

# BILL WATCH 49/2019

[24th September 2019]

**Both Houses of Parliament Sit this Week**

**These Sittings are the Last in this Parliamentary Session**

**The Next Parliamentary Session will Open on Tuesday 1st October**

## Opening of the Next Session of Parliament

There will be a ceremonial opening of the Second Session on Tuesday 1st October. During this opening the President will present his State of the Nation Address [SONA] and outline the legislative agenda for this session. Usually, after the ceremonial opening, both Houses adjourn for a week or two to mull over the work they will have to do during the session.

## This Week's Sittings will be the Last of the First Session

The Sitting Calendar for 2019 originally envisaged both Houses enjoying a recess from 2nd August until the end of the First Session on 9th September, and the opening of the Second Session by the President on 10th September.

But, in a series of departures from the Sitting Calendar, the First Session has been extended. Both Houses sat several times in August and in the first week of September, and will sit again this week.

This week will provide an opportunity to both Houses to make progress on the backlog of Bills that has built up over the last year [*see below*] – and to wind up unfinished debates – such as the National Assembly's debate on the vote of thanks to the President for his speech opening the current Parliamentary session over a year ago now.

## What is the fate of unfinished business at the end of the session?

All business left unfinished at the end of the session will lapse, as provided by the Standing Orders of both Houses. So both the Senate and the National Assembly will start the Second Session next week with clean Order Papers.

There will inevitably be much unfinished business at the end of this session, particularly in the National Assembly, where the Order Paper for 24th September includes the Bills mentioned below, 10 uncompleted debates on reports by portfolio committees and members' motions, and over 20 motions awaiting their turn to be presented by their movers.

## Restoration of lapsed business to the Order Paper in the Next Session

Lapsed business will be salvageable as Standing Orders provide for Senators and MPs to vote for lapsed items to be restored to the Order Paper at the stage reached at the end of the current session. This system allows a House to continue consideration of important items and to filter out items that have lost relevance or topicality or are otherwise not worth pursuing.

## Bills in Parliament 3rd to 5th September

There was only limited progress on the backlog of Bills when Parliament last sat, at the beginning of this month.

## Senate

### Education Amendment Bill

This was the only Bill before the Senate. The document Senators had to consider was the Bill as amended by the National Assembly, now labelled the Education Amendment Bill [H.B. 1B, 2019]. On Wednesday 4th September Senators promptly approved the Second Reading of the Bill without further debate, but then took up the rest of an unusually long 4½ -hour sitting to express concerns about two matters in particular:

- (1) *High fees at private schools* Senators complained that the Minister does not have the power to control the high fees charged by private schools. **The Minister** he pointed out section 21 of the Education Act already regulates fees and levies at non-Government schools and that clause 10 of the Bill would amend the section to make the National Competitiveness Commission responsible for granting or withholding approval of such fees and levies, a function previously exercised by the former National Incomes and Pricing Commission. The Minister also explained that section 75 of the Constitution allows independent educational institutions as long as they meet reasonable standards and do not discriminate on any ground prohibited by the Constitution, and went on to assure Senators that the Government no longer subsidises the salaries of private school teachers. Senators then dropped their calls for the Bill to be amended.
- (2) *Appointment of "sexual and reproductive health personnel"* in schools, as envisaged by clause 14's amendment of section 64 of the Education Act. Citing Zimbabwean cultural reasons, Senators insisted that the words "*sexual and*" be deleted and the Minister accepted an amendment to that effect.

The amended Bill – with clause 14 now minus the words "*sexual and*" – was referred back to the Parliamentary Legal Committee – which is hardly likely to give an adverse report on this amendment.

## National Assembly

### Money Laundering and Proceeds of Crime Amendment Bill [\[link\]](#)

The Minister of Justice, Legal and Parliamentary Affairs delivered his short Second Reading speech on 3rd September, before debate was adjourned to allow the Portfolio Committee on Budget, Finance and Economic Development to report on the public hearings on the Bill scheduled for 9th to 12th September.

### Zimbabwe Investment and Development Agency Bill [\[link\]](#)

Continuation of the Committee Stage of this Bill featured on the Order Paper but no progress was made.

### Coroner's Office Bill [\[link\]](#)

The continuation of the Second Reading debate on this Bill was not tackled.

## **Bills under consideration by PLC as at 5th September**

The Parliamentary Legal Committee did not submit reports on the three Bills given their First Reading in the National Assembly and immediately referred to it after their First Readings on 29th August: Marriages Bill, Freedom of

## Information Bill and Zimbabwe Media Commission Bill.

And as already mentioned the Senate's amendment of the Education Amendment Bill added an item to the PLC's workload.

### **Bills Coming up in Parliament This Week**

#### **In the Senate**

Education Amendment Bill The Senate will be waiting for the PLC's report on the amendment the Senate made to clause 14 [*see above*]. If – as expected – it is a non-adverse report and the Senate then gives the Bill its third reading, the Bill will have to be returned to the National Assembly for its approval of the Senate's amendment. If that happens early enough, it should be possible for the Senate to pass the Bill – and for the National Assembly, which has the final say on this last amendment, to complete passage of the Bill before the session ends.

There seems to be little chance of any other Bills reaching the Senate from the National Assembly during the week [*see next paragraph*].

#### **In the National Assembly**

Zimbabwe Investment and Development Agency Bill [[link](#)]

This Bill awaits continuation of the Committee Stage, as it has been since 30th July. Several pages of amendments put forward by the Portfolio Committee on Industry and Commerce await consideration.

Money Laundering and Proceeds of Crime Amendment Bill [[link](#)]

For continuation of the Second Reading debate on this urgent Bill. The Minister of Justice, Legal and Parliamentary Affairs told the House during Question Time on 4th September that he would be "*very happy if Hon. Members can debate, improve and enact it very fast so that we can deal with corrupt people*". But progress during the week will depend on whether the Portfolio Committee report on the public hearings on the Bill is ready in time.

The Bill's purpose is to re-enact the expired provisions of amendments to the Money Laundering and Proceeds of Crime Act first enacted by SI 246 of 2018 on 9th November, 2018 under the Presidential Powers (Temporary Measures) Act. SI 246 expired on 9th May, three months ago now – three months during which its provisions could not be used. It is, therefore, surprising that passage of the Bill has been so delayed, because the objective is enhancement of the legal weapons to fight corruption, money laundering, terrorist financing and tax evasion. Once it is law, the Zimbabwe Anti-Corruption Commission, ZIMRA and the police will be enabled, under judicial supervision, to demand explanations from persons who exhibit great wealth without having any apparent lawful means of obtaining it – and, if no satisfactory explanations are given, for ill-gotten gains to be forfeited.

Other countries already have such legislation, including the United Kingdom.

Coroner's Office Bill [[link](#)]

The Minister of Justice, Legal and Parliamentary Affairs has made his Second Reading speech. The Order Paper for 24th September lists continuation of the

## Second Reading debate.

*Veritas makes every effort to ensure reliable information, but cannot take legal responsibility for information supplied.  
If you want to contact Veritas, have any questions or wish to subscribe or unsubscribe please email [veritas@mango.zw](mailto:veritas@mango.zw)*

*If you are looking for legislation please look for it on [www.veritaszim.net](http://www.veritaszim.net)*

Follow us on     (+263 71 893 3633)



*This work is licensed under a [Creative Commons Attribution-NonCommercial-ShareAlike 4.0 International License](https://creativecommons.org/licenses/by-nc-sa/4.0/).*