there that is saying, "or anyone in the civil service", No I will come to you just listen. You are not (intervention).

HON MUHARUKWA: (Not on microphone).

HON DEPUTY MINISTER OF FISHERIES AND MARINE RESOURCES: No, I will come to you, yours is still coming. Yours is still coming wait. In case of the staff member or any other one in the Public Service in addition to paragraph (r) should be charged in accordance with the Public Service Act.

24 October 2018

**BASIC EDUCATION BILL
HON MAKGONE**

Now I also propose Honourable Muharukwa you are coming here now, I also propose that we add paragraph (c) that will say, “in the case of any other persons not in the Civil Service must be charged in accordance with the Combating of Rape Act, Act 8 of 2000” yes that is my proposal. Page 22, Section 18, Parental obligation towards learners (interruptions).

HON SPEAKER: Order!

HON DEPUTY MINISTER OF FISHERIES AND MARINE

RESOURCES: This Section Honourable Speaker talks to the parental involvement with regards to learners and I want to go to Sub Section 5 and 6. Sub Section 5 reads that parents of a learner must ensure that all learning materials issued to a learner is returned to the school in good condition at the end of each academic year. And 6 is saying, “The parent of a learner is accountable for all lucid and damages caused by the learner to the school. And looking at that one this is my opinion that financial freedom is indeed just too much. By the way what happened to the phrase of discriminating in good faith? What happened to that phrase discriminating in good faith? Because it is in good faith then it is good. We are not all on the same level of poverty. As a trauma pro that is saying I do not know who is translating here because I just know Setswana but (Tswana). People are not just equal at stiff some people stiff are just like this not mine. But (Tswana) we are not all the same really why can we not discriminate in good faith?”

But now when we look at these two that is saying if a learner damaged and if a learner is losing something as at school there should be consequences, what are the consequences of failure to adhere to these two sub sections? I have to mention that schools when they were withholding reports it was because of the textbooks that were not returned to schools. I am not saying withholding reports is a good thing, no do not understand me wrongly, there will never be one book per learner if the parents are not

24 October 2018

**BASIC EDUCATION BILL
HON MAKGONE**

forced one way or the other to replace lost books or repay damaged property then we should forget to screen about we will be sitting here and saying, “Yes the learners do not have textbooks and what” but when they get lost for us it is just good there is nothing that should happen to the parents or learners. These learners are not doing it at their homes. They are not taking things at their homes and throwing them away. So they do not rapt doors at their homes but this is happening in schools. It is happening. I know that usually we it is Grades 10 and they are closing earlier it happened here in Jan Moors they went into the Boys Hostels they broke every toilet pot that was there. Why, why should that happen? So they are not doing this at their homes. The whole being is full of no money should be solicited from parents, the whole being, yes I agree but just let them pay for damages and lost items and let those that want to contribute do so because we are not on the same level of poverty.

When you read these Sub Sections with Sub Section 11 on page 23 just next to it there, page 23 Sub Section 11 is saying, that parents of a learner is liable for any damage to or loss of school property in respect of which the learner consents he is liable to the school concerned. But are the consequences of not adhering to it? That is the thing we are there. How should the schools enforce this provision? What should they do to enforce it?

Page 23 I am still continuing with the parental obligation towards learners. Sub Section 8 on page 23, Sub Section 9, Sub Section 10 and Sub Section 12 still continues with parental obligations and these sub Sections are very important for me because currently these obligations are neglected by parents. Sub 8 is the obligation of the parent whose child is not schooling. So it is saying there if it is found that a child is not in school what the Permanent Secretary will do in Sub 8, she will write a notice to the parent that is what it is saying there.

When we go to Sub 10 Discipline and Responsibility that a parent must instill in a learner, so it is what is standing there. A parent of a learner must instill in the learner the discipline and sense of responsibility and paragraph (a) and (b) is saying that. When we go to Sub 12 it is talking

24 October 2018

**BASIC EDUCATION BILL
HON MAKGONE**

about parent and child must assist the governing board of a school to promote a certain culture at the school. There is outcry at schools that parents are not involved in their children's education and that causes disciplinary problems that are experienced at schools.

Sub Section 12, when you read Sub Section 12 the parent of a learner must assist the governing board of a school to promote culture of responsibility and respect for the school property, tolerance and respect for the human rights of others and learning and teaching at a school. That is what we are regulating. That is what we are regulating, it demonstrates to us how far we have gone with our moral values. We are using this Bill to tell the parents to teach their children responsibility, tolerance, respect, it just shows what is happening in our society. So it is not happening there now let us try and put it in here so that it should happen. So we are really lost. For me Sub Section 8 is very important. Important because that is where the compulsoriness of education will be demonstrated through keeping our children in school. I hope and that is my hope that when this Bill is enacted and then implemented compulsory education will become reality. That means no children of school going age must be seen around during school time and that a parent should take up that responsibility but it will also rest on us to say what should I do when I see a child of school going age on the streets.

Honourable Speaker, when I was reading these Sub Sections I was interested in seeing that consequences of violation (b) Sub Sections of not keeping children in school because when you go 8, the Permanent Secretary will just write a note to the parent saying your child is not in school or whatever that will happen, can a parent of a learner instill the learner discipline you go up to there. I was interested in saying where if they violate what will happen to them? I had to read the whole Bill to come to somewhere at page 94. It is so hidden. When you go to page 94 which is Sections 1 to 3, page 94 but then it is starting on page 93. It is starting on page 93 because there it is Sections 1 to 3 there you have Sub 1. If you have Sub 1 you go to paragraph (b), during the normal hours, let me say a person who, during the normal hours of school attendance employs whether for remuneration or otherwise or harbours a learner who

24 October 2018

**BASIC EDUCATION BILL
HON MAKGONE**

is subject to compulsory to school attendance or go to italic 1 there, a person who reduces or failed and you go to comply with notice issued by the Permanent Secretary under Section 18:8 then you come to 94 that is where you are getting the fines.

For me I see that this is so far hidden somewhere from the actual offence. Why can we not put a clause there on page 23? Why can we not put a clause just at the end there that will just say at the end of Section 18, "Of the violation and refer then to that Section so that it should be near". Here we just put in a clause that will refer to that Section behind that is my proposal there. But now I was asking myself, when you go into the offences and what is to be done then you will see that the parent will pay or they will go to prison so meaning that those that cannot afford then will go to prison. Now I am asking myself how full will these prisons be? But then the other thing is we also have orphans. Now the orphans when they are not schooling who will be responsible for them, orphans who do not have caregivers, who will be responsible to see to it that they are at school because this compulsoriness should really be implemented because if we can implement these then these things of adult education will on the way die then we will use the money here at education. There will be nothing of now we have to have adult education because there are people who jumped their schooling because they cannot read now we have to have this Division. We will be serving.

Let us go to page 24. Page 24 Section 19 which is on the admission of schools, the section is starting on page 23 and it goes over to page 24, Sub Section 4, a learner may not be refused admission to a State school on the grounds that his or her parents, I want paragraph (b), because his or her parents do not subscribe to the Mission Statement of the school.

The Mission Statement of a school is usually giving direction of the school where the school is going to. Here is where the responsibility of a parent should be coming in. As a parent why should I take my child to a school of which I do not subscribe to a certain mission statement? Then this paragraph is contradicting with Sub Section 12 that I just talked about then we go to Sub Section 12 just the last 23 when you go back on page

24 October 2018

**BASIC EDUCATION BILL
HON MAKGONE**

23 that says the parent of the learner must assist the governing body of a school to promote a culture within a school. Now if the Mission Statement is where the culture of the school is imprinted and the parent does not subscribe to it why should the parent bring the child to the school? It does not say, really that one should go out.

I also think, paragraph (c) on page 24 the same that a learner may not be refused admission because the parents have refused to enter into any contract imposed by the school management. I know that mostly what is signed at the school, I am saying mostly, is the Code of Conduct of the school that say the dress code, the disciplinary codes that are in there. What we can do here perhaps is just to enrich that paragraph by inserting a phrase like, 'except it is a Code of Conduct of the school' so that perhaps there are other contracts to say just give contracts there to pay something and the parents do not have. So perhaps we should increase that one to say except if it is a valid or formal Code of Conduct of the school

Next one is page 38 and what is this, yes Section 35 prohibition of certain items and powers of search and seizures. So a lot is stated there, I am interested on paragraph (b) illegal draft means any unlawful substance purchases, psychological physiological effect that is possessed unlawfully the position of which is prohibited under laws of Namibia. Honourable Speaker, Honourable Members, it is a known fact that we experience the use and misuse of substances in our communities that extent to the schools. All those substances mentioned can be found at our schools but we also have problems with drugs that are not illegal according to the law. Alcohol is not illegal, glue is not illegal, patex is not in the law it is not illegal, petrol whatever, the normal cough syrups all these are not illegal but they are adhesive and also has its harm just as the illegal ones. We can add addictive drugs, we can add perhaps to say addictive drugs but also alcohol should be mentioned pertinently, we should mention alcohol here. I propose that that addition should be something like this. Alcohol and other addictive substances (intervention).

24 October 2018

**BASIC EDUCATION BILL
HON MAKGONE**

HON SPEAKER: Do you still have a long way to go because we are looking at the clock?

HON DEPUTY MINISTER OF FISHERIES AND MARINE RESOURCES: Oh!

HON MEMBER: Tomorrow?

HON SPEAKER: You can continue tomorrow?

HON DEPUTY MINISTER OF FISHERIES AND MARINE RESOURCES: Okay, yes.

HON SPEAKER: Because it is more than a page is it not?

HON DEPUTY MINISTER OF FISHERIES AND MARINE RESOURCES: Yes.

HON SPEAKER: Right Honourable Prime Minister may I request you to adjourn the House.

24 October 2018

**ADJOURNMENT
HON PROF KATJAVIVI**

RT HON PRIME MINISTER: Yes Honourable Speaker, I move that the House adjourns until tomorrow at the usual time 14:30.

HON SPEAKER: Thank you very much. The House stands adjourned until tomorrow the usual time.

HOUSE ADJOURNS AT 17:45 UNTIL 2018.10.25 AT 14:30

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
WINDHOEK
25 OCTOBER 2018**

The Assembly met pursuant to the adjournment.

HON SPEAKER took the Chair and read Prayers and the Affirmation.

**ANNOUNCEMENT IN TERMS OF RULE
20(B) OF THE STANDING RULES AND ORDERS**

HON SPEAKER: Honourable Members to start with and very briefly I would like to share with you that during the recent engagement at the Inter Parliamentary Union the IPU in Geneva the IPU Conference paid a special tribute to our late former Speaker the Honourable Doctor Theo Ben Gurirab by observing a minute of silence in his memory. On the same occasion a similar minute of silence was observed in the honor of the Honourable Doctor Kofi Anan former Secretary-General of the United Nations very, very interesting this tributes were being paid two men who were very close and who work together and that was quite something the conference did so. As it was I on that day using the technology that we are using nowadays, I was able to communicate with Ms Joan Guriras while the proceedings were taking place to share with her that this was actually happening and when the time came for me to speak that very same day, I was able to thank the IPU Conference Colleagues who participated in that tribute and I will also the opportunity to convey the thanks and appreciation from Ms Joan Guriras directly. That said and done, any petitions, reports of standing and select Committees, yes, Honourable Swartz.

**TABLING: PARLIAMENTARY
STANDING COMMITTEES REPORTS**

25 October 2018

**TABLING OF REPORTS
HON SWARTZ / HON SIBUNGO**

HON SWARTZ: Thank you Honourable Speaker. I lay upon the table for discussion report by the Parliamentary Standing Committee on Natural Resources on their visits to the Mines and to the Fishery factories during the period 21st July until the 3rd of August 2017. The second done is report by the Standing Committee on Natural Resources on the 23rd Session of Conference of Parties COP, 23 PG to the United Nations Framework Convention on climate change and the Conference of Parties serving as the 13th meeting of parties to the Kayoto Protocol CNP 13 and the second party of the Second Conference with the party serving as the meeting of the parties with the Paris agreement held in Born, Germany from 6th to 17th November 2017.

I so move Honourable Speaker.

HON SPEAKER: Thank you. Next is Honourable Heather Sibungo.

TABLING: STANDING COMMITTEE REPORTS

HON SIBUNGO: Honourable Speaker I lay upon the table for note taking report by the Parliamentary Standing Committee on Economics and Public Administration on the 44th Session of African Caribbean Pacific Group of State and European Union APP-EU held in Nairobi Kenya from the 14th to the 21st of December 2016. The 44th Session of ACP-EU held in Brussels Belgium from the 21st of March to 24th of March 2017, the 46th Session of ACP-EU held in St. Julians Maltar from 14th to 22nd June 2017. The last one is the Motion by Honourable Kavekatora on making Government pay main system conducive to business and SME promotion. The Motion was referred to the Parliamentary Standing Committee on the 14th of July 2016 for further investigation and report back to this Assembly.

25 October 2018

**TABLING OF REPORTS
HON CALEY / HON ITHETE**

I so move Honourable Speaker and this one it would be for discussion.

HON SPEAKER: Thank you. We are waiting for you. The next is Honourable Caley.

TABLING: PARLIAMENTARY STANDING COMMITTEE

HON CALEY: Honourable Speaker I lay upon the table for discussion the following reports. Report by the Parliamentary Standing Committee on Information Communication Technology and Innovation on familiarization visit to Kavango East, Kavango West and Otjozondjupa region from the 23rd May to the 3rd June 2017. The second one is to Omusati region from the 31st July to the 4th August 2017 and the third one oversight visit to Ohangwena region from the 14th to the 18th May 2018.

I so move Honourable Speaker.

HON SPEAKER: Thank you. Table the reports. Other reports and papers, Deputy Minister of Finance.

TABLING: REPORTS OF THE AUDITOR GENERAL

HON DEPUTY MINISTER OF FINANCE: Honourable Speaker, Honourable Members I lay upon the table report of the Auditor General on the accounts of the:

25 October 2018

**TABLING OF REPORTS
HON ITHETE**

1. Namibia Broadcasting Corporation for the Financial Year ended 31st March 2017
2. Trust Fund for the regional development and equity provision for the Financial Year ended 31st March 2016
3. Motor Vehicle Accident Fund for the Financial Year ended 31st March 2018
4. Town Council of Outavi for the Financial Year ended 30th June 2017
5. Village Council of Tsandi for the Financial Year ended 30th June 2016 and 2017 and finally
6. The Village Council of Witvlei for the Financial Year ended 30th June 2017

I so move Honourable Speaker.

HON SPEAKER: Thank you. Notices of questions, notices of Motions, messages from the Head of State, Ministerial Statement. Being Thursday today it is question time. So can we do justice to these questions, so agreed happily? Question number 95 it is from the Honourable Nico Smit directed to the Minister of Works and Transport and the Honourable Member so the question stands over. We will deal with that. Question number 96 from the same Member. Question number 97, question number 98, 99, 97 all the way to 99, 100, 101, 102, 103, 104, 106. Would you put the question Honourable Member?

QUESTION 106

25 October 2018

**RESPONSE TO QUESTION BY
HON NAUYOMA
HON MANOMBE-NCUBE**

HON NAUYOMA: Puts the question.

HON SPEAKER: And the question is directed to the Deputy Minister you have the floor. Give him a chance to prepare.

HON DEPUTY MINISTER IN VICE PRESIDENT OFFICE: Thank you very much Honourable Speaker, Honourable Members. Let me attempt to answer the questions put to me by Honourable Member of the APP. I am aware that there are communities living at Makuta village as put in the question. However, according to investigation it came to light that the village is actually situated in Omega 1 and Chetu. It was further discovered that the community living there are not actually the Khoes speaking people as it has been put by the Honourable Member. People who are speaking, I mean of which we are speaking about or talking about here are migrants who migrated from Zambia and Angola respectively and that falls short of my jurisdiction.

Question number 2, thank you Honourable it is not under my jurisdiction. As for the second question I do not deny that quite a good number of not only the Khoes communities or speaking people in Mukwe constituency but all around the country are struggling to obtain the national documents mostly due to lack of proper parental information remoteness of where they live and many other factors. My office has already initiated a process in the regions through our National Development Planners and mind you I have got a Development planner who is in the eastern side of Kavango East and we are dealing with Regional Councilors and Ministry of Home Affairs to run a mobile national identification registration program where we started recently in Ohangwena and it has yielded some good results.

The query regarding the second question should be directed to the Honourable Councilor of Mukwe constituency for his office rather than

25 October 2018

**RESPONSE TO QUESTION BY
HON NAUYOMA
HON NAUYOMA**

we have to entertain matters that could be entertained at the level of a constituency level and this I rest my case and I thank you.

HON SPEAKER: Thank you, Honourable Member.

HON NAUYOMA: Honourable Speaker I think my brother has tried his best but I think there is still a lot of work to be done to tell me that his I must go to the Councilor of Mukwe I think is unhead of at this level of Parliament but I think the Councilor is well suited to come so that he would be able to answer some of those questions meaning the sun community that is there I do not feel your Ministry is or department is doing enough because this case has been, we remember when this program started with Doctor Libertine Amadhila. She was all over the place. She was on these things but after she left, we feel everything has collapsed.

I think it is about time Honourable to pick up, to pull up your socks and then continue with Honourable Libertine left off because these community is still living past behind. When it comes to like this document people cannot access services by Government just because by the mere fact that they are not having proper documents and given the nature and the living conditions of these communities, it needs really a thorough effort to help this particular group. That is why they are called marginalized. Marginalized they need a special program that can really help them to come out of this situation. I think we have to really, your office must really do extra mile to help them. Thank you very much for now.

HON SPEAKER: Thank you. You may continue to discuss further but the Deputy Minister would like to come back.

25 October 2018

**RESPONSE TO QUESTION BY
HON VAN WYK
HON SCHLETTWEIN**

HON DEPUTY MINISTER IN VICE PRESIDENT OFFICE:

Honourable Member I think you are doing your best to think of our marginalized communities but all along you were doing nothing and I know that we are approaching elections next year. That is why you are doing this and let me tell you. I am the third person. The first person you rightly put it is Doctor Libertine Amadhila. The second was the Honourable Marko Hausiku. I am the third person and I am doing my best. That is why I gave you that information of which I got from my Development Planner who is based in Kavango East so I know it is a special program. That is why His Excellency the President created this office to take care of the marginalized but I tend to differ with you by saying that do not think that still the marginalized communities can be used. Thank you very much.

HON SPEAKER: Thank you. Let us leave it at that. Question number 107, Honourable Jan Van Wyk you put the question.

QUESTION 107

HON VAN WYK: Puts the question.

HON SPEAKER: And the question is directed to the Minister of Finance.

ANSWER:

HON MINISTER OF FINANCE: Thank you Honourable Speaker. The question that was asked the preamble which read as follows: Honourable

25 October 2018

**RESPONSE TO QUESTION BY
HON VAN WYK
HON SCHLETTWEIN**

Minister the PS that local construction industry has been tactically excluded from lucrative tenders in the light of the N\$10 Billion loan from China and the N\$10 Billion loan from the African Development Bank such exclusions are given by invitation for pre-qualifications for the construction of the 19 and half kilometer dual carriage between Sam Nujoma and Dorlam inter-changes just to give an example. Comrade Speaker in order to keep the context right, I just need to state that there is no loan of N\$10 Billion with China. I have said that a number of times already. Equally, there is no N\$10 Billion loan from the African Development Bank. So I do not know where these figures come from. They are not and these loans do not exist.

Now having brought that into context, I do believe that the Honourable Member had some underlined principles that still need to be answered and his first question was what measures will Government implement to level the playing field and curb unfair practices to eliminate the local construction industry. I do assume that he refers to the African Development Bank loan that core finances the dual carriage road between the Sam Nujoma and Dorlam inter sections. Honourable Speaker the procurement of goods and services for projects funded through multilateral bilateral institutions is done in terms of the procurement policy of those institutions or of ours and those and this is the case here because the search that is under question is core funded by the ADB but the bulk of the funds are our own.

We have involved the African Development Bank procurement system in order to set benchmarks for road construction prices. You will recall that we are on record to say that some of these roads were overpriced previous road constructions and we wanted to find the mechanism where we can incorporate the two procurement institutions to ADB ones and ours to set the benchmark of these prices right instead of running the risk that if we do it all on our own, we will have the same wine and new bottles. I think that was one reason why we have involved the African Development Bank and its procurement system in this.

25 October 2018

**RESPONSE TO QUESTION BY
HON VAN WYK
HON SCHLETTWEIN**

Now while the pick qualifications requirements as set out originally are relatively high and could exclude most of our Namibian (indistinct). We managed to engage the ADB and that has been now solved and the view arrangement while we use both procurement systems. There would be provision that local companies will it not be excluded because that cannot be right especially even core funded project where the bulk of the funds are from us. We cannot allow a situation where it is exclusively for or to the exclusion of Namibian companies. I am confident that that problem is solved and we are able to ensure that we set correct benchmarks and include Namibian companies.

The second question was since the African Development Bank and China will dictate what will the Government do to stop and prevent escalation tenders amount after the tenders were awarded. Honourable Speaker the purpose of an open competitive bidding is to secure the best value for money. Project cost are not dictated by the financiers that is ADB in this case there is no China Exim Bank involved here but they become subject to a competitive bidding process so the award is made on the most cost efficient bidder through that competitive bidding process and therefore the financiers do not set the price. It is the bidding process that sets the price and we believe that an open transparent bidding process gives us the best chance to get the best value for money.

That has indicated that we have not yet taken up loan from China but at this point in time I may want to inform that a stretch of that road is funded through and grant from China a donation, yes and if we do get grants as we did get from Germany or from other donor parties, we then do not insist that our procurement will prevail but because of the fact that it is in grant, we give the leverage that they can procure the services in terms of their procurement rules but that is only in cases of grants.

Question three since labour products and services will be imported by Chinese, what arrangements have we with regard to taxation and contribution to the Receiver of Revenue on this thing that would be imported. Honourable Speaker as I have stated the procurement policy

25 October 2018

**RESPONSE TO QUESTION BY
HON VAN WYK
HON VAN WYK**

followed by the China Exim Bank does not bar any participation or hiring of labour save it feels we have the local skills that does not exist for most of the Chinese funded projects that we have done again to re-trade is not relevant now but for the Chinese projects that we have done that word operation local sub-contractor arrangements have largely made available.

As to the tax all these projects and because of the fact that we do not have a double taxation agreement with China, all these come to be said win awards have to set up business here and all the proceeds of these projects are taxable here. So there is no tax waiver on any foreign company that wins an award here and that is true for VAT and income tax and transport duty tax or all the taxes are available. I think I have covered the questions and thank you.

HON SPEAKER: Thank you very much, Honourable Jan Van Wyk.

HON VAN WYK: Thank you Honourable Speaker. I would like to thank the Honourable Ministers for the answers. I have seen also the media issue with regard to the African Development Bank and really appreciate that. Maybe just one question Honourable Minister. You have just indicated that when it comes to grants it is open to the grant giver to sort of set the rules. Do you not think that we should look at that and maybe just to make sure that that does not become a problem where of course our people would be excluded but thank you very much for the answers? I appreciate that.

HON SPEAKER: Thank you. Honourable Minister I thought you dealt with that but you might want to restate.

25 October 2018

**RESPONSE TO QUESTION BY
HON VAN WYK
HON SCHLETTWEIN**

HON MINISTER OF FINANCE: Thank you very much Honourable Speaker to give me the floor again. What we are saying in terms of grants is that of course when we get grants, we try to influence the donor to allow us to improve the take a thousand facts into the Namibian economy and that include local sourcing whether it is goods and services but we cannot insist and the reason is because it is grant money. If it is loan money is a different story because we have to pay back. Grant money is at the complete discretion of the donor and as much as we try the message that I want to leave here is that you understand as well is that we try but we do not insist and that is the approach we take. Thank you.

HON SPEAKER: Thank you. I was going to accommodate the Honourable Nghimtina but the Honourable Muharukua just left us again so we hope he will come back. Next is Honourable Kavekatora. Do you put the question?

QUESTION 108

HON KAVEKOTORA: Puts the question.

HON SPEAKER: The question is directed to the Right Honourable Prime Minister. Prime Minister you have the floor.

RT HON PRIME MINISTER: As I responded to this question when I responded to the question Honourable Maamberua because that question was asking exactly the same information that the Honourable Member is asking for now and I responded by saying the criteria for selectin

25 October 2018

**RESPONSE TO QUESTION BY
HON KAVEKOTORA
RT HON KUUNGONGELWA-AMADHILA**

vulnerable community members for provision of relief assistance are applied nationwide. They are the same across the country and we tried not to duplicate efforts. So if there is already relief provided by Government let me say for example through other programs, then we would not want to provide those same people again with relief. Otherwise, we spread our resources to and we end up not really making a meaningful impact.

So yes, we do have a threshold for qualification of people to benefit from drought relief. In think in general that is how I will respond to this issue. I know that the community have also requested assistance for the animals to cope with the situation. Currently, the relief program does not entail that. We used to have subsidies for grazing and for transportation to grazing areas. There was no provision for that on the budget right now but we having noted the dire situation that the community is faced with, have undertaken to look around and see what we would be able to raise and what kind of relief we would be able to provide in that regard. Thank you.

HON SPEAKER: Thank you, Honourable Kavekatora.

HON KAVEKOTORA: Honourable Speaker I am quite comfortable with the answers given by the Right Honourable Prime Minister. I also thought that the answers were given already as she was responding to Honourable Maamberua. Thank you.

HON SPEAKER: Thank you. Let us move on. The next one is the same Honourable Member Kavekatora. Do you put the question?

25 October 2018

**RESPONSE TO QUESTION BY
HON KAVEKOTORA
HON BOOIS**

QUESTION 109

HON KAVEKOTORA: Puts the question.

HON SPEAKER: The question is directed to the Minister of Land Reform. Honourable Uutoni Nujoma oh, the Deputy Minister.

ANSWER:

HON DEPUTY MINISTER OF LAND REFORM: Thank you very much Honourable Speaker, Honourable Members. Please allow me to respond to the questions posed by Honourable Kavekatora. I believe the questions is before us so allow me to go straight to the answers. The response to question number 1 how many request came to your office from leader's councilor of the Aminus constituency requesting your office permission to utilize purchase farms for drought relief before allocating them to the ultimate beneficiary and then the responses to this request.

Honourable Speaker, Honourable Members the Agricultural Commercial Land Reform Act, Act number 6 of 1995 as amended as the resettlement policy outlines the policy, legal frameworks and procedure that the Ministry of Land Reform and all the related institutional framework from regional level have to adhere to when allocating agricultural land that has been acquired for resettlement purposes. The current legal framework does not have a provision for the acquisition of land for emergency temporary grazing for effected farmers due to drought and other natural disasters hence it is difficult for the Government through the Ministry of Land Reform to avail temporary emergency grazing land to effected community when such request are made in the absence of a policy and legal provision.

25 October 2018

**RESPONSE TO QUESTION BY
HON KAVEKOTORA
HON BOOIS**

Honourable Speaker, Honourable Members in most cases the Ministry were closely with the office of the regional Governor whom are Chairpersons of the regional resettlement Committee to encourage the most vulnerable at that particular moment to apply for land and to give relevant information pertaining to their plight. Lastly, the Ministry due to the high demand for land for resettlement purposes is practically not in a position to acquire and set aside land for temporary grazing. It should be noted that these farms are acquired for resettlement purposes and to temporary set them aside allocate them to communities and then later on request the communities to move back to where they came from is fraud with a lot of little challenges. The Minister had in the past avail such land at temporary emergency grazing but the beneficiaries refused to move out of the farms. The Ministry is currently finalizing some of the documented cases at a great cost and thank you Honourable Speaker.

HON SPEAKER: Thank you, Honourable Kavekatora.

HON DEPUTY MINISTER OF LAND REFORM: There are still some questions.

HON SPEAKER: Oh, sorry, sorry.

HON DEPUTY MINISTER OF LAND REFORM: I beg your pardon. There is still number 3 and 4.

25 October 2018

**RESPONSE TO QUESTION BY
HON KAVEKOTORA
HON BOOIS**

HON SPEAKER: Yes.

HON DEPUTY MINISTER OF LAND REFORM: Response to those questions Honourable Speaker, Honourable Members on the 1st of December 2015 Unit A of farm Kolka number 84 measuring 10 000 hectares situated in registration division N in Karas region was anonymously advertised for resettlement purpose as a large stock farming unit. Upon the recommendation of the Land Reform Advisory Commission, the farming unit was allocated to Ms Libertine Kubetsi in March 2016 who had applied to farm with cattle. Upon allocation Ms Kubetsi took up the farm only to discover that the farm was only suitable for farming with small stock.

As it was no fault of her the case was immediately motivated by the Karas Regional Resettlement Committee to the Land Reform Advisory Commission that she be allocated a suitable farm that caters for large stock farming. As the policy and legal framework the beneficiary was advised by the Ministry to relinquish that unit in Karas region being Unit A on farm Kolka number 84 and to reapply for the single farming unit farm 2011 Otjizandamba down there a portion of portion number 1 of farm number 375 in Omaheke. The relinquish farm in Karas region will subsequently be re-advertised as a small stock farm and allocated to another family who wanted to farm with small stock and with these few remarks, I thank you Honourable Speaker.

HON SPEAKER: Thank you, Honourable Kavekatora.

HON KAVEKOTORA: Thank you very much Honourable Speaker, Honourable Deputy Minister for the responses but I must say that listening

25 October 2018

**RESPONSE TO QUESTION BY
HON KAVEKOTORA
HON KAVEKOTORA**

to you very carefully it just raises more questions than basically getting responses to what I have asked. On one hand Honourable Deputy Minister you are saying that according to you sighted the Act as forbidding you to use a farm that is named for resettlement for temporary grazing even in emergency situation but on the other hand you went on to say that you used to do that. I do not understand now which is which because the Act is saying it is prohibiting you to do that but then you went on to say but in any case we used to do that because I also know that you have been doing that.

I also know in some of the areas where you have been doing that. So I just think that that contradiction leaves me in limbo in terms of what I wanted to find out about the processes that you are following. That is one, two, because I asked like on question number 1, I asked how many request came to you and I think somehow you ducked the question and basically did not respond to that. Now on question number 3 relating to farm Otjozondande I do not understand about this particular individual person. I know that the Minister is being faced with a host of applications for resettlement in a very small unit or resettlement in a farm because you do not buy a farm basically to accommodate all these people yet upon requesting this individual first of all you are saying that the farm that was allocated to this individual before was meant for small stock farming.

The question is if he applied for cattle farming, how did the individual ended up getting a small stock farming unit? Two, you are saying that the person was requested to reapply. In other words reapplying basically becoming you know part of the pool of people who applied for additional farms yet those very individuals that is why I am asking the question what is special about this particular individual. He or she managed in a very short period of time after rejecting farm that has already been purchased, she managed to get another unit in a shortest possible time and she got the farm in a unit where people were saying we even went to the President to complain to say Your Excellency we are suffering and the Excellency went to request the Right Honourable Prime Minister to say please help these people. It was done in this House.

25 October 2018

**RESPONSE TO QUESTION BY
HON KAVEKOTORA
HON BOOIS**

Now the people who were requested to be assisted were not considered at all in a practice that you yourself has admitted that you use to do those practices. In emergency situation Aminus people were suffering to the bone yet you took one individual and I want to think about the probabilities if everything were to be equal, what do you think about the probability of one person applying today, getting a unit and then the next day after rejecting this unit applying again and getting another unit. What are the probabilities of doing that? So Honourable Deputy Minister I just want to really understand the logic behind the whole thing because that is why I am saying that the more you give me answers, the more you are creating a situation that a logical individual cannot understand. I do not understand how somebody who have been reallocated out of 10 000 people who have applied to be allocated plot or unit twice. Can you just perhaps elaborate on that for me to understand how did it become possible because in terms of probability it is highly improbable for somebody just to be taken out of a pool for her to be back in a pool and then to get a farm again once that person is taken from the pool? I do not understand that

HON SPEAKER: Alright, we noted that. Thank you very much. The Deputy Minister briefly because we need to move on.

HON DEPUTY MINISTER OF LAND REFORM: Thank you Honourable Speaker. I will tackle some of the questions or try to answer some of them with the knowledge that I got in my short time at this Ministry and then if it is needed, the Minister can add wherever is needed. The question of how many leaders and councils is unfortunately that part is not answered and can still be but let us go to the farm that Ondambe am I correct the pronunciation of Ondambe is not so easy for everyone Otjondambe then it is with two a's and then with 3 a's that you even does not now but anyway let us go to the resettlement farming of large stock farming as well as the small stock farming.

25 October 2018

**RESPONSE TO QUESTION BY
HON KAVEKOTORA
HON BOOIS**

As I make it clear also in my answer the person looks out for a farm for large stock and that was not the case and also the other one you are also entitled to relinquish if it is allowed. If there is a reason for that part to relinquish a farm but when you relinquish a farm, the you get rid of that farm so you apply but that way that Governors is also coming in of the regional councils of the region to assist that specific person if they are persons who have got problems when it comes to resettlement or applying for a resettlement farm because the Governors are the Chairpersons but at that case, there was a reason why the person was assisted to relinquish and get another farm because it was for small stock and it was not for large stock and then I believe the Minister can also come in as by that time the necessary information that I gathered that I can apply to. I thank you Speaker. The Minister can add there.

HON SPEAKER: Thank you and Deputy Minister if I heard the Honourable Kavekatora clearly, I think he is implying that this person receive special treatment. That is what he was implying. So by implication what the Honourable Member is asking for is for you to you actually clarify this was not a special treatment but it was part of the, you dealt it within the existing rules. Is that so?

HON DEPUTY MINISTER OF LAND REFORM: Honourable Speaker this is not a special treatment.

HON SPEAKER: Alright, thank you very much. We move on. You know we are spending quite a lot. Are you repeating?

25 October 2018

**RESPONSE TO QUESTION BY
HON KAVEKOTORA
HON KAVEKOTORA / RT HON KUUNGONGELWA-AMADHILA**

HON KAVEKOTORA: Yes, she responded but the respond did not say anything Comrade Speaker. I want and I am about to conclude. The Honourable Speaker is trying to come in and try to assist. This is not an implication. It is not that I am trying to imply. Things happen a person applied once, get a unit and I think in the application I also says whoever applies must familiarize him or herself about the unit so the unit was not a surprise to whoever applied for that unit it was a known unit that this farm came only be utilized for goat farming so again, that is a contradiction because if that is a requirement, it does not mean that if you fail to hid to the requirement, you still have the right to jump every other Namibian and go and get another farm so that is not implication because that was information known from the beginning. Therefore the question of what is so special about an individual whose probably if this was done above board the probability of one individual getting two farms and being qualified for two farms at once is highly improbable. Therefore Honourable Speaker I am not happy with all the response that I have received and I will just take this matter up in a different form. Thank you.

HON SPEAKER: Alright, thank you very much. That will, yes, Prime Minister.

RT HON PRIME MINISTER: I hope that I am not going to act contrary to the rules but I just thought that it was important maybe just by way of assisting to provide clarity because I can see the Honourable Member is quite concerned and the points that he is raising is a very important one and I think that it is important that we have clarity on this issue that he is querying but I think that the issues that he is commenting on although they are related, they are not exactly the same because he is concerned about communities that were affected by the drought and have asked to be allowed to graze their animals on resettlement farms, farms that were acquired by Government and have not been allocated to people for resettlement but while seemingly their request have not been favourable

25 October 2018

**RESPONSE TO QUESTION BY
HON KAVEKOTORA
HON KAVEKOTORA / RT HON KUUNGONGELWA-AMADHILA**

considered, somebody who was already allocated a farm was given an opportunity to settle on the farm. So these are like two issues really that he is talking to and I thought that it would be important really to clarify and say that it is also important that if we are to make a successful land reform that resettlement farms are allocated in a manner that would really help people to optimize productive activities using this land.

Now if you have this testing who for one reason or another maybe they did not specify the nature of farming that they would like to carry out on that farming in the application or maybe somebody in the Ministry did not pick that up so that the allocation of the farm did not properly respond to the need of this person. I do not think that it would be better for Government to simply say this person who has large stock should be left stuck with the farm that they can only farm on with small stock. I do not think that that would have been a better way to deal with the issue because you would now have a situation where money is spend to acquire this farm, allocated to this person but cannot really make conduct economic activities in an optimal way. So I think really that it was just appropriate that this farm is reallocated to a person who can utilize it sustainably and this person given another farm that enable them to carry out the kind of activities that they are in a position to carry out. That is a separate question from the issue of how do we maybe accommodate the need of affected communities, communities affected by emergency situation using farms that are acquired under resettlement. Maybe that question can just be posed differently so that the Ministry can apply its mind to that issue and try to see whether there is something that can be done to address that concern. This is a very important issue. I do not want us to leave it hanging by having small argument over a small issue.

HON SPEAKER: Thank you very much. I really want to, can I move on. I think we need to move on. I was waiting for the Honourable Muharukua to come back. The Honourable Minister, can you listen to me? The Minister of Labour Industrial Relations and Employment Creation when

25 October 2018

**RESPONSE TO QUESTION BY
HON MUHARUKUA
HON NGHIMTINA**

he noted that you came back he wanted to deal with the question posed by one of your Colleagues the Honourable Van Den Heever. Now that you are in the House, can you put that question, question number 103? Can you put the question 103? Are you ready, you put the question?

QUESTION 103

HON MUHARUKUA: Puts the question.

HON SPEAKER: Honourable Minister please deal with the question. This is important because to facilitate the Minister would be away.

HON MINISTER OF LABOUR INDUSTRIAL RELATIONS AND EMPLOYMENT CREATION: Thank you Comrade Speaker. Speaker it is very painful sometimes you know somebody asked questions and then you research and come you know Thursday always is answering questions but the Members are not there but you want to respond. It is a habit alright, response to Honourable Jeniffer Van Den Heever. The question is what are the stipulated procedures for companies to retrench employees and do we need have any set packages for such unfortunate employees by law?

The answer is like this firstly, I would like to emphasis interview retrenchment is the last resort when all other means to preserve employment has been exhausted. Retrenchment for collective domination of service are regulated by the Labour Act, Act number 11 of 2007. Retrenchment is a process where due to reorganization, transfer or discontinuation of the business for economic or technological reasons, any employer terminates the employment of some of or all of its employees.

25 October 2018

**RESPONSE TO QUESTION BY
HON MUHARUKUA
HON NGHIMTINA**

The Labour Act provides for some forms of protection to the employees identified for retrenchment.

First the employer must give at least 30 days' notice of intended retrenchment to a recognized Trade Union or in the absence of recognized Trade Union, to the work place Union representative and the employees with a copy to the Labour Commissioner. The notice must specify the reasons for the dismissal, the number and category of affected employees and the date of dismissal. The employer is obliged to disclose all information that is necessary for effective negotiations and they must negotiate in good faith with the Trade Union or work place representatives over the following topics. Alternative to dismissal, the criteria for selecting the employees for dismissal, how to minimize the dismissals, the conditions on which the dismissals are to take place and how to avert the adverse effect on the dismissal and the employer is also obliged to select the employees for retrenchment according to the selection criteria that are either agreed upon or fair and objective.

That further provides that if the parties do not reach agreement within the 30 days' period either party may with one week after the first 30 days' period refer the matter to the Labour Commissioner to appoint a Conciliator to assist the parties or any additional period of up to four weeks to settle their dispute. During the initial negotiations and reconciliation period any employer may not dismiss any employee unless the matter has been settled. If negotiation fails, the employee can or the employees can in appropriate circumstances refer a formal dispute on unfair dismissal or failure to negotiate in good faith to the Labour Commissioner.

Provision is also made to remedy what can be called misguided retrenchments where the employers are not honest in their notification to the Trade Union or Labour Commission. In such cases, the Labour Court can order the employer to continue with the business, reinstate all employees and all lost and future earnings to employees. The Minister of Finance requires a letter of confirmation from the Labour Commissioner in order to give tax relief for payment by the employer. Provision is further made in

25 October 2018

**RESPONSE TO QUESTION BY
HON MUHARUKUA
HON NGHIMTINA**

the Labour Act that if any employer fails to comply with the law, it may be criminally liable and be fined or imprisoned or both.

The minimum package that the Labour Act prescribed in case of retrenchment include payment of final salary for work done and a accrued annual leave, separate day or one week day each year of employment and one month notice if applicable. However, this package is the minimum for negotiations to avert the adverse effects of the dismissal or retrenchment may have on the employees.

Question number 2 to what extend have your Ministry make sure that these procedures are followed when employees are retrenched. Answer, the mandate of the Ministry is to provide labour and employment service envisaged productive nation to join harmonious industrial relations, decent work and full employment. It is therefore of great concern to the Ministry that retrenchments add to the undesirable level of unemployment and this means that Namibians are losing their livelihood. In order to ensure compliance with the set down procedures as per the Labour Act, the Ministry embarked upon various initiatives to enforce compliance and facilitate cooperation with relevant affected parties.

Some of these initiatives include development and improvement of relevant labour and employment related laws and structures. The Labour Act is currently being revised by a tripartite Committee and suitable proposals addressing retrenchment maybe considered for inclusion. Improved enforcement of the labour laws, the Labour Commissioner is priorities retrenchment related dispute referrals to fast track the arbitration or conciliation process. Employers are requested to provide detailed information on retrenchment and the relevant provisions of the law Labour Act namely section 34 Act 33 monitored. Cooperation with the Ministry like the Ministry of Finance require a confirmation from the Labour Commissioner as provisions of the Labour Act are complied with by companies before issuing such directives to companies permitting retrenchment payout to be made tax free. Registration employers and workers to facilitate employment.

25 October 2018

**RESPONSE TO QUESTION BY
HON MUHARUKUA
HON NGHIMTINA**

The Employment Service Act 2011 establish the Namibian integrated employment information system NIEIS which include a national electronic employment registration system. It is operational and increasingly being used by workers to register availability for vacancies and employers to fill vacancies and international corporation or decent work. Cooperation with the ILO and reviewing the implementing and decent work country program both the achievement of the mandate of the Ministry is well on track. Question 3 as Minister responsible, how many labour grievances cases in terms of unlawful retrenchment and curbing crimes have you managed to resolve to date?

The answer, retrenchment issues are sometimes settled by the parties directly with the framework of the Labour Act without the involvement of the Labour Commissioner. Statistics are not presently available on the outcome of the retrenchment dispute referred to the Labour Commissioner for reconciliation but there had been few referrals. Any employee who allege that the retrenchment was unlawful can refer a dispute to the Labour Commissioner on unfair dismissal and failure to bargain in good faith. Therefore retrenchment disputes form part of the general dispute settlement procedures and are not reporting in any separate category.

However, trend in retrenchment can be deduced from the statistic on retrenchment for the last quarters of 2017, 2018 and first quarter of the 2018-2019 Financial Year as follows. Reasons for retrenchment closure, companies 33, number of employees retrenched 280, take over five companies and employees retrenched 59. Contract ending four, company retrenchment 67, economic reasons 41 companies and employees retrenched 196, restructuring 22 companies and employees retrenched 105, other technological changes etc is 12 companies and employees affected were 74. Total companies 117 and employees affected 781.

As January 2018 reason for retrenchment and companies and employees retrenched, closure 18 companies, employees affected 192, contract ending 4, employees retrenched 65, take over three companies, employees retrenched 43, economics reasons 44 companies and employees

25 October 2018

**RESPONSE TO QUESTION BY
HON MUHARUKUA
HON NGHIMTINA**

retrenched 428, restructuring 13 companies, employees retrenched 83, other technical changes etc five companies and employees 24, total 84 companies and employees affected 835. In respect of tribe it should be noted that employers and employees have a legal right to engage in industrial actions in accordance with the procedures of the Labour Act.

The Ministry tries to prevent strikes and local through early interventions by Labour Inspector at the work place and through mandatory conciliation of collective bargaining dispute through the office of Labour Commissioner. All disputes are first conciliated and for October 2017 to March 2018, 899 which is 78% of the 1151 disputes handled were successfully conciliated without any leading to a strike. The last recorded statistic indicated that in February 2017 and the strike or lockout occurred that following conciliation latest report from February 2018 are in preparations. Illegal or unprotected strikes are a cause of grave concern. Wherever the Ministry have learn about actually or threatening unprotected strike and demonstration which are outside of the Labour Act framework, that I just described the Labour Commissioner, the Minister and the Permanent Secretary have used their good offices to attend to resolve the disputes on a more informal basis.

Statistics for the period from April 2016 to March 2017 indicates that 9 strikes or lockout occurred which four were illegal and unprotected. Question 4 what is lacking on your part that continue to lead to employees being retrenched without full benefits as stipulated by the law and the continuous strike experienced in the country. The answer, the two big imperative for redress are enabling legal framework and sufficient resources. Is the Honourable Members knows very well that financial resources are limited and this remains a challenge.

However, we do our best to do more with less. The main reason for retrenchment is economic and concerted efforts are needed from wide ray of stakeholders to ensure that preventative measures are in place. The Ministry of Labour Industrial Relations and Employment Creation is one of the key stakeholders since it has employment creation component as

25 October 2018

**RESPONSE TO QUESTION BY
HON MUHARUKUA
HON NGHIMTINA**

part of its mandate. The legal framework in the form of the Labour Act and the other employment laws are being looked into to ensure that they are complied with and continue to address present and future realities. Therefore the Labour Act is currently undergoing a revision as I have said and will be tabled in this House for the deliberation and approval.

Another imperative namely resources including education, training and capacity of key stakeholders with no exception to staff members of the Ministry. The key unit in the Ministry responsible for overseeing retrenchment and adjudicating labour dispute is the office of the Labour Commissioner which remained understaff during to budgetary constraints. Another dimension of this imperative is the required skill set to deal with the intrigues of labour laws adjudication. Arbitrators are in need of continuous education, training and skills, upgrading and our Ministry is committed to the finding cost effective means of upskilling of the incumbent and the new arbitrators that they come on staff.

The other side of the coin is respect of training and capacity to ensure verification in a dismissal retrenchment and limiting unprotected tribe in the role of social partners and affected persons. The capacity of the workers Trade Unions, employees, employers, organization, courts, labour and Legal Practitioners etc in a labour dispute settlement need to be enhanced. The dispute settlement system is fairly new to the Namibian labour dispensation and must be more to enhance awareness, understanding, capacity and active participation of all.

The Ministry and the Government has recently signed a Memorandum of Understanding and any acting plan with the international labour organization to assist in enhancing such awareness and capacity. This falls under the Namibian tripartite decent work country program. Question number 5 what best practice are you employing to avoid unlawful retrenchment that are continuously lodging our productive sector on a weekly basis?

25 October 2018

**RESPONSE TO QUESTION BY
HON MUHARUKUA
HON NGHIMTINA**

Answer, the many retrenchments that are taking place in the country are clearly and reflection of the performance of the overall economy. When revenue are reduced and the cost of doing business are higher, employees become the first casualties through the retrenchments which is not prohibited but rather regulated under the law. Many of the retrenchments are not unlawful but are a reflection of failed or poor performance of enterprises. The resultant higher unemployment rate is any economic reality and the Government is busy as various levels and through various initiatives to address this problem. On a macro level Namibia has a first National Development Plan Number 5 which include employment, creation and part of the Government's priority supplemented the NDP5 we are implementing the Harambe Prosperity Plan which focus on fast tracking development to achieve prosperity for all including decent work for all.

We are preparing to launch the Namibian Productivity Centre as one means of the supporting sustainable enterprises and employment. Where retrenchment have not been conducted in accordance with law, our Ministry continue to use the law enforcement mechanism available to it. We also are identifying our efforts to advice employers including state owned enterprise not only on how to comply with the law in this area but how. Therefore let us hope that the economy will recover so that employers can start and increase recruiting and recalling their employees and by so doing contribute to the reduction of the higher unemployment retrenchment rate in our country. Honourable Speaker I trust that I have answered the questions of Honourable Member to the satisfaction. I thank you.

HON SPEAKER: Thank you. Can we leave it at that? Thank you very much. Question number 110 Honourable Murorua do you put the question?

25 October 2018

**RESPONSE TO QUESTION BY
HON MURORUA
HON SHAPWA**

QUESTION 110

HON MURORUA: Puts the question.

HON SPEAKER: And the question is directed to the Minister of Justice. Deputy Minister is here. You have the floor.

HON DEPUTY MINISTER OF JUSTICE: Thank you Honourable Speaker I will answer the question on behalf of the Minister of Justice as was posed by Honourable !Auchab. Honourable !Auchab thank you for your questions. Before I am able to answer the questions which are very similarly to the questions raised in the Confidante newspaper of 28th June 2018, I have to preface my answer with an explanation for you to understand. The question posed relate to the abuse of dependency producing substance and Rehabilitation Centres Act 1971, Act number 41 of 1971. This Act was brought into force in South Africa and South West Africa on the 6th of December 1971 by Republic of South Africa proclamation R265/1971.

The administration of this Act was transferred to South West Africa by the executive powers then the Social Welfare and Pensions Transfer Proclamation AG11 of 1977 dated 13th November 1977 and the executive powers held transfer proclamation AG14 of 1977 dated 1st December 1977. Therefore the administration of this Act now falls under the Namibian Minister of Health and Social Services. Nonetheless in accordance with the Right Honourable Prime Minister's one Government's approach, I will answer the questions from the point of view of the Ministry of Justice.

Should you have further questions Honourable Member you are kindly advised to direct them to the Administrator of the Act which is the

25 October 2018

**RESPONSE TO QUESTION BY
HON MURORUA
HON SHAPWA**

Honourable Minister of Health and Social Services. The first question which I am not going to repeat, the answer to the first question is and my answer that I am going to say now are actually going to cover both first and second questions. The global commission drive policy has two regional branches namely the West Africa branch and the Latina American branch. Namibia is logically not part of either of these branches.

Therefore Namibia has not been called upon on an international platform to reevaluate its drug policy. Nonetheless this does not bar Namibia from taking preemptive action. At the international level Namibia a member state of the United Nations has ratified a number of UN Conventions relate to drug trafficking namely the UN Single Convention on Narcotic Drugs of 1961, the UN Convention against elicited trafficking narcotic drugs and cytotoxic substance of 1988, UN Convention against trans-organized crime of 2000 and the UN Convention against corruption of 2003.

At a regional level Namibia is among the SADC member countries that had acted money laundering religious legislation which is often linked to the drug trafficking. The application of the Prevention of Organized Crime Act of 2004 Act number 29 of 2004 and the Financial Intelligent Act 2012 Act number 13 of 2012 is expected to pave the way for Namibia to successfully adhere to the 1988 UN Convention against elicited traffic in narcotic drugs and cytotoxic substance.

Now the last question, my answer to the last question is it is correct to state that Namibia does not have specific legislation that criminalizes trafficking in drugs but the definition of deal in in the abuse of defenders producing substances and Rehabilitation Centres Act 1971 does criminalize the importation, supply, transshipment and exportation of illicit drugs with a fine of up to N\$30 000 or 15 years imprisonment or both such fine and imprisonment. A Bill dealing with the trafficking of drugs was tabled by the Minister of Safety and Security and is being finalized by the Ministry of Justice for urgent proclamation. More point of questions on the Bill can be directed at the Honourable Minister of

25 October 2018

**RESPONSE TO QUESTION BY
HON MURORUA
HON SHIFETA**

Safety and Security and to conclude Honourable Speaker, Honourable Members the Ministry of Justice stands ready to support the Ministry of Health and Social Services as well as the Ministry of Safety and Security to improve the legislation relating to both the legal and illegal drugs in Namibia and I thank you.

HON SPEAKER: Thank you. The next questions is Honourable Murorua. You put the question.

QUESTION 111

HON MURORUA: Puts the question.

HON SPEAKER: The question is directed to the Minister of Environment and Tourism. Honourable Minister you have the floor.

HON MINISTER OF ENVIRONMENT AND TOURISM: Thank you very much Honourable Speaker. I want to thank the Honourable Member for the question put. The first question was that may the Honourable Minister appraise the House how they continue reliance on GDP continue to decline the Namibian society as well as that of some of its neighbors that overlooks the vulnerability of the majority of our population and to the detriment of our rural communities whose livelihoods are so gravely threatened by climate change, biodiversity loss and the land degradation.

The answer is yes, I tend to agree with you Honourable Member that the continued reliance on GDP as decline and indicator rather for Namibia is

25 October 2018

**RESPONSE TO QUESTION BY
HON MURORUA
HON SHIFETA**

to the detriment of our rural communities and overlooks the vulnerability to climate change biodiversity laws and the land degradation. GDP is the most commonly used indicator by international organizations and donors to rate the level of development in all countries. The majority of funding mechanism for biodiversity, climate change and land degradation also make us use of the GDP derived indexes to determine funding allocation for countries.

For example the global environment facility uses such index with countries with higher GDPs being legible for less funding. In addition what you are seeing now in a number of cases is a bre-link of the lines between developed countries and developing countries. The Reo Declaration of 1992 clearly split developed and developing countries and outline that developing countries have a special situations and needs and that developing and developed countries have common but differentiated responsibilities. This is commonly interpreted that developed countries have the responsibility to contribute financial resources, technologies and capacity for environment protection to developing countries because of the fact that developed countries are responsible for the majority of global environmental degradation. This principle of common but differentiated the responsibility still underlines the United Nations Environmental Conventions on climate change and also United Nations Environmental Convention on certification and also that of biodiversity but what we are seeing now is countries not only Namibia but also Brazil, China and South Africa increasingly being classified towards the developed country or as countries with the economy transition.

This reduces the opportunities for these countries to benefit from international assistance. For example what might have been offered as grants in the past may now be offered as concessional loans while these countries may also required to blend traditional grant funding with a funding from other sources of financing such as from my brother bank. The devised upwards classification may also result in these countries ultimately contributing towards environmental protection in the least

25 October 2018

**RESPONSE TO QUESTION BY
HON MURORUA
HON SHIFETA**

developed countries through SASAF Corporation and other forms of partnership.

This is a worrying situation that is ultimately to the detriment of our vulnerable communities and one of the reasons why Namibia is pushing for the use of alternative indicators to assess socio economic development at the international level. Second question my Honourable Minister also enlighten the Honourable Members how critical it is for Namibia to attain the targets it has set for itself such as Act target, land degradation neutrality target aimed to have the loss of biodiversity by 2020 to ensure that eco systems continue to provide essential services.

The answer is it is important to know that the targets referred to by Honourable Member refer to global targets that have been negotiated under the UN Convention on biodiversity and the UN Convention to combat desertification. The global targets to reduce biodiversity loss are known as Aichi targets and each member state party to the convention on biodiversity is obliged to domesticate these targets. Namibia has done this through its second national biodiversity strategy and action plan which was approved by Cabinet and is being implemented during the period 2013 to 2022 rather. An independent midterm review of the implementation of this strategy is currently being undertaken and will provide a clearer picture of how we are progressing contributing to the achievement of these global targets.

This strategy will be finalized by December 2018 this year. In my view it is absolutely critical that we achieve the global targets as this cover all aspects of biodiversity conservation and emphasize that the part on the E-Government from sectors such as agriculture, fishery and mining are reduced. The situation with regard to the land degradation neutrality targets is little more different. Sustainable Development Goal 15.3 calls on state to strive to achieve land degradation neutrality world. This has been a contentious issue rather at the international level.

25 October 2018

**RESPONSE TO QUESTION BY
HON MURORUA
HON SHIFETA**

There are some opposing countries like such as the USA and Brazil. The UN Convention to combat desertification has been recognized as the custodian of the Sustainable Development Goal number 15.3 and has invited countries to develop land degradation neutrality targets on voluntary basis. Land degradation is a critical issue for Namibia during the recently concluded national land conference which was held here in Namibia. Issues relating to land degradation such as overgrazing, overstocking, deforestation and the bush encroachment were commonly themes. Because of the importance of land degradation in Namibia we put in place land degradation neutrality targets in 2015 and the achievement of land degradation neutrality is listed as a priority under our NDP5. We are working closely with the Ministry of Agriculture, Water and Forestry and other partners to ensure that we take the necessary measures to prevent and to reverse land degradation.

The last question, question number 3 how the implementation of the Paris Agreement at CoP21 December 2015 and Sustainable Development Goals of the UN has strengthened capacity building on protecting natural resources and the environment in Namibia. The answer is an encouraging thing for me as an employee of the Ministry of Environment and Tourism capacity as a Minister is that the protection of natural resources and the environment in its broader sense is well covered in both the Paris Agreement and the Sustainable Development Goals of the UN.

Too often environmental protection is confused with the, or confined to the protection of species or the management of protected areas. Climate change and the adaptation of the Paris Agreement brings in to focus to the bigger picture and the need for us to take action to benefit the environment and our key economic sectors such as waste, transportation, energy, water, agriculture and fisheries. This message also comes out prominently in the Sustainable Development Goals of the United Nations. Development assistance in terms of capacity building, technology transfer and financial support is likely to be aligned with this framework at least up until 2030.

25 October 2018

**RESPONSE TO QUESTION BY
HON NAUYOMA
HON SHIFETA**

It has only been three years since this framework have been adopted so it is a little early to tell what impact they are having in terms of strengthening capacity or natural resources protection. However I am quite optimistic that we will continue to mobilize bankable projects and also send them and forward them to the green climate fund for instance and also the global environment facilities under multilateral bilateral resources that will strengthen the climate resilient of our rural communities and also lead to the transformative change in the areas of climate change, adaptation and mitigation, biodiversity conservation and also combating land degradation. Thank you very much for your humble attention.

HON SPEAKER: Thank you Honourable Minister. Let us move on. Question number 112 Honourable Reinhold Nauyoma do you put the question

QUESTION 112

HON NAUYOMA: Puts the question.

HON SPEAKER: Thank you very much. Deputy Minister you have the floor.

HON DEPUTY MINISTER OF JUSTICE: Thank you very much Honourable Speaker, Honourable Members. I thank you and I would like to respond to the question of Honourable Nauyoma of the APP. The question has to do with the operations at Ndongalinena Green Scheme project in the Kavango East region. Let me firstly thank and appreciate

25 October 2018

**RESPONSE TO QUESTION BY
HON NAUYOMA
HON SHIFETA**

Honourable Nauyoma for the question which I am going to answer in the order that it was presented. The power to Ndongalinena was cut off by NORED on the 25th September 2018 and it was restored on the 2nd of October 2018. That is a week later. The cut off was prompted by the late payment of the outstanding bills which amounted to a total of N\$2 765 877.35.

Due to a good harvest recorded countrywide during the just ended production season, the demand for maize went down and in light of that situation, the project was compelled to hold huge stocks of maize approximately 1 000 tones that still needed to be sold. This scenario had a significant negative effect on the cash flow of the project which resulted in delayed payment of the bills of NORED. I should however add that this situation was not only unique to Ndongalinena but to most grain producing green scheme projects as well as individual farmers. Over and above that, the current economic situation has been generally affected operations of most business entities in the country including that of Ndongalinena green scheme project.

We hope that as the domestic economic situation improves, the financial position of the project will also recover. At the time of the power cut off that is on the 25th September 2018, only one out of the 26 small-scale farmers had planted about 4 hectares of maize. That is out of the total 174 hectares occupied by the small-scale farmers. By then the maize have not germinated and there was hardly any need to irrigate at that particular time. In addition, three farmers have planted a total of 1.5 hectares of maize and another three farmers had planted a total of 3.75 hectares of cow piece. Therefore, the total area planted that could have been at risk was 9.25 hectares. I will therefore like to state and confirm that no crop has yielded at Ndongalinena green scheme project as a result of electricity cuts.

As I said earlier the electricity has been restored on the 2nd of October 2018 and that crops are doing very well. I also have photos here that were taken on the 17th of October 2018 as proof of the current crop situation at

25 October 2018

**RESPONSE TO QUESTION BY
HON NAUYOMA
HON NAUYOMA**

the project. Honourable Speaker, Honourable Members in terms of measures being taken to contain huge electricity cost in the future, agribisdef has a plan to install solar power plant at all green scheme projects including Ndongalinena to compliment conventional power and thereby reducing the cost of electricity.

Further to that, the borders between Namibia and the neighbouring countries will remain closed for maize imports until all the locally produced grains are bought up by the millers. These measures are put in place for all the grain producers thus enhancing the farmers' cash flow positions. All the aid maize producing green scheme projects as well as private grain farmers in the country stand to benefit from these imports restricting measures. I hope that I have answered the questions that was put to the Ministry to the satisfaction of Honourable Nauyoma and I thank you for your attention and I so submit Honourable Speaker. I have the photos.

HON SPEAKER: Thank you very much, Honourable Nauyoma.

HON NAUYOMA: Thank you Honourable Speaker. Thank you very much Deputy Minister for this information because really it was a worrying trend that to see green schemes going down. To some of us really is not good at all but I also comment you on the question of crossing the borders because not only maize. We have got also other produce around the country that the producers are finding difficult to market because we hear they do not have enough quantities to supply maybe supply or whatever the case maybe. I think it is about time Honourable Deputy Minister that the Ministry also find way of how to help out this small-scale farmers to market their produce because as you move around the country, you find these people selling on the side of the road carrying very beautiful cabbages.

25 October 2018

**RESPONSE TO QUESTION BY
HON NAUYOMA
HON SHIFETA**

When you go in Ondangwa there you find nice cabbages on the street but when you go in the shop the small cabbage that you find are not equivalent to what you see outside but these people they do not have the market to sell this produce. I think this is about time that the Ministry take these issues very seriously so that our people get into the mainstream of the economy. That is very commendable and another issue of the accumulation of debts. I do not know the project can get to N\$2 Million and you do not know how many months. I think these projects must be encouraged to be paying their bills before they amount to such amount of money N\$2 Million for electricity I do not know it is how month but it must be two or three maybe four months or two years so that we do not have these incidences where you would be running around to see how to win the situation with N\$2 Million. I think N\$100 000 one would understand that this thing. I think your Ministry really must take a very close eye on the development of these projects. I think with that, we thank you very much for that but we hope it will not repeat itself again continue providing guidance in that regard. Thank you Honourable Speaker.

HON SPEAKER: Thank you. Deputy Minister I thought you gave us an assurance that as the plans are underway to work towards solar energy that obviously is the response in terms of what could be done to avoid further high expenditure. Do you wish to come back or you are happy we can leave it at that.

HON DEPUTY MINISTER OF JUSTICE: I think the observation of the Member is correct but I must state here that the electricity is one of the most expensive input cost at the projects currently. Just the basic alone for electricity for most of those projects, it is not less than half a million that is just the basics. So electricity is very expensive and as I said, we

25 October 2018

**RESPONSE TO QUESTION BY
HON VAN WYK
HON SHIFETA**

have to look at alternative ways of other powers just to compliment the conventional electricity so I hear what the Member is saying that we have a close eye on these projects, very, very close eye and I want to just reassure him that we will not leave any stone unturned.

HON SPEAKER: Thank you very much. We move on. Honourable Jan Van Wyk you put the question.

QUESTION 113

HON VAN WYK: Puts the question.

HON SPEAKER: The question is directed to the Minister of Environment and Tourism. Minister you have the floor.

HON MINISTER OF ENVIRONMENT AND TOURISM: Thank you very much Honourable Speaker and I want to thank the Honourable Member for the questions put to me. The first question was the request to enlighten this August House, the nation and the residence of the Zambezi region in particular as to what the situation is with regard to Liselo area. That is the first question and the second question was what measures do our Ministry have or will it implement to stop the illegal cutting down of trees in the areas referred to above as well as other areas in Namibia in general. The third, what is the impact of deforestation in the Zambezi region on the fauna and flora at this stage. Maybe he wanted to say and the flora and the fauna at this stage about six years after the project has started.

25 October 2018

**RESPONSE TO QUESTION BY
HON VAN WYK
HON SHIFETA**

First answer I would like to thank Honourable Member once again for seeking clarification on the illegal cutting down of trees in Namibia and for his particular inquiry on the situation in the Liselo area of the Zambezi region. On the onset I would like to inform this August that the clearance of the forest area deforestation and afforestation are as well as timber harvesting these are activities that are listed in terms of section 27(2) of the Environmental Management Act, Act number 7 of 2007 and it is regulations and cannot be undertaken without any environmental clearance certificate. Even if these activities are permitted by the Directorate of forestry under the Ministry of Agriculture, Water and Forestry the proponent will still require any environmental clearance certificate from the Ministry Environment and Tourism from the Environmental Commissioner as per section 31 of the Environmental Management Act, Act number 7 of 2007.

This is imperative to ensure that the environment is protected through the sustainable utilization of natural resources for the maximum social and economic benefit by citizens. Honourable Members with regard to the project in the Liselo area, Zambezi region I would like to report to this August House that the Ministry has received applications for environmental clearance certificate for two different projects in this area. The application for Katima farm and Liselo irrigation project was submitted by the Ministry of Agriculture, Water and Forestry. The second application for tobacco and maize farm project was submitted by Namibia Oriental Tobacco. I would now provide some specification or specific information with regard to these two projects.

The Katima farm and Liselo irrigation is a project of the Ministry of Agriculture, Water and Forestry project. This was issued with an environmental clearance certificate in April 2016 for a period of three years. The three years is the maximum environmental clearance certificate can be issued. That is a maximum number of period that any project can be issued with the environmental certificate. This project covers an area of about 1 500 to 2 000 hectares and is divided into three units as per the green scheme policy requirements of the Ministry of Agriculture, Water

25 October 2018

**RESPONSE TO QUESTION BY
HON VAN WYK
HON SHIFETA**

and Forestry namely small-scale farmers, medium scale farming units and commercial farming units.

With regard to the tobacco and maize farm project of Namibia Oriental Tobacco, an environmental clearance certificate was issued in December 2014 for a period of three years with conditions. This environmental clearance certificate lapsed and the proponent has to reapply again for further consideration. I must however state that the Ministry of Land Reform is seized with the lease agreement. The proponent applied this is now for the tobacco and maize farm, the proponent applied for 10 000 hectares of land of which 9 000 hectares was for irrigation to be cultivated into phases over a number of years.

However the tobacco and the maize farm project has never been implemented due to other factors. Therefore this area has not been cleared. The environmental clearance certificate for this project expired in December 2017 and has not yet been renewed. Clearing of land has over commenced rather for the Katima farm and the Liselo irrigation project. Honourable Speaker, Honourable Members when considering application for environmental clearance certificate such as this, it is important that the Ministry considers the situation, economic potential and the benefits of these projects particularly the need to generate decent employment, enhance local level value addition and to diversify our economic base.

This is why the environment is defined in its broader sense in the Environmental Management Act to include both natural environment and the human environment which include socio and economic factors. Since the Katima farm and the Liselo irrigation project is identified for implementation and inhabitant that is largely natural with higher value tree species such as teek. Key education measures were set out in environmental management plan which was developed for use as a guiding tool during the operational phase of the project. Then the proponent had to comply with those conditions.

25 October 2018

**RESPONSE TO QUESTION BY
HON VAN WYK
HON SHIFETA**

Among the key mitigation measures for the proponent to implement when clearing the land one, optimize the total size of the irrigation by carefully considering the realistic productivity capacity of the soil use only the area that is needed to produce the target production, two, not clear one contentious block of vegetation but rather follow the principle of parch dynamics and clear multiple smaller blocks each divided from the next by the parch of natural bush, three, avoid clearing of the omuramba grassland and the pan habited leaving an uncleared buffer strip of at least 30 meters around it. Number four, keep as much of the tall closed buck or tick woodland west of the farm as induct as possible. These were conditions given to the proponent. Officials from the Ministry of Environment and Tourism have subsequently undertaken a number of inspections to the area. These inspectors uncover practices that were taking place contrary to the measures as conditions that were given and identified in the environmental management plan.

There was a plan that was developed accordingly in order to mitigate the impact on the environment which has been violated. This include extensive lobbying, clearing of land taking place outside the boundary of the project area and explode of lobbying without any local level value addition. We have taken up this concern with the proponent the Ministry of Agriculture, Water and Forestry and also the traditional authority in the area. We have also engaged with the Ministry of Safety and Security not to allow the transportation of logs that do not have valid environment clearance certificate.

We plan to further intensify our operations to make sure that we curb the illegal harvesting of our timber. Lastly, I want to assure this August House and the community at large that we have put mechanisms in place to control the cutting down and the transportation of timber illegally. Furthermore, we have carried out awareness campaigns countrywide to sensitize key stakeholders and the nation at large on the Environmental Act, Act number 7 of 2007 and to advice competent authorities to follow due procedures in issuing permits and other relevant documents because any listed activity a permit is nothing if you do not have environmental

25 October 2018

**RESPONSE TO QUESTION BY
HON VAN WYK
HON SHIFETA**

clearing certificate and what some people do probably some offices they do not understand that a permit or authorization is nothing and it is invalid according to the Act.

They are supposed to refer the proponent to the Environment Commissioner's office. Environmental Commissioner's office has got statutory responsibilities, statutory fines to make sure that he or she decide whether that activity requires impact assessment or it does not. If it requires environmental impact assessment, then the process starts where the environmental impact assessment has to be made and to be assessed by the scientist there and after that if there are some other measures requires, that is where you need to come up with environmental management plan which will stipulate now conditions how you are supposed to carry out that activity.

What we have found out is that some competent authorities they leave whoever does the work activity undertaking the activities on the site and they do not monitor what that person is doing whether he is doing it and accordance with the plan the environmental management plan to mitigate the significant impact and environment and our officials visit that project, that is why sometimes they have to stop the project and whatever economic value it has, it has to stop especially if the impact is too serious. So cannot comprise on that one and that has to be done. Thank you very much.

HON SPEAKER: Thank you, Honourable Jan Van Wyk.

25 October 2018

**RESPONSE TO QUESTION BY
HON VAN WYK
HON VAN WYK**

HON VAN WYK: Thank you Honourable Speaker. Thank you Honourable Minister for the detailed and comprehensive answers and information. We shall monitor the situation and come back if there is anything. Thank you very much. I appreciate.

HON SPEAKER: Thank you same Honourable Member Jan Van Wyk do you put the question?

HON SPEAKER: Minister of Land Reform. I am lost.

HON MAAMBERUA: It is just a question. It is just a small one. I just wanted to know what is the strategy for today.

HON SPEAKER: We are concentrating on responding to questions.

HON MAAMBERUA: Until?

HON SPEAKER: Well I think let us see how far we can go and I hope at the end we have a bit of time to.

25 October 2018

**RESPONSE TO QUESTION BY
HON VAN WYK
HON SHIFETA**

HON MAAMBERUA: I am asking the question because we have developed a convention that we go up to 4:30 with the questions and then we go with the others. So there must be a strategy that I do not understand.

HON SPEAKER: Alright, no, exactly the thing is this. As you have noted we had a number of questions unanswered and we thought if we do not do something about it, they will increase. So we want to go as much as possible and we allow a window at the end. Thank you very much. That is what I wanted. Thank you very much. Your neighbor you put the question.

QUESTION 114

HON VAN WYK: Puts the question.

HON SPEAKER: And the question is directed to the Minister of Land Reform or is it the Deputy Minister. The Deputy Minister you have the floor.

HON DEPUTY MINISTER OF LAND REFORM: Honourable Speaker, Honourable Members allow me to respond to the short question of Honourable Van Wyk. I take this opportunity to respond to the notice of questions of Honourable Van Wyk of UPM pertaining to the period of the lease agreement between the Ministry of Land Reform and the Namibia Oriental Tobacco CC and how the local people and the Government will benefit from the said agreement. My response is as

25 October 2018

**RESPONSE TO QUESTION BY
HON VAN WYK
HON SHIFETA**

follows, Honourable Speaker, Honourable Members on the 10th of April 2013 the Ministry of Land Reform through the Zambezi Communal Land Board received an application for a right of leasehold from Namibia Oriental Tobacco CC for the purpose of cultivating tobacco and maize in the Zambezi region.

Upon receipt of the said application, the Ministry tabled the matter before the Cabinet for input and consultation to inform on the decision that the Ministry could eventually take on the request for a leasehold. Honourable Speaker, Honourable Members I would like to inform you that this matter is still with Cabinet. The application for leasehold has not yet been finalized and therefore I am not in a position to elaborate further on the period of the lease agreement since no lease agreement has been issued to Namibia Tobacco Oriental CC. The question on the benefits of the (indistinct) project to the local people as well as the Government can only be responded to by the line Ministry responsible for investment as the question is outside the mandate of the Ministry. I thank you.

HON SPEAKER: Thank you very much, Honourable Van Wyk.

HON VAN WYK: Thank you Honourable Speaker. Thank you Honourable Deputy Minister for the information. Maybe just a follow up question since the process is still on the table. Is there maybe a suggested period for the lease agreement? Thank you.

HON SPEAKER: Thank you. Can you put your microphone on?

25 October 2018

**RESPONSE TO QUESTION BY
HON MURORUA
HON JOOSTE**

HON DEPUTY MINISTER OF LAND REFORM: Not at this stage but what I can say is that the Ministry is still considering.

HON SPEAKER: Thank you. We leave it at that. Question number 115 we cannot deal with that. The Colleague the Honourable Member is not there. Question number 116, yes, the Deputy Minister of International Relations. They are not available. We move on. Question 117 from the same Honourable Murorua. You put the question. Thank you.

QUESTION 117

HON MURORUA: Puts the question.

HON SPEAKER: The question is directed to the Minister for Public Enterprises. Honourable Minister you have the floor.

HON MINISTER OF PUBLIC ENTERPRISES: Thank you Comrade Speaker. The question Honourable !Auchab there was a preamble, the transformation the position Namibian enterprises to play the meaningful role in the country's development agenda and to ensure that public enterprises are well managed in order to reduce the financial burden on the state. First question is will the Minister share with this August House how the Ministry manages the biggest challenge the Ministry is facing in the legal environment. So Promulgation in 2006 of the State Owned Enterprises Governance Act 2006 Act number 6 of 2006 led to the formality of governance model which was existed ever since.

25 October 2018

**RESPONSE TO QUESTION BY
HON MURORUA
HON JOOSTE**

Under the dual governance model the responsibilities for monitoring and governing public enterprises are shared between the portfolio Ministries and the then state owned enterprises governance Council now the Ministry of Public Enterprises. To rectify this situation we have to have the Public Enterprise Governance Bill 2018 as we all know. Second question, how effective is the current mandate of oversight to deal with the transformation of the public enterprises landscape.

The mandate given to the Ministry of Public Enterprise is quite clear but severely limited and mere oversight the monitoring functions or unfortunately, not sufficient to change the public enterprise landscape. As we have seen during the past few years when the State Owned Enterprises Governance Council carried out these functions with very little effect. Third question, maybe the Minister also share with the Members and the public the urgency to give legitimacy to the hybrid governance model which was approved by Cabinet in July 2016.

When the State Owned Enterprise Governance Council was replaced by the Ministry of Public Enterprises in 2015, the principle Act was unfortunately not amended sufficiently to make it possible for the Ministry to effect and to carry out its mandate. Subsequently the governance model was proposed as the most effective way forward. The key impact of the hybrid governance model would be the proper categorization of public enterprises and the subsequent centralization of ownership functions to better manage performance. It has now been more than two years since Cabinet approved the hybrid model and the Ministry of Public Enterprises will relentlessly translate the hybrid model into law as we realize the undeniable need to enact the principles of the hybrid model. Given the current pace in economic conditions and little improvement in the performance of the public enterprises, it is with greatest sense of urgency that we ought to pass a new Bill and start transforming of public enterprises without any further delay.

The last question is how effective are the five key processes which have been reviewed and re-engineered for public enterprise compliance

25 October 2018

**RESPONSE TO QUESTION BY
HON MURORUA
HON JOOSTE**

reporting and performance. The five key processes which have been reviewed and re-engineered for the public enterprises compliance reporting and performance have so far enables the Ministry of Public Enterprises to monitor and report accurate information which has never been available before. Thank you Comrade Speaker.

HON SPEAKER: Thank you very much. Next question, question 118 again put the question.

QUESTION 118

HON MURORUA: Puts the question.

HON SPEAKER: And the question is directed to the Minister of Environment and Tourism. Minister you have the floor.

HON MINISTER OF ENVIRONMENT AND TOURISM: Thank you very much Honourable Speaker and I want to thank Honourable Member for raising these questions and the first question was whether as to how good were the intention to encourage wildlife recoveries and the environment restoration 2996 regulation whether have standing to human wildlife conflict. I would like to start by saying this that and also reminding this House that confidences are established accordance with the Nature Conservation Amendment Act, Act number 5 of 1996 which empowered rural communities to sustainably manage and benefit from wildlife and tourism.

25 October 2018

**RESPONSE TO QUESTION BY
HON MURORUA
HON JOOSTE**

In terms of that Act local communities can form a conservancy which must have an elected representative Committee, a constitution, a defined membership, a defined boundary and a plan for the equitable distribution of benefits derived from the sustainable utilizations. One communal conservancy is registered with the Ministry of Environment and Tourism and gazette. Rural communities gains rights over wildlife and they can be involved in tourism and conservation hunting activities thus generate income from the sustainable use of wildlife. It must be clear that conservancies do not replace livestock or crop farming with wildlife and tourism.

In a conservancy wildlife and tourism simply become additional forms of land use alongside existing uses such as crop production and livestock. Conservancies do not take land away from communities or traditional authorities. The status of the land stays the same hands the principle of multiple land use continues. The legislation gives right over wildlife and tourism to a group of people in a certain area of land and the conservancies had to work closely with the traditional authorities. Conservancies are a conservation mechanism aimed at providing incentives to communal area residence to manage wildlife sustainably. At the same time income earned by conservancies made a significant contribution to the rural development. It build schools. It build clinics, electrify villages and so many give scholarship to the students and so forth and so forth.

There is therefore a need for core existence between wildlife and people. Human wildlife conflict is a complex matter that needs to be dealt with by all of us as a collective. The wildlife endowment is found in Namibia plays a very important role in terms of tourism attraction to thousands of visitors that contribute to economic development and creating employment. The Minister of Environment and Tourism is cognizance of the numerous challenges that our rural communities are experiencing as a result of human wildlife conflict. As a result the Ministry invested a lot of resources in community extension work with the aim of imparting knowledge on how to mitigate and deal with the cases of human wildlife

25 October 2018

**RESPONSE TO QUESTION BY
HON MURORUA
HON JOOSTE**

conflict, announced specific mitigation preventive and protective measures to reduce human wildlife conflict.

We have new revised national policy on human wildlife conflict management that was launched last year or this year rather. It is in place to ensure that we manage human wildlife conflict in a way that we recognize the right and development needs of local communities and also recognize the need to promote biodiversity conservation and promote stable lands and ensures that decision making is quick, efficient and based on the best available information.

In order to achieve this the Ministry of Environment and Tourism had developed appropriate mitigation and monitoring methods as well as capacity of stakeholders to manage human wildlife conflict. The mitigation and the monitoring methods or measures are currently being implemented but this will require more financial resources to be implemented fully. Honourable Speaker, Honourable Members question number 2 with regard to the request or concern to share with the public how the proposal from Namibia to adopt a mechanism to permit commercial export of ivory without further discussions was rejected. I would like to state and clarify that at the 14th meeting of the conference of parties to the Sightseers which took place in the Hage in 2007, the parties adopted a decision directed to Sightseers Standing Committee with the assistance of the Sightseers Secretariat to develop a decision making mechanism for a process of trade for an ivory under the auspices of the Sightseers Conference of the Parties.

In preparation of the conference of the parties which took place in South Africa in 2016, Namibia, South Africa and Zimbabwe noted with concern that despite substantial deliberations on the issue there was no progress made in developing this mechanism. It was clear that the Standing Committee has not been able to finalize the developmental decision mechanism for a process of future trade in the elephant ivory as instructed by the conference of the parties. In an attempt to address the lack of progress made by the Standing Committee Namibia, South Africa,

25 October 2018

**RESPONSE TO QUESTION BY
HON MURORUA
HON JOOSTE**

Zimbabwe prepared a decision mechanism for consideration by the conference of parties which took place in South Africa in 2016 in order to bring this matter to conclusion because we are the interested party and also the legislators. A few countries including Swaziland, Tanzania, Syria Republic supported the proposal because if you understand that this in Southern Africa 70% of the elephants the habitant is here.

They are ranch state of 70% of elephant in Southern African in SADC and mostly in Kaza area so we have this interest but there are countries that such as Kenya on behalf of the 28 other parties from Africa and supported by the USA and the EU, Israel and many observers stressed that establishing a decision making mechanism when African elephants are in critical decline will send a wrong signal at the wrong time and instead called for inter alia legislative enforcement, educational and fund raising measures to reduce poaching, rates and the demand for ivory and legal commerce.

After in-depth discussions, the proposal was put to vote and it was rejected although some of the countries might have been influenced by the I have seen Africa elephant specialist group report some of the countries just in principle do not support sustainable news hence the position they took during that conference. The Africa elephant specialist group report however did not identify clients of elephants in the proponent states. That means is Namibia, South Africa and Zimbabwe. There is no decline at all. There is just more growth rate.

Article 95 that is question number 3 I want to answer that one. Yes, article number 95(1) that is Namibian constitution article 95(1) talks to this question that failure to establish the decision making mechanism within the agreed process and timeframe significantly undermine the need and the interest of the affected registered states and their conservative objectives and programs which rely on one, the creation of positive incentives for land holders whether communal or private and to set land aside for elephant and to core exist with them instead of opting for forms

25 October 2018

**RESPONSE TO QUESTION BY
HON TJONGARERO
HON SHIWEDA**

of land use that would have replace the elephants and cause the loss of inhabitant.

Two, the generation of revenues from the sale of elephant products to finance elephant conservation programs including the management of protected areas and the combating of illegal killing and trade. Additional, this failure is counter to the latter and the spirit of previous agreement and the decisions taken by Conference of the Parties which decided that there should be a decision making mechanism developed and also infringed upon the legitimate rights of parties especially those range less things enshrined in their constitution charges hours and also the text of the convention itself. I trust I have answered or attempt to answer the questions by Honourable Member. Thank you very much.

HON SPEAKER: Thank you. Next is Honourable Agnes Tjongarero directing the question to the Deputy Minister of Agriculture, Water and Forestry, you put the question.

QUESTION 119

HON TJONGARERO: Puts the question.

HON SPEAKER: Thank you, Deputy Minister.

HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY: Honourable Speaker, Honourable Members, thank you for this opportunity to respond to the questions from Honourable Agnes

25 October 2018

**RESPONSE TO QUESTION BY
HON TJONGARERO
HON SHIWEDA**

Tjongarero. The questions have to do with a dam which was constructed in the Swakop River upstream of Otjimbingwe settlement and its effect on the livelihood of Otjimbingwe community. Let me firstly thank Honourable Tjongarero for the questions which I am going to answer in the order that they were presented as follows.

Number one, what was the intended purpose of the Dam? On this particular issue the Swakoppoort Dam was built in 1978 to store water for Karibib town and its Mine the Navakab Mine as well as to serve as part of the three Dam systems that is Von bach, Goreangab and Swakop Port to provide water supply back up to Windhoek. The second question is the Dam needed?

Yes, definitely the Dam was and still needed. The intended purpose why the Dam was constructed is still valid as stated earlier. Karibib town and the Mine are still in existence and we are even trying to find additional sources of water for the two supplied points due to insufficient water in the Swakoppoort Dam. The Windhoek City almost run dry two years ago and one of the sources that save the city was the Swakoppoort Dam. Water was pumped from Swakoppoort Dam to Von bach and supplied further to Windhoek. Question number 3 if not, I think if not needed, can the Dam be reopened so that people can make use of the river for self-support?

The water availability in the Swakoppoort Dam depends on the rainfall that the catchment area receives. During the early years after the Dam was constructed it has been overflowing resulting in the availability of additional water for the Otjimbingwe community that has dramatically changed in the recent years which is characterized by perpetual droughts. The conclusion is obvious that the climate change is a reality. As His Excellency the Vice President stated at the Saskal Ministers Council meeting and I want to quote. 'Climate change is not a mirth'.

As a country we need to work together to mitigate the impact of climate change as well as to adapt accordingly. Opening up the Dam right now is

25 October 2018

**RESPONSE TO QUESTION BY
HON TJONGARERO
HON TJONGARERO**

therefore, not a solution to the challenging situation that is facing the Otjimbingwe community. If it has to be opened up, alternative arrangements must be made for Karibib town and the Navakab Mine as this would have negative consequences as far as water supply is concerned. A different intervention has therefore to be investigated to address the situation at Otjimbingwe settlement. Honourable Speaker, Honourable Members I hope that I have responded to the questions from Honourable Tjongarero and I wish to request for her and all Members understanding regarding this important matter of water supply to our people in general and to Otjimbingwe community in particular. I so submit and I thank you for your attention.

HON SPEAKER: Thank you, Honourable Tjongarero.

HON DEPUTY MINISTER OF SPORT, YOUTH AND NATIONAL SERVICE: Honourable Speaker I would like to thank the Deputy Minister on the answers but I hope that that whatever is to be find because the people of Otjimbingwe and the surrounding areas are really, really suffering so I hope something, the Ministry will do something so that the suffering of those people would be alleviated. Thank you very much.

HON SPEAKER: Thank you. We move on. Question number 120 from Honourable Jennifer Van Den Heever. Honourable Murorua you put the question.

QUESTION 120

25 October 2018

**RESPONSE TO QUESTION BY
HON MUHARUKUA
HON SCHLETTWEIN**

HON MURORUA: Puts the question.

HON SPEAKER: Thank you and the question is directed to the Deputy Minister.

HON DEPUTY MINISTER: Honourable Speaker, Honourable Members Honourable Jennifer Van Den Heever when she put the question, when she asked to put the question, she indicated she want to put the question on the 1st of November and that is how we prepared for the 1st of November this question.

HON SPEAKER: Thank you very much for reminding us. I recall that, yes. Thank you. That stands over. Question number 121. Do you put that question Honourable Muharukua.

QUESTION 121

HON MUHARUKUA: Puts the question.

HON SPEAKER: Thank you directed to the Minister of Finance.

25 October 2018

**RESPONSE TO QUESTION BY
HON MUHARUKUA
HON SCHLETTWEIN**

HON MINISTER OF FINANCE: Thank you Honourable Speaker. Thank you for putting the question to Honourable Muharukua. It was a set of questions set of three. The first question was how much money was paid in total of penalties to service provided which projects and tenders were cancelled? Honourable Speaker regarding this matter I would like to state that most of the projects were rephrased and refinanced as fiscal adjustment. They were not cancelled. When fiscal consolidation was introduced in the Financial Year 2015-2016 and re-enforced in the following Financial Year 2016-2017 projects with no tender awards were postponed and such postponement did not carry economic cost in terms of financial.

For the ongoing projects most of them were slowed down mainly because of the fact that some of such projects were not fully provided for in the budget. The combination of budget over commitments and rescheduling of projects implementation contributed to the accumulation of unpaid invoices and in addition to those invoices which were not reported for budgeting purpose. The total amount of accumulated invoices including authorizing from slow down on projects and penalties amounting to N\$2.1 Billion which was successfully settled in the 2017-2018 Financial Year.

Question 2, the second question was provide this House with the breakdown on penalties for the past three Financial Years. Honourable Speaker as stated above cost penalties arising from capital projects implemented arose as a result of several factors. Some of those costs arose as a result of rescheduling of the project implementation. Others arose out of the over-pricing of projects content management issues. Some of such penalties are and how they arose are still under investigation. The detailed of the penalties I can provide at a later stage the whole list of all projects if the Members is satisfied with that.

Question 3, can you explain how much money were paid on penalties on the mass housing project, oil storage facility project and other major developments? Honourable Speaker regarding the mass housing the Government negotiating team negotiated with 26 contractors whose

25 October 2018

**RESPONSE TO QUESTION BY
HON MUHARUKUA
HON SCHLETTWEIN**

additional claim amounted to N\$628.6 Billion. The Government negotiating team negotiated a total reduction of the initial claim amounting to N\$224 916 864. This figure reduced the initial claim by 36% in favour of Government. So there was no additional cost. That was a reduction of cost.

The total finance settlement account for contractors totaled N\$426 576 302 and this mainly included claims for construction cost as well as additional claims for preliminaries and general costs attributed to starting time and interest on late payments. I also want to make it clear here that the stopping of the mass housing was not because of inability to pay but because of suspicion of overpricing and not due process being followed by the NHE at that time. Honourable Speaker I agree that there are additional cost under the implementation of the dual storage facility that was a second component. However most of the additional cost incurred were as a result of the exchange fluctuation. I want to make it clear that treasuries on record that the tender was approved and awarded with Nam Dollars the currency of cost, it was a Nam Dollar approved tender not a US Dollar. However, let wrong some public officials proceeded to include the US Dollar component which exposed the project to foreign change risk. This matter is still under investigation. It was reported and it is under investigation and the investigation is proceeding.

The other variation amount that is of N\$189 Million came as a result of extension time due to additional work and extended project for six months from this original contract. This extension was approved by the now Public Procurement Board. Other cost arising from context in road and water sectors were risk through refinancing arrangements with the Road Fund Administration and Namwater thus avoiding further incur of penalties and additional costs. Thank you.

HON SPEAKER: Thank you very much. Question 122 the last one. Do you put the question Honourable Van Wyk.

25 October 2018

**RESPONSE TO QUESTION BY
HON VAN WYK
HON NUJOMA**

QUESTION 122

HON VAN WYK: Puts the question.

HON SPEAKER: Directed to the Minister of Land Reform or is it the Deputy Minister. Is she going to respond to this question 122?

HON MINISTER OF LAND REFORM: The last one, Comrade Speaker I request that these questions stands over until I have done proper.

HON SPEAKER: Thank you very much. Are you around next week but we will rearrange it so that we facilitate your availability. Thank you very much. On that note, we conclude all the questions as much as possible. The first notice of a Motion is the one of the Minister of Industrialization, Trade and SME Development. Does the Honourable Minister move the Motion? The Deputy Minister or I think this item should stand over. We will move on. We will move straightaway to the second notice of a Motion is the one of the Honourable Maamberua. Does the Honourable Member move the Motion?

HON MAAMBERUA: Yes, I move Honourable Speaker.

HON SPEAKER: Who second the Motion, any objection?

25 October 2018

**RESPONSE TO QUESTION BY
HON VAN WYK
HON NUJOMA**

HON MINISTER OF LAND REFORM: I object to this Motion because of the must I state the reasons? I strongly object to the Motion Comrade Speaker.

HON SPEAKER: When we have an objection, then we reach a point where the House is divided. Those who would like to support the Motion as proposed and those who are opposed to the proposed Motion, will those Members in favour, yes.

HON MUHARUKUA: I believe it is also correct that when there is an objection the objector must motivate the objection and the person against whom the objection is I understand Honourable Nujoma has elected not to do so.

HON SPEAKER: No, he objected.

HON MUHARUKUA: Yes, he objected without motivation but now the Member who wishes to against whom the objection lies also should motivate why the objection should stand to convince us to vote for him or against him.

HON SPEAKER: No, no, I think we are now extending the discussion because right at the point of objection, we need to resort to determining whether the Motion will continue to be discussed or talked or we will basically not do so, yes, please.

25 October 2018

**RESPONSE TO QUESTION BY
HON VAN WYK
HON NUJOMA**

HON MAAMBERUA: Comrade Speaker if I can get your indulgence.

HON SPEAKER: Yes.

HON MAAMBERUA: A similar Motion of this nature was tabled last year and it was basically injected from this House from the reasoning that we were to await the holding of the second national land conference. Now the second national land conference has come and gone, the Motion is back on the agenda. What is actually the reason that will have you say this is a collective? It is not just a matter of let us just vote but it is a matter of saying what are now the reasons why the Motion cannot be entertained in the House.

HON SPEAKER: Well, alright, now the Honourable Nujoma objected to the Motion. If you want further elaboration, I can ask him to do so, yes, please.

HON MINISTER OF LAND REFORM: Thank you very much Comrade Speaker. I am objecting because of the following reasons. Comrade Speaker you may recall that last year I think around September where the Ministry of Land Reform brought a Bill here before Parliament and some of the opposition Members objected to the tabling of that Bill. That Bill contains the 92 resolutions of the Cabinet Committee on land and incidental matters which has incorporated most of the issues relating to our programs including the sale of land to foreign nationals. The opposition said we wait for the land conference and the land conference we conducted regional consultations. After that we wanted to hold the land conference. The same very people went to the President that there was no adequate consultations. The land conference was postponed.

25 October 2018

**RESPONSE TO QUESTION BY
HON VAN WYK
HON MAAMBERUA**

Eventually after the second regional consultations the land conference was held and those people who have objected to the land conference boycotted the land conference. Now Comrade Speaker let me make it clear. The land conference discuss all these issues and the land conference took resolutions including all those issues he is mentioning and His Excellency the President ordered the Ministry of Land Reform and all those stakeholders and stakeholders Ministries to device an action plan to implement all the resolutions emanating from the land conference. Now Comrade Speaker we are busy with the action plan and also trying to implement immediately all those resolutions, now why should.

I do not understand because the very same people it seems now that the land conference is over, they want to embark on an exercise that in my own view is not opportune at this point in time. That is all I wanted to say.

HON SPEAKER: Alright, thank you very much. I am conscious, yes, just be brief, yes, please.

HON MAAMBERUA: Thank you Comrade Speaker. I am not going to engage I an argument but just to make one thing clear that I think there is a misunderstanding. The Member does not understand the rationale for this Motion. The Motion is seeking to institute forensic audit in the resettlement program as a system. The land conference did not audit the resettlement processes nor was there any resolution about that there should be an audit. We are talking about, wait, wait, wait, please wait.

HON SPEAKER: Just allow him to finish, yes. Please.

25 October 2018

**RESPONSE TO QUESTION BY
HON VAN WYK
HON MAAMBERUA**

HON MAAMBERUA: Let me just finish. The Motion proposed is actually to audit forensically the processes, the transactions of the resettlement program. Therefore, he is talking about different things but he can go ahead. The Motion is a different Motion altogether unless if there are very serious fraudulent, corruption that are being covered at the Ministry of Land Reform, otherwise there is no way that the ruling party can actually oppose and exposure in order to improve on the management of the resettlement program in the future. If you are hiding corruption, if you are covering fraudulent transactions and fraud nepotism so that this is what is going on, then it is for the ruling party. That is the ruling party. That is what you are doing.

HON SPEAKER: Honourable Maamberua, order, order, you made your point very clear.

HON MAAMBERUA: No, I am not done. My point is long.

HON SPEAKER: I am asking you to sit down.

HON MAAMBERUA: No please Speaker you see Namibia is full of corruption and fraud.

HON SPEAKER: I give you the floor to elaborate. I did not do that as yet.

25 October 2018

**ADJOURNMENT
HON PROF KATJAVIVI**

HON MAAMBERUA: I am elaborating and why.

HON SPEAKER: No, no, please sit down please. I want to provide the information about the way forward please. Please Honourable Maamberua please sit down. Please Honourable Maamberua I have not given you the floor. I heard you after the Honourable Nuujoma explained. I offer you the opportunity to explain. You elaborated the purpose of the Motion. Now we have to deal with it within the limited time we have. In a case of a division, now we are at the point of a division, the bell shall be rung and the door shall be locked for two minutes and this is according to Rule 80. We are going to deal with your Motion now on the basis of the division of the House.

That is what we are going to do ring the bell. Can you tell me when there is two minutes? I think it is time now. The two minutes the doors should be firmly locked so we get to the business. So it is done. Thank you. Yes, we will do that. Alright, now do we have the quorum? So we do not have the quorum to decide and we need now I know we are over the time but we do not have the quorum to take a decision. We have a working quorum so can this matter stands over until, are you happy with that Tuesday we can deal with it? Thank you very much. On that note, the House stands adjourn until next Tuesday the usual time.

HOUSE ADJOURNS AT 17:47 UNTIL 30.10.2018 AT 14:30

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
WINDHOEK
30 OCTOBER, 2018**

The Assembly met pursuant to the adjournment.

HON SPEAKER took the Chair and read Prayers and the Affirmation.

**ANNOUNCEMENT IN TERMS OF RULE
20(B) OF THE STANDING RULES AND ORDERS**

HON SPEAKER: Welcome back, a quick one special announcement very important to all of us in this House. Absolutely, it is an invitation to all of us as Parliamentarians required to attend a Gender Responsive Budgeting. It is an important exercise organized in the form of a workshop being held at NIPAM tomorrow starting at 09:00. I have heard a lot about this so I would like to be there so I can hear from those experts to take us through what it means and how important it is. It is basically saying that if we prioritize the whole essence of Gender and being able to respond we also have to know how to budget and make sure that we get it right. So Honourable Members you are invited and I hope many of you will be there if it is not all.

Any Petitions? Reports of Standing and Select Committees? Other Reports and Papers? Notices of Questions? Yes Honourable Minister of Finance?

TABLING: REPORT OF THE AUDITOR-GENERAL

HON MINISTER OF FINANCE: Honourable Speaker, under Reports I lay upon the Table Reports of the Auditor General on the accounts of:

**NATIONAL ASSEMBLY
ASSEMBLY CHAMBERS
WINDHOEK
31 OCTOBER 2018**

The Assembly met pursuant to the adjournment.

HON SPEAKER: took the Chair and read Prayers and the Affirmation.

HON SPEAKER: Honourable Members welcome back. I am just allowing the Honourable Members to find a seat. I was not aware that you can be warn that she is reversing. That is quite smart. I do not know whether many of you are familiar with the little bird that we usually talk about in my home village the little bird that goes around inform the people about who is coming, the guests that are coming for dinner, for lunch and so on but the little bit sometimes can also reveal what we collectively here do things and say. I picked up the information that despite the request that we made for Honourable Members to kindly respond positive to the invitation for responsive gender budgeting, I gather from my little bird that not many people managed to get there and literally disappointing rather.

They were only two Honourable Members who turn up for that event. Well, the Minister of Gender she is here. She might as well be equally angry like me but I am simply saying we hope next time I know you are all busy in all respective functions but I hope we can do better than that next time.

Any Petitions? Reports of Standing or Select Committees? Other Reports and Papers? Honourable Prime Minister.

**TABLING OF REPORT:
ANNUAL REPORT ON THE IMPLEMENTATION OF THE
NATIONAL ANTI-CORRUPTION STRATEGY AND ACTION
PLAN 2016 – 2017**

31 October 2018 **IMPLEMENTATION OF THE NATIONAL ANTI-CORRUPTION STRATEGY**
HON DR KUUGONGELWA-AMADHILA

RT HON PRIME MINISTER: Under reports and papers Honourable Speaker I would like to lay on the table annual report on the implementation of the national entire corruption strategy and action plan for the period 2016 to 2017 and I will just like to make a few remarks before I table the report with your permission. The national anti-corruption strategy and action plan for 2016-2019 was approved by Cabinet for implementation and the steering Committee chaired by the Director General of the Entire Corruption Commission was established to oversee the implementation of the strategy and action plan. The Committee has been coordinating the activities of 22 implementing bodies representing the public and private sector, civil society organizations and the media. Monitoring mechanism has been set up to struck progress on the implementation process.

As at the end of March this year 58% of the activities and the action plan were either completed or at varying stages of implementation while 42% still had to be commenced and amongst those activities that are priorities during this year is the establishment of ethical Committees within offices, Ministries and Agencies that are going to promote the observance of ethics in Government institutions. The report provide the full details of all accounts undertaken and I would like to urge all Members of the House to familiarize themselves with the report. I would now like to table the report Honourable Speaker.

HON SPEAKER: Thank you, other reports and papers, notices of questions, yes, Honourable Venaani.

ORAL QUESTION

31 October 2018

**ORAL QUESTION
HON VENAANI**

HON VENAANI: Honourable Speaker I crave for you indulgence to ask two oral questions, one to the Deputy Minister of Agriculture and probably one to the Minister of Defence.

HON SPEAKER: Can we have the gist of the questions?

HON VENAANI: Yes, Honourable Deputy Minister I wanted to pose this question to you. The village of, no, the town of Rundu is reported, I know you do not deal with urban matters but it has to do fundamentally with water. The town of Rundu is reported to be suffering from thirst and people are fetching water in a river to a point where a child even drown in that town. What is the stand between Namwater and the City Council of Rundu to lessen the burden on the residence of that town that is struggling without water? Two, the village of Okashururu where I hail from for the last five months is struggling with water to a point where I had to collect water in donkey carts just to come and drink water at my house.

What is the situation? How long should the residence of the Okashururu remain without water due to apparently classified pipes faults? For five months we were told this story would be it has reached now a crisis point that is to you. Question number 1 Honourable Minister of Home Affairs this is quite a very serious question what is the citizenship status?

HON SPEAKER: Is that the Minister of Home Affairs?

HON VENAANI: Home Affairs now, the Russian billionaire Orida Sadaro what is the current status of his nationality. We are hearing confidential reports unconfirmed at this point in time from your office that your office is busy preparing some documentation for him to get some permanent residence. Apparently he has none. Are you aware of your

31 October 2018

**RESPONSE TO ORAL QUESTION
HON DR KUUGONGELWA-AMADHILA**

office preparing any status to be changed or to be given for that gentleman and are those issues true or not and what is your Ministry going to do about it to tell us about the status of that gentleman? Thank you very much.

HON SPEAKER: Thank you. The first question definitely falls within the category of big and urgent question. The question directed to the Minister of Home Affairs does not constitute an urgent question. No, no, Honourable Venaani wait a minute. The Speaker does not always talk too much. I preside but honestly the status of this gentleman is he in Namibia legally? The answer is yes but is he not? From what I gather honestly speaking let us be serious to the best of my knowledge the gentleman reside in Namibia but the issue Honourable Minister the gentleman in question he resides in Namibia. He lives here in Namibia legally. The answer is yes, please.

RT HON PRIME MINISTER: Honourable Speaker I would like to be guided to understand the rules. Rule 88(b) in the context of the question that was asked by the Honourable Member. Now the Honourable Member did not really indicate what his interest is, what the reason is what he is posing that question but the question that he is posing includes the name of persons which is prohibited under the rules and the rule say you can only ask questions where you mention the names of people if that is necessary to render the question intelligible and can be authenticated. Now he does not say what he needs this information for in order for us to determine whether it is important for us to respond to that question with an individual's name mentioned. So he should first say what he needs this information for before the Minister would be able to determine whether that question should be answered within Parliament. Thank you Honourable Speaker.

31 October 2018

**RESPONSE TO ORAL QUESTION
HON MUHARUKUA**

HON SPEAKER: Thank you very much. Let me just because I do not want us to dwell too much on this. The fact of the matter this does not constitute an urgent question definitely, yes.

HON MUHARUKUA: Honourable Speaker I will start with the response to the Prime Minister's assertion and then I will come to the urgency part. The crux of the question is this or the purpose of the question and unfortunately Right Honourable Prime Minister we were listening to your question. Honourable Speaker if I am not protected, we are going to (incomplete).

HON SPEAKER: Please, yes, continue.

HON MUHARUKUA: The naming of the person and the crux of the question is the following is that the question without the name of that person becomes nothing one, two, the purpose of the question is the following is to note that this particular individual has been in a deal that is currently controversial and two, therefore the crux of that question is that to make sure that Namibia is not for sale or Namibia citizenship is not for sale to the highest bidder. Now I will come to the urgency part. The urgency in the question is the following. The Honourable leader if you are interjecting like that, then we know we are hitting a note. The Rundu question was alright but this one is not fine. We know. The urgency here Honourable Speaker the Honourable leader of the official opposition said that your office can you confirm whether or not your office is busy processing permanent residence for this person so the urgency therefore is there. The urgency of the question is that tribalism against the Russian.

HON SPEAKER: Alright can we have order now? Let us have order. Are you done?

31 October 2018

**RESPONSE TO ORAL QUESTION
HON SHIWEDA**

HON MUHARUKUA: No, no I am not done. The urgency is this. If the Minister were to answer yes, we are in the process, then our interest in that is to halt that process and that is the urgency of it before it is issued. If indeed he answers no, then of course there is no urgency. So the urgency is in the question whether we are selling Namibian citizenship.

HON SPEAKER: I am going to rule. I think I do not see the urgency in the question. I am asking the Deputy Minister to respond to the question to the Honourable Venaani. Let us listen to the answers.

HON DEPUTY MINISTER OF AGRICULTURE, WATER AND FORESTRY: Honourable Speaker thank you very much. Let me thank Honourable Venaani for the questions posed and I want firstly to state that it is quite unfortunate that a life has to be lost while fetching water in the river. It is unfortunate and I will really feel for the family because of that one. Secondary, I should state that the Government of the Republic of Namibia is committed to provide quality and clean water to all residence within Namibia as well as to livestock and further to the industry in the country. The issue of water crisis in Rundu has been handled between Namwater and the Regional Town Council since 2012. That is as far as this problem is coming and recently it was also brought to the attention of Government at various level.

I must state that even today during the morning hours I have been in meetings with Namwater to discuss this very urgent issue. The issue is being handled at the Ministry level also together with Namwater and the Regional Council and I must state that even the highest office in the land is involved in this issue. Therefore meetings will be held between the relevant Ministries of Agriculture, Water and Forestry and Urban and all other relevant institutions to see how we can find a workable solution to this matter. A lot of details is available and I will really not like to go into detail but let me just say that the issue is well known to the Ministry and we are busy handling it. That is as far as Rundu is concerned. As far as

31 October 2018

**ANOUNCEMENT
HON PROF KATJAVIVI**

Okashuruu is concerned I must really that this matter has not been brought specific to my attention. I have not really seen any documentation regarding Okashuruu. I have a lot of documentation on my table of various towns and village Councils as far as water crisis is concerned at Berseba, Betanie, all those are but I have not received that specific one I must sate Otjituo no. I will really like to request the Honourable Member to forward those information to my office because that has been my preoccupation for the past week. Thank you very much Honourable Speaker.

ANNOUNCEMENT

HON SPEAKER: Thank you, Honourable Venaani would you provide the information. I also happen to hail from there. I will take a detour from the Honourable Member. Can I seek your attention? I know you very patient. You are very, very helpful but I have a particular pleasure to acknowledge the presence of Professor Nobert Lamert in my Speaker's corner in the gallery of the National Assembly this afternoon accompanied by the team from the Konrad Adenuer Stiftung who are catering for the needs provided by that organization both in Namibia and Angola. Professor Doctor Lamert is a former President of the Germany Parliament also known as the Budistan and is currently the global Chairman of the Konrad Adeuer Stiftung in short known as KAS.

He is currently in Namibia on official visit to oversee the celebration of the 30 years of KAS engagement both in Namibia as well in Angola. We are also using this opportunity to sign an MOU with KAS the institution of which he has the honor to be the global Chairperson for the management of specific technical corporation between the Namibian Parliament and the Germany Parliament. Indeed our two countries as you well know and Parliaments do have close cordial good relationship and I personally having served as Namibian Ambassador to Germany, I happen to be there the time when he was at the helm of the Germany Parliament.

31 October 2018

**NOTICE OF A QUESTION
HON MBAI**

Honourable Members during this time as the President of the Germany Parliament Professor Lamert was one of the first high ranking officials in Germany to publicly acknowledge and pronounce the fact that the events of 1904, 1908 involving Germany atrocities against the people of this country amounted to genocide. (clapping of hands from the gallery). We are a country holding this understanding with very much value this kind of understanding and forthright revelation and solidarity in the highest esteem. Professor Lamert you are warmly welcome to Namibia and indeed to the Namibian Parliament. Your visit to this country is much appreciated and we wish you we would like you to know while in this country you are visiting a number of projects and in particular have taken note of your visit to task him some projects in Tsumkwe in Otjozondjupa region and of course, other places. This is something that we very much value through the office of the Vice President. This is an aspect that enjoy a particular attention of the Government of the Republic of Namibia. Professor Lamert we wish you well during your visit to Namibia and we hope you have an enjoyable visit to our country and of course we want you to keep coming now that you are no longer at the helm of the Parliament of the Federation Republic of Germany, perhaps you have a bit of more time to visit us from time to time. Welcome to Namibia. That said and done we will continue for a little while but we will be having a tea break that will afford us the opportunity to do the MOU with our distinguished visitor to the country.

Notices of Questions? Honourable Asser Mbai.

NOTICE OF A QUESTION

HON MBAI: Thank you very much Honourable Speaker. Honourable Speaker I give notice that on the 8th of November 2018 I shall ask the Minister of Youths, Sports and National Service Honourable Uutoni the following question. Honourable Minister unlike many of my peers who

31 October 2018

**NOTICE OF A QUESTION
HON MBAI**

have fallen on bad times upon retiring from playing competitive football some of them not really make any living whatsoever despite the ongoing economic meltdown in our country and elsewhere, there is life after football. Honourable Speaker I personally offered for joining politics after representing the Augustinum High School football club during the early 70s and had the opportunity that time to compete against late Daniel Tjongarero may his soul rest in peace and Nawabeb from Karibib Martin Luther High School and also the same time had the opportunity to play against Morkanepi Anelo may his soul rest in peace that time from Gogra High School.

Honourable Speaker let me express my profound appreciation to the Ministry and the sports Council in general for their support to all sports courts in the country including football. I believe that many of us the supporters of football in the country are very much proud and delighted by the performance of our team the Brave Warriors in particular its couch. Honorable Speaker it is now or never for this August House and everybody else there outside to be updated about the happenings in our football house. We are certainty about the commencement of the Namibian premier league. When is the league going to start?

Our young players need to participate in the league matches so that they can start earning something to put bread on their table under this difficult economic downturn in our country. Although that FIFA regulations prohibit the Government to interfere and intervene in the running of football in general, the ongoing disputes about the NFA Secretary-General and now the dismissal of the NFA President is a big thorn in the flesh of many Namibians. Really Honourable Minister this House need to be informed where are we heading to with our football in this country. I thank you.

HON SPEAKER: Thank you very much. Table the question. Actually the question for the Honourable Asser Mbai raises another important issue. When are we going to constitute our own Parliamentary team and now that I am hearing that Honourable Asser Mbai was one of the active

31 October 2018

**MINISTERIAL STATEMENT
HON ALWEENDO**

players, maybe he should take the responsibility so I can ask the Whips to look into that. Thank you very much. Notices, of Motions, yes, messages from the Head of State, Ministerial Statements, yes, Honourable Minister of Mines and Energy.

MINISTERIAL STATEMENT

HON MINISTER OF MINES AND ENERGY: Thank you Honourable Speaker. I will just like to make a short Ministerial Statement and that statement is on the subject matter that was carried by various local newspaper this week. The subject matter is to do with the discontinuation of additional conditions related to the issuing of exclusive prospective licenses normally known as IPLs and Honourable Speaker in some of the writings an incorrect impression is being created that the Government is no longer interested in local ownership in the Mining sector. Now Comrade Speaker any mining exploration first start with the prospecting and exploration of minerals. The Minerals Act, Act number 33 of 1992 prescribes that the Minister of Mines and Energy shall issue mineral exploration licenses only after satisfying himself or herself that an African of an EPL has satisfied certain conditions.

One such condition is that the African must have demonstrated the ability to do exploration. The law also does allow the Minister to prescribe certain conditions in relation to the issuing of an EPL. The law stipulates that an EPL will be issued for a period of not more three years and it can be renewed for a period of not more than two years. However, the law does not prescribe how often it can be renewed. Honourable Speaker currently we have 909 active EPLs that have been issued covering an area of about 28.8 million hectares. It is important to note that this number 900 EPLs it excludes mining claims that can only be issued to Namibians because the law allows (microphone off)

31 October 2018

**MINISTERIAL STATEMENT
HON ALWEENDO**

HON SPEAKER: Your microphone is off.

HON MINISTER OF MINES AND ENERGY: Now as I was saying currently we have 900 active EPLs covering 28.8 million hectares and it is important to know that that figure does not include mining claims that can only be issued to Namibians. Now of the active EPLs 92% are owned by Namibians and the remaining 8% by foreigners. The analysis we have done so far reveal that of the active EPLs, 40 of those were issued more than ten years ago suggesting therefore that they were renewed at least three times. Our analysis further has shown that most of the Namibians that applied and are issued with EPLs do not unfortunately apply with a serious intention to carry out exploration. Rather they do so with an intention to sale such licenses to potential investors with the ability to do explorations who again unfortunately, happens to be foreign investors.

An argument can be made of course that this is some sort of empowering Namibians and I accept that. However it is equally true that an alternative argument can be made for broader empowerment regime. Now Honourable Speaker once an owner of an EPL has discovered minerals that can be mined commercially, he or she then proceeds to apply for a mining license. Now just like in the case of issuing an EPL, the Minister can only issue a mining license once he or she is satisfied that the applicant has the ability to do mining. When it comes to mining licenses, we currently have 165 active mining licenses of which 58 are owned by Namibians. The majority of the 58 mining licenses that are owned by Namibians are owned by small miners. It was only small miners license can be granted to Namibians and you also may recall that under the Minerals Act, it is only Namibian who can be issued with those mining claims as I said. Now Honourable Speaker sometimes in 2016 the Ministry drafted additional conditions that required that before the application is for EPLs and mining licenses, foreign applicants must first to that at least 5% of the shares of the applicant company is owned by previously disadvantaged Namibians and that at least 20% of the amendment posts are filled by previously disadvantaged Namibians.

31 October 2018

**MINISTERIAL STATEMENT
HON ALWEENDO**

The Ministry engages the Chamber of Mines with regards to the additional conditions where the Chambers was asked to give their input. Now after further analysis, we found that additional condition pertaining to EPLs are not very practical and will be difficult to enforce. Investing in mineral exploration as we know is an expensive and a very risky undertaking, more than the not known minerals are found and the investment so made is the written off. Say for example the 5% shareholding requirement it is the case that there is no value in an exploration entity until such time that minerals have been discovered. With regards to the requirement of 20% amendment, most exploration entities do not have formalized amendment structures.

What you normally found is the situation where you might have one or two geologists and few helpers who are helping to do exploration. A formalized amendment structure is only put in place once minerals have been discovered. It must also be remembered that these conditions the additional conditions were only to apply to the 8% of the EPLs given that the 92% of EPLs already in the hands of the Namibians. It was on that basis that we decided to do away with these additional conditions pertaining to the EPLs only but we have also decided to continue with the additional conditions pertaining to mining licenses because we firmly believe that Namibians must participate in the mining operations.

Honourable Speaker therefore the decision was motivated by our desire to enhance the process of mineral discovery and not to frustrate the empowerment of Namibians in the mining sector. Our objective should be to discover more minerals in the most effective mannerpossible. That was we will have more Mines that will enhance the mining sector contribution to our social economic development not only by creating more employment in the sector but also by contributing more to our fiscus. Honourable Speaker I hope that with these remarks I have clarified the issues satisfactorily. Thank you very much Honourable Speaker.

HON SPEAKER: Thank you very much and thank you very much for managing the time so well precisely 3:40 we go for tea and we are back

31 October 2018 **GAMING & ENTERTAINMENT CONTROL BILL**

here at 4 sharp. Thank you very much. The House stands adjourned for tea until 4.

ADJOURNS AT 15:26

RESUMES AT 16:10

HON SPEAKER: Honourable Members I think we have a working quorum but we hope to increase the number so that we can deal with some of the urgent issues before us.

The Secretary will read the First Order of the day.

**RECONSIDERATION: GAMING AND ENTERTAINMENT
CONTROL BILL**

SECRETARY: Reconsideration – *Gaming and Entertainment Control Bill* [B.12 – 2017].

HON SPEAKER: Does the Honourable Minister of Environment and Tourism move that the Assembly now consider the Bill?

HON MINISTER OF ENVIRONMENT AND TOURISM: I so move Honourable Speaker.

HON SPEAKER: Thank you. It is now moved that the Assembly now goes into Committee. I do not think we can. We are looking for Honourable Kasuto one of the Deputy Whips, yes, please. While we are waiting I think we will rather proceed and come back.

31 October 2018

**BASIC EDUCATION BILL
HON MAKGONE**

The Secretary will read the Second Order of the day.

**RESUMPTION OF DEBATE ON SECOND READING:
BASIC EDUCATION BILL**

SECRETARY: Resumption of Debate on Second Reading – *Basic Education Bill* [B. 4 – 2018].

HON SPEAKER: When the Assembly was adjourned yesterday the 30th October 2018, the question before the Assembly was a Motion by the Honourable Minister of Education, Arts and Culture that the Bill be read a second time. I now give the floor to the Honourable Deputy Minister of Fisheries and Marine Resources. Honourable Deputy Minister you have the floor.

HON DEPUTY MINISTER OF FISHERIES AND MARINE RESOURCES: Thank you Honourable Speaker, Honourable Speaker I am just continuing where I ended last time. I will go to page 50 of the Bill section 48 that deals with quality assurance and subsection 3 reads as follows: ‘The Permanent Secretary may designate in the prescribed manner a staff member of the Ministry as a quality assurance Officer to carry the monitoring and evaluation of all schools including home schools, classes, hostels, support centres and programs’.

Honourable Speaker although I take it that the word may is used which shows that the appointment is not mandatory, I have a question to ask how possible it is that one person can take care of quality assurance of education in the whole country. I am just reading the magnitude of the scope of the work that this person should do when you read the whole

31 October 2018

**BASIC EDUCATION BILL
HON MAKGONE**

section 48. Subsection 4 is giving you the powers and functions of Quality Assurance Officer and there you read what the person should do up to the next page, page 51. When you go to subsection 5 a Quality Assurance Officer must visit state schools and centres for education on his or her initiative and following consultation with the school Boards parents and teachers as appropriate and then should give guidance to the learners, should do this with the school Board, should do this with the teachers the whole country. Is it really possible? We need to make sure whether this person will have the coordinating function of the quality assurance division or is he or she the quality assurance Officer. The scope of the work as set out in this section are currently contained in a document called National Standards and Performance Indicators that is being used by the circuit inspectors when they visit schools for monitoring.

Is the Quality Assurance Officer according to this section a new name for the inspector because according to my view, he or she is going to do the same work that is being done by the inspectorate and if you go further and read this section together with another section, section 93 that is on page 75 section 93(2) subject to section 91(1) a Quality Assurance Officer must submit a report in the prescribed manner to the Permanent Secretary through the Regional Director on all the schools in the circuit of such Quality Assurance Officer so now here it is saying something else that this person is under the Director and this person have schools within a circuit. So this is now saying something else.

So and perhaps it is answering my previous concern whether one person can be responsible for the whole country. This part states as if this person called the Quality Assurance Officer have a number of schools in her or his jurisdiction. This provision can only mean the following. Number one, the Quality Assurance Officer is the new name of the circuit Inspector because only the inspectors are managing circuits or number two, it would mean that the Quality Assurance Officer cannot be one person as he or she has to have a number of schools under his or her jurisdiction according to this second section or three, if the Quality Assurance Officer is not the inspector, then it can only mean that the

31 October 2018

**BASIC EDUCATION BILL
HON MAKGONE**

person that maybe appointed as a Quality Assurance Officer should perhaps have a coordinating role.

Can we please have some clarity on this one? Next is page 55 Honourable Speaker there I will take section 54 and then on page 57 you have the same thing. Here is where the Minister must prescribe the number of school Board members of a state school in accordance with the number of learners enrolled at the state school so the other one is also the school Board members the members that should be prescribed. Here I would just ask that when the numbers are determined because the Minister will be the one determining the numbers of the school Board members, we need to take cognizance of section 60 which is on page 59.

Page 59 is about or section 60 is about the reinvestment of members of the school Board and when you go to subsection 2 a member of a school Board which is on page 60 is to reimburse for his or her travel and other prescribed expenses relating to the school Board meetings. So I am just asking that when the numbers are determined taking into account the many schools that we have in Namibia, we need to take cognizance that they will be reimbursed for their travelling and whatever.

Reimbursement of members of the school Board the more the number, the more money will be used. I am asking from which fund will this money come from. Schools are not allowed according to this Bill to solicit funds from parents. I am perhaps just playing devil's advocate here and from now on just see how many fights and conniving's will be there to become members of the school Board. The school Board meetings will also be regular and at the end the universal funds appropriated by Parliament will have to be used to reimburse the Board members while the learners will be suffering without writing books.

It will happen and because also Honourable Speaker is the travelling so someone will be elected being a school Board member of Aminus and this person will reside in Swakopmund. So all those things should be looked at so from Swakopmund to Aminus is how many kilos. How much will be reimbursed? Because of that Honourable Speaker I propose that on page

31 October 2018

**BASIC EDUCATION BILL
HON MAKGONE**

53 section 69, section 69 is about school development fund and assets of state schools. When you go to subsection 2 paragraph (d) it says voluntary contributions made to the state school by any person and such contributions may include fund raising campaigns or official school related activities approved by the Principal and the school Board.

I propose that there voluntary contribution made to the state schools by any person including let us put in that phrase, including parents so that they can also have their voluntary contributions. Why do we not want the parents to have voluntary contributions? Can we include that to say including parents? Otherwise, we will have problem with this really. That is a least we can do to ask parents to volunteering. The next are just perhaps some omissions that were done. Page 86 section 105 is about payment of allowances to none staff members but when you read the section it says members of the Board who are in the full-time employment of the state are paid such allowances.

So I think something is omitted there because we are talking of none staff members so perhaps it should be members of the Board who are not. I think not is left out who are not in the full-time employment of the state paid allowances. The next one page 91 section 118 subsection 2 administration of fund subsection 2, the Minister may with the concurrence of the Minister responsible finance. I think there is only a word that is left out there responsible for. For is left out there for finance.

Honourable Speaker let me touch on freedom of religion at state schools. Honourable Speaker I am a Catholic born and bread, and still is very proud to be a Catholic but I mean I have my own thoughts and that is what I am going to put forth here. I heard of the reintroduction of Bible studies I agree for the introduction of Bible studies if there is guarantee that the Bible studies will turn everything wrong to right. Why do I say that Honourable Speaker, because Bible studies was the teaching of the Bible, the history within the Bible and the Bible is still here with us in our households, in our churches. It is still in the hands of the Christians. We are claiming to be Christians.

31 October 2018

**BASIC EDUCATION BILL
HON MAKGONE**

Why does it not seem that the teaching of the Bible will only be proper if it is done in the schools? What are we doing as Christians in our households? I myself did biblical studies up to Grade 12. I did it. I just want to say while we are waiting.

HON SPEAKER: On a Point of Order. You are ready.

HON MINISTER OF LAND REFORM: Thank you Comrade Speaker for giving me the floor. My dear young sister Deputy Minister I do not want to go into these issues of the constitution provide for freedom of religion and worship. You can choose whatever religion. Now such a multi-religions country, how will it work if we introduce the Bible or will you look at the majority of the learners who are Catholic or the Anglican or Protestant or Muslim in order to arrive at which Bible will taught in a particular school. As a former teacher maybe you can tell us what would be the best way. Jehovah Witnesses they are here and we have the problem of over subscribe by so many churches. Nowadays you go here is Jehovah Witness proliferation that is the word my dear sister. When these proliferation of all these churches and the abuse which we are learning everywhere, I do not want to go to big churches. Big churches if you say something about the Catholic Church, we know it is Christianity. The Bishop there the Pop is sitting with problems now of abuse. I am just talking about religion in general.

HON SPEAKER: Let us allow the Deputy Minister to come back.

HON MINISTER OF LAND REFORM: So Deputy Minister my question is how do we, what would be the best way to allow Bible studies when it comes now to the determination of is this now Jehovah Witnesses

31 October 2018

**BASIC EDUCATION BILL
HON MAKGONE**

or is it Lutheran or whatever. I am just getting the more I think about this I get more confused. That is the question.

HON SPEAKER: Alright, she will clarify the issue. Deputy Minister please continue.

HON DEPUTY MINISTER OF FISHERIES AND MARINE RESOURCES: Thank you Honourable Minister of the question just what the Minister had to say our constitution. That is where the answer lies. It is just lies there. So Article 3 and we all know what is Article 3. Fundamental rights that is what I am talking about. Now Honourable Speaker I was just saying while we are waiting for that time to come for the reintroduction which I do not know when it will happen. What can we do at household level and at our churches? We as parents what are we doing because we have abdicated our parental responsibilities to the schools. That is what we did and I went it is a pity that today I did not bring the syllabus of Grade 5 and Grade 6 because I heard some Honourable Members said we did biblical studies and we had the Ten Commandments. The Ten Commandments are in that religious and moral in Grade 6 syllabus. I saw it. Perhaps is it the way of teaching nowadays or what? I do not know. It is the kids. What about the parents? We always say the kids. The kids are coming in an environment that is heavenly. The traditional churches still have their religious classes that is what I can thought about. The others I do not know but the parents do not even see to it that their children attend to those classes. If the reintroduction of Bible studies is not happening soon enough as we want, the better is that we do it at home and how good will it be as it would be done in our own languages. In my opinion the real issue is about moral decay in our society and in our country at large. The transferring from moral.

HON SPEAKER: On a Point of Order.

31 October 2018

**BASIC EDUCATION BILL
HON MAKGONE**

HON DEPUTY MINISTER IN PRIME MINISTER OFFICE: Point of order Honourable Speaker I want to ask maybe I should start with a point of information first that number one, I understand your concern with regard to religious education study from homes but the first thing we should understand is that many of these children if we take statistics, we look at the learners who normally live in the cities where they come from, these children sleep in very difficult situation. Their homes is where they come from where your kambashu is just here, the juke box is on and people are using now this tombo and other stuff, tuffle lager and you are talking about the Bible. Is it done for Bible there?

In some instances you will find that there is just more sleeping room, the sleeping room is the same area where people are selling and you expect children to be taught about religious education from home. How will you get this without these parents really getting a proper home of place where they can call from. How possible is this and then in our homesteads those of us who have access to, I mean who have houses takes charge. They will be there watching TV every day. The parents are not there. How will you go about this at such a level where TVs and homesteads are turned into kambashu just too many?

HON SPEAKER: Thank you. Can I briefly bring it to the attention of the House? We have started a day. We are nowhere nearer even finishing the first item on the agenda and honestly Members you might be interested. I will suggest that you make interventions, put your name down intervene, the Honourable Deputy Minister has been on the floor now for some time. You were just about to conclude the day when you presented. I will really urge you towards concluding because time is running out and I am just conscious of the time. Deputy Minister please continue.

HON DEPUTY MINISTER OF FISHERIES AND MARINE RESOURCES: I will continue and concluding Honourable Speaker. I am saying that transferring of moral values is a parental obligation. Whether

31 October 2018

**BASIC EDUCATION BILL
HON DR KANDJII-MURANGI**

you sell tombo or not, you will decide as a parent to sell tombo. That you cannot leave to someone else's hands so Honourable Speaker, Honourable Members I want to conclude by saying a good education begins at home. You cannot blame a school for not nurturing values in your child that you as a parent has not instilled. I thank you.

HON SPEAKER: Thank you very much well done. Next is Honourable Doctor Itah Kandjii-Murangi. The floor is yours.

HON MINISTER OF HIGHER EDUCATION, TRAINING AND INNOVATION: Thank you Honourable Speaker. Honourable Members I rise to make my contribution to the debate on the Education Bill and I know a lot has been said but I will just want to be brief. The guided evolution of our education system of nearly 30 years took the nation through three distinct phases and these are what I call one, integration and consolidation which took place between 1990 and 1995. This phase entailed the reform of the apartheid education system that was fragmented and premised on racial segregation policies. The second phase is what I call access improvement and quality and that spans from 1996 to 2010. This phase focused on addressing the issues of access, equity, quality and quality of the reformed education system.

The last phase is what I call competent talent, development and articulation which started from 2011 and running on up to now. This phase is dealing with ensuring that the education system is responsive to the socio economic needs of our country taking into consideration the country's development aspirations enshrined in Vision 2030 as well as our other strategic plans. This Bill outlines the functions, services, structures and institutions which if instituted and executed well could evolve greater benefits from our basic education system. Honourable Deputy Minister of Education with this Bill yourself, the Honourable Minister and your team do not only aim to diversify and deepen

31 October 2018

**BASIC EDUCATION BILL
HON DR KANDJII-MURANGI**

competences and skills acquired during the basic education years but you are also creating more options for learners upward progression within our education system.

The integration of the pre-TIVET subjects, introduction of ICT in education and other new initiatives that your Ministry is busy with attest to your efforts. Honourable Deputy Minister and all your team you deserve commendation for the broad base framework if at all crafted so ably. Honourable Speaker, Honourable Members education is a cumulative process that starts with stimulating, nurturing and developing capacities, aptitudes, abilities and interest of learners. Application through observations, experiential learning and discoveries uncover within the blocks of education and these are competences, skills and knowledge.

It is true the active participation in engagement of learners that competences, skills and knowledge acquired are internalized. The foundation laid at primary and secondary education levels determines not only the success at tertiary education level but further demonstrates the inherent transformative power of education. To illustrate this a study on the transition from secondary education to higher education cases from Asia and Pacific.

Indian experts concluded that education is the key to individual prosperity, economic security and thus it is also the enduring strength of any democracy. Consultations between the two Ministries of Education in our country are pivotal to the overall success of Namibia's education system. One principle question every educator needs to ask him or herself is how effective is my teaching assessment and evaluation in demonstrating the preparedness and academic maturity of my students for the next level.

Honourable Speaker, Honourable Members let me get to the substantial remarks on the Bill and they are very few but I consider them to be important. Let us turn to page 11, paragraph 4 emphasis should be put on the Minister during the planning phase to consult and engage relevant Ministries, agencies and stakeholders. A closer look at paragraph 4(3)(d)(f) and (i) illustrates my point further and justifies the need to

31 October 2018

**BASIC EDUCATION BILL
HON DR KANDJII-MURANGI**

strengthen consultations with relevant and or affected stakeholders. I think here really what I am emphasizing is the aspect of consultations. Page 50 if you may turn to that, paragraph 48 quality assurance.

I consider quality assurance to be a critical aspect of formal education where consultations between the two Ministries again needs to be underlined. I would like to propose that here we insert in consultation with relevant Ministries and agencies. Honourable Speaker, Honourable Members if we may turn to page 52 paragraph 49 school Boards. School Boards by their very nature demonstrates the entrenched democratic principle of representative participation in the governance of schools and in particular in the education system. This is a localized ownership, leadership, support and accountability structure. Schools Boards are important structures that can make or break schools.

My plea here is that the basic requirements applied to get Board members should be revised or revisited and strengthened. Contemporary governance, principles and instruments should be considered. I further suggest that for some of our schools in the far plan rural and marginalized areas and those schools countrywide that are perpetually showing no improvement of results at exit and terminal grades the constitution of school Boards there should be done differently. Here, I will suggest that a hybrid system perhaps needs to be considered one that includes nominations, expression of interest through applications and indeed elections.

Some drastic changes are urgently needed to protect quality and to safeguard participatory governance and leadership in education at some of those schools. School Board members must add value to education and the governance of schools. In some areas of our country the current generic system of electing Board members has failed and is failing our communities, regions and the nation dismally and this creates a vacuum in the checks and balances that come with the participatory democracy and collective leadership. Honourable Speaker with those few remarks, I support the Bill.

31 October 2018

**BASIC EDUCATION BILL
HON MURORUA**

HON SPEAKER: Thank you. Next is Honourable Murorua.

HON MURORUA: Thank you very much Honourable Speaker if there is no Honourable Member who will contribute today, then I would like to postpone this debate to Tuesday next week.

HON SPEAKER: Until?

HON MURORUA: Tuesday.

HON SPEAKER: There are no takers so we postpone the discussion until next Tuesday so agreed to. Thank you very much. I want to revert back to the first order of the day. We were at the point that I was basically suggesting that it is moved that the Assembly now goes into Committee and that I leave the chair for the Deputy Chairperson of the Whole House Committee to proceed, who seconds that, any objection, agreed. Thank you very much.

ASSEMBLY IN COMMITTEE

HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: The Whole House Committee is called to order. The Committee has to consider the Gambling and Entertainment Control Bill. The National Council considered and pass the Bill subject to the proposed amendment which would be tabled by the Minister of Environment and Tourism in terms of Article 75(6)(a) of the constitution. In their

31 October 2018

**GAMING AND ENTERTAINMENT
CONTROL BILL
HON SHIFETA**

arrangement section in Chapter 9 put clause 102 as amended by the National Council, any discussion, any further discussion? Honourable Minister you have the floor.

**RECONSIDERATION: GAMING AND ENTERTAINMENT
AMENDMENT BILL**

HON MINISTER OF ENVIRONMENT AND TOURISM: Thank you very much Honourable Deputy substitute the following phrase for the phrase 102 appeal to court to 102 appeals to court. It is the s that was missing there. Thank you. I so move.

HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Yes, Honourable Minister table, any discussion, agreed to. I put clause 1 in definition of minor s amended by the National Council. Honourable Minister.

HON MINISTER OF ENVIRONMENT AND TOURISM: Thank you very much Deputy Chairperson we maintained 18 as it was rejected the amendment because they wanted the amendment to be 21. It is a minor definition in here but we are saying a person who is 18 is able to get employment in that. It is not that we have to only consider a person when he is 21. That is a majority of the rate definition but we are not considering that as age of employment because a person who is 18, 19, 20 is an adult can work. Thank you very much.

31 October 2018

**GAMING AND ENTERTAINMENT
CONTROLL BILL
HON SHIFETA**

HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Thank you, any discussion, agreed to. I put clause as amended by the National Council, Honourable Minister.

HON MINISTER OF ENVIRONMENT AND TOURISM: Thank you very much, insert the following sub-clauses after sub-clause 1 paragraph (d) sub-clause 2, the Minister must for the purposes of appointing persons referred to in subsection 1(b) and (c) in writing invite interested persons to apply to the Minister to be considered for appointment as members of the Board and to submit such application within a period specified in the invitation. Subsection 3 if the required application is not submitted within the period specified in the invitation referred to in subsection 2, the Minister subject to this section may appoint a suitable person as a member of the Board. Subsection 4, a person appointed as a member of the Board under subsection 3 is regarded as having been properly appointed as a member of the Board for purposes of subsection 1. 2, renumber the subsequent sub-clauses accordingly.

I so move Honourable Chairperson.

HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Table the Amendment Honourable Minister. Any discussion, agreed to. I put clause 8, Honourable Minister.

HON MINISTER OF ENVIRONMENT AND TOURISM: Thank you very much. Substitute the following heading for the heading of clause 8 disqualification for appointment as members of the Board. We just added as the. Thank you so much.

31 October 2018

**GAMING AND ENTERTAINMENT
CONTROLL BILL
HON SHIFETA**

HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Yes, you can table Honourable Minister. Any further discussion, agreed to. I put clause 56 as amended by the National Council, Honourable Minister.

HON MINISTER OF ENVIRONMENT AND TOURISM: Thank you Chairperson. Substitute the following paragraph for paragraph (c) of sub-clause 1. Paragraph (c) any other licenses issued under this Act is valid for a period of one year unless the Board when granting the application specifies on the licenses the duration of the license.

I so move.

HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: You can table Honourable Minister. Any discussion, agreed to. I put clause 74(e) as amended by the National Council, Honourable Minister.

HON MINISTER OF ENVIRONMENT AND TOURISM: Thank you Honourable Chairperson. We still maintain that this should 18 rather 21.

I so move. That is to reject the amendment of 21. That would apply for that, yes.

HON DEPUTY CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE: Any discussion, agreed to. I shall report the Bill with amendments. Honourable Speaker Committee has gone through the Bill (B12-2017) as with accompanied copies agreed to with amendments.

I so move Honourable Speaker.

31 October 2018

**GAMING AND ENTERTAINMENT
CONTROLL BILL
HON SHIFETA**

ASSEMBLY RESUMES

Bill reported with amendments.

HON SPEAKER: Thank you very much. Having considered the amendments, the Assembly has now finally passed the Bill with amendments and therefore concluded the business on this item. I shall now in terms of Article 75(3) refer the Bill the President to deal with it under Article 56 and 64 of our constitution. So we dispose that important item and we have done the second order of the day.

We are now going to, the Secretary will read the Third Order of the day.

**RESUMPTION OF CONSIDERATION OF THE PUBLIC
ACCOUNTS
COMMITTEE REPORT ON CENTRAL GOVERNMENT
AUDITED
REPORTS FOR THE FINANCIAL YEAR ENDED 31 MARCH
2013/2014**

SECRETARY: Resumption of Consideration of the Public Accounts Committee Report on Central Government Audited Reports for the Financial Year ended 3 March 2013/2014.

HON SPEAKER: This item I think we will defer so that is the third order, the fourth order and the fifth order and the sixth order also to be deferred.

31 October 2018

**VISITS TO MINES AND FISHERY SECTORS
HON SWARTZ**

The Secretary will read the Seventh Order of the day.

**CONSIDERATION OF COMMITTEE REPORT ON THE VISIT
TO THE MINES AND THE FISHERY SECTORS**

SECRETARY: Consideration of the Committee Report on the Motion on Making Government payment System Conducive to Business and SME Promotion.

HON SPEAKER: Does Honourable Swartz, Move that the Report be considered?

HON SWARTZ: Thank you Honourable Speaker, I move that the report must be considered but I am asking the indulgence of the House to postponement both the two reports for next week Tuesday.

HON SPEAKER: Yes, that is the request so decided. Thank you very much.

The Secretary will read the Ninth Order of the day.

**CONSIDERATION OF THE COMMITTEE REPORT ON THE
MOTION
ON MAKING GOVERNMENT PAYMENT SYSTEM CONDUCTIVE**

31 October 2018

**GOVERNMENT PAYMENT SYSTEM
HON SIBUNGO**

TO BUSINESS AND SME PROMOTION

SECRETARY: Consideration of the Committee Report on the Motion on Making Government Payment System Conducive to Business and SME Promotion.

HON SPEAKER: Does the Honourable Heather Sibungo moved that the report be considered.

HON SIBUNGO: I move.

HON SPEAKER: Who seconds, any objection, agreed to. Honourable Member you have the floor.

HON SIBUNGO: Honourable Speaker, Honourable Members the report that I am motivating today was tabled on the 25th of October 2018. This report by the Standing Committee on Economics and Public Administration was compiled after a thorough interrogation and consultation with various stakeholders in the following regions Erongo, Otjozondjupa, Karas, Oshana, Ohangwena, Kavango East, Kavango West, Oshikoto and Khomas. The Committee conducted public hearings with various stakeholders in the regions mentioned above. Several factors relating to Government bureaucracy were sighted as a contributing to delay in payment of suppliers by Government.

Limited decentralization was also sighted as a main cause of delay in payment of suppliers invoices by Government Ministries particularly

31 October 2018

**GOVERNMENT PAYMENT SYSTEM
HON SIBUNGO**

those who have not fully decentralized their functions. Honourable Speaker, Honourable Members line Ministry who have not fully decentralize their function first delay in payments mostly due to bureaucratic procedures involved in processing payment which are authorized by the Head Office in Windhoek. The Committee found that the construction industry was in a dire strait due to delay in payments. The medical profession also raised concern with late payment of invoices which negatively affected their practices. Honourable Speaker, Honourable Members the Committee recommends in its report that the decentralization process should be moved to the office of the Prime Minister to give it necessary prominence. It also recommends that the reporting levels and lines of authority in the line Ministry and Regional Council had to be corrected because Chief Regional Officers which is equivalent to Under Secretary reports to a Director at Head Office which is un-normally.

The Committee further recommend that through and continuous training should be provided on the new Public Procurement Act. Honourable Speaker, Honourable Members the Committee further recommends that the Ministry of Finance and the Ministry of Industrialization and SME Development should conduct training on prudent financial management to SMEs. Thank you Honourable Speaker.

HON SPEAKER: Thank you very much. Any further discussion, in the absence of any further contribution does the Honourable Member wish to reply just for the understanding and support?

HON SIBUNGO: Yes, Honourable Speaker. Thank you very much. I appreciate the silence which make me to be comfortable you know. I was already not at peace. Thank you Honourable Members.

31 October 2018

**VISIT TO OHANGWENA REGION
HON CALEY**

HON SPEAKER: Thank you very much. I now put the question that the report be adopted, any objection, then it is agreed to, so decided. The Secretary will read the tenth order of the day.

**CONSIDERATION OF THE COMMITTEE REPORT ON THE
OVERSIGHT VISIT TO OHANGWENA REGION**

HON SPEAKER: Does the Honourable Caley moved that the report be considered.

HON CALEY: Yes, Honourable Speaker I so move.

HON SPEAKER: Who seconds, any objection, then it is agreed to. Honourable Member you have the floor.

HON CALEY: Thank you Honourable Speaker. Honourable Speaker, Honourable Members it is a great honour and privilege to be granted this opportunity to motivate the three reports of the Committee as stated. First and foremost the Parliamentary Standing Committee on Information Communication Technology and Innovation wishes to express its profound gratitude to the National Assembly for the opportunity and support provided to undertake familiarization visit to assess the usage of ICT and innovation on the above mentioned institution. Honourable Speaker, Honourable Members allow me to provide a brief summary of the report at hand.

31 October 2018

**VISIT TO OHANGWENA REGION
HON CALEY**

The Committee as part of its oversight function embarked on familiarization visit to different regions as stated in the reports. In the health and educational institutions, Ministry of ICT Technology, regional offices and multipurpose community centres as well as NBC and Telecom in the Kavango East, Kavango West, Ojtozondjupa, Omusati and Ohangwena regions. These visit took place during the period of the 23rd May to the 3rd of June 2016, 31st July to the 4th August 2017 and the 14th to the 18th May 2018 respectively. The aim of the visits was to assess and monitor the optimal usage of ICT by educational institutions, health institutions, Ministry of ICT, Regional offices, multipurpose community centres, Broadcasting services and Telecommunication services as well as the effectiveness thereof.

The main findings were that even though the usage of ICT is well-articulated in policies and programs, the implication remains a challenge. Most schools have invested substantial in communication technology infrastructures but it is clear that the lack of learning materials as well as absolute IT equipment hampers the effective teaching learning process in the new curriculum of information and communication technology. Most teachers are not given the required train to master the curriculum of ICT for the teaching learning processes. Lack of time to make use of computers due to intense curriculum and lack of technical support are some of the issues that are barriers in the effective achievement of ICT in the education.

The multipurpose community centre play a crucial and multi appreciated role in the communities because our findings indicated that community members especially in some MTC like Kobless, Edola, Ekongo, Ruacana some services they are no longer have to travel long and costly distances to obtain and access the required services through this MTC, they can acquire the services by using internet. There is a need however to adequately resource these facilities to meet all the ICT needs of the communities hence the need for the permanent structures as well as permanent staff be appointed to ensure continuation of service especially the one who has to coordinate the activities in the communities should be a permanent staff.

31 October 2018

**VISIT TO OHANGWENA REGION
HON CALEY**

Network remains a challenge in some communities has its extreme cases communities for example the Mangeti in Tsumkwe constituency do not have access to radio, TV and mobile phones. It is mainly due to the poor ICT infrastructure as well as the lack of electricity in the area. Honourable Speaker, Honourable Members the Committee further observe that most hospitals and clinics lack ICT tools and skills to elaborate them to enable them to provide better services hence the need to implement E-Health system to all health facilities in all regions in order to enhance quality services delivery.

We appreciate that the Ministry of Health managed to provide all the clinics situated in the rural areas but or findings some clinics in the urban areas thinking maybe they have land light they will operate without cellphones but it is, we recommend that all the clinics because looking at the outcome at clinics where cellphone is provided is really making a different with clinics where the cellphones is not provided because the landlines is not really kept updated by Telecom as it is supposed to be. As Committee Members it is our wish that the Government policy on ICT be implemented fully and rolled out to all regions to ensure all Namibians have access to information and communication technology.

It is in this regard that a number of recommendation in three reports were made to improve and promote the usage of ICT in the country. Among the major recommendations made were for Telecom, the Ministry of ICT and MTC to take the lead in providing affordable infrastructures for the country's communication needs. The Ministry of ICT to continue to create awareness and the promoting on the usage of ICT. The institution of higher learning and the Ministry of Education and Arts and Culture should continue to provide capacity building programs for students especially students who are studying education that we produce teachers which are computer literacy and also for teachers who are in service and learners in the schools.

Furthermore, the Committee recommends that the Ministry of Information and Communication Technology and Regional Councils urgent address the IT staff shortages in the regions and come up with initiatives to attract

31 October 2018

**VISIT TO OHANGWENA REGION
HON CALEY**

qualified IT technicians in the Public Service because our findings is most of the few who are attracted to assist in the Regional Councils, they do not stay for too long because they will find better greener pastures outside the Public Service and it is very important to look at the structures for example regional council, they have administrator and a technician but if you look what they are serving on the Regional Council itself and the constituency, it is a lot of work.

Ministry of Education and Culture they are the most suffering because every region employees only one technician while they are having to maintain the regional offices the circuit offices, library and also all the schools who are offering computer studies. It is really a big shortage the education has to look at. Overall the Ministry of Information and Communication Technology with the involvement and support of all key stakeholders of the ICT industry should find solution to network rural connectivity particularly in the rural areas of our country. Honourable Speaker, Honourable Members with these few remarks I now submit that the reports on the facilitation visit to education and health institutions, the Ministry of ICT, multipurpose community centres, NBC community radio, Telecom in the Kavango East, Kavango West, Otjozondjupa, Omusati and Ohangwena regions be discussion.

I so move Honourable Speaker.

HON SPEAKER: Thank you very much. Those are three reports all combined in that introduction, any further discussion, in the absence of further discussion, I am asking the Member to thank the House for the understanding and support.

HON CALEY: Honourable Speaker I would like to thank the House for the understanding and I hope together we will move ICT forward. Thank you.

31 October 2018

**BUREAUCRACY OF PUBLIC
INSTITUTIONS
HON SCHLETTWEIN**

HON SPEAKER: Thank you very much. I know these reports would be communicated through the usual channel to the relevant line Ministries for the information and appropriate action and a copy as usual should be shared with the office of the Right Honourable Prime Minister. Can we do that? Thank you very much. The Secretary will read the eleventh order of the day. Sorry, sorry, I am behind. I think we have covered that and we are now the 13th. The Secretary will read the thirteenth order of the day.

**RESUMPTION OF DEBATE ON THE CURRENT
BUREAUCRACY OF PUBLIC INSTITUTIONS
THAT HAMPERS EFFICIENT SERVICE
DELIVERY TO CITIZENS**

SECRETARY: Resumption of Debate on the Current Bureaucracy of Public Institutions that Hampers Efficient Service Delivery to Citizens.

HON SPEAKER: When the Assembly adjourned on Tuesday the 23rd October 2018, the question before the Assembly was a Motion by Honourable Venaani that the Motion be adopted. The Honourable Minister of Finance has deferred and I now offer him the floor, Honourable Minister.

HON MINISTER OF FINANCE: Thank you Honourable Speaker. I had consultations with my Colleagues and there are other Colleagues that want to take the floor before myself and the Honourable Minister of Industrialization Trade and

31 October 2018

**BUREAUCRACY OF PUBLIC
INSTITUTIONS
HON ANDJAMBA**

SME Development will take and I suggest that you allow that to happen before I speak.

HON SPEAKER: I got the wind of the consultations and I have the pleasure to call on the Honourable Martin Andjamba. I want to alert the House this is the first time that the Honourable Minister is taking the floor formally and obviously he would be spared of any usual interjection. Minister you have the floor.

HON MINISTER OF PRESIDENTIAL AFFAIRS: Thank you very much Honourable Speaker of the National Assembly Professor Peter Katjavivi, Right Honourable Sarah Kuugongelwa-Amadhila Prime Minister of the Republic and leader of Government business in Parliament, Honourable Members of the National Assembly, distinguished ladies and gentlemen on 28th March 2018 I was sworn in as a Member of this August House and attended my first session as a legislator on the same day. It has been a great pleasure for me to interact with my fellow lawmakers who have taught me so much in the past seven months.

Today is a special day for me and I take this opportunity to express my deep appreciation and gratitude to you Honourable Speaker for allowing me to make my contribution on the debate on the current bureaucracy of public institution that hampers efficient service delivery to citizens. I also thank you Honourable Speaker for making an exception and allowing me to use this opportunity to delivery my maiden statement. As the same goes there is a time for everything and I subscribe to the view that everything else being equal the best time is now. I am aware Honourable Speaker that as a rule I have to confine myself to eh debate on the day.

On this occasion of delivering my maiden statement I once again profoundly thank the President of our Republic His Excellency Doctor

31 October 2018

**BUREAUCRACY OF PUBLIC
INSTITUTIONS
HON ANDJAMBA**

Hage Geingob for giving me this opportunity to serve our country and people as a Member of our legislator and also for appointing me as Minister in the Presidency. I reiterate my commitment to serve the people of Namibia to the best of my ability to bring my experiences and the knowledge that I have gained in my previous national assignments to the service of our country and its people. Honourable Speaker, Honourable Members I am deeply humbled by this opportunity to share with you and the nation at large my thoughts and views on this subject that is so close to my heart and which I believe we as Namibians can work together to bring about positive change to our country.

The supreme law of the land or the Parliament is one of the three organs of the state in our Republic. Our legislature is therefore at the centre of democratic governance in our country. As Parliamentarians we have a sacred duty to articulate issues and propose solutions to challenges that confront our citizens in their daily lives. As such issues are tabled in this Chamber, we as lawmakers have a duty to discuss and deliberate them with the seriousness that it deserve. My statement today premise around the quality of service delivery in our country with specific focus on relationship between attitudes and behavior on service delivery.

In my previous assignments including as Ambassador to different countries and United Nations in New York, I had the opportunity of interacting with people from different parts of the world on missions that I have undertaken to different countries in Africa and elsewhere. I have had the opportunity to not only see but also practically experience service delivery by both public and private sector institutions. Invariably the first reflection and questions that come to mind is to ask how similar services are delivered back home. The inevitably questions that one turns to ask include how does the quality of service delivery in Namibia compared to service delivery in other countries. How can we improve the quality for service delivery in Namibia and lastly what should Namibians do to adopt best practices from other parts of the world in order to strengthen service delivery here at home?

31 October 2018

**BUREAUCRACY OF PUBLIC
INSTITUTIONS
HON ANDJAMBA**

There are broadly held views that levels and quality of services delivery in our country needs serious improvement both locals and visitors to our country have countless examples of poor service delivery by persons and public and private sector establishments. Many stories are told about unbecoming and unacceptable behavior for our officials and personnel at our ports of entry and our police stations and our hospitals, in our offices and other public institutions. Similar stories are told about poor service delivery at hotels, supermarkets, banks, restaurants and other business and service outlets. Such incidents whether in the public or private sector and whether there are actually perceived are detrimental to our country. They create negative sentiment which does not promote or advance our national image.

It does not only affect the establishments when the incident occurs but also tarnishes the image of the country as a whole. It is therefore incumbent upon all Namibians to adopt a strong ethic of excellent service delivery at all times. It does not and should not matter what each of us does. The fact of the matter is that the ethic of excellent service delivery should permeate every facet of our society from the seller of kapana to Secretaries and Receptionist in offices in the private and public sectors, from police officers to clerks and administrators, from taxi drivers to air hostess. From politicians to executive officers, all of us must embrace the ethic of hard work and excellent service delivery.

Important to realize is imperative that this ethic must be translated in actual action. Countries and organizations are not build by good intentions. They are built through concrete actions and deeds. Honourable Speaker, Honourable Members the best thing about embracing ethic of excellence in all that we do is that it needs not to cost a fortune. All we need is a change of mindsets that realization that do so is actually in our best interest as a nation. This must happen at all levels of society and I believe that it is doable. If other countries have done it, I believe that Namibia can and must do it too.

31 October 2018

**BUREAUCRACY OF PUBLIC
INSTITUTIONS
HON ANDJAMBA**

Yes, getting there will not happen overnight. What is important is to start and start in earnest towards that goal. The point of departure should be the realization and admission that change is indeed necessary. We must all admit that only a change in mindsets will have to make Namibia a more competitive nation. The world has become more and more interconnected. Social media and electronic broadcasting any negative incident is spread simultaneously to all corners of the world. It is available for billions to see, the Facebook, Instagram, You-Tube and other such media. The same is true for positive news. It is up to Namibians to ensure that our country becomes a source of positive and inspirational stories. In this manner we will help to make Namibia a winning nation. Honourable Speaker, Honourable Members like most of our fellow legislators in this Chamber I have been in the Public Service for many years. Now I have entered the political arena and I am honored to serve our country both as a lawmaker and a Member of the Executive organ of our state.

The process of nation building is by no means an easy undertaking. The challenges facing our country on the road to prosperity for all are many and vary. Today I shared with you one of such challenge which I believe if addressed resolutely and comprehensively will reposition Namibian on the trajectory towards becoming a winning nation through commitment to excellent in service delivery will overcome the multiple challenges of subdued economic conditions and employment and result in poverty. No one else will do this for us. We must do it ourselves as citizens of this beautiful land of the brave. We must do it in honor of our fallen heroes and heroines from different apaches whose blood waters our freedom. Thank you Comrade Speaker and Honourable Members for your attention.

HON SPEAKER: Thank you very much indeed. I particularly fully endorse the emphasis you placed on service delivery and the high standards of ethic. All that Comrade Minister all that are very much appreciated. Congratulations and well done. Any further discussion, yes,

31 October 2018

**BUREAUCRACY OF PUBLIC
INSTITUTIONS
HON DR HAUFIKU**

Honourable Doctor Haufiku and I hope you can keep within the time available. If not, we will continue with you tomorrow.

HON MINISTER OF HEALTH AND SOCIAL SERVICES:

Honourable Speaker I just want to thank Honourable Member for a very, very powerful statement well-articulated and I felt like it elevated the level of discussion and debate in the House to some really serious levels. I stood up to say something because the sector I am leading that of health is one that is largely in a public domain in this favour about service delivery and attitudes. So I thank the Honourable Speaker for touching on issues of attitudes and positive development. The dilemma I have is how to make sure that this powerful statement that we make permeate up to the very basic. I was just talking to Honourable I forget her name. I was just talking to the Honourable Member from the Ministry of Agriculture when we have the break Honourable Anna Shiwedha. I always mix them up.

They look alike. Anyway on a serious note we were informally chatting and she was telling me how her elderly mother who is admitted to Katutura Hospital is being treated by the nurses or what she encounters and to make matters when the staff hears that she is a Parliamentarian or the politician or Deputy Minister it apparently even got worse. They say we will show her and just two week ago we were in Otjiwarongo with the entire top management hammering exactly about this service delivery, attitude and attitudes, attitudes, respect. It seems somehow there is a disconnect between us and what we say no matter how powerful these statements we are making here. It simply does not reach the very same people there. With us is not so much of a problem because on many occasions I stood in the queue even at the bank or in a shop and want me to go and stand in front of the queue I say why must I stand in front of the queue, because there is this belief they are the Honourable, they are the Minister, they are the politicians. When they come we pretend but the reality here is that they look us from Okongo or an elderly lady from Nuva does not get even the most basic respect no matter what.

31 October 2018

**BUREAUCRACY OF PUBLIC
INSTITUTIONS
HON DR HAUFIKU**

She can be 90 years or she can be disabled having other limitations that does not happen so my question is how do we translate this powerful statement here into reality at the very basic of our society? That is one question. The second one is that human beings are just other beings and that is why we talk about accountability. If this statement we make it a sort of a mini Biblical thing and we want it to implement it and it does not happen, what do we do consequences. It is the necessary I want to leave to the House. Thank you.

HON SPEAKER: Thank you very much Honourable Doctor Haufiku. I share the concern expressed by both of you. We hear things said for instance this thing do affect the image of the country. For instance the Hosiash Kutako International Airport we hear about you know it has become something like normal. People are complaining and it is becoming a sort of one of those things that people have come to accept. On departure people talk about long queues. On arrivals there are issues about attitude the same thing but my quick response is imply to say all of us sitting in this House collectively must network, consult, think about what actions to take.

There must be consequences in the event of people failing to live up to their responsibilities and the two Members of Parliament who presented reports from the regions dealing with different aspects, these are the issues that are basically pinpointing things on the ground. They must be taken seriously and we have to really think about mechanism for the necessary follow up. So I do not have a magic a quick solution but I am simply saying the time has come for us to live up to our mandate as Parliament. Now time is against us. The Honourable Calle Schlettwein would like to come back maybe to postpone the discussion. Yes, you have the floor.

31 October 2018

**ADJOURNMENT
HON PROF KATJAVIVI**

HON MINISTER OF FINANCE: Thank you Honourable Speaker. Yes, I think we are running out of time and I want to postpone this debate until tomorrow.

HON SPEAKER: Absolutely that will do justice to the subject matter. Since we are over the time and I think with all the goodwill and the message we had, we adjourn the House until tomorrow the usual time, so decided. Thank you.

HOUSE ADJOURNS AT 17:45 UNTIL 01.11.2018 AT 14:30

30 October 2018

**TABLING OF REPORTS
HON SCHLETTWEIN**

1. The Town Council of Ruacana for the Financial Year that ended 30 June 2016.
2. The Municipality of Omaruru for the Financial Year that ended 30 June 2017.
3. The Council for Regional Development and Equity Provisions for the Financial Year that ended 31st March 2017.
4. The Veterans Fund for the Financial Year that ended 31st March 2013, 2014, 2015 and 2016.
5. The Heritage Council for the Financial Year that ended 31st March 2017.
6. The Municipality of Windhoek for the Financial Year that ended 30 July 2017.
7. The Regional Council of Oshikoto Region for the Financial Year that ended 31st March 2015 and 2016 and lastly.
8. The Regional Council of the Kunene Region for the Financial Year ended 31st March 2016.

I so move Honourable Speaker.

HON SPEAKER: Thank you. I do not know how, well we have no comment to the one who has spoken after the Minister of Finance. We are now on questions, yes the Honourable Dienda please.

NOTICE OF QUESTIONS

30 October 2018

**NOTICE OF QUESTION
HON DIENDA / HON MAAMBERUA**

HON DIENDA: Thank you Honourable Speaker. Honourable Speaker, I give notice that on Thursday the 8th of November 2018 I shall ask the Minister of Urban and Rural Development Honourable Dr Peya Mushelenga the following. For more than two weeks now the residence of Rundu have been without water a situation that has caused them to travel long distances to fetch water from unsafe sources. A total of six minors deaths have occurred so far as a result of drowning of minors since this crisis stated. My first question:

- 1) Is the Minister aware of this situation at Rundu?
- 2) If yes what is the actual reason why the residence do not have water apparently?
- 3) Please inform us of the measures that are being put in place to alleviate the situation before more minors lives are lost?
- 4) Who is in default in Rundu between the residence and the Town Council itself and how much is owed to NamWater now?
- 5) Has the Rundu Town Council residence been communicated to regarding this issue and how many days after the crisis was that done?

I so move Honourable Speaker.

HON SPEAKER: Thank you.

HON MAAMBERUA: Thank you Comrade Speaker. I give Notice that on Thursday the 8th of November 2018 I shall ask the Honourable Attorney General Dr Albert Kawana the following questions. Honourable Attorney General the following matters need clarification. The

30 October 2018

**NOTICE OF QUESTION
HON MAAMBERUA**

Constitutional oversight function granted to the National Assembly in terms of Article 63 Sub 2 (f)(h) reads as follows:

The National Assembly shall further have the power and functions subject to this constitution to receive reports on the activities on the Executive including parastatal enterprises and from time to time to require any senior official thereof to appear before any of the Committees of the National Assembly to account for and explain his/her acts and programmes that should be read together with Section 64 of the Standing Rules and Orders and Section reads as: “Subject to the provisions of the Constitution particularly Article 63:2(f) thereof Standing Committees will perform the functions, tasks and duties relating to Parliamentary supervision of such Offices, Ministries, Agencies of State Owned Enterprises and Parastatals as prescribed by or under an Act of Parliament.

Now with that preamble Comrade Speaker, thus the following questions:

- a) Kindly clarify why what transpired on Thursday the 25th of October this year on my Motion on Forensic Audit of Resettlement Programme would not amount to transgression of principles of good governance, transparency, accountability and effective oversight?
- b) On what grounds would the Ministry or the Offices, Ministries and Agencies (OMAs) refuse to be subjected to scrutiny through forensic audit by the National Assembly?
- c) Is the Application of Chapter 7 of the Standing Rules and Orders not inconsistent with the Constitutional Article in matters relating to oversight?
- d) What takes precedence in this instance? Is it the Constitutional Provisions Article or is it the Section of Standing Rules and Orders?
- e) If we were to apply Chapter 7 without the proponent of a Motion to be given a chance to motivate, are we then not violating the principle of natural justice of the right to be heard?

30 October 2018

**NOTICE OF QUESTION
HON SCHLETTWEIN**

- f) Why would the decision of the National Assembly to carry an oversight function on a particular Government Agency or OMAs depend on the permission or otherwise of the auditee or the willingness or unwillingness of the executive?
- g) Are you aware that increasingly the barring of Members from motivating the Motion is becoming the order of the day and in my specific case this is the fourth time that it is happening?
- h) If any or some of the matters raised above are of constitutional interpretation nature of which you may not have the requisite power and capacity and/or mandate to interpret would you kindly point out so that we can make that request to the Supreme Court through your office as per Article 87(c) of the Constitution?

I so move Comrade Speaker.

HON SPEAKER: Yes Honourable Minister.

HON MINISTER OF FINANCE: Comrade Speaker, I am in your hands and I just want to enquire whether these questions that Honourable Maamberua has asked is in compliance with the rules and I am specifically looking at the general rules for question, Rule (e)(vi) which says a question shall not be asked soliciting an expression of an opinion or solution of a strict legal question or a hypothetical position. I thought the preamble of the question matches at a legal question which queries legality of an action in terms of the Constitution so I am in your hands but I do believe that we have to interpret that.

HON SPEAKER: Yes, can I deal with this?

30 October 2018

**NOTICE OF QUESTION
HON MAAMBERUA**

HON MINISTER OF FINANCE: Yes.

HON SPEAKER: Yes, I also find Honourable Maamberua you are a long standing Member of this House and we have your Motion. We have not actually finalized your Motion. The Motion is still on the Order Paper. It is one of the issues that we are going to deal with this morning. While we are in the process of doing that you are coming with a question dealing with. Honestly I would have thought you will be the first one to know. There is no way we can do that. You are overloading these issues now. Why this haste? Why are you in a hurry? I really think let us first dispose of your Motion. After that you can come back with whatever explanation and whatever the issue you want to put to the House, we cannot be entertaining your question while we have the very subject we are dealing with still on the Order Paper that is not consistent. Yes please.

HON MAAMBERUA: Yes thank you Comrade Speaker. Two issues, let me deal with the one of the Minister of Finance. Comrade Speaker, the two issues raised by the Honourable Member of Finance my question is not hypothetical. It is based on a factual event that transpired here and therefore it is not hypothetical. That is one. Secondly, the question is directed to the Attorney General in terms of the Constitutional Mandate under Article 87(c) that I quoted. So it is a matter of the Attorney General to deal with this matter appropriately.

On the Speaker's advice obviously this is a very important matter and I am not asking that the Attorney deals with this matter here and then. That is why I am giving notice that the question will be asked on the 8th of November that is next week Thursday so therefore I think I am in order and Comrade Speaker you should allow the question to stand the Attorney General deal with the matter, thank you.

30 October 2018

**NOTICE OF QUESTION
HON DR KAWANA / HON PROF KATJAVIVI**

HON SPEAKER: Yes Honourable Attorney General.

HON ATTORNEY GENERAL: Thank you very much Honourable Speaker. Honourable Speaker, it seems the Honourable Member is not familiar with the functions of the Attorney General. In terms of the Constitution the Attorney General is a principal advisor to the President and to Government not to SWANU of Namibia and therefore the Honourable Member cannot be really directed. That is number one.

Number two, these issues are raised by Parliament in the Chamber called National Assembly presided over by the Honourable Speaker and when there is a division the Speaker will ask a question, “any objection in terms of the rules” and we dispose of the issue in that procedure according to that procedure. The Attorney General cannot overrule Parliament. I so submit.

HON SPEAKER: Thank you. I would like to just briefly share something with all of you here, all of us here as represented in the Chamber. You know a Motion, any Motion when you really want to address a particular issue of concern or importance I sometimes is of the view and this is something that we have done many years. A Motion like this when you call for an audit, I want to constitute on the aspect relating to audit, on the implementation of the resettlement programme if that is the issue that the Honourable Maamberua is concentrating on, is something that you could also use the forum that we normally generally call the Whips Forum where you consult with various Parties. You can harmonize your views etcetera and sometimes it pays when you do that because you are testing the waters in terms of the feeling in the House. Now the introduction of your Motion the way it came across attracted immediate objection. On that basis we chose to comply with the rules as we have it here and that is how we got to the point where we are.

30 October 2018

**NOTICE OF QUESTION
HON MAAMBERUA**

Now we are in the process of resolving that and we are going to do it now. I even suggested let us start with that issue and dispose with that particular matter on the agenda. Now while in the middle of this you posed a question relating to the same subject matter on the agenda. No matter how you rephrase it, it is something that has to wait until we have finalized this because it related to the very subject that we have before us. That is what the rules are actually guiding us that we should do.

Then the Honourable Attorney General to whom you directed the question basically is of the view that you have just expressed now. Now where are we heading to? So my advice is that let the question, we cannot entertain the question for now. Let us deal with the matter and then you can come back with your question whatever way you are going to rephrase it and then we can deal with it. I think that is the kind of ruling I am prepared to offer you. Honourable Maamberua.

HON MAAMBERUA: Comrade Speaker, I need to correct the impression of the Attorney General. I am not asking the Attorney General to overrule the House. I have asked a question and if in the same context of the question I have indicated the possibility which Attorney General can avail to a Member of Parliament if need be to seek Court interpretation of the Constitution and that is within that context the Attorney General will have to answer the question. So the question is still relevant to the Office of the Attorney General.

HON SPEAKER: I would propose we are going to basically repeat ourselves. We leave it at that. Thank you very much. We will not entertain the question until we have resolved this matter. Yes please.

30 October 2018

**NOTICE OF QUESTION
HON MAAMBERUA**

HON MAAMBERUA: Comrade Speaker, could you assist me to know under which rule prohibits a Member from asking a question that if there is a Motion on the floor (interruptions).

HON SPEAKER: Honourable Maamberua it is always a pleasure to listen to you and I am not no doubt that you know the rules as much as anyone else but I am not prohibiting an Honourable Member to pose a question, not at all. I am simply saying the question actually relate to the very subject matter that we are dealing with now. We are going to come to that issue. Let us dispose of that question and then you can pick up your question, you can raise your question and you direct the question as you have done to the Attorney General.

Now the Attorney General has already hinted to the fact that (intervention). Yes but I am not forcing, we will get there. We are not yet there. For now I want us to deal with this issue the subject that the Motion that we have now we are going to go straight to that and we deal with that. We dispose of that one way or the other and then we can entertain any other aspect that you wish to raise formally. For now I really want to proceed. Yes please. (Members protesting)

HON MAAMBERUA: Yes it is Parliament here. Yes if you have got nothing to say keep quiet. It does not work like that. Comrade Speaker can you protect me. Comrade Speaker?

HON SPEAKER: Yes please.

HON MAAMBERUA: Can you assist me, under what rule are you?

30 October 2018

**NOTICE OF MOTION
HON FLEERMUYS**

HON SPEAKER: Yes continue.

HON MAAMBERUA: Are you withdrawing my question? I have tabled the question, under what rule are you withdrawing my question?

HON SPEAKER: The question, let us be governed by logic as well. Your question actually has nothing other than the Motion that we are going to deal with now so I am not going to entertain two things that are linked. I will separate them. The question can be dealt with but not at the same time as we are dealing with the Motion because it deals with your Motion. So that is my explanation. That is it and now we are going to proceed further please. Thank you very much. I omitted something earlier before we go ahead with our normal business. I would like to inform the House that the Honourable Hambyuka Deputy Chief Whip in this House lost his elder brother John Shivute Hambyuka on Sunday and I really wish to convey our condolences to him and the family for this terrible loss. Thank you. Yes it was on Monday. You have our condolences and sympathy from the rest of us in the House.

Notices of Motions. Honourable Fleermuys.

NOTICE OF MOTIONS

HON FLEERMUYS: Thank you Honourable Speaker. I move without notice that leave of absence due to ill health be given to Honourable Clara //Gowases until further notice. So I move Honourable Speaker.

30 October 2018

**NOTICE OF MOTION
HON MAAMBERUA**

HON SPEAKER: Thank you. You do not need to answer. Messages from the Head of State? Ministerial Statements? So we are done. As promised I would like with the consent of the House, we take the subject relating to the Motion by the Honourable Maamberua. I think in view of the urgency of the matter and how important it is I do not want any further delay and I am going straight to that.

The second Notice of a Motion is the one of the Honourable Maamberua. We went through various stages and when we come to this I just want to have the consent of the House, do we agree that we should do that? Any objection to do that, because of the urgency of the matter I think we should do that. We went through all the Motion that the Honourable Member presented the Motion. It was duly seconded. There was an objection registered, yes please.

HON MAAMBERUA: Comrade Speaker, the Motion, very important Motion, your question whether we can proceed where we left it. I would say yes pending, not immediately whenever we are going to take it up because I would ask for your indulgence for me to first be clarified on the issues that I have asked the Attorney General before we can proceed. So let the Motion remain until the week after those clarifications have been granted. Thank you.

HON SPEAKER: Then I really want, you know we need to proceed on the basis of rules governing the proceedings of the House, the standing rules. My recommendation is that for those who were not here we went through the various stages of dealing with the Motion by the Honourable Maamberua as we normally do and we arrived at the point that I had to announce that the bell should be rung and after two minutes we closed the doors as we normally do for the purposes of voting. When we got there we did not have the required number of Members to constitute a decision making and therefore basically the mover of the Motion and the one who

30 October 2018

**NOTICE OF MOTION
HON MAAMBERUA**

objected did not succeed to achieve whatever objective they had in mind so the discussion was inconclusive. So, on that point we adjourned. Now we are at a point where I am going to ask the bell to be rung and to observe two minutes and then we close doors and I will call for a division to vote, that is where we are. But can I conclude? Before I do that I am going to ask the Honourable Maamberua the mover of the Motion whether he is ready for us to proceed because otherwise if we do not do that then this exercise will not reach anywhere unless if we postpone and put it off for whatever reason we have to make progress on this. Now Honourable Dienda you wanted to intervene. Yes please

HON DIENDA: I just want to know, the Motion was put on but was it motivated? Not motivated, was it rejected before it was even motivated?

HON SPEAKER: Yes because as you know the Motion was put as we normally do and we asked, who is seconding the Motion? It was duly seconded and then as I normally ask, "Any objection?" And then at that particular stage there was an objection. So we were forced to go through the normal procedure as required under Rule 80, so that is what happened. So this is where I am now saying to the House and before I will call on the mover to say we should proceed along this line as indicated by me. Is that in order Honourable Maamberua?

HON MAAMBERUA: Comrade Speaker, the answer is no we cannot proceed. I requested that we hold on this Motion up until a certain point in time that I have indicated and I think therefore it is not in order that we shall proceed. Let us hold on to the Motion (interventions).

Yes I am still talking now how can you stand up?

30 October 2018

**NOTICE OF MOTION
HON MAAMBERUA**

HON SPEAKER: Are you done?

HON MAAMBERUA: He is already up. I do not know what he wants to (intervention).

HON SPEAKER: No, I do not want that are you done because I want to move on?

HON MAAMBERUA: Deal with him (laughter). I have the floor he is up.

HON SPEAKER: Honourable Maamberua?

HON MAAMBERUA: Yes I have the floor you are up, what is it now?

HON SPEAKER: Yes on a point of order please?

HON MAAMBERUA: I have the floor.

RT HON PRIME MINISTER: On a Point of Order (indistinct).

30 October 2018

**NOTICE OF MOTION
HON MAAMBERUA**

HON MAAMBERUA: Is it a Point of Order?

HON SPEAKER: Yes.

HON MINISTER OF FINANCE: Honourable Speaker, my understanding is that you put the question to the House and therefore there is no discretion with the Members to say whether it is okay or not. You were just trying to him but the discretion is not with the Member to say it should be held back or whatever, he must just follow the procedures.

HON MAAMBERUA: The ruling is spelt out.

HON SPEAKER: Thank you. It was a courtesy on my part. I am that type of a person. Before I put the matter to vote I just wanted the Honourable Member to be aware from where we are now, we have to proceed and finalize. Honourable Attorney General?

HON ATTORNEY GENERAL: Precisely Honourable Speaker, in terms of the rules, the Member can only withdraw the Motion or the question prior to the question put by the Speaker. The moment the Speaker puts the question it is no longer of the mover it is in the hands of the rules and the Speaker to follow the procedure to the end.

30 October 2018

**NOTICE OF MOTION
HON MAAMBERUA**

HON SPEAKER: Thank you very much. Without wasting time can I suggest that we ring the bell?

HON MAAMBERUA: Honourable Speaker?

HON SPEAKER: Yes please. I do not hear any bell, yes please. Please you have the floor if you want.

HON MAAMBERUA: Yes the Prime Minister is doing her usual things. Comrade Speaker, you asked whether we could proceed or not I said no. Now how can we proceed after that question (laughter). What exactly are you trying to do?

HON SPEAKER: Yes I will provide an answer. Where is the bell? Honourable Members we have got to be serious. I said we are governed by rules. We are now at the point where we will have to vote. After two minutes you close doors, that is where we are. It is as simple as that. You have done your part. You put your thoughts on paper. You presented them. Unfortunately there was an objection. It is not often that we experience that. It is very rare and when we get to that point I will now have to exercise my responsibility according to the rules. So the doors are closed (bell ringing). Are the doors open? Is it time now? Ha? Okay I just want to confirm, two minutes past now all what I am now going to do is proceed with the division or is he allowed coming in?

HON ATTORNEY GENERAL: They cannot come in as well.

30 October 2018

**NOTICE OF MOTION
HON MAAMBERUA**

HON SPEAKER: Okay because I thought we can also make sure that people do not come after two minutes. Now Honourable Members I do not need to remind you to tell you anything you know. Honourable Member take your seat please. Yes Honourable Member?

HON DIENDA:I must bout now, I do not know what am I voting on (interruptions). Can I speak? No Honourable Caley, do not make these things to me, not with me. Not with me, not with me do not try me you will get me. I want to know Honourable what am I voting on, I want to know was the reason that was provided.

HON SPEAKER: We will inform you.

HON DIENDA: Okay thank you, inform me I want to know what I am voting for.

HON SPEAKER: Thank you very much. Honourable Maamberua brought a Motion. We might have a copy here to share with you. Brought a Motion to the House, your Party was represented, Honourable Muharukwa was there I think. Now I would have thought on a particular Session there should be inner Party consultation debriefing so that the Motion by the Honourable Maamberua in short basically he cover the Second Land Conference what happened and the views are very clear about that (intervention).

HON MEMBER: (Not on microphone).

30 October 2018

**NOTICE OF MOTION
HON MAAMBERUA**

HON SPEAKER: Ha? What did I say wrong? Let me read it, it is here.

HON MAAMBERUA: Yes, my Motion is not talking about the land question.

HON SPEAKER: Okay.

HON MAAMBERUA: Second National Land Conference, please. That is the motivation of the (indistinct).

HON SPEAKER: Why can you not give a copy I do not want to waste time? Give a copy to the Honourable Member.

HON DIENDA: What are you complaining about? I was asking what was (indistinct). Everybody I was looking for it is not testimony when I read through the Order Paper I saw the day the Section which will be read and I realized that looking at all these things we might not reach that point and I could not see the reason that is why I am asking. So it is now pushed to the front so I still do not have the evidence of what was the reason so that is all that I am asking, what was the reason?

HON SPEAKER: But the summary of the (intervention).

HON DIENDA: But it is not recorded. It is not recorded.

HON SPEAKER: Okay, it is not written down. The objection was raised by the Honourable Utoni Nujoma basically explaining his point of view and therefore the objection once it is registered I have to call for a division and it is as simple as that. I am not going to sit here to justify one way or the other that is not what I am here for. Thank you. So the doors of Assembly locked, will those Members in favour please rise, in favour of the Motion. In favour of the Motion please rise. Thank you very much.

HON SPEAKER: With those Members against the Motion please rise? Thank you very much be seated. Will those Members abstaining please rise? Two Members are abstaining. Can I provide the results of the voting? In favour 7, against 44 and abstaining 2. So the Motion is rejected. Thank you very much we proceed. The Secretary will read the First Order of the Day.

HON MAAMBERUA: Point of Order?

HON SPEAKER: Yes please. Comrade Maamberua?

HON MAAMBERUA: Yes, thank you Comrade Speaker. You have made several rulings on my question but now that you have dealt with the Motion what is the status of the question?

HON SPEAKER: Honourable Maamberua, the question is not entertained at this stage at all. We wanted to make a distinction, we have done away with the Motion, the question the way how you presented it at

30 October 2018

**NOTICE OF MOTION
HON MAAMBERUA**

this point in time is not being entertained. Thank you very much. Honourable Maamberua, I do not think you should persist like this.

HON MAAMBERUA: Honourable Speaker we are in Parliament and we have come here to represent the people. We are representatives of the people and if we inside here are not clear the people outside there will also not be clear. We are not going to be intimidated by majoritarian rules or practises or democracy ours is a Constitutional democracy and we shall strictly adhere to our Constitutional provisions.

Comrade Speaker, the manner in which I presented the questions as you say is not appropriate. What is inappropriate about asking a Parliamentary question during the time provided for under our rules where we are supposed to ask questions?

HON SPEAKER: Yes I will answer. My answer and I keep on repeating myself I do not know, you linked your question directly to the Motion that was on the agenda and until we dispose of that item I did not see how that question can be entertained. In any case the question was directed to the Attorney General and he in the discussion that went on made indications to you as well that he was not ready to entertain that particular question. So what I want you to do is let us separate this issue. We have done away with the Motion your question if you want to come back with a similar question then come back with that question but it should not be linked. That is the point I am saying. If you come back with that question tomorrow you are free to do so but I wanted to delink from the Motion what was on the Order Paper. It is as simple as that. Thank you very much. Honourable Attorney General you still want to come back?

30 October 2018

**NOTICE OF MOTION
HON DR KAWANA**

HON ATTORNEY-GENERAL: Thank you very much Honourable Speaker. I really concur with your ruling. I think Honourable Speaker if the Honourable Member still feels that he wants to put the question just on general I request my good friend to put that question in writing and at the appropriate time regarding the Thursday I can also respond. I am ready to do so Honourable Speaker.

HON SPEAKER: Thank you very much. This is the point that I was making. I think the objection was really when the question was linked to this particular Motion. Now that we have done away with the Motion nobody is going to refuse you to raise that particular question. So let us leave it at that. Thank you very much.

The Secretary will read the First Order of the Day.

**RESUMPTION OF DEBATE ON SECOND READING
APPROPRIATION AMENDMENT BILL:**

SECRETARY: Resumption of Debate on Second Reading:
Appropriation Amendment Bill [B.4 – 2018]

HON SPEAKER: When the Assembly adjourned on Wednesday the 24th October 2018 the question before the Assembly was a Motion by the Honourable Finance Minister that the Bill be read a Second Time. The Honourable Deputy Minister of Public Enterprises adjourned the debate and I now offer him, yes the Deputy Minister. Yes so we will skip this for now. When you are ready we will come back. The Secretary will, no he is not ready. Well he is not ready but if there is someone who would like

30 October 2018

**APPROPRIATION AMENDMENT BILL
HON BISHOP EMERITUS DR KAMEETA**

to participate you could do so, yes indeed. Honourable Smit you have the floor.

HON SMIT: Honourable Speaker, I would like to adjourn the debate. Nobody else wants to speak, to next Wednesday because I am not here tomorrow and Thursday so I will only be here on Tuesday unless if somebody else wants to speak.

HON SPEAKER: But he will be read tomorrow. But is there anyone who might be ready to speak on this tomorrow? No, so the discussion is adjourned until tomorrow. The Honourable Bishop Kameeta or you are prepared to talk now? Okay fine.

HON MINISTER OF POVERTY ERADICATION AND SOCIAL WELFARE: Thank you very much Comrade Speaker for giving me the opportunity to say a few words on the Appropriation Amendment Bill. This particular Bill is speaking to the context in which Namibia is finding herself in. It is listening to what is going on and it wants to redress the situation. It is so in life that decisions or plans which do not take into consideration the context are very much destructive and can destroy even the lives of the people.

Therefore I want to congratulate the Minister of Finance Comrade Calle Schlettwein and also the Director General of the Planning Commission Honourable Obert Kandjoze for this well crafted Amendment Bill. One can see Honourable Speaker that a firm foundation has really been laid when it comes to the Ministry of Finance and I am thinking here of the first Minister of Finance Dr Otto Herrigel followed by the Honourable Gert Hannekom and all the eminent people persons who served as

30 October 2018

**APPROPRIATION AMENDMENT BILL
HON BISHOP EMERITUS DR KAMEETA**

Ministers of Finance including our Right Honourable Prime Minister who is also now here. So this, there is a firm foundation laid listening to the people, looking at the situation and doing things which will then address the situation. As I have said earlier decisions taken without taking into consideration what is happening on the ground can be very much destructive and I want very briefly Comrade Speaker Sir, take an example of those decisions which were taken without looking at the situation on the ground and this example is based on the question which was raised on Thursday by the Honourable Tjongarero on the Swakoppoort Dam and the building of a dam is something good. It holds water which can be then distributed all over the country. But the unfortunate thing is that that decision as I have said and I am using it as an example did not take the situation on the ground. I have no quarrel with the response which was given by the Honourable Deputy Minister because it was just a technical response. He did not take into consideration the historic background and I do not want also to say that it was wrong because he was not asked to give also a historic background.

But the building of the Swakoppoort Dam killed Otjimbingwe immediately. Those people or the village of Otjimbingwe I would say was a proto type of a vision of an independent Namibia because you had all the people there and they lived together in harmony. The, and there is no such word as Swakop, it is Swakop the only word which the Bishop will be allowed also to say in public (laughter). So the Swakop River was the full bank of that particular village and we did not know there and I grew up there, I was born there we did not know anything about object poverty. The people took care of themselves and the corn fields in the river were not just something for survival but it was a meeting place. When they go out then to plant on all these people came together and they were sharing food together. It was a celebration and also when harvest time came and this brought the people very close together.

So it was one place which really did not know hunger at all but when this dam was built the whole place was completely destroyed. That is why I said when decisions do not take into consideration the situation on the ground then it becomes destructive. Of course I suspect that the building

30 October 2018

**APPROPRIATION AMENDMENT BILL
HON BISHOP EMERITUS DR KAMEETA**

of the Swakoppoort Dam was not only to supply water to the villages and settlements which needed water but it was some kind of a punishment also because the people of Otjimbingwe refused to be moved to the so called homelands. We had very said this is our home we are not going to be moved. prominent, very strong traditional leaders there and I can remember the two Lot Osomuab and Petrus Muvengua they just if this building of this dam was something genuine then consideration could have been given that this dam could have been built downstream so that the people can continue with their livelihoods but that was not done. It is a tragedy and for all of us who knew about this place it is a tragedy that this place was liberally killed not to survive again in 1978. So I wanted just to mention this. I do not know whether anything can be done to bring back the past into the present and help these people to survive. It is now when you go there the people are living in acute poverty, it is alcohol, it is drugs and everything. It is a pity that these kinds of things could happen in this beloved country but I want us to make this very much clear, the history behind the Swakoppoort Dam. It was a decision which did not take into consideration the lives and the livelihood of the people.

As a future if we can avoid these kinds of things and therefore I thank the Finance Minister for taking these kinds of decisions which are democratic and taking into account the context and the situation on the ground. I thank you very much Comrade Speaker.

HON SPEAKER: Thank you very much Honourable Kameeta, you have given us a kind of a flavour. They say in order for us to understand the present and the future we need to look back and by looking back on the history of Otjimbingwe and the surrounding area you enlighten us in the House and beyond to fully appreciate the challenges faced by the community in Otjimbingwe. Like you in my childhood visiting family members in Otjimbingwe I remember observing the fact that Otjimbingwe was a kind of flourishing community it was always surrounded by water and perhaps it is not too late for us to look into some of those factors that might help us find answers to some of the challenges surrounding

30 October 2018

**ADOPTION OF REPORTS
HON PROF KATJAVIVI**

Otjimbingwe but it is not for now but your contribution is much appreciated. We leave it at that for us to continue next Wednesday. So decided. Thank you very much. The Secretary will read the Second Order of the Day.

HON SPEAKER: When the Assembly adjourned on Thursday the 24th of October 2018 the question before the Assembly was a Motion by the Honourable Minister of Education, Arts and Culture that the Bill be read a second Time. The Honourable Deputy Minister of Fisheries and Marine Resources had the floor and she is required to conclude. I do not see her there so maybe we will skip and when she comes back we can offer her the floor.

The Secretary will read the Third Order of the Day.

**PUBLIC ACCOUNTS COMMITTEE REPORT ON
CENTRAL GOVERNMENT AUDITED REPORT
FOR FINANCIAL YEAR ENDED:
31 MARCH 2013/2014**

SECRETARY: Public Accounts Committee Report on Central Government Audited Report for Financial Year Ended 31 March 2013/2014.

HON SPEAKER: When the Assembly adjourned on Tuesday the 23rd of October 2018 the question before the Assembly was a report by the Honourable Kavekatora that the report be adopted. Any further questions? Can we skip this to afford the Member to reply? Thank you

30 October 2018

**ADOPTION OF REPORTS
HON PROF KATJAVIVI**

very much, so decided.

The Secretary will read the Fourth Order of the Day.

**CONSIDERATION OF THE PUBLIC ACCOUNTS REPORT ON
STATE-OWNED ENTERPRISES FOR THE
FINANCIAL YEARS ENDED
31 MARCH 2005 TO 2014**

SECRETARY: Consideration of the Public Accounts Committee Report on State-Owned Enterprises for the Financial Years Ended 31 March 2005 to 2014.

HON SPEAKER: I suspect this would be applicable to all three, so we will skip all that until the Honourable Member is back so up to the Sixth Order is it not? Am I right? Thank you very much.

The Secretary will read the Seventh Order of the Day.

**RESUMPTION OF DEBATE ON
THE REPORT ON THE IMPLEMENTATION OF
THE ENVIRONMENT MANAGEMENT
ACT OF 2007**

SECRETARY: Resumption of Debate on the Report on the implementation of the Environmental Management Act of 2007.

30 October 2018

**IMPLEMENTATION OF ENVIRONMENT
MANAGEMENT ACT OF 2007
HON SHIFETA**

HON SPEAKER: When the Assembly adjourned on Tuesday the 23rd of October 2018 the question before the Assembly was a Motion by the Honourable Minister of Environment and Tourism that the report be adopted. The Honourable Minister of Environment and Tourism adjourned the debate to afford him the opportunity to reply to some of those questions. Minister you have the floor.

HON MINISTER OF ENVIRONMENT AND TOURISM: Thank you very much Honourable Speaker. I am just checking now something here quickly. It is taking ages. Thank you very much Honourable Speaker. I want to respond to the questions there as during the discussion of this report. The report focuses on four main areas in which compliance is sought from Offices, Ministries and Agencies (OMAs).

- 1) The applications for Environmental Clearance Certificates when undertaking listed activities.
- 2) Preparations of strategic environmental management plans for policies, plans and programmes of organs of State.
- 3) Fulfillment of roles and responsibilities as competent authorities and
- 4) Compliance with the Waste Management provisions within the Environmental Management Act, Act No.7 of 2007.

The Ministry has worked hard to sensitize local authorities that Waste Management is a listed activity under the Environmental Management Act and to improve standards of Waste Management and the waste disposal sites. The highly relatively pleased that there a continuous and this continues to be a steady intake of applications for Environmental Clearing Certificate from Local Authorities for Waste Management and waste disposal sites and we have submitted to the Ministry of Justice eleven waste disposal sites that we are planning to have declared in terms of the Environmental Management Act. These are the first eleven waste disposal sites that will be declared under this Act. As of now all the disposal sites are illegal. So after this there is a first batch of disposal sites they will be then legally managed as waste disposal sites.

30 October 2018

**IMPLEMENTATION OF ENVIRONMENT
MANAGEMENT ACT OF 2007
HON SHIFETA**

2. The implementation of the Environmental Management Act No.7 of 2007 is that the core of the work of the Directorate of Environmental Affairs in the Ministry and it involves a wide range of functions including processing application for Environmental Clearing Certificates to monitoring and enforcing environmental management plans and a broader compliance with the Act and also operationalization of the Sustainable Development Advisory Council. The Sustainable Development Advisory Council was operationalized in 2013 the Council has produced annual reports since its inception but this has not been published in each of these years due to budgetary constraints.

The 2015/2016 and 2016/2017 Annual Reports of the Council that is now the Sustainable Advisory Council, were taken to the National Assembly in March 2018 that is the requirement by law that every year this report, after submitted to the Minister 30 days thereafter that because it has to be submitted to the Council but we managed for these two reports 2015, 2016 and 2017 the one that is the year under review will be soon finding its way to Parliament.

3. Approximately 82 sites were inspected that is the question that was posed by the Member. 82 sites were inspected during the period under review mainly in the Erongo, Hardap, Kavango East, //Karas, Khomas, Kunene, Omaheke and Zambezi Regions. This covered a wide range of sites including waste coastal sites, mines, sand mining operations, clinics, hospitals, tourism operations, schools and hostels. The question was why only these regions? Now these regions in fact the rest of other regions were already listed in the previous Financial Year and so we continue to these regions that remained regions which I mentioned now there. So all other regions were listed and inspections were done and a report is contained and all this information is contained in the previous report.

Dedicated regional inspections are planned on the annual basis and are carried out in accordance with the resources available. The availability of resources open the constrains therefore it is not possible to carry out inspections in all regions within one in all the 14 regions that is why we

30 October 2018

**IMPLEMENTATION OF ENVIRONMENT
MANAGEMENT ACT OF 2007
HON SHIFETA**

normally do it that way. We are also planning to have regional staff and if we have regional staff and also train those environmental practitioners. If they are trained and linked to our offices those who are either in the Local Authorities, employed in Local Authorities and also Regional Councils and other institutions these are environmental practitioners that can then be linked to our office and we cannot solely rely on them but we can use them for such kind of work and eventually maybe have them a professional body. We have a professional body these are now environmental practitioners. They will be into abide by the professional rules. There are rules and then do as professional as possible so that the report is not being twisted.

The northern regions that were not inspected as I said during the 2017/2018 Financial Year were covered during the 2016/2017 Financial Years. In addition to the planned inspections, ad hoc inspections are carried out based on complaints received from the public and through report. These incidences reported were not considered significant enough some of them in terms of the regional coverage to be reported as regional inspections. The sub division of environmental inspection in the Ministry has got only four environmental inspectors to ensure effective countrywide inspections all personnel under the Division of Environmental Assessments have been involved in the environmental inspections but this has also implications on the time needed to process the Environmental Impact Assessment Report because all of these people sometimes find themselves in the field. Thus, it is difficult to find a balance between these two important duties. Environmental inspections often require off road four-wheel tyred vehicles which is also a challenge and at the moment it is not possible to dispatch modern tool inspections to inspection teams at that given time and it is also considering employing environmental inspectors to be located in regions as part of the effective decentralization due to the vastness of our country, it is costly to undertake environmental inspections. If the regional environmental inspectors can be appointed it would ensure quick and effective response to issues of environmental concerns and would improve the eyes and ears of those on the ground.

30 October 2018

**IMPLEMENTATION OF ENVIRONMENT
MANAGEMENT ACT OF 2007
HON SHIFETA**

There was also a question from only 24 compliance orders were issued and that in fact the 58 were not in compliance from the 82 sites inspected. A compliance order is normally given to or when an individual that means a person whether it is natural or juristic person is believed to have contravened the law but contravened the Environmental Management Act and then the compliance order for that person to act or to rectify and the activities that team handles that maybe they are serious to handle to the social and environment and means to monitor compliance to the Act. The Ministry monitors a total number of sites that were inspected and a total number of compliance orders that were issued.

In the case of the 2017/2018 Financial Year this means that the 82 sites were inspected and the 24 sites were found to be in contravention of the Environmental Management Act and issued with this either notification to comply or with full compliance order because the notification is to say you are out of the way so you must certify. It is not really serious but you must comply either with the Environmental Management Plan or you must do something but when a person is issued with a compliance order that means that is very serious and is given conditions to comply to rectify that and also there is diaphragm if you are given 20 days to rectify and the inspector found again in none compliance that means the activity can be closed immediately because sometimes it is a threat to human lives or threat to environment.

4. Clients were also asked to solicit their views with regards to the following statement to gain an overall impression of clients views of the efficiency and effectiveness of the environmental process:

- 1) The process is simple and effective.
- 2) The process is too long and complicated that is now to the questions.
- 3) The process is rigorous and contributes to the environment protection
- 4) And also the process is open and transparent and lastly,
- 5) The Process ensures adequate consultation.

30 October 2018

**IMPLEMENTATION OF ENVIRONMENT
MANAGEMENT ACT OF 2007
HON SHIFETA**

The survey is aimed at improving the process of applying for environmental clearing certificates is also aimed to measure a satisfaction of clients in dealing with the service providers that is now the Ministry of Environment and Tourism. It is planned to track the findings of the survey overtime and to use the recommendations to improve our performance with the client satisfaction.

5. The number of sand mining accidents and the rehabilitations. The activities of sand mining have been a major concern in Namibia and have been carried out both for household and commercial purposes. All the activities are contributing immensely to the economy of the country but also has the impacts on the environment if not properly managed. It threatens food security with agricultural land being degraded and converted into sand mining fields some people started to sell their fields and to the business people who have got tipper trucks they come with excavators in a field of a person without a clearing certificate and what is left eventually is just a bare pit and that means that that person will not have any produce because the whole field has turned into a kind of a sand mining activity. The extraction of sand mining from river streams, flood plains and the channels also compromises the functionality of echo systems and that is what we find along the rivers people will sell, they come and mine sand from there and they go and sell to nearby towns and it also damage the echo system especially the river echo systems and which is also according to our constitution must by all means maintain our essential ecological process and also our echo systems. It is in the law but these are activities which are undertaken without any guidelines from the Environmental Commissioner or any environmental plans not even the environmental certificates.

Furthermore it is also associated with the impact such as noise, dust, pollution, visually unpleasant landscapes, pollution and that is now solid ocean and also it affect road infrastructure and other build up areas. Somebody just, sand mining also has to do with gravel mining as well that if a person gets a contract they can, wherever they find materials for constructing the roads they just come there and dig whether it is close to

30 October 2018

**IMPLEMENTATION OF ENVIRONMENT
MANAGEMENT ACT OF 2007
HON SHIFETA**

the road they do not mind and many people perished in these pits and animals. Just close to the road, if a tyre or something happens to the car to get off the road it will just end up in there. Normally a person is supposed to survive but because it is a nearby pit and people call them dams, these are not dams but they are just pits that are left un-rehabilitated. Therefore, I have already set a tone with the road contracting company and those who are responsible that we have identified Ministry of Works and Transport as a Ministry that is supposed to come up with environmental management blame to manage the activities with regards to road contractors who want to do contracts to do the construction work so that they can have wherever they take material with of course the Mines and Energy because mining is a competent authority the Ministry of Mines and Energy so they must at least before that they must get the authorization from the Ministry of Mines and Energy to do that and then the Ministry of Mines send them as competent authority to the Environmental Commissioner for Environmental Clearing Certification and then we will be able to identify. If they identify a place then that place has to be given a clearing certificate that specific place. If the spot is not complying with the law or with the rules that are there and with the environment so it has to, another site has to be solicited for that matter. Now what happens is that there were (intervention).

HON MEMBER: (Not on microphone).

HON MINISTER OF ENVIRONMENT AND TOURISM: Yes that is one of the things. There were under this Financial Year we had people who perished. We have also a child who died at Rehoboth. There is a bowl pit which was left by a contractor and that was the bowl pit that was mined illegally and then you know children go and play there and a child died there. It was last year and also not only that we also have so many kids that there was a time that three kids died while they were playing this

30 October 2018

**IMPLEMENTATION OF ENVIRONMENT
MANAGEMENT ACT OF 2007
HON SHIFETA**

hide and seek and had to did for that bowl pit. What they are interested in is just extracting the material they do not mind whatever will happen and you know if it I raining for instance the water will fill up and people die there. What they are interested in is just extracting the materials. They do not mind whatever will happen and I know if it is raining for instance water will fill up and people die. What also sometimes becomes dangerous is that kids come and play there especially when it is sandy they dig holes there and what happened one time is that three kids died there because what happened is that the other child was on top of the sand and the other three were now hiding there under so that is what happened that the whole thing just collapsed and obviously it pains. That is why we were saying that if there is anything to mine is material. There should be Environmental Management Act to direct a person how to do it, what to do and even to make sure that no children play there until the area is rehabilitated. Also somebody died in Endamukungungu in Ohangwena Region (indistinct) that was last year and also this is now accident that happened last year. Also there was a family and a house was because the headman sold the area to the business somebody to extract material from there and then what they have done is that that business person just started extracting material and then hindered the entrance of the family to their homestead. So that the whole family could not access the homestead because of these kinds of activities undertaken, when the headman did this they gave to different business people who come there with tippers and it is really a serious mining activity and they do not consider whoever is there other community members that is why the process requires that Traditional Authorities should also consult communities so that they would be able to identify when the sites are identified communities should also be involved whether they are being with the extraction of these natural resources because these natural resources belong to the communities. Also we had different animals which died and perished in these mining pits in different areas we cannot enumerate them now here and lastly.

Mine action was taken. There was a question whether we had taken action.

30 October 2018

**IMPLEMENTATION OF ENVIRONMENT
MANAGEMENT ACT OF 2007
HON SHIFETA**

1. The compliance order was issued to Rehoboth Town Council to rehabilitate a bowl pit and stop sand mining activities until an Environmental Clearance Certificate is issued, that is now the pit that the child died and also Roads Authority was directed to rehabilitate the Endamukungungu there were others not only this one but also other bowl pits that were left un-rehabilitated. That is the possibility of the competent authority to ensure that once activity has been undertaken and completed that area must be rehabilitated. Several meetings were held with Traditional Authorities to sensitize them on the requirement for sand mining operations to be in possession of the Environment Clearing Certificate before they start operating. Now what we have also decided is that and we agreed with Traditional Authorities that Traditional Authorities should be the ones to apply for Environmental Clearing Certificates because that mining area will be mined by many different business people therefore the Traditional Authority should be the one to apply for the Environmental Clearance Certificate and they have done so many of them and they are in the process of receiving this Environmental Clearance Certificates.

With this I want to end up here and I want to thank Members for this. Thank you.

HON SPEAKER: Thank you very much. Given that this was a reply from the Minister I now put the question that the report be adopted. Any objection? Agreed to. Good we move on to next item.

The Secretary will read the Eighth Order of the Day.

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON NEKUNDI**

BORN IN THE SUSTAINABLE AND DEVELOPMENT ERA

SECRETARY: Born in the Sustainable and Development Era.

HON SPEAKER: Does the Honourable Hoffmann move that the report be considered? Oh yes?

HON KASUTO: Yes thank you Honourable Speaker. Honourable Speaker, may I ask for the indulgence of the House to postpone that item to next week Tuesday as the Honourable Idah Hoffmann is out of the country on an official duty. I so move Honourable Speaker.

HON SPEAKER: Thank you, can we do that. Do we agree to that? Thank you very much.

The Secretary will read the Ninth Order of the Day.

**RESUMPTION OF DEBATE ON THE FORMALISATION
OF THE INFORMAL SECTOR**

SECRETARY: Resumption of Debate on the Formalisation of the Informal Sector.

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON NEKUNDI**

HON SPEAKER: Yes when this Assembly adjourned on the Tuesday the 23rd of October 2018 the question before the Assembly was a Motion by the Honourable Agnes Kafula that the motion be adopted. The Honourable Deputy Minister of Home Affairs and Immigration adjourned the debate and I now have the pleasure. She is not available but the Honourable Deputy Minister, are you prepared to participate?

HON DEPUTY MINISTER OF PUBLIC ENTERPRISES: Yes.

HON SPEAKER: Thank you very much.

HON DEPUTY MINISTER OF PUBLIC ENTERPRISES: Thank you very much Honourable Speaker. In fact she has asked that it be postponed to tomorrow, if not that is she is going to speak after me. That being said Comrade Speaker, first and foremost let me sincerely appreciate Honourable Kafula for tabling such a very important Motion as usual tabling motions that are talking to the reality that our people are eager to listen to and hear and issues to be addressed on that are impacting on their lives.

Honourable Speaker from the onset looking at the Motion I would try to speak directly to the content of the Motion but also alight some elements as it may allow. Honourable Speaker, as I said this Motion is coming at a right time. When you look at the Motion of Honourable Kafula it speaks of the persons who are in the informal sector economy and she has given a classical example of regions where a group of women who are trading or selling their products in the Independence Avenue. They have been restricted on that particular day. I do not think it started only on that day where these people are extremely mistreated. From a number of locations that they are being mistreated and I do not think really that I will be

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON NEKUNDI**

comfortable to see agencies that ought to protect the dignity of our people but the way they are mistreating these people is really of, we call it barbaric nature but it is very inhuman nature, for me it is inhuman nature. When you look at the law being applied at as Honourable Kafula has said, these are 1977 laws and these are DTA sponsored laws of 1977. These are DTA sponsored laws and now transformed to PDM and rightly so that we have been fighting against such laws that really have disregard to our people. It does not just reflect well but twenty-eight years to independence we still have laws of that nature (intervention).

It is imperative that one would consider that these laws really be done away with. I do not think really that in one's right mind if the opportunity or the space is availed one would just stand up and say whatever he or she feels on trade, I do not think so. I think we need to ask ourselves.

- 1) Are these people trading where they are trading by choice or because there is no space available for them to trade on?
- 2) Are we saying these people should sit idle at home waiting for Government handouts increasing the Public Expenditure Bill by giving them extra grants, food and things like that or what are we saying? How do we (intervention).

HON SPEAKER: Yes is that a point of order?

HON DEPUTY MINISTER OF PUBLIC ENTERPRISES: With General I will sit down.

HON MINISTER OF SAFETY AND SECURITY: Thank you very much Comrade Speaker. I possibly would want to give information or clarity because people are complaining of Police. Police are being condemned 'Police are being

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON NEKUNDI**

brutal and what a view and so forth'. The Police in this country whether City Police or National Police only act on the rules. Oh yes rules whether we have so many rules which are very old if you are told do not pee in the street and you pee whether it is 1925 or 1914 you cannot pee in the streets. We will arrest you if we find you peeing in that street. No, no the laws that we have whether it is 1977 and so forth is that you should not trade or block other shops of other people who are trading there. Of course you are right to say are they not finding, maybe the Municipality should find places for these people to trade in but to say they should trade wherever they want to trade and the Police should just look at it. Somebody gave an example that people I think you have been to West Africa or wherever and other place, literally streets which are lost because of the crowding of people who are doing business there. There was a street and the street is blocked and there is no street and I think we are not going to allow that. At least we should encourage the Local Authorities to create the places for businesses rather than attacking or blaming the Police and so forth. They are doing their job. Also they would not do it you would still blame them, 'Why are they allowing people just to be scattered in the street', so I just want to give information Comrade Speaker.

HON SPEAKER: Thank you very much. I am sure the Honourable Nekundi you welcomed that?

HON DEPUTY MINISTER OF PUBLIC ENTERPRISES: I will deal with it properly. Comrade Speaker, I am not here calling for lawlessness. I am not calling for that but I am calling for logic and common sense. Justice will never prevail and I am doing it in the good way. What I mean here is that should we say people will be at home to suffer, hunger and poverty who is in charge? Should the Local Authorities not be forced to avail the land? These are two things, which comes first? What comes first is that the City of Windhoek or City of Swakopmund whoever local authorities must available land and space where people will be trading

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON NEKUNDI**

from. But it will be, really me to think that the City of Windhoek do not avail land yet they do not want people to trade what is the balance? It does not. I am calling for the balance.

I will support the General, if he says land is availed. Land cannot be availed by somebody from Heaven it is by people whom we appointed to go there human beings Namibians who are patriot to understanding the principle and if we and I talk of people around Windhoek here Comrade Speaker there are open vacant land where nobody is using it and is allocated to mentioned people who have money yet these people who need just a square meter to trade from is not availed to them. Who do we blame? We cannot do this Comrade Speaker and we are saying the General as he is there is one of my role models, my hero for that matter who has fought against this same principle or that law. He is my hero and I watch the videos of him fighting, commanding because of these particular laws that people are trading on. These people have got no choice. Let us talk to the City of Windhoek and must be ordered to avail land and then let us see if people are going to trade where they are not to trade on.

Then the same principle I want to ask, which piece of legislation, I want an inspection in the law which tells the Police officer 'kick that basket over' which law? Which Section in the law that the Police are instituting which says kick it? None, so I am saying they must do their work but we here must also change the laws that we speak the reality or otherwise the City of Windhoek must then make sure that people have got land to sell on. But I will have a difficult to come here and really motivate a budget for that matter which is calling for social grants to somebody who is unemployed, the child must get this yet that person could be given a chance to do it somewhere else, you know land is not availed, space is not availed but there is dirt, Africans' land in Windhoek and everywhere else. I am going just to appeal to say let us look at this from the realistic perspective from the land perspective that is what I am saying.

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON NEKUNDI**

HON SPEAKER: Point of information can you, yes.

HON DEPUTY MINISTER OF PUBLIC ENTERPRISES: Yes
Comrade Minister I can allow him.

HON SPEAKER: Yes Minister you have the floor.

HON MINISTER OF HOME AFFAIRS AND IMMIGRATION:
Comrade Nekundi are these citizens not there because of the premises?
Are they there because there is no any other space or maybe there where
they are that is where the clients are or what is the situation? I thought
maybe the places where they are because that is where the commuters are
and they are finding that place to be more attractive because people come
there because as we pass there we can pick up a fruit or is it really lack of
space?

HON SPEAKER: Yes Honourable Nekundi.

HON DEPUTY MINISTER OF PUBLIC ENTERPRISES: Comrade
Speaker, thank you very much Comrade Commissar. The principle of
space is a derogative of planning. You cannot come from the beginning
of the Independence Avenue to Simon Davit no space for these people to
trade on yet we the planners of the City of Windhoek are giving these
offices available to those who have money. So the planning ought to be
100 meter spaces for that possibly. It is an issue of planning. Let us
understand the context in which we find ourselves. If I take you today,

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON NEKUNDI**

two weeks ago I was in Berlin, even in Berlin are selling along the streets but they are allocated. They are allocated. I was in Brussels, people are selling. It is an issue of allocating the right space to their people. For that matter I do not want to sound racial but I cannot give a blind eye to a racial aspect, to reality. If I go in Eros I would find people who are not black selling there we never found them being kicked. If you go to Klein Windhoek there is a person that sells there portraits and we have seen him never being kicked by Police. If you go between as you are moving from Eros to Klein Windhoek there is a river bed there before I think the Indian Embassy or Kenyan Embassy there, there is a space next to a river bed at the Name of Africa there, there is a space and you find people selling there, why are they not being kicked? Why are they not being kicked? We cannot allow that Comrade Speaker it is not right. I am not promoting it but it is the reality what is happening. So I do not want to be emotional but these things pain a person. It caused us a pain already through this barbaric act, people are paining, that is the reality. Comrade Speaker, when (intervention).

HON SPEAKER: Is that a point of order?

HON DEPUTY MINISTER OF PUBLIC ENTERPRISES: Speak Afrikaans.

HON SPEAKER: Wait for the light. Yes okay.

HON FLEERMUYS: Thank you Honourable Speaker. Honourable Speaker, I wanted to join Honourable Deputy Minister in his plight of the way we are supposed to be kicking people because our Constitution

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON NEKUNDI**

Article 98, principle of economic order, “The economic order of Namibia shall be based on the principle of mixed economy whereby objective of security economic growth, prosperity and a life of human dignity of all Namibians. The Namibian economy shall be based on inter alia on the following forms of ownership, (a) Public, (b) Private, (c) Joint public/private, (d) Cooperative, (e) Co-ownership, (f) Small scale family” now (intervention).

HON SPEAKER: Yes what is the issue?

HON FLEERMUYS: The issue I had and what I complied with Honourable is of those people who try to make a living from selling on the streets they do not get proper help from those who are supposed to be guarding the law. So I support Honourable Nekundi on what he was mentioning about the law abiding citizens who are trying to make a living from what they want to sell on the streets. Thank you Honourable Speaker.

HON SPEAKER: Thank you, complimenting Honourable Nekundi. Could you continue please?

HON DEPUTY MINISTER OF PUBLIC ENTERPRISES: Yes thank you very much Comrade Member. The other aspect that is part of this Motion is talking about social protection. Remember Comrade Speaker I think two or three years ago now I brought a Motion here on National Minimum Wage, it is possibly still gathering dust somewhere else. It never came back here. These are still talking to each other in essence and I want to relate to that if we put up a national minimum wage our people will have a different wage on which they can live on. Our Government is

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON NEKUNDI**

going to save money on the fiscas on the social grants because some people are able, are trading with people who are selling towards driving taxes, people who are selling other commodities who are employed by others, how much are they being paid? But if there is a minimum wage we will be able to serve on them. Apparently they are being given grants by the State because we do not know how much they are earning for that matter even. If that is being formalized we understand how much they are earning. So just because we think that they are not having any formal economy they are worth to be given the social grants. I am saying this on a scale of probability. And I am not saying those who deservedly so to get that must get it but I am trying to balance that.

We have passed a law that put up a minimum wage for domestic workers which I believe was seen to be spent on an economic wage where somebody can live on. If we can move on the same page that these other people who are employed somewhere else whatever sector they are employed if we formalize these sectors and putting up a national minimum wage where people must be able to contribute Or to pay their Social Security lending people wherever they are employed they must be contribution whatever payment of the retirement packages or retirement Pension Fund, it will be able to assist our economy. It will also be able to assist our people being pulled out of the meager wages they are currently receiving.

Comrade Speaker, when you look at a number of people because those are the majority of our people who are street vendor at most they sell meat, fruits and vegetables and these fruits and vegetables are mostly imported and I want to give you a quick figure of that, that in 2017 we imported 76,000,000 kilograms of fruits and vegetables imported. In 2018 up to this stage up to September we imported of the 76,000,000 kilogrammes it was equivalent to N\$726,000,000. This year up to September we imported 52,000,000 kilogrammes of fruits and vegetables equivalent to over N\$545,000,000. Wheat last year we imported over 778,000,000 values of wheat in Namibia. Mahangu we imported over 18,000,000 values of mahangu into Namibia. Maize we imported maize valued and that is last year of 324,000,000 this year we imported wheat worth of

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON NEKUNDI**

N\$323,000,000, millet N47,900,000 and maize N\$261,000,000 if this could be converted into local production how many people could we have converted into informal economy? How many jobs could we have created descend employment could have been created. To what extend could we have strengthened our economy if we can do that? I think there is opportunity that we can transform the inform to a formal economy to empower our people to participate directly in the main economic mainstream of our country, there is room for that.

Now how do we then Comrade Speaker, ensure that our people are transformed into a formal economy? Their activities, it is very difficult and why I am saying it is very difficult Comrade Speaker, I do not want to sound negative but I want to sound factual. On the principle that for us to transform the current informal economy the pace in which they must move in is occupied at most. It is occupied. So how do we then do that, is that by enacting the relevant legislation or policy that protects our people, the Namibian people that we have a space that is reserved for the Namibians only? It is very difficult. Some have tried to go in that space but they are pushed out because some are entering this space non Namibians entering this space but they have extra resources to which our people are unable to compete on and they are one of the biggest possible culprits who are contributing to the capital outflow of this country. Instead of using our own people utilizing that space which is huge, the current informal sector is very huge.

If it just gets transformed properly and we protect these people, our people to train industrialists it will greatly contribute to our economy. It will greatly contribute to our fiscas. It will reduce a number of financial burdens our country has been experiencing. I am really trying to underscore that there is a need to make deliberate policies and laws that we transform the informal sector into the formal sector and it cannot come if we do not push for that, if we do not be decisive enough to make such legislation.

Comrade Speaker, my last contribution on this Motion. It is that the current, one senses out there how the people are unhappy about the

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON NEKUNDI**

treatment, how they are being treated, the General does not want to say by the law enforcement agencies. The feeling they have towards the foreigners who are taking that space in which they ought to take is very negative and if we are not moving fast it can move into a different direction. It can and I am just appealing to whoever has that responsibility to ensure that we urgently enact legislation, piece of laws that protect the people that transform the informal to a form economy. That being said Comrade Speaker I support the Motion by Honourable Kafula and I sincerely hope that this Motion will be referred to the Standing Committee of Parliament and the Committee is going to do its work as a matter of urgency. I hope it is not going to gather dust like mine has gathered dust for the National Minimum Wage. I really support the Motion and I am looking forward that it comes back and it is being transformed into a tangible product being a law that is being implemented. Thank you very much Comrade Speaker.

HON SPEAKER: Thank you very much. Just a humble appeal to all our lawmakers, you know one does not want to see the issue on the table is clear, it is very important it is urgent but we also have a collective responsibility to ensure that nothing will happen particularly when you refer to foreigners. We do not want the experience of what occurred elsewhere on the African Continent to occur here. We need to be watchful and we need to exercise a high degree of sensitivity so that we do not provide fuel to harness the conflict that might occur and I am not saying, Honourable Nekundi I did not say you implied anything like that but particularly anything they and us when we come to that kind of thing that is not what you are referring to but I am simply saying we need to be constantly watchful that is what I am trying to say. Yes Honourable Dr Kameeta.

HON MINISTER OF POVERTY ERADICATION AND SOCIAL WELFARE: Thank you Comrade Speaker. I am sure Comrade Speaker

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON BISHOP EMERITUS DR KAMEETA**

said we would agree that we hear a lot what the old age come with wisdom and I say yes it is true but there are also other virtues which are very much important and it is patience, tolerance and probably also forgiveness when you become older you are very much tolerant and very much forgiving. Not all of us but I think many of us and what is why some of us sometimes sit and listen.

On the other hand we have been for many years been screaming, we have been criticizing and so I do support also the Motion of the Honourable Kafula and I think it is relevant that we think about that and that we talk about that and also come up with solutions. I do not think that this whole thing should take a long way going to Committees and do what and so forth, let us talk also with our law enforcement and say well when you encounter such a thing just call us. I will not be irritated if a Police officer called me and said well we have a situation here and could you come and talk to our people that is what democracy is. Democracy talks dictatorship just imposes and so we must learn to talk to our people and just explain it is so simple as you do not need now to go into science and economics and all those things. You can say listen if you have got a little shop here and you are selling potatoes, tomatoes, onions and so and I come and sit in front of your shop and sell the same things but how would you feel? So that is just the reason, let us try and find a way how to change the situation they will understand and that is why the other day at another platform I was saying the fines imposed on these people are just impossible and I wanted just to say also, let us talk with one another.

I sometimes also wonder when we as Members of the Ruling Party stand and for example say, "What is the City of Windhoek doing, why are they not giving land to the people?" We are ruling Windhoek as a Ruling Party so in fact when I am talking like that I am criticizing myself. What are doing then? Sometimes citizens wonder what are the Members of Opposition thinking now, why are they not talking the things in their caucuses? I am trying to say that but I have decided to talk about that. We do not know each other of course and when you sit quiet for months and weeks and so forth people just take for granted oh, he is a quiet guy and very peaceful and so forth. Some of us know facts it is just

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON BISHOP EMERITUS DR KAMEETA**

irresponsible as far as I am concern that we as Members who are ruling this country stand up in this House and criticize things which we are supposed to change, it is just impossible. Why do we not talk to each other where we are? And the City of Windhoek is in our hands we are ruling we are in the Majority there. The Mayor is a SWAPO Member and then I would hear and hand outs and of course it refers to the food bank and we forget this food bank was established by the men who appointed us. It was not appointed, it was not introduced by Cabinet it was the President himself who introduced that and he appointed me and if I stand up and criticize that I am criticizing him and he might say well if you do not like what I have established then you go. I want just to conclude that by next week I want to share a Ministerial Statement on what we have been doing and especially restructuring of the food bank. I will just mention it because it has to go, not of the food bank but of the social protection, the whole social protection which is so splendid and it is not only done by the Ministry of Poverty Eradication and Social Welfare it is done by Offices, Ministries and Agencies and it will go to Cabinet then and then come to Parliament. So we will share what we have. We have an expert from Kenya who has been helping us, we have workshops working on that on different things, the whole question of minimum wage which we introduced already in fact in 1997 with the Agricultural Workers Commission which was established by His Excellency our First President.

But I want just to say let us talk to each other. Let us talk to these ladies, let us explain and they are not going around throwing stones or obstructing roads or insulting people, they are just trying to make a living and so let us just talk to them and we have the advantage as Ministers and Deputy Ministers to be part of the Executive so let us be ready also to be invited and say well, let us assist where we can assist. It does not help also that we criticize the Police and I would understand that the General feel annoyed because he is the Minister for that, our colleague so let us talk to our people. Let us learn to talk and let us know what to say here in this House and what to say in the caucus. I am just saying this because, well I was a Member of the First Parliament I know what I am talking about. Let us know, you know in our time there was such a thing as Party

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON SCHLETTWEIN**

discipline what happened to it? What happened to it? Thank you Comrade Speaker.

HON SPEAKER: Thank you very much. And I am particularly, and I want to underline that firm way of talking. I think we need to remind ourselves about our collective responsibility. Yes next is Honourable Schlettwein please.

HON MINISTER OF FINANCE: Thank you Honourable Speaker. I do believe that the Motion that is on the floor is a very important Motion.

HON SPEAKER: Yes Honourable.

HON MUHARUKUA: Honourable Speaker, something just feels strange it just feels like I walked into a SWAPO Caucus what is going on (laughter). The SWAPOs must go and discipline each other in the SWAPO Caucus not in the Parliament of everyone please Honourable Speaker.

HON SPEAKER: Honourable Muharukwa you are free to take the floor. You could easily be (intervention).

HON MUHARUKUA: It is not the issue of SWAPO (Not on microphone).

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON SCHLETTWEIN**

HON SPEAKER: No, let the Honourable Schlettwein have an opportunity to make a contribution.

HON MINISTER OF FINANCE: Thank you Comrade Speaker. I said that I do believe that the topic that is contained in this Motion by Honourable Kafula is a very important one and of course one must upfront say that it is Government policy, it is SWAPO policy to be people centred and to be biased towards protecting poor people and create opportunities for those that do not have opportunities. So from that point of view I just want to make that clear but if we talk about the formalization of the informal sector I do believe one must distinguish between the different elements in an informal sector because there is now one size fits all approach to solve this problem.

Honourable Speaker, the informal sector is contributing or is about 35.37% of the total economy so it is a substantial activity in our economy and I think one must also defy the myth that the informal sector is not a productive sector. In fact it is a very productive sector and in many aspects it is more productive than informal sector. So this is an important component. Now in the Motion we are talking about a number of aspects. The first aspect is law enforcement how do we protect economic opportunities, economic activities whether they are formal or informal and I think there were arguments that that was not properly done. If that is so then we have to address how it is done rather than attract the principle of the responsibility of the law enforcement agency and that is to protect what is lawful against unlawful activities but that is done in a manner that is unsatisfactory then address the manner not to principle and I think that is an important point.

Secondly if we look at the different sections of the informal sector, I can explain that by way of an example. If we have an opal that sells cheap plastic items in front of Cymot, in front of any hardware shop I do not think the argument will hold that that commodity that is so sold is actually sold to the benefit of the economy. Our economy, well we are talking

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON SCHLETTWEIN**

about the formal and the informal economy. Similarly if I woke up he is selling vegetables and those vegetables are not produced here they are actually competing with locally produced vegetables. The mere fact that that hawker is just and hawker is not the full story, if a hawker that you are saying is an informal person that needs to be protected sells vegetables, fruits that are imported and are out competing people that are selling locally produced fruits and vegetables is that not what you mean by protecting informal sectors and that that is per se a good thing? I have questions about that and I do believe that we have to distinguish between what we are wanting to protect and what we want to (intervention).

HON SPEAKER: Is that a point of information? Yes okay.

HON DEPUTY MINISTER OF PUBLIC ENTERPRISES: Yes, I think our point of information is that we must be realistic and I will at one point also not allow that colleagues attack others the way they wish to attack others. I want to just make it categorically clear that if a person has an issue must bring it not through the platform. I was addressing issues not personalities. I want to make it categorically clear Comrade Speaker (intervention).

HON SPEAKER: I am not quite sure, hang on you are saying you were attacked?

HON DEPUTY MINISTER OF PUBLIC ENTERPRISES: Yes.

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON SCHLETTWEIN**

HON SPEAKER: How?

HON DEPUTY MINISTER OF PUBLIC ENTERPRISES: I will address it where appropriate but I am just now making a statement that let us not go that route. Now on that one Shoprite until now, does Shoprite buy apples from Oshitima. I am referring to Honourable Calle Schlettwein who is saying the hawker or the vendor because he or she is not buying it locally so she cannot be protected but Shoprite who equally imported from South Africa so has the legitimacy to feel that it is his state or her state to trade on. So the principle here is that we are calling for the formalization of the informal sector and for those that are currently trading in the informal sector to be protected. Their rights must be protected to trade. If we are unable to provide them space if they are trading if we are saying where they are currently trading is wrong where do we find them space to trade on, that is the question I am asking.

HON SPEAKER: Thank you. Honourable?

HON MINISTER OF FINANCE: Yes now thank you for that information I do believe you have a point but equally I believe I have a point. It is depending on what we are trading with not only where we are trading. I say it is important when we want to protect people to consider also what we are trading with not only where we are trading. So there are a number of aspects that needs to be looked into to have a comprehensive set of rules that protect people (intervention).

HON DEPUTY MINISTER OF PUBLIC ENTERPRISES: (Not on microphone).

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON SCHLETTWEIN**

HON MINISTER OF FINANCE: To spend my argument, I have just opened the page of the agronomic board and I can read to you here, there are four controlled or five controlled agricultural products that are protected by the agronomic board. They are mahangu, white maize, wheat and a number of horticulture products. Now whose protection is part of the Government policy to ensure that local produced goods are getting assisted during production but are also getting assisted during being marketed that they are available in the shops, in the streets wherever they are sold and in fact the prices controlled so that any surplus production that is produced by local producers that implies advantage over and above imported goods.

Secondly imported goods or the import of commodities that are actually protected are not allowed as long as local production is available. So there are mechanisms how equally whether you are a farmer in the formal sector or a farmer in the informal sector where you are protected so that your goods are reaching the local market at preferred prices. I am mentioning this example to just and I make it clear that the distinction between formal activities and informal activities are not always very clear. We are producing in the agricultural production sector but the legal framework that is available to you is not saying if you are the informal sector you are not protected or if you are the formal sector you are protected, this is equally applicable. So there is an argument to be made that there is equality at least in the protection of the agricultural produce. There is equality. All share the same benefits, all share the same protection and I think that is an important realization that we have to take.

Now the key question in the Motion is how to formalize an informal sector (intervention).

HON SPEAKER: Honourable Attorney General on a point of order?

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON SCHLETTWEIN**

HON ATTORNEY-GENERAL: Honourable Speaker, may I ask my colleague a question?

HON MINISTER OF FINANCE: You are welcome.

HON ATTORNEY-GENERAL: Honourable Minister of Finance through the Speaker, are you satisfied of the fact that our breweries import mahangu from India while the mahangu is up to now they are loading, are you satisfied with that?

HON SPEAKER: Yes, Honourable Minister?

HON MINISTER OF FINANCE: Comrade Speaker, I am aware that the breweries are importing malt because the production here is not sufficient and I am also aware that they also import millet. From here the figures that I have is that our production of grains satisfy when it comes to maize about just over or just under 50% of our consumption. The production of millet is even lower I think it is 40% of the total consumption and the reason for that import is therefore an insufficient production the supply and demand question that is sold through imports. But as I have indicated to you there is a law that says you may not import millet/ mahangu if local production is available. You can only do that if it is malt being more available. Statistics show there is higher demand than supply so if there is a case where the guru is importing millet while there is local production available then we have to look into it but I know that is not sufficient to supply the total demand.

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON SCHLETTWEIN**

HON SPEAKER: If you can finish with the explanation. Good you want to come back to the question?

HON MUHARUKWA: If you would allow?

HON MINISTER OF FINANCE: Yes.

HON MUHARUKWA: I have it or I think it is common cause now that there was at least from Government side and specifically your Ministry side a desire to tax the informal sector. How accurate or inaccurate is it? That is not what I want to talk about primarily but would the Honourable Minister not think the formalization of this informal sector of course going in tandem with that is the provision of space and facilities and so forth. Would the Honourable Minister not think the formalization would assist and benefit the economy specifically in terms of revenue if indeed it was done? Just that one.

HON MINISTER OF FINANCE: First of all I want to correct what you have insinuated that the Ministry of Finance went out to target the informal sector and vendors to be taxed, that has never been the case. What we are saying and I think it is good tax policy is the fact that similar income needs to be taxed similarly. There must be equality whether you are in whatever sector, whether you are in whatever locality and what business a similar income must be taxed similarly and that it a trend in our Income Tax Act. We do not have to have a new Act to say if you are an informal business we just look what your income is and that you should be taxed equally to an informal sector business Act something like that, that

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON SCHLETTWEIN**

is the principle that we said and the motion that you said that we targeted informal sector I think that is distorted and has not been approved.

Now your second question whether it is, how is the economy to formalize everything and then tax it that would bring all revenue. I am not so sure whether that is the strategy of the case if the equality of taxation is and if there is ability to enforce that because whether you have an income in the informal sector for in the formal sector if that income is taxed equally then there is actually a theory at least no distinction between the source of the earning and how you tax it. But where you have a point it is administratively much earlier to tax the formal sector than the informal sector and therefore it is sometimes beneficial for people to remain in the informal sector because they are not that easy to be caught by the net. So from that point of view formalization would have advantages because it is and sworn administrative burden to get the tax payer into the tax and therefore in general terms we believe that a formalization of the informal sector is an important point. But there are serious buts and look at our economy we have a provision 37% or 35% informal sector the rest 63%, 65% formal.

Now the whole part figure of unemployment that causes civil unrest is about 20% informal sector, informal economies. If the unemployment rate is above 20% then you have to avoid people that can cause civil (indistinct). In our case we have ever since lived at an unemployment rate of above 20%. I think there was one year where we were 19.7% but the reason I believe that we are still peaceful is the fact that that informal sector, that 67% of the economy has its own social sentiments through extended families, through traditional ways of distributing the proceeds of that informal sector in a way that it keeps people together. Now if you want to formalize that now you will lose that social safety network and that comes with a hefty Bill. So there is not always a clear cut situation that formal economies serve people better than informal economies, I think we must be careful in our choices that we must not destroy what is working but rather enhance what is working and build on that instead of painting black and white pictures where we say it is only this option that works and that option does not work. That is why I said at the beginning a

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON EKANDJO**

one size fits all approach in my opinion will not work. We have to be careful and selective of how we address this issue. Thank you Comrade Speaker.

HON SPEAKER: Thank you very much. Let us move on to the next. Honourable Member Jerry Ekandjo please.

HON EKANDJO: Thank you Comrade Speaker, Honourable Members. Honourable Members the issue when it forms informal sector the discussion regarding this topic in this august House has been ongoing for the past few years. Now and then we come to this. So informal sector is there to stay, it will stay there. The issue I have ascribed it to the planning of the towns, our towns how they are planned. It is because our Local Authorities before 1992 elections during the budget era and still after independence from 1992 in most cases, I do not say all. most of our local Authorities Councils when they meet in their chambers, not all I mean some, so amongst us we have got Mayors I do not mean the former Mayor of Luderitz and the former Mayor of Windhoek who are here and the former Mayor of Mariental but in most small towns and also other towns in the Local Authorities whenever they meet in their chambers the technocrats prepare all the documentation and when they meet once or twice a month, most of the time they meet in the afternoon/evening you may find the Chair who is chairing the meeting asking the CEO to read the item just like in the Chamber here where the Speaker is designated to reading the item. Then the CEO would ask the technocrats responsible for that item. The technocrats would read and talk and read and talk and then the Chair of the chamber would ask the Councillors, "Honourable Councillor any comment?" This one will say magree, and you magree instead of saying I agree, magree, magree. They only magree without reading those documents in some of the local authorities documents are given maybe Friday so that over the weekend they can read and maybe Tuesday or Monday they are having a Session.

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON EKANDJO**

In some of the Local Authorities when the Councillors meet in the Chamber there is a time the officials hand over huge bundles of documents there to be discussed especially when it comes to town planning. Town planning in Namibia is being done by the technocrats, that is why you find small yards and roads, they do not even consider spaces for informal settlement not even talking of the bicycles. Like in the City of Windhoek almost per month two to three people are driven over by cars because you ride a bicycle at the end of the roads at the yellow strip and then a truck will come and hit you with a mirror here and you fall under the truck, they do not make provisions.

There was a time when the Ministry here, the Ministry of Regional and Local Government that time proposed to the City of Windhoek that that space north of Weinhill where those buses park, that space must be reserved for informal settlement. There was even a sketch made where the buses can come, the informal settlements maybe two or three storeys or whatever (intervention).

HON MEMBER: Formal?

HON SPEAKER: No, informal.

HON EKANDJO: Informal.

HON MEMBER: (Not on microphone).

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON EKANDJO**

HON EKANDJO: Okay well it is old age (laughter), informal sector and there were two strips that this side they sell fresh meat, food whatever and also handcrafts and whatever. That never materialized. In most of the towns if you go to Beijing, if you go to Shanghai, even London, New York, Moscow, even now with Berlin this metropolitan city, the Central Government has a same in planning this metropolitan city, the Central Government, the Minister responsible for Central Government also plans they bring and then have a plan but in our case we leave it to the Local Authorities.

In 1960 the time when we were having shadow ministries before 21st of March we were operating from one of the rooms here down there. Then when we talked to the Local Authorities then they were saying show us a plan where they wanted to have to overflow this road so that if you come from the Airport you just go straight on top. There were such plans in the City of Windhoek but you can see the City of Windhoek now when they built this highway to the Airport it is still on the ground it still brought confusion of traffic jam so it means that it is high time that when it comes to metropolitan city especially we have got the three part one Municipality, Windhoek, Swakopmund, Walvis Bay, Keetmanshoop and Oshakati. I think the Central Government must also have a say in planning because currently we leave it in the hands of the technocrats that is why. That is also the reason why we have extended the boundary of the City of Windhoek. Prior to the boundary I think it was extended round about 2010/2011 there around. Prior to that the boundary of Windhoek was just extended up to where the roadblock was and up to, on the way to the Airport the roadblock there and also the roadblock before the Heroes Acre and at Dan Viljoen. We extended the boundary of Windhoek up to where the current roadblock is. Even CA on the way to Gobabis is within the boundary of Windhoek. Also Omeya is within the boundaries of Windhoek. This was done so that the Municipality must now extent even if it means the buying of those farms too but what the municipalities are doing they just build in the mountainous of Goreagab just mountains that is where Windhoek is extending now in the mountains.

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON SIOKA**

Also now when they extent instead of building houses they only build flats and these flats, these people cannot afford a flat up to N\$9,000 per month just to pay for those flats. So I mean that it is planning. Maybe in the future the central Government must have a say in planning especially the metropolitan, the State must have a say. I think that is the only solution because otherwise because the informal sectors will stay there. They will still stay there. Some will graduate to formal sectors but also new comers will come but because you will find that especially during week days those who work in towns lunchtime, "Where are you going?" You are just going to this Kentucky Fried Chicken it is junk food that is all where you are going. You cannot lunch time, if you work in town you want head of a goat (goat-head), which restaurant here will sell a goat head? You cannot eat pap you must just go and eat junk food or whatever so I think we should think deeper so that in the future we must not make a difference between Katutura and Windhoek proper. So that is my small contribution, Comrade Speaker. I rest my case, thank you.

HON SPEAKER: Thank you very much. Let us move on as rapidly as possible. Next is Honourable Sioka please.

HON MINISTER OF GENDER, EQUALITY AND CHILD WELFARE: Comrade Speaker, thank you very much for the opportunity to do justice to this Motion. I would like to adjourn this debate I do not know my brother here, to next week Thursday or Wednesday, let me get Wednesday.

HON SPEAKER: Wednesday.

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON SHANGHALA**

HON MINISTER OF GENDER, EQUALITY AND CHILD WELFARE: Thank you.

HON SPEAKER: Okay the Minister of Justice you want to take a chance for the time available?

HON MINISTER OF JUSTICE: Mine is short Comrade Speaker and then hopefully it takes us to next week. Comrade Speaker, when I looked at, obviously I was not around to listen to the motivation of the Motion itself but I trying to unpack the concept, formalization, what does it actually mean? What does it entail and for me it is nothing but standards? Standards for operating and I am the brain child of a grandchild who survived on cooking whenever there was a road project she could cook, bake bread, food for the people who worked there and was so successful and was able to buy vehicles back in the day. So I believe that the informal sector is an active sector.

Yes there are those that say we have two economies, the real economy and the other one but here is the thing, let us take the person who has that business, who has a catering business for the construction industry that person once you say formalize means we must bring in her sub-standards, hazard analysis or critical control points in catering this is what we term control of the process of food from the moment you start dealing with the food until it is going through the mouth of the individual to eat so that there is no contamination. Then we have insurance because somebody may eat your food as you may have heard in the United Kingdom (UK) they are now upping the standards. Somebody bought some thing online and then you can deliver the product that was delivered had peanuts, (noise) I hope the Comrade is okay.

Okay as I was saying Mr Speaker, in the United Kingdom (UK) we had a situation where somebody regrettably lost their life because they ordered

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON SHANGHALA**

food they have an alleger to peanuts and the food had peanuts and the person died. Food labeling, so suddenly food labeling becomes an issue so that when you hold the bottle of water you know what the ingredients are, what is the ph level etcetera. Then the people that work for you are tired, then Social Security and then minimum wage etcetera. So it is standards. It really is standards and I would like to go to eat to these eateries in Katutura but I am very afraid if I would sit here and finish the session and not be running to the bathrooms because it touches now on the issue of where they are. They are not in Ludwigsdorp there is no informal sector in Ludwigsdorp everybody who is there who holds a restaurant has a health certificate, has all these tip offs that you do and they pay tax by the way.

So the issue of formalization is about standardization. We have to bring up our standards to a certain level. Now can we totally formalize because the can I said, where do you find them? You find them where there are construction sites in town and you find them those who want to sit in front of OK and sell, those types of business I do not support. The one who is in the shop pays rates and taxes to the Municipality, because they pay rates and taxes Municipality can pick up my rubbish bin and by the way those that I am subsidizing in the other sector in the second economy because we have to accept that is pure economics. Those roads that are built in places where people come and settle on land without title are subsidized by those of us who are paying the taxes is it not?

So I believe that when we interrogate this issue we need to understand that it is a process of standardization and it could impact us but where did we get it from? It is true what Comrade Jerry Ekandjo is saying. Before independence the Party now called PDM which is running away from its sister to DTA when it was with those who were in the apartheid regime they said (Afrikaans) you are going to stay *orkan (Oshiwambo)* then it became orukanda. Now you are orukanda what. Speaker I need to be protected there is a certain noise coming from a yellow dress there I do not know why she does not take the floor and make her own speech. I love you too, yes.

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON SHANGHALA**

But what happens is that when you are orukanda they expect you to be near the industries and in your mind you are categorized as you are orukanda and therefore you want to be orukanda you do not want to bring yourself up to standards because you are orukanda. What is the problem today that we do not have eateries in katutura eateries that are of top not standard where the population is?

HON SPEAKER: On a point of order? Can you wait for the microphone, yes?

HON EKANDJO: I have a small question to Honourable Minister of Justice. Comrade Minister do you know what ngwiti means, the word ngwiti?

HON SPEAKER: Can we listen to each other please?

HON EKANDJO: The nbwiti? The ngwiti is for the Ovambo people who are likely who are born here. I am a Khomasdaal because I was born in Windhoek. Khomas or what do you call it? Khomani. Ngwiti, let me just explain, they call us ngwiti, you saw you see there was a time when we who are born here just speak Otjiherero (noise).

HON SPEAKER: Can we listen? Please let us listen.

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON SHANGHALA**

HON EKANDJO: We just speak Tjiherero, if I call Comrade Tom I say, “budi Tom” budi Shifeta, budi Haufiku, then the people from the north when they come they say these people say budi what is exactly is budi because I used to call budi and you said budi Jerry, budi what and it is from that word they say ngwiti, this ngwiti and ngwiti calling us ngwiti, just like orkanda.

HON SPEAKER: We should now allow the Minister to continue please.

HON MINISTER OF JUSTICE: So what I was thinking yes, we have to do town planning but what we have to also have to do is we have to liberate our mind sets. Our areas Katutura or wherever if we are proud of where we come from we should develop our areas but everybody in there wants to go and develop elsewhere not around the neighbourhood but it is okay urban circles of revival and renewal happen now and then, it will get there but the question is when we develop are we just developing mbashuz? Are we just developing liquor outlets? Are we just developing the selling of alcohol next to the slot machines of *drrrr-drrrr* and then you lose you go home and fetch the wine.

What I am saying is I am now proud to tell you that with the generation X and I generation which is coming up as y, sienna eye that is eye generation people are going to be going back to Katutura to their homes, modernizing them and soon want their kids to wake up, go by the shop, go play by the mall and that demand is coming and it is a cycle. The same way you find now that down town which used to be a ghost area after 17:00 once the people flock out you now find that there are eateries on Independence Avenue, the people are also living this urban revival land renewal.

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON SHANGHALA**

HON EKANDJO: (Not on microphone)

HON MINISTER OF JUSTICE: Pohamba is the only one but if again what I am saying is we need to up standards.

HON EKANDJO: Including you.

HON MINISTER OF JUSTICE: Yes I do and what I am trying to say is that when we develop and formalize let us formalize the right business. Let us take a cautious decision that we are standardizing and standards mean responsibility and obligations and they do cost but it is a cost worth bearing because then we have standards and therefore open to everybody. With those few remarks Honourable Speaker (intervention).

HON SPEAKER: I think our time is very up as you can see. You want to continue? Mr Jerry Ekandjo is that something urgent.

HON EKANDJO: Yes.

HON SPEAKER: Please our time is up.

30 October 2018

**FORMALISATION OF INFORMAL SECTOR
HON SHANGHALA**

HON EKANDJO: Comrade you know what the word *sondoro* mean? *Sondoro, sondoro*, pass because we did not have pass so if you do not get a pass they say *sondoro pass, sondoro, sondoro*.

HON MINISTER OF JUSTICE: On that note I do not want to be a *sondoro* time I want to ask the Speaker if we can postpone the debate on behalf of the Minister of Gender, Equality and Child Welfare and well I am on the floor but I do not want to postpone it to tomorrow.

HON SPEAKER: Well done.

HON MINISTER OF JUSTICE: But I want to do it for you since you asked for next week, thank you.

HON SPEAKER: Thank you very much. On that note since we are slightly over the time, the House stands adjourned until tomorrow the usual time.

HOUSE ADJOURNS AT 17:45 UNTIL 31.10.2018 AT 14:30