

BILL WATCH 48/2019

[3rd September 2019]

Both Houses of Parliament Are Sitting Again This Week

Bills in Parliament Last Week

Maintenance of Peace and Order Bill [completed]

On Tuesday 27th August the Senate received the Parliamentary Legal Committee [PLC]'s non-adverse report on the amendment to clause 7(5) of the Bill made at its special sitting on 14th August. The Senate then passed the amended Bill and sent it back to the National Assembly, which approved it on Thursday 29th August. The Bill will now be sent to the President for his assent and gazetting as an Act.

The final text of the Bill, including all the amendments, is available on the Veritas website [\[link\]](#).

Education Amendment Bill

The PLC's adverse report on one of the House's Committee Stage amendments was withdrawn on 27th August by the PLC chairperson. This followed an undertaking by the Minister of Primary and Secondary Education to move further amendments to satisfy the PLC's concerns over the definition of "public school" that had been added by the amendment. The House then re-opened the Committee Stage and approved the deletion of the offending definition of "public school" in clause 2; consequential amendments to clauses 9 and 12, where "public school" appeared; and the insertion of a new clause to amend section 21 of the Education Act, which regulates fees and levies payable at non-Government schools. The effect of the new clause was to make the National Competitiveness Commission responsible for approval of increases in fees and levies in non-Government schools.

These amendments were formally approved by the PLC in a non-adverse report, followed by the final passing of the Bill and its transmission to the Senate.

Note on the PLC's Adverse Report: The PLC's view was that the definition of "public school" was so broad that it would subject private schools to controls inconsistent with section 75(2) of the Constitution, which gives every person the right to establish and maintain "independent educational institutions of reasonable standards, provided they do not discriminate on any ground prohibited by this Constitution".

Three Bills given First Reading and referred to PLC

On Thursday 29th August the following three Bills were presented in the National Assembly, given their First Readings and referred to the PLC for reports on their constitutionality: Marriages Bill, Freedom of Information Bill and Zimbabwe Media Commission Bill.

Other Bills

There was no progress last week on any of the other Bills listed on the National Assembly's Order Paper: Zimbabwe Investment and Development Agency Bill, Money Laundering and Proceeds of Crime Amendment Bill and Coroner's Office Bill. They may, however, move forward this week.

Coming Up in Parliament This Week

In the Senate

Education Bill

This Bill is the only Bill on the Senate's Order Paper for Tuesday 3rd September, having been transmitted from the National Assembly on 27th August. Its passage through Parliament could be completed this week.

In the National Assembly

Three Bills head the Order Paper for 3rd September, in the following order:

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

The Committee Stage has to be completed, with several pages of amendments proposed by the Portfolio Committee on Industry and Commerce [\[link\]](#) still to be considered.

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

Minister's Second Reading speech and Second Reading debate.

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

For continuation of Second Reading debate.

Three Bills under consideration by PLC

As these Bills were referred to the PLC only five days ago, the necessary reports on their consistency with the Constitution are unlikely to be delivered to the National Assembly this week. The National Assembly is not expected to continue dealing with them this week.

Marriages Bill [\[link\]](#)

Freedom of Information Bill [\[link\]](#)

Zimbabwe Media Commission Bill [\[link\]](#)

Public consultations have already been conducted on the Marriages Bill and the Freedom of Information Bill.

Other Business in Parliament Last Week

International Agreement Approved by both Houses

The 2012 Beijing Treaty on Audio Visual Performances was approved for ratification by the National Assembly on 27th August and the Senate on 29th August.

This means that Zimbabwe can now become party to the Treaty by depositing an instrument of ratification.

Committee Reports presented

Reports were presented on the:

Petition on Access to Primary Documents presented to Parliament by the Gwanda Community Youth Development Trust [report by the Portfolio Committee on Defence, Home Affairs and Security Services, presented to the National Assembly on 27th August]

Implementation of Empowerment Programmes in the Mining Sector [report by the Thematic Committee on Indigenisation and Empowerment, presented to the Senate on 28th August]

Familiarisation Visits to Featherstone, Ngundu, Beitbridge, Gwanda and Plumtree Police Stations and Border Posts [report by the Thematic Committee on Human Rights, presented to the Senate on 28th August].

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