

BILL WATCH 63/2019

[24th November 2019]

ZANU-PF versus MDC-A : Chairing of Parliamentary Committees

Neither House has been sitting since the Budget was presented on Thursday the 14th, but MPs had a full programme of post-Budget meetings for last week. The post-Budget Seminar was on Monday 18th November and for the rest of the week there were Portfolio Committee meetings. These were for post-Budget consultations with relevant Ministries and stakeholders in preparation for the debate on the 2020 National Budget, which is due to resume in the National Assembly on Tuesday 26th November.

The scheduled Portfolio Committee meetings were, however, interrupted by further moves in the ZANU PF campaign against MDC-A MPs in retaliation for absenting themselves from Parliamentary events at which the President was present – such as the opening of Parliament and the Budget Speech.

As noted in Bill Watch 62/2019 [\[link\]](#), after the Budget presentation in the National Assembly on 14th November, a resolution was passed in the absence of MDC-A members, to establish a Committee of Privileges to look into alleged contempt of Parliament by MDC-A MPs.

The next day, ZANU PF committee members forced the abandonment of an important Public Accounts Committee [PAC] meeting because they objected to the PAC chairperson, MDC-A MP Tendai Biti.

ZANU PF Chief Whip Pupurai Togarepi was later reported as warning that what happened at the PAC meeting was “*just a teaser to what they should expect, I can guarantee you that no committee which is being chaired by an MDC-A member will proceed until they recognize President Mnangagwa*”.

Targeting of MDC-A Committee Chairpersons is Continuing

Last week the same tactics were employed by ZANU PF committee members against MDC-A committee chairpersons, not always successfully.

On 20th November, in the Environment and Tourism Portfolio Committee meeting, ZANU PF members objected to MDC-A Consilia Chinanzvavana presiding and voted for Robson Mavenyengwa of ZANU PF to preside in her stead; MDC-A committee members present were outvoted 15-3.

Also on the 20th, in the Health and Child Care Portfolio Committee meeting, ZANU PF committee members objected to MDC-A's Dr Ruth Labode chairing the meeting, but were outvoted by MDC-A members.

On Friday 22nd November a PAC meeting was hearing evidence from Mr Morland, head of Fertiliser, Seed and Grain Ltd, on payments for the Command Agriculture Programme when two ZANU-PF MPs Hon Nduna and Zhou, arriving late, caused such a disturbance that the committee was unable to proceed with its hearing.

Can a Committee Remove its Chairperson? – No

After her ouster from the chair of her committee, Hon Chinanzvavana commented that her ouster had been unconstitutional, not procedural and contrary to Parliament's Standing Rules and Orders.

Hon Chinanzvavana was correct.

Section 139 of the Constitution states that Parliamentary proceedings must be regulated by Standing Rules and Orders which are drawn up by the Houses on the recommendations of the Parliamentary Committee on Standing Rules and Orders [CSRO].

According to the National Assembly's Standing Rules and Orders, the chairpersons of all Portfolio Committees must be appointed by the CSRO – Standing Order 18. The chairing and composition of Committees must take into account the number of MPS from each party in Parliament and also gender representation.

It is only if no chairperson has been appointed [which is not applicable in present circumstances] or if the appointed chairperson is absent, that committee members may elect a temporary chairperson for themselves [Select Committee Rules, rule 8].

It follows that only the appointing authority [the CSRO] may remove a chairperson from office, whether temporarily or permanently.

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