

PARLIAMENT OF ZIMBABWE

Thursday, 22nd March, 2012.

The House of Assembly met at a Quarter-past Two O'clock p.m.

PRAYERS

(MR. SPEAKER *in the Chair*)

SECOND READING

ZIMBABWE HUMAN RIGHTS COMMISSION BILL [H.B.10, 2010]

First Order read: Adjourned debate on motion on the Second

Reading of the Zimbabwe Human Rights Commission Bill [H.B. 2, 2011].

THE MINISTER OF JUSTICE AND LEGAL AFFAIRS: I move that
the debate do now adjourn.

Motion put and agreed to.

Debate to resume: Tuesday, 27th March, 2012.

MOTION

PRESIDENTIAL SPEECH: DEBATE ON ADDRESS

Third Order read: Adjourned debate on motion in reply to the Presidential Speech.

Question again proposed.

MR. H. SHOKO: I also want to add my voice to this noble motion that was presented to the House by Hon. Zhuwao. I want to thank the President of the Republic of Zimbabwe for the points that he highlighted in his speech. Notably, he went on to point out that the 99-year leases that were given to the land grabbers were of no collateral value, and he realised that the grabbers could not get money from banks because they did not have collateral value.

Mr. Speaker Sir, the President went on to allude to the point that it was very necessary for land grabbers to ...

MR. MUDARIKWA: On a point of order Mr. Speaker, there are no land grabbers. People were dully allocated land and nobody grabbed land. The impression that he is giving to the world is – and he is day-dreaming – that one day the former farm owner will come and take the land because if I

grab something from somebody I have committed criminal offence. We never committed any criminal offence. The land belongs to us and it has been our land. I recommend the hon. member to go back and study history of Zimbabwe. He must withdraw that statement. I thank you.

MR. SPEAKER: Order, hon. member, there is no point of order. Earlier on, I indicated that when you make a point of order, you must be in a position to point out the provisions of the Standing Orders that have been flouted or offended by the debater. So in the absence of any reference hon. member, I rule you out of order.

MR. H. SHOKO: Thank you very much Mr. Speaker Sir. The President went on to allude to the fact that it was very necessary for the Government of Zimbabwe to prevent leakages of diamonds in the Chiadzwa area. This is a very good point because right now the government is not getting enough revenue from diamonds.

He also went on to say that when it was stated that one man one farm, it did not mean one family member, one farm. On a sad note, the

President went on to say that agriculture was the backbone of the Zimbabwean economy, but to our surprise, the very people who are seated to the other side of the Parliament, who I earlier on referred to as land grabbers, are not right now paying for electricity to the Zimbabwe Electricity Supply Authority.

The industry right now is in a stable condition, but there are people who are in the Zimbabwean Government who do not want to pay ZESA, and I think it is high time that we name and shame these people because the country can not go anywhere. We want to build Batoka, we want to upgrade Hwange and we want to build other generating plants. Of note Mr Speaker Sir, we have Hon members who are here in this House who are not paying their ZESA bills.

They come here dressed in suits, they go back home and get their monthly bills, but they do not want to pay ZESA. Probably it had become a norm to them during the previous government. Of note, we have Hon. Bhasikiti \$77 828.66. He has become a parasite to the Government

of Zimbabwe. There is Hon. Munyaradzi Mangwana who is seated in this House, he also has \$41 512.94. We can not say the hon. member is failing to pay. He has been in the COPAC and he is a co-Chair. He has been getting allowances and he does not want to pay ZESA.

Mr. Speaker Sir, We also have the Governor of Masvingo Province, Hon. Titus Maluleke who is now owing \$16 857.33, that he did not pay to ZESA. We also have the Governor of Manicaland province who has probably become the President of the Zimbabwe Electricity Defaulters Association, because the man is having nearly half a million, \$367 606.07.

Mr. Speaker Sir, all these people were receiving their monthly bills, looking at them and dropping them in their bins. Mr. Speaker Sir, Hon. Kembo Mohadi and wife owe USD12 538.57. The point I want to bring here is that it is very sad that hon. members from this House are refusing to pay their ZESA bills and yet ZESA is a parastatal that we oversee, it is a parastatal of the Republic of Zimbabwe and we are hon. members of the Government of Zimbabwe and of the Parliament of Zimbabwe, but we do not want to pay

our ZESA bills. When we come here, we debate yet we are the enemies of ourselves. We are talking of sanctions here but these are sanctions that we are also giving to our parastatals.

Hon. Mavhima was on television yesterday and he equated our parastatals to a person who is in the Intensive Care, and you would also think of ZESA because it is one of our parastatals which is almost in the Intensive Care, because there are people in here, who do not want to pay their ZESA bills.

Mozambique is threatening to disconnect us for an USD80million debt, if we add the amount that is owed to ZESA by hon. members and VIPs in Government - the money runs into millions.

Mr. Speaker, it is also my humble submission that all hon. members who have these bills pay as early as possible. They should pay as a matter of emergency of which if they fail to pay, I suggest that these members should not be allowed into this august House. I thank you.

MR. MATONGA: Thank you very much Mr. Speaker. I would like to

add my voice to this very important debate on the Presidential Speech.

Mr. Speaker, the Presidential Speech brings in a number of issues that are pertinent to our society. There is the issue of corruption which I think, is very important that we cannot let that element/bug eat our system. When you have got a Prime Minister of a country - he double dips USD1.5million for refurbishment, ... - [HON. MEMBERS: *Inaudible interjections*] - He accesses USD1.5million to refurbish a house. A whole Prime Minister of a country, he goes to the Reserve Bank... - [HON. MEMBERS: *Inaudible interjections*] -

THE TEMPORARY SPEAKER: Order, Hon. Mafa, do you have a point of order?

MR. F.M. SIBANDA: Yes, Mr. Speaker. We have a standing in our rules that the leader of the country - the President and his Deputy; the Prime Minister and his Deputies should never be demeaned by anybody in the country. So, I wish the hon. member to withdraw that statement.

Thank you very much.

THE TEMPORARY SPEAKER: Hon. Matonga, may you continue please.

MR. MATONGA: Thank you very much Mr. Speaker. When you have a whole Prime Minister accessing a whole USD1.5million for refurbishment of his house - I think, it is out of order. When you have got a whole Prime Minister of a country...- [HON. MEMBERS: *Inaudible interjections*] -

MR. MATIMBA: Mr. Speaker on a point of order. The member is supposed to be debating on the Presidential Speech and not issues of the Prime Minister.

THE TEMPORARY SPEAKER: Order, order. Whilst our Constitution refers to the President as the Head of State, but I think, it is also good manners not to denigrate our leaders. Hon. member, you may continue to debate.

MR. MATONGA: Corruption is a bug that we all have to fight and it has to start from the top - we need to lead by example. If people commit a

crime, they should be investigated thoroughly. As I said, if you access USD1.5million for refurbishment from the Reserve Bank of Zimbabwe, you then go back again to the Ministry of Finance and access USD1million for the same process of refurbishment - USD2.5million for refurbishment of a house. When Parliament cannot even pay Members of Parliament their allowances of three years - then we have got a serious problem.

I move on to the issue of land reform or land revolution. I would like to educate members that we are still in a revolution not a land reform process. If you approach the banks to access loans for agriculture development you are given a very short period of repayment maybe three to six months. If you are involved in agriculture, it makes it very difficult for farmers one, to repay the loan; two to even pay your workers; three to pay even ZINWA and four, to pay even your electricity bills. So, if there has to be a payment plan, there has to be a special dispensation for farmers. It is not because farmers do not want to pay for electricity but ZESA should sit down with farmer organizations and find a way for repaying

their loans. So, I do not see anyone or a farmer refusing to settle their bills.

Mr. Speaker, our parastatals are bleeding because they are poorly managed. So, we cannot talk of even dismantling our parastatals - they need good management, they need financial support from the fiscus. If you cannot support an institution, therefore, they will not perform. Even if you employ a chief executive of any parastatal and if you do not pay them adequately and on time, they are not going to perform. Even the workers of those parastatals, if they are not paid on time they will not perform.

Any country Mr. Speaker Sir, if you look to German or France, 80 percent of their organisations are Government institutions.

Finally, for us to be able to pay our ZESA we should remove those sanctions, they must go and must go immediately.

***MR. DUMBU:** Thank you Mr Speaker, I would also want to add my voice to this motion on the Presidential Speech. The President spoke a lot on corruption, but we see that corruption is rampant in the President's

party. I would like to itemise everything, probably the President was wishing that this could change in his own party. He was talking about land redistribution. In Masvingo Province, we discovered that people were being offered letters in the lowveld area. There is a story which is a laughing stock in Masvingo of a man who was given land to grow sugarcane and that farm had a farm house, but when he occupied the farmhouse, another farmer was given an offer letter for the orchard. So, you see this is all naked corruption.

Mr. Speaker, Sir, that area belongs to the Shangani people. You find that people from Chiredzi like Hon. Baloyi choose not to talk about that issue but none of them benefited from land redistribution. Is it that ZANU PF members who are heading various departments are the only people who are supposed to benefit in the land redistribution.

Coming to empowerment, you find that they are saying every Zimbabwean should benefit, but you see that people in Chiredzi are not benefiting when it comes to empowerment. The people who are benefiting

are people who come from Harare. You find that there is no order when it comes to empowerment. You find that you just wake up and find that redistribution has been done. What we are saying is when you talk about the 51%, we do not know who is benefiting because when you look at Masvingo province, people there are very poor there. We do not know whether the Head of State is considering that when it comes to the 51% which people should benefit from, especially the local people. This policy should stipulate clearly how *Mudhara* Manase from *Mashenjere* and Mr. Zimondi in Veza in Zaka West will benefit from the 51% indigenisation programme.

What we are saying is that we see it as attempts to buy people, but people who are being told are not benefiting. Even here in Parliament, not all of us are benefiting. We do not know where this culture is coming from where we support rotten policies while even some of those supporting them in Parliament are in terrible poverty. I think we should shell our eyes and see the truth. We should think for ourselves. I think the people of

Zimbabwe should refuse and reject mere talk without any implementation.

I think our leaders should walk the talk because people have been suffering for 32 years. We should see change. We do not want to work for nothing. I think everything should come to an end. We have been talking about all this for about 30 years now and it is all procrastination. It is high time that we should start working. I think when it comes to empowerment, it should be planned well and all the policies should be clear so that everyone should benefit including the elderly, not that only few people should benefit.

Mr. Speaker Sir, on this issue you find that it is only the people who are in leadership and their children who benefit. They are the ones who are benefiting but all the children of Zimbabwe are not benefiting. They will be selling along roadsides while ministers' children have shops in Harare and Bulawayo where they sell computer and car spare parts. So all the other children will be doing menial jobs. It is mind boggling to see that people who do not have anything are the ones driving the

spearheading of policies which are not good. Please do not deceive the people of Zimbabwe by supporting rotten policies.

MR. TAZVIONA: Thank you Mr. Speaker Sir, the President delivered a speech to Parliament marking the official opening of the Fourth Session of the Seventh Parliament of Zimbabwe on the 6th of September 2011. The speech failed to address the challenges and problems affecting Zimbabwe.

The formation of the Transitional Inclusive Government of Zimbabwe in February 2009 marked a historic development in the country. The Transitional Inclusive Government was a product of the Global Political Agreement which was signed by ZANU PF and two MDC Formations on the 15th of September 2008. The Transitional Inclusive Government was primarily put in place to restore economic stability and growth, to reform the political environment and to prepare the country for a free and fair election. The President and other Principals agreed to work together to create a genuine, viable, lasting and nationally acceptable solution to the

Zimbabwean problems and charting a new direction for the country.

Mr. Speaker Sir, when the President delivered his speech to Parliament, I expected great emphasis on issues hindering the smooth function of the Government and possible business that the President had lined up for the Fourth Session of the Seventh Parliament. I was expecting the President to mention time-frame for the full implementation of the Global Political Agreement. Our President failed in his speech to mention the urgency of the security sector reforms for the good of a free and fair election we are expecting soon after completion of the Constitution process. The President failed to mention the repealing of repressive laws such as the Public Order and Security Act (POSA), the Access to Information and Protection of Privacy Act (AIPPA), Criminal Codification and Reform Act, just to mention a few. Mr. Speaker, I believe some people and some Institutions in this transitional era had chosen to defy the Co-operation that had been shown by our principals. Some Institutions and other Cabinet Ministers had intentionally thrown spanners in the smooth

functioning of the new arrangement and had even gone further to some extremes of failing to implement agreed reforms simply because those individuals are living in denial mode.

Mr. Speaker, we are almost in the fourth year after the historic formation of the Transitional Inclusive Government, surprisingly by most Government employees and leaders in our State Institutions are still failing to cope with the reality on the ground. Please accept it, its real, ZANU PF Government ended in 2008 elections. MDC is not yet in power, we are in a transitional era, so work for the ordinary people of Zimbabwe under the current set-up, otherwise history will judge you wrongly and harshly.

Mr. Speaker, to be honest, the Transitional Inclusive Government was the only possible option soon after the defeat of the former ruling party ZANU PF, in 2008 harmonised elections. The March 2008 election and the failed infamous 27 June run-off completely destroyed our economy which was already in an intensive care unit due to looting and poor management of resources by greedy individuals in the then Government of

the day by then. The new blood and great thinkers brought an idea in cabinet of a short Term emergency Recovery Program (STERP) (February–December 2009) soon after the formation of the Transitional Inclusive Government. The economy started to show some signs of improvements. Credit must go to all the principals, negotiators, and all Zimbabweans for the formation of the Government.

The transitional Inclusive Government had brought in people with new ideas; different thinking and actioning in the new set up. The inclusion and fusion of new and old people created a higher level of thinking that surpasses the thinking of the people who created these problems 30 years ago. Generally the Transitional Inclusive Government had done justice to stabilise the economy and had shown some great potential if it had not been the bad attitude by some individuals who want to see the current set-up derailed for some personal reasons known to them. Mr. Speaker, on the other hand Transitional Inclusive Government had failed its people. The ordinary people in our country are now poorer than what they were before

the formation of the Government. I would take you through my rural Constituency Zhombe for a living testimony.

Health

Zimbabwe has the capacity to train the majority of its health professionals to the highest level of competency both at graduate and post-graduate levels but thirty two years after Independence the country is failing to replace vacant posts created by those who moved to greener pastures after the crunch of the Zimbabwean dollar. In Zhombe people are dying day in day out from preventable diseases. Zhombe hospital, our referral centre in the constituency is having financial problems in operating to full capacity. There is shortage of midwives, nursing staff and doctors. The hospital's Infrastructure is in a state of sever disrepair as a result of underfunding and a lack of maintenance. The hospital needs vehicles to service its clinics, our people need to be equipped and electrified. People are worried by lack of concern by Government to its people. In Zhombe, we have clinics which have been operating, almost 300 metres from a

possible ZESA connection point but people had been failing to connect.

Sidakeni Clinic is in Ward 7, Zhombe, and almost 300m from Sidakeni

Cottco Depot, Rural electrification agents are failing to have ZESA to the clinic for the improvement of health delivery system in our area. I hope and believe the responsible authorities will act without delay.

Road Network

Mr. Speaker, I always fail to answer the people of Zhombe when it comes to road maintenance. The roads in Zhombe and the country needs urgent attention to stop the accidents which had surpassed the deaths caused by aids and TB. The Kwekwe-Zhombe highway needs urgent cutting down of shrubs and grasses which is reducing the highway into a footpath. The short route to Gokwe which is Kadoma-Venice Empress-Gokwe strip tarred road is completely damaged. The road needs urgent attention from the Government to intervene because the Hon. Minister of Transport and Infrastructure development had failed us. The road poses a death trap because of heavy presence of public transporters and heavy

trucks either carrying coal or bales of cotton from Gokwe. There are potholes everywhere, branches of trees are falling to grow because of disturbances every time a vehicle passes. The feeder roads that cross Zhombe are in bad state. Transport operators have withdrawn their buses because the roads are impassable. I urge the elected leaders, Traditional leaders, companies operating in Zhombe to team up with local ordinary Zhombeans to play their part in maintaining their feeder roads in their respective wards because the Transitional Inclusive Government had failed. We urge the Government to join us in our quest to maintain our roads as soon as the resources are available.

Education

Mr. Speaker Sir, for our country to benefit we need to nationally invest in our education system. The rural schools and rural teachers and other Government workers are being sidelined from other country programmes. Many teachers and other civil servants in Zhombe need to be paid by the Government for the services that they offer to our children in

schools. Poor people in Zhombe are failing to get a dollar for general living. Do you expect them to pay for incentives for their children who in most cases are going to schools without uniforms and food? The Government as a matter of urgency must also be introduced in schools. Where there is no electricity, solar energy can be used as a cheap source of power for the benefit of rural school pupils.

Agriculture

Mr. Speaker, Zhombe is very lucky in as far as agriculture is concerned. The constituency had an Agriculture College at Rio Tinto. The constituency had two irrigation schemes namely Ngondoma and Sengwasi. The Irrigation Schemes need injection of funds by the Government for them to function normally. Rural Electrification Agency must see that ZESA is connected to the irrigation schemes as a matter of urgency. The Agriculture College is there to provide training to farmers for a small fee or for free in most cases. I urge the farmers in Zhombe to use the college personnel and student for animal and crops advice when need arises. The

GMB must learn to pay farmers in time. Urgent intervention by the Government is needed this 2011/2012 farming season. The crops in Zhombe are a right off. People are in need of food assistance in all the eleven wards.

Rural Traders

Mr. Speaker, the operation 'Dzikisai Mutengo', had left all rural traders broke. Our rural population is failing to get basic goods from our rural shops because the traders had no means of getting, working capital to restock their empty shops. The local banks and SEDCO are sidelining rural traders. I then urge the transitional Inclusive Government to establish a special fund specifically targetting rural traders such that they will restock their businesses, such that ordinary people will then get cheap and affordable goods nearer to their homes.

Unemployment

Mr. Speaker, all school leavers in the constituency are not employed. Young people are failing to get funding for their small projects. The current

youth funding is politically biased. I urge the Government to depoliticise the funding such that those who deserve it get it. The people hate the current situation whereby people are given money because of their political correctness. The Government must find ways of encouraging big companies to invest in rural growth points and service centres country wide in order to create employment.

Mobile Phones

The Government did a good job in most parts of the country in rolling booster stations. People in Zhombe are connected on line. Thanks to the Minister of ICT for the service.

Mining

Mining is the source of income for most people in Zhombe. Children, boys, girls, men and women are found either in formal small mining companies or illegal gold panning in rivers and fields to earn a living. I urge the Government to find ways of educating these miners and panners to do the mining without destroying the environment and other man made

infrastructure. The Government can then encourage the panners to form co-operatives in order for them to channel the produce to formal markets. The Government will also benefit and the unemployed earn a living without corrupting the law enforcers,

Traditional Leaders

I am very pleased to tell this House that chiefs and village heads in Zhombe are discharging their duties professionally. They know their duties and roles. I only urge the traditional leadership in Zhombe to desist from political abuse which can come from failing politicians in the constituency. Be professional as you used to be. It is no longer ZANU PF Government, we are in a transitional inclusive Government.

It will be unfair to end my speech without thanking the MDC leadership led by right Hon. Dr. Tsvangirai for successfully setting new political records and rewriting of new history textbooks in Zimbabwe after the March 2008 historic elections. Credit must also go to the ordinary people of Zimbabwe particularly those of Zhombe Constituency for doing

what they wished for since 2000 – voting for change.

Mr. Speaker Sir, allow me to extend my deepest sympathy and sorrow to families who lost their beloved ones in violence that rocked the nation in election time. My specific mention goes to Gwezuva family. Steven Gwezuva was MDC-T chairperson for Ward 6 Samambwa are in Zhombe. The murders are well known ZANU PF people. He was murdered during the run off of 27 June madness. The Gwezuva and Zhombeans are anxiously waiting to see justice done to the case as of yesterday. The murderers are out on bail. I urge the Government to complete all cases of murders in the shortest possible.....

MR. SPEAKER: Order, hon. members, if you can not debate then give those who can an opportunity to be heard. You are also doing a serious disservice to the *Hansard* people, that is when you will then complain of the speeches being not recorded properly. Can you allow the hon. member to be heard in silence. It is actually his maiden speech.

MR. TAZVIONA: The murderers are out on bail. I urge the

Government to complete all cases of murders in shortest possible time because people will think otherwise.

I believe all what the people of Zimbabwe expected from the transitional inclusive Government was trust, love, peace, tolerance and confidence in electoral processes rather than a replay of the distressing experience of 2008 elections which were characterised by fear, hatred, intimidation, impurity and bloodshed. I therefore, urge the President, The Prime Minister, Deputy Prime Minister, Cabinet, Parliament and all stakeholders to pursue the original purpose of the transitional inclusive Government. We want reforms, we want repealing of repressive laws and a new constitution ready. The people of Zhombe are ready to complete the journey. I thank you.

MR. GONESE: I move that the debate do now adjourn.

MS. D. SIBANDA: I second.

Motion put and agreed to.

Debate to resume: Tuesday, 27th March, 2012.

ANNOUNCEMENT BY THE TEMPORARY SPEAKER

ERROR ON THE ORDER PAPER

THE TEMPORARY SPEAKER: I wish to alert hon. members of an error on the *Order Paper*. Order of the Day, No. 5 was adopted and accordingly restored on the *Order Paper*. It should therefore read as, “Adjourned debate on motion.....”

MOTION

FIRST REPORT OF THE PORTFOLIO COMMITTEE ON TRANSPORT
AND INFRASTRUCTURAL DEVELOPMENT ON THE OPERATIONS OF
THE NATIONAL RAILWAYS OF ZIMBABWE

Fifth Order read: Adjourned debate on motion on the First Report of the Portfolio Committee on Transport and Infrastructural Development on the Operations of the National Railways of Zimbabwe.

Question again proposed.

+**MS. D. SIBANDA.** Firstly, I would like to thank the Portfolio Committee of Transport and Infrastructural Development for bringing up

this motion in this august House. It really saddens me if we look at the railways. The railways was responsible for looking after a lot of families. My parents used to work for the railways and I also worked for the railways. The National Railways was a better paying company here in Zimbabwe. If you look at the National Railways workers as it is, they have not received their salaries for November, December and January and that is not proper.

This is not good especially for us legislators. If you look at the people who are heading the NRZ at the moment, are they really qualified? Why is this parastatal not performing well? Even if you talk to the workers at the moment they tell you that if they work overtime they do not get anything. Some of them want to go on pension but they are being told there is no money to pay for their pensions.

MR. SPEAKER: Hon. Sibanda, please take your seat. My apologies, we skipped Order No 4 and for the records to be complete, we have to finish with that first, before we proceed with the debate.

MOTION

BUSINESS OF THE HOUSE

MR. GONESE: I move that Order of the Day, Number 4 be stood over until Order of the Day, Number 5 has been disposed of.

MS. D. SIBANDA: I second.

Motion put and agreed to.

MOTION

FIRST REPORT OF THE PORTFOLIO COMMITTEE ON TRANSPORT AND INFRASTRUCTURAL DEVELOPMENT ON THE OPERATIONS OF THE NATIONAL RAILWAYS OF ZIMBABWE

Fifth Order read: Adjourned debate on motion on the First Report of the Portfolio Committee on Transport and Infrastructure Development on the Operations of the National Railways of Zimbabwe.

+**MS. D. SIBANDA:** As I was saying, the NRZ used to have a scheme that was called Railmed and railway workers made contributions towards this fund every month, but now when they go for treatment they are told

there is no money. This is a very sad situation Mr. Speaker. I do not know if NRZ employees are not allowed to make contributions or have their own medical aid societies. I will give an example of Gibson Siziba who is an auditor at NRZ and when, he made a statement, he was dismissed and there is also another employee here in Harare who was also dismissed. Is there such a policy in government that when people make statements they are dismissed.

We are really worried as to how the Railways is operating at the moment. We knew there was security in the Railways but now we are told that those people were dismissed and there is another security company which started working in 2009. We were told that power lines were removed from Dabuka to Bulawayo. This is one thing that we have to investigate and we need to know who owns that security company. We also want to know what happened to the copper that was removed from Dabuka to Harare. We were told that some of the cables were found at Beitbridge Border Post where they were being sold. We want to know what the

money was used for and if NRZ benefitted.

Another issue that is disheartening is, if you look at most of the departments or sections at the NRZ, they are being headed by war veterans. What do they know about the operations of NRZ. We are told that there are Commissioners, there now and we need to know what their duties are. We are told that those Commissioners are always loitering on the platforms threatening people. This Committee and this House must investigate what those Commissioners are doing there and how they were appointed because that is a parastatal and not someone's farm.

We are talking about a parastatal, the NRZ, and what we need there are engineers and journeymen because they are the people who know how to operate the railways. Presently there are brigadiers and war veterans and how do you expect them to work yet they know nothing about what they are doing. We had people like Mabhena who was in charge of the Railways and everything was going on well but now things are not moving.

There is also the issue of trucks being used to ferry goods yet as we

grew up there were goods trains. There are no trains anywhere and even if you lie on the NRZ line nothing will happen to you. These trucks are damaging our windscreens and roads. We are therefore appealing for the NRZ to be restored to its original state. We must also try and find out how these trucks that are ferrying goods are operating and who owns them.

We hear that people are being threatened and victimised whenever they want to air their grievances. We do not want someone to place a gun on the table and then say tell me what you want because some of those workers did not go to war and so they are afraid. The parastatal is now being run like a farm because there is no board at all. We have heard a lot about the Railways, and before I conclude Mr. Speaker, we see that the army is now in the Railways and all we are saying is that the army should not be there. War Veterans should not be there and ghost workers should not be there. Now, NRZ we are told stands for “Not Running *Zvakanaka*”. I will say now NRZ has gone to the dogs. There is a workforce of 8 000 people at the moment, but the people in management are too many. They

are looting Government funds doing nothing, duplicating duties and yet people are suffering.

The Railways is failing to pay its workers and people have not been paid since November. They should be paid all their money because people are suffering and they have even resorted to stealing. Those are people with homes and families and how then do they survive? If they start stealing, that will not be good for the parastatal. A Committee should be set up to try and rectify all the issues that I have raised here. People are trying to work hard. I thank you Mr. Speaker.

MR. GONESE: I move that the debate do now adjourn.

MS. D. SIBANDA: I second.

Motion put and agreed to.

Debate to resume: Tuesday, 27th March, 2012.

MOTION

CRIMINAL PROCEDURE AND EVIDENCE ACT

Fourth Order read: Adjourned debate on motion that leave be

granted to bring in a Bill to amend the Criminal Procedure and Evidence Act in Section 121 by the Repeal of Subsection 3.

Question again proposed.

MR. KAGURABADZA: Thank you very much Mr. Speaker and hon. members of this House. I would like to thank first and foremost, Hon. Gonese for bringing forth this motion and Hon. Mushonga for supporting it.

Mr. Speaker Sir, this motion was clearly mentioned to us by Hon. Gonese that it came in during colonial times and we all do not support the concepts/ideas of colonialism. We all agree that anything that is colonial should go away. The intention of this Section was to try and rein in murderers, habitual criminals, repeated offenders and those who were involved in espionage were the ones that were to be delayed for 7 days.

Mr. Speaker Sir, from what we have followed through the corridors of this law, we have found that during the time of Hon. Chinamasa up to Gula Ndebele, this section was rarely used. It became a habit when we had and still have the Attorney General Tomana. So, from what we are observing

and seeing, it is being used especially for those who are believed to be in the opposition of what the Government or ZANU PF was trying to do.

Mr. Speaker Sir, it is clear that members of the MDC-T, ZCTU, Civil Society have been the targets. I will give examples to what was mentioned previously by other speakers. ZCTU, we know of Mr. Chibhebhe and also Mr. Matombo. They were also involved and Section 121 was evoked to try to keep them for 7 days under remand. Civil Society has not been spared at all. We are aware of WOZA, women who fight for women's rights, have been also affected by this section.

Notwithstanding Jestina Mukoko, whom you are aware from the news clips, was pulled very early in the morning from her bedroom or from her house and was taken away. Again, this section was evoked on Jestina Mukoko. I would like also to mention what was said by Hon. Gonese in connection with Hon. Mwonzora. I am not touching Hon. Mwonzora but I am touching people who were with him. There were about 24 of them. There was an old man who was part of the team, the late Mr. Nyakauru. I

can not remember his age but for this debate, let me say 88 years old.

So, he was also detained and he is now late because soon after he came out of the remand, he passed away. This also is not affecting Section 121 on adults but it is also affecting children as I shall point out.

We have Hon. Karenyi, Member of Parliament for Chimanimani West. She was also arrested and that Section, when the Magistrate was about to give bail, that Section was invoked. Mr. Speaker Sir, I want you to see how cruel this piece of legislation is.

The calculation was done by the Attorney General's department to calculate 7 days and the 7 days ran into Christmas. We are aware that Christmas time is a time when families come together. We are aware that that is the time when children enjoy to be with their parents. We are aware that in general *musha ndimai*, Christmas *ndimai*. Hon. Karenyi was incarcerated for 7 days that included Christmas. I would like to believe, as a christian, that even when the angels of God came down to give the message of good tidings that Jesus had been born, they were surprised to

find Karenyi not at home and the Angels knew that Karenyi had not died because she had not been in heaven on their departure - this is something that we should look into and ensure that we get rid of it.

In my own Constituency, Mutasa South, there was a funeral and members were singing. Phillip Dowera a father of three, Patrick Chikoti a father of four, Councillor Faith Mudiwa a mother of six who had just weaned her baby was also taken because they were believed to have sung one of the jingles that was on the radio, *Nyatsoteerera unzwe kutonga, muOffice munaBob*. They were accused of singing the flip-side of it, *Nyatsoteerera unzwe kupenga, muOffice mune mboko*.

Mr. Speaker, if I was not vocally wounded, I would have sung it for you. This is one of the reasons why they were detained for seven days - they were punished and whipped for seven days. This is not correct, it is a very cruel and unusual punishment to punish people that have not committed a crime because in the end, they were found to not have committed any crime.

Mr. Speaker and hon. members of this House we have a criminal law system but there is no justice at all, we should look at it and reverse it. I mentioned earlier on that we do not like the colonial system. In Manicaland where I come from, Hon. Chitima will bare that out, we say *kuti gomo rakashata, nehuni dzaro dzakashata*. If the colonial system is bad, its colonial laws are equally bad and must go away. So, let us make sure and make a point that we all repeal this piece of legislation so that at least we make progress.

Mr. Speaker, I would like to thank you very much for affording me this time to contribute and I have no doubt at the back of my mind that in the end, we are all going to support the motion and remove this part of legislation that is doing more harm than good to our citizens. I thank you.

MR. GONESE: I move that the debate do now adjourn.

MR. MUSHONGA: I second.

Motion put and agreed to.

Debate to resume: Tuesday, 27th March, 2012.

MOTION

FIRST REPORT OF THE COMMITTEE ON PUBLIC ACCOUNTS ON
THE REPORT OF THE COMPTROLLER AND AUDITOR-GENERAL ON
THE MANAGEMENT OF GOVERNMENT VEHICLES BY CMED
(PRIVATE) LIMITED

Sixth order read: Adjourned debate on motion on the First Report of the Committee on Public Accounts on the Report of the Comptroller and Auditor-General on the Management of Government Vehicles by CMED (Private) Limited.

Question again proposed.

MR. GONESE: I move that the debate do now adjourn.

MR. MUSHONGA: I second.

Motion put and agreed to.

Debate to resume: Tuesday, 27th March, 2012.

MOTION

FIRST REPORT OF THE PORTFOLIO COMMITTEE ON EDUCATION,

ARTS AND CULTURE ON PRIMARY AND SECONDARY SCHOOLS

TEXTBOOKS: EDUCATION TRANSITION FUND

Seventh order read: Adjourned debate on motion on the First Report of the Portfolio Committee on Education, Arts and Culture on Primary and Secondary schools textbooks tendering and distribution process under the Education Transition Fund.

Question again proposed.

MR. MUSHONGA: Thank you Mr. Speaker, I want to add my voice to this debate and firstly I want to highlight what I consider to be the objectives of that inquiry. The first objective of that inquiry was the procurement and distribution of textbooks in schools to meet the ratio of one to one - which is a very noble objective by the Committee. What was the prevailing ratio is number two?

The prevailing ratio of book to pupil was 1 : 50 - one textbook to fifty pupils. Thirdly, the education sector was desperate and was in a situation of desperation in terms of non-availability of textbooks and

relevant manpower and fourthly, the Committee should have looked at whose responsibility was it to supply textbooks in schools? I believe it is government's responsibility and fifthly, on the objectives, it was never the objective of the fund to promote local publishing houses at the expense of the school pupils as the Committee seems to emphasise.

Now, I want to deal with the issue of tendering and distribution.

Local publishers were advised to reduce their profit margins but they refused. I refer to Item number 4.4.4 of the report. The local publishers were invited to reduce their profit margins and they refused. Secondly, the award of the tender to a single publisher who was found to be substantially low cost. This is again, admitted in the report, item 4:4.4. They admit that this was the lowest cost. Again it was because of the intransigence of the local publishers Mr. Speaker in refusing to reduce prices that the secondary schools textbooks were supplied in a contractual manner as opposed to tender. The three companies which were awarded are namely Zimbabwe Publishing House, Longman and College Press.

Mr. Speaker, unfortunately, in this House allegations of corruption were held and directed against the Minister. I do not agree with that Mr. Speaker, with due respect. The Committee in item 5.9, found that the process which was to be achieved one pupil, one book ratio was achieved. In other words we moved from 1 textbook to 50 pupils to 1 text book is to 1 pupil. The core objective was arrived at. So, item 5.9 in the report accepts that. The 2010 and 2011 public examinations show a significant improvement in the public examination pass rate. In other words it rose from about 15% to 30%. This is commendable and it is all due to this book project.

Mr. Speaker Sir, most of the members of the Committee who debated had vested interests in the matter. By vested interests I mean some of the members have bookshops, some of the members publish books with certain publishing houses which were not awarded a tender and...

THE TEMPORARY SPEAKER: Order, order.

MR. MUDARIKWA: On a point of order Mr. Speaker. The allegation

by the hon member that some of the members who debated had vested interests is not true. The hon. member is trying to mislead the august House. I debated but I do not own a publishing house, I do not own a bookshop. Hon. Mhashu who also debated I know he does not own a publishing House. So, the hon. member is trying to please his master.

THE TEMPORARY SPEAKER: If I heard the hon. member correctly, he said some of the hon. members which you might be excluded from. However, Hon. Mushonga, can you also desist from making insinuations which you may not be able to prove.

MR. MUSHONGA: Mr. Speaker, with due respect, one of the members who debated, Hon. Bhasikiti, disclosed his interests in that he runs bookshops and he is a book distributor. He disclosed this in the House. I believe those who had vested interests but did not disclose like Hon. Bhasikiti would be violating the Prevention of Corruption Act by failing to disclose their vested interests.

On tender procedure, I believe that there was a misconception in the

House about the tender procedures which were followed. This was never meant to be a tender under the Procurement Act Chapter 22:14 as read with Statutory Instrument 171 of 202, of the Procurement Regulations. This was never meant to be such a tender. This was an international tender not one handled by State Procurement Board as provided for in Section 5 of the Procurement Act, Chapter 22:4. In any case Mr. Speaker Sir, a party who is aggrieved by an award of an international tender can go to arbitration in terms of the Arbitration Act and put up the challenge. None of the persons who debated or those whom they purport to be representing took this matter to arbitration. Because they did not take that route and they lost the tender Mr. Speaker, according to the Committee item number 5.9 because of excessive profiteering at the expense of 3 to 4 million Zimbabwean pupils who benefited from this process – I also see a situation Mr. Speaker, where when the Ministry officials failed to get a chance to influence the process and direction of the tender, they dropped out and I welcome that dropping out by the Ministry

officials.

Mr. Speaker Sir, the Minister had to resort to what we call the hands on approach. He had to micro manage this process and it is out of this micro management of this process by the Minister which resulted in the first stage leaving some change which went to the second stage where secondary schools were supplied with books from the same purse. Mr. Speaker Sir, I believe we need to commend the Minister for this micro management. This was a well done job - [HON. MEMBERS: Hear, hear] - one stone which was meant to supply primary school books ended up supplying secondary schools pupils. This is very commendable.

The issue of perception and reality are two different things. The perception of the members of that Committee combined with the publishers and printers who lost the tender shows sour grapes Mr. Speaker, others say grapes are sweet others will say because we have lost grapes are sour but grapes are good Mr. Speaker.

The reality of the situation Mr. Speaker is as follows. Publishers and

printers expected a windfall from these international tender and it never materialised, hence the bitterness which is shown by members of the Committee. Those of us Mr. Speaker who read Chinua Achebe's, '*A Man of the People*', know the basic saying, you do not bite the hand that feeds you. It is very unAfrican to bite the hand that feeds you and this is exactly what this Committee is doing. It is trying to undermine the good work of UNICEF, they are trying to bite the very hand which feeds 4 million of our school pupils, that is unacceptable, very unfortunate and unwarranted.

In Conclusion Mr. Speaker, Sir, as I said earlier, a marked increase in the pass rate in 2010 and 2011 both for Grade 7 and 'O' level fully materialised. That is commendable. The argument about cross references which was read in this House is pathetic. When I grew up I was advised that beggars are not choosers, the Prime Minister begged UNICEF to get into this project, it is the Prime Minister of this country who begged and now somebody says we wanted luxury of cross references when we want

basic text books for Grade 1. It is very unfortunate. Micro-management was done by the minister and I have already commented that it resulted in the donor confidence. UNICEF had so much confidence in the process that they moved to the second stage of secondary school books. Who are the suppliers? Who are the financiers of these projects Mr. Speaker? This project was backed up by the European Commission. Australia, Denmark, Finland, Germany, Japan, Netherlands, Norway, New Zealand, Sweden, United Kingdom and United States. They supported both the first leg and the second leg of this project. I was expecting to hear my colleagues talk about sanctions. But, look, this is a proper project which is free of corruption and these countries came on board to support 4 million Zimbabwean people with books.

Mr. Speaker Sir, if you go to the administrative court, you will see that we have judgements of outright corruption in the manner in which the tender board awards tenders and no one in their rightful minds will put these millions in the hands of those the courts want to handle the process.

I will not even put my money in it. Finally Mr. Speaker, I want to say well done to Minister Coltart and his Deputy Mr. Dokora for a job well done.

Thank you.

MR. H. MUDZURI: I want to add my voice to the motion. We need to interrogate the effect of what happened on the tendering procedures as to who was prejudiced and who was disadvantaged? On the one hand, we want to put the complaining publishers and on the other hand we want to put the thousands and thousands of school children. Then we weigh which was the better way considering where we were coming from, considering the level of decomposition our education system in 2008/2009. We were actually using the fire brigade approach whereby we could put out the fire by whatever means. Mr. Speaker when the house is on fire and instead of using the normal gate, they jump out and put out the fire, then you complain to say this was wrong because he did not use the gate. I think that is both immoral and amoral.

Looking into this issue, we should be very careful so that we do not

throw away the baby with the bathing water. We need to criticize some of the actions of the ministers but let us be fair. This reminds me that in our criticism, let us see the bigger picture and by saying the bigger picture I mean, if we are having a white background, and at the centre this white background may be two metres by one and half metres. At the centre you put a black spot and if you ask even 40 people what they are seeing, all of them will simply say I see a black spot. Very few or none will say I see the white background. In this case, the white background which is the bigger picture is the effect of these books. That is how pupils were held. Surely this was something new to the pupils who used to scramble for not only one text book but for one and half text book. Half text book in the sense that it was torn with no other pages. It is all over and just torn and tattered.

This was the first time a pupil could have his own book in Mathematics, English, Shona, Science and Geography when it comes to secondary schools. This actually gave a present to our pupils and it

helped them to have contact with the book on a regular interval. Mr.

Speaker Sir, I am a teacher by profession. You can teach the reading skills using any material. Whether these books were from Longmans or from ZPH or from the newspaper, you teach them reading skills. When I talk of reading skills, you can teach the word attack skills, comprehension skills using that. It is not a book that teaches but the pupils.

Mr. Speaker, go to Tsholotsho now at a primary school and say these books that you have, no normal tender procedure was followed and you get an answer from those pupils. They will say it is either you are mad or you are just being inhuman and cruel to us. Yes, the minister might not have followed the procedure that was expected but I want us to say even in our *shona* culture, “*Ambuya vanonzi havamhoroswi asi kana voinda nemvura, unobata muchiono chaimo*” so that you save her. This is exactly what the minister did. I want to say Mr. Speaker Sir, let us look at other policies that were used even in the Ministry of Education. When teachers who had gone for greener pastures, were advised to come back and rejoin the

service, they never followed the normal procedures that we expect. They were told to go back to their former schools and start teaching. Their reinstatement was going to be normalised later. This was all because we were in a situation that needed urgent attention.

Again we have got the issue of incentives. This issue of incentives is similar to these other policies where parents are paying teachers. All these are measures that were taken in order to save the education system. So Mr. Speaker Sir, I think what I am saying is that we need to evaluate the effects of the Education Transmission Fund and the positives and we hammer on those. If we were in a normal situation, it was correct that we could have followed the normal procedures but seeing the results like what my honourable member has alluded to. The pass rate increased. If what was done increased the pass rate and you say this was wrong, surely it is us who will be wrong. So what I urge the House to do is to look into the positives of the ITC and we focus on those. I thank you.

MR. HOVE: I rise to add my opinion to this important motion that

was brought by the Committee on Education, Arts, Sports and Culture.

When I look at the wording of that motion, what it denotes as the subject matter negates the principle behind the Education Transition Fund. When I look at the motion as drafted there, what it makes as the subject matter is the tendering and distribution process, yet the educational transition fund's principle was never about the tendering and distribution, but rather it was to provide text books to students. So when a Portfolio Committee which has its hands on seeing the quality of education now raises a subject matter which is divorced from that of the education transition fund, I have a problem with that. Be that as it may, the hon. member who spoke did highlight a very important aspect that, there has been a marked improvement of results in our schools. Yes the results might be still a bit bad but there has been a marked improvement.

The essence of the educational transitional fund was for the provision of school textbooks. Those textbooks had to get to the intended destinations in correct quantities. What I would have been interested to

know from the Portfolio Committee report if there was a mismatch between the initial order and the number of textbooks that were delivered in schools. Then I think we would say there is a problem, but if the textbooks that were ordered were the ones that actually got to our schools, then it is a job well done. There is no way the Education Portfolio Committee can now begin to complain about the lack of business for publishers, distributors or bookshops. The focus should be strictly on the welfare of school pupils not on publishers.

I think the educational transition fund was put into good use. When I was listening to the submissions one hon member said it was the same material that was sent to our schools. Again, I want to challenge that opinion or that thinking. The Education Transition Fund was never meant to solve every problem befalling our education system. It was brought in to kick-start, to revive our education, schools, to motivate our students to want to go to school.

I am a Member of Parliament for a high density area where I have

observed that a number of youngsters in my community are disinterested in school. When I engage them, just talk to them, one of the reasons they are disinterested in their education is because it is difficult to learn. They have no chairs, tables and textbooks. They are only made to rely on a board which is in front of them when they are seated from a position of discomfort. Learning to them is now a difficult process and they lose focus and concentration.

I am saying if they get the textbooks that got to them, we should take over from there. One of the problems we always make is, we need to also apply our effort and put our own funding. This funding were never generated from Zimbabwe, they came from outside to assist us. I am saying if us as hon. members feel that our pupils were disenfranchised by just the same type of textbooks, when it comes to the budget time, let us increase the provision for education. So that we go in and correct that anomaly. I know when the budget time comes we will have forgotten about this and we will not want to see the vote being increased. we will be

probably looking the other side.

The education transition fund did what it was intended to do, to support, motivate and buy textbooks for our school children and that should be applauded. For the nation to look at only one aspect which is a passing thing, I am not condoning corruption, but for us now to forget the bigger picture and just concentrate on an aspect, it is like we are telling the students to have no confidence in the books. As leaders we are opinion makers, we influence. One of the characteristics of leadership is influence. I have the opinion that us as leaders, especially on things that have direct impact on our children we should speak positive things. we should tell our pupils that the books that they have are an asset and they should handle them with care. If what was discussed in this august House was to get in their ears that the books that they got are of low quality and no use, I wonder if the teacher would be able to stop them from pulling out the pages of those textbooks. I heard that their textbooks normally have a life span of 5 years, I wonder if they will last that if in this august House we

have indicated that those books are of poor quality.

The other thing that I want to say before I resume my seat is to do with the business model that our firms in general are employing. I have a problem with that, I have looked at the way they cost their products. It is as if they are still using the Zim\$ era. part of my CDF money, I used it to buy textbooks to argument this anomaly that was raised here. When I went around looking for books, I initially went to distributors, these bookshops. I noticed that the prices were three times, what they were paying for, from the publishers. What I did was, I stopped buying from the bookshops and I went to the publishers themselves and I bought books. Employing that strategy I managed to buy more than what I wanted and managed to supply the books that they wanted. I am speaking from a position of someone who has done something not only from this advantageous point, but I actually did something in my constituency. There is a record of what I did and I am speaking from a moral point of view.

In closing, I would say if indeed there was a flouting of the tendering and distribution process, we should have heard of schools crying out that they did not receive their fair share. I am yet to come across such a report. I have no problem with the distribution process. Every school even in the farming areas got their lot. We should be grateful for that.

In conclusion, we should commend the donor community that availed this fund for our children and one of the statements that is supposed to come out of this august House is a word of appreciation to our donors that the monies were put to good use. Our children are benefiting out of it and without such support there will be no education to talk of. The children now have a one to one ratio of textbook per child and that is commendable. If schools have standard books, it is commendable not that one school has books from Mambo Press and the other from ZPH. If the results are going to be set using Mambo Press books then that school will be at an advantage. I want to say that the funds were put to good use and we must thank the person who initiated that. With these few words Mr.

Speaker, I thank you.

MR. MUKANDURI: Thank you Mr. Speaker Sir, I rise to contribute to this motion which was raised by the Portfolio Committee on Education. I am very grateful to hear that the Ministry of Education through the assistance that was given by the donor community did buy textbooks which were desperately needed in our schools. As a State there are normally rules and procedures that should never be glorified if you go outside those procedures. Corruption is a societal evil and this august House must come together and condemn that action. As a country we have our own problems, but these problems should not lead us to take shortcuts. We have a Tender Board in Zimbabwe and it has laid down procedures. I do not want to labour on certain items that should not be said but as a Government, as a Ministry they should have followed the normal procurement procedures. I thank you.

***MR. MACHACHA:** Thank you Mr. Speaker, I want to contribute to this motion. I would like to thank the mover of this motion for allowing

us to talk about the education sector and also our Prime Minister, Mr Tsvangirai and the Minister of Education, Mr Coltart for the good work that they did to provide textbooks to schools. I want to say that since independence a lot of schools were built especially where I come from, Kariba, but did not have books. Senator Coltart did a commendable thing. If you have a deficiency and that has been supplied you should be thankful. I heard one speaker saying that the books had colonial history, when we went to school we read books from Shakespeare even the English that we are speaking right now, we learnt it from books from abroad.

We are happy that our children are now doing their homeworks relating to these textbooks before that some schools had photocopies instead of real textbooks and we are failing to appreciate the efforts of Hon. Tsvangirai and Senator Coltart. There are people in this House who have acquired two or three farms, but they are failing to utilise them. There could be faults with whatever process, but let us appreciate the good that it brought. Let us look at the inheritance that our children now

have in the form of text books. If you go to the schools that got assistance and tell them that the textbooks are of poor quality you will be luck to get away with it. I would like to say to this House that we should learn to appreciate and commend one and another for a good job in this country.

We should not look at the individual or whether this person is white or what political party they belong to. If something is good, it is good for the generality of the Zimbabwean people. We should not say you have acquired something some other time and now there is a chance for something to be acquired and you would also want to benefit. I was quite happy with the sentiments made by Hon. Bhasikiti that he was happy by not having a tender. Some got oranges, but now they want to go into the issue of tender for textbooks. It is a serious loss if one is not reasonable. We should thank Senator Coltart in this Government of National Unity. It is a blessing for all Zimbabweans who have children at school or for anyone who is thirsty for knowledge.

I would want to thank Hon. Mangami for raising this motion. Things

are moving for us this year. If you look in the Papers, the pass rate was quite encouraging. Everyone was quite happy when the results were released. I would like to say that to those who do not know, those results were made possible by the textbooks that were made possible by Senator Coltart. I thank you.

MRS. MATAMISA: Thank you Mr. Speaker Sir, for affording me this opportunity to add my voice to this very important motion that the Committee on Education did bring into this august House. Mr. Speaker Sir, I became very worried when I hear the other side of the story where as hon. members we tend to please ourselves and try to disown the process that was well done. The process that benefited our children out there. The process that benefited both those who were coming from the poor families and from the rich families. I really get saddened.

Mr. Speaker Sir, I keep on asking myself a question, some of the hon. members have been saying that there was loss of business from our indigenous people. What business to talk of? What business, with whose

money? They had nothing to lose, this was not their money. Somebody donated the money to benefit every child in Zimbabwe. So you cannot talk of losing business. What business? If you had no business before, you want to have business because there was this book issue so that you would steal by putting higher prices. The cost of everything is doubled once a tender has been offered to Zimbabweans. It is flouted so high that the beneficiaries at the end of the day do not benefit anything. So, they lost nothing and I think it is a job well done by the Minister, whatever he did.

On the type of textbooks, one of the hon. members did mention yesterday that the type of textbooks lacked variety, what variety. I am a teacher by profession and a teacher by calling. Let me tell you Mr. Speaker Sir, on behalf of those who were throwing stones on teachers. It is not the type of book that makes someone teachable. A student learns from whatever material is brought before him or her and the job of the teacher is to teach children how to learn. You do not spoon feed them. If you take a newspaper, you can use it in the classroom to help a child to be

able to read, if that is what the child is more interested in. If the child is more interested in the cartoons, why not bring cartoons in the classroom so that you use what the child enjoys most to get to where you want to get him to. That is to the learning stage of that very particular pupil.

Hon. members, what I think is very important is that is there a book for the teacher. Can the teacher plan using a certain textbook which he or she can refer to. It is just for reference purposes. When you go to teach a grade one pupil and if you look at the alphabet, the alphabet is the same. Whether you are using a book from written in America, a book written in Arabia or a book written in Zimbabwe, the alphabet is the same. So what is the difference? What is the variety people are talking about which they cannot see in that book. Those books that were bought, I do not see anything bad about it. Those torn pages that children have in their homes, if they bring them to the class those will also bring variety. If the teachers have something in the sort of library at schools, then that will be good for the schools to have somewhere to refer to besides textbooks that were

bought by the Hon. Minister.

The fact that each class had no textbooks and now has textbooks makes us proud as Zimbabwean parents. Our children can now do homeworks, it was well forgotten because they could not do homeworks without anywhere to refer to. You cannot do homework after copying the questions from the teacher's chalk board then you go home you ask mummy and she says I do not know what you are talking about. When you are doing bases, how can you ask daddy who learnt arithmetic. Your father needs to go and consult somebody but having a piece of paper to refer to. Those were the books that were bought and we start talking nonsense now that the tender was not done the proper way. What tenders and what for. For Zimbabweans, tenders as we know have never worked well before because they have worked to the advantage of other people of the same Party, ZANU PF.

Mr. Speaker Sir, let me say that there was an issue of misappropriation that others referred to. That without correct tendering

of these tenders there can be misappropriation but are we not satisfied as Zimbabweans that the money that came was put to good use. Are we not satisfied that all primary schools have got textbooks now. In fact the Minister had even gone a step ahead to supply Secondary schools. I am satisfied and he who does not get satisfied was looking forward to enriching or lining his pockets with the donor money. That money unfortunately, never came his or her own way and I am sorry for that one.

As a word of advice, the hon. members maybe because they want tenders to go through the rightful, maybe they should work towards making sure that the revenue that is being collected through Chiadzwa and other minerals that are found in Zimbabwe, that revenue should be directed into the rightful coffers. Also when the Budget comes, they should fight for bigger Vote for the Ministry of Education. So that if there is no money in the coffers, they should tell the Ministry that we have got also our briefcase businesses. We are dealing in books, please come and promote us, that is better. You cannot ask ministry to come and buy from

businesses when they are supposed to purchase for the whole nation. Bulk purchases are made cheaper when you purchase from someone who can give you all your purchases once. Those briefcase business people we were talking about here, were they able to supply those books in large quantities at the same time. I wonder if they would have satisfied the demands of the Zimbabwean schools. Mr. Speaker Sir, let me say before I end my speech that the education transition fund which is a fund from the donor community came at the most opportune time for the Zimbabwean children. That time when going to school had lost sense because if we were teachers we would really know what takes place on the ground. You can imagine a headmaster going to the school every morning, going into his office sitting there waiting to go and see what the teachers are doing in their classroom with their students. However, the teacher comes in without even a plan book and so forth, she has not planned, he has not planned. If he or she wants to plan there is no resource material and the children came just with their *mutakura* to eat after playing. You get into

the classroom, the first period is *dudumuduri*, second period *varikutamba nhodo*, third period they are out playing physical activities because there are no books. What kind of a nation have we been brought to?

Some of us had a chance of getting education during the Smith Regime era, that is everybody on the opposition side. We used to buy our own books but now this is what we had turned Zimbabwe into so that the child will never access a textbook. That is what other members wanted that the poor child will never access a textbook, so that real education would be for those who own farms, because on the farms if they are producing they have got money. Whether they are producing or not, they are clever enough, the crops they found on the farms, if they harvested and sold they could have been having quite a lot of money.

Some of the people have gone into the conservative, there is a lot of money out there in tourism, other people have gone to the whole of Bulawayo town, Hwange, you name it - people are damn rich. But what they want is their children must learn so that the poor will remain

subservient to their children. We can not have that, the Ministry did a very noble job and we really want to thank the Deputy Prime Minister for going out to the donor community to say please on humanitarian grounds Zimbabwean citizens need education. Please come in your numbers and assist us and they did come and the Minister deliberated. He implemented the programme, what is wrong with that? Now, here we want to make news out of nothing news worth.

No we can not make news out of tenders here, why not make news on tenders that were being done at ZUPCO, GMB, NRZ , Air Zimbabwe etc. Those are the tenders we should be talking about, not the tenders on education. At least I am happy the teachers are happy and as a teacher I can be rest assured that the teachers whether they are paid so little for remuneration, they are going to do their work. Then teach your children to learn and your children in turn will work on their own and they will achieve higher standards, higher grades and parents will be proud of them. As parents you are now able to follow up on your children's homework and

your children's performance at school because if your child go to school and never get a platform whereby you can come, one on one, with the child, to say can you read this paragraph for me? What have you done in school today? The child will be proud in showing off, he or she has learnt at school to his or her parents but if you do not have that pride to see how your child progress, then it is unfortunate. But for the rest of the parents in Zimbabwe, I am speaking on behalf of them, I think Zimbabwe is happier than yester-years because of the books that were brought to the school. Because of the books that are now abundant in all schools from the Minister of Education, whether they were tendered the right way or not. As a parent I am not worried because of the fact that my child has a book on the table, that is the best thing that have ever happened to Zimbabwe since the economic down fall. I thank you Mr. Speaker for giving me this platform.

MS. D. SIBANDA: I move that the debate be now adjourn.

MR. MUSHONGA: I second.

Motion put and agreed to.

Debate to resume: Tuesday, 27th March, 2012.

MOTION

BUSINESS OF THE HOUSE

MS. D. SIBANDA: I move that Orders of the Day, Number 8 be stood over until the rest of the Orders of the Day have been disposed of.

MR. MUSHONGA: I second.

Motion put and agreed to.

MOTION

FIRST REPORT OF THE COMMITTEE ON HEALTH AND CHILD

WELFARE ON THE STATE OF AFFAIRS AND NATPHARM

DR. PARIRENYATWA: I move the motion standing in my name, that this House takes note of the First Report of the Committee on Health and Child Welfare on the state of affairs and NatPharm.

MRS. MASAITI: I second.

DR. PARIRENYATWA: 1.0 Introduction

The Portfolio Committee on Health and Child Welfare received a request for a meeting from NatPharm, the national pharmaceutical company. Natpharm was anxious to hold dialogue with the Committee because it was facing numerous serious challenges. The Committee held a meeting with Natpharm and toured its facilities.

1.1 Background on NatPharm

NatPharm was established as a successor to the Government medical stores (GMS) and commercialised in 2001 to become National Pharmaceutical Company (NatPharm). The object of this company was to take over the functions of the former Government medical stores. The core business of the company is to ensure the availability of safe, effective and affordable medical supplies to public health sector institutions, including missions and uniformed forces. The Company also has a mandate to supply the private sector so as to improve access to medical supplies in the sector, and to reduce the cost of medical supplies at national level, by supplying the same products at competitive prices.

NatPharm is a strategic institution run by a Board of Directors and a Management team. The Board of Directors was appointed by the Minister of Health and Child Welfare, and in turn the Board appointed the management. Its major areas of focus are; procurement, storage, distribution of medicines and medical supplies. The pharmaceutical company has 6 Warehouses with a total surface area of 12 812 square metres; 4 racking/shelving levels; caged areas for security items e.g ARV's; and 5 cold rooms, 4 of which are in Harare while 1 is Bulawayo. Delivery coverage increased to over 95% through partner support and as a commercialized entity, NatPharm was supposed to be self sustaining after initial capital injection, but this has not happened.

2.0 The Committee's Observations

On its visit to NatPharm, the Committee observed that NatPharm's premises need refurbishment. Committee was informed that the roof leaks during the rainy season. The premises has poor ventilation. The storage space does not have fire extinguishers which are a requirements for such a

place.

NatPharm has no forklifts to lift heavy medicine containers. The Committee was told that the cold room compressors are old and need replacement. Some drugs require a temperature of 5 degrees Celsius, but the cold room thermometer's reading was 8 degrees Celsius.

3.0 Findings of the Committee

3.1 NatPharm's Challenges

The officials of NatPharm enumerated the challenges of the company as follows;

Hyperinflation during the Zimbabwe dollar era eroded the capital base of the company, which the company has not recovered from.

The situation is worsened by institutions which either pay the company late or not at all, which has created severe cash flow problems for NatPharm. The Ministry of Health and Child Welfare is the biggest debtor of \$3 600 000, but has not paid a significant amount of its debt.

Lack of capitalisation, has hindered the growth and viability of NatPharm.

In 2009 NatPharm was promised \$16 250 000.00 for re-capitalisation in the national budget, but it was not disbursed.

98% of the available medicines are from donors and this leaves the health of the nation in the hands of donors, which in the view of the Committee is a security risk. The donors are: Department of International Development (DFID), United Nations Development Program (UNDP), United Nations AIDS (UNAIDS), Canadian International Development Aid (CIDA - Norwegian Embassy), United Nations Children's Emergency Fund (UNICEF), United Nations Fund Development (UNFDA), International Organization on Migration (IOM), European Union (EU), John Snow Incorporated (JSI) and World Health Organization (WHO).

3.2 NatPharm was only granted a \$1 million overdraft facility by the Commercial Bank of Zimbabwe at an annual interest rate of 12%. The overdraft balance has been steadily accumulating since the Company has

had to use the facility for operational expenses, such as salaries. This was a short term arrangement but it is compounding the situation by creating a further burden in the form of bank interest costs. The overdraft facility expired at the end of December 2011.

The company has not been able to re-stock because of lack of funds. The Committee was informed by the company's officials that NatPharm is living from hand to mouth. The committee was disturbed to hear that such a strategic institution of Government was now unable to fulfill its mandate. NatPharm officials told the Committee that they had real fears of more deaths occurring and an inability to deal with emergencies such as road traffic accidents in the hospitals because of the challenges the company is faced with.

During the period 2002 to 2004, the Ministry of Finance, through the Reserve Bank of Zimbabwe, negotiated a facility with the Malaysian government, which was extended to NatPharm. Stock availability increased with deliveries from this facility. In 2006, deliveries from the European

Union assistance commenced, thereafter, other development partners assisted with medical supplies. However, since then, stock availability for NatPharm has steadily deteriorated. The donors have been procuring an average of 40% of required medicines.

It is the responsibility of the government to close the gap (represented by the remaining 60%) in medicines availability by procuring the same through Ministry of Health and Child Welfare i.e. NatPharm. The Committee learned that Public health institutions end up procuring medicines from middle-men and the private sector at exorbitant cost because Natpharm cannot supply them, a clear indication that the company cannot fulfill its mandate.

4.0 Ministry of Health and Child Welfare Debt

The Portfolio Committee was informed that the Ministry of Health and Child Welfare debt continues to accumulate as NatPharm invoices the Ministry for the recovery of storage and distribution costs on a monthly basis and the Ministry does not pay. The Committee heard from Ministry

of Health and Child Welfare Officials that the Ministry of Finance has not allocated adequate funds to the MOHCW to offset the NatPharm debt. By September 2011, the only significant payment made was one of US\$940 333.19 which was made in November 2010 for the 2008 debt which had been pegged at \$1 468 774.00.

The Committee was informed that debt repayment by the Ministry of Health and Child Welfare will enable Natpharm to carry out limited re-stocking to allow a return to normal trading. It would also enable it to pay creditors, i.e. utilities, statutory obligations (employee pensions, taxes etc) and other service providers to avoid litigation and penalties. MOHCW owes such a substantial amount that repayment would clear the bank overdraft, thereby immediately saving on further interest costs and would fund the replacement of critical assets.

5.0 Cash flow Problems

NatPharm informed the Committee that its cash flow problems have resulted in its inability to pay salaries. The Committee heard that for 3

years, staff has not received bonuses and meaningful salary increments.

The Portfolio Committee on Health and Child Welfare was appalled to learn that since 2008, NatPharm has lost over 70% of staff. Retaining competent and qualified staff has been difficult for NatPharm because of the uncompetitive salaries which cannot be improved due to financial constraints. Most Pharmacists who resign from NatPharm end up joining development partners and the private sector because they can pay better salaries. Managerial staff has had to do with modified perks not in line with what is specified in their employment contracts and have forgone bonuses for a number of years.

Another challenge that has plagued NatPharm due to cash flow problems is the accumulation of liabilities of over USD 400,000. Service providers of utilities, such as ZESA, Tel One and City of Harare are threatening to cut-off of services, with TelOne having already done so, over non-payment of bills. The Committee was shocked that such a strategic institution could face such challenges.

6.0 Challenges Associated with Suppliers

NatPharm has had problems with its suppliers for a long time because it had no capital. Payment by the Ministry of Finance to some suppliers was so erratic that follow up deliveries were not made. Some suppliers only supplied US\$460,128 worth of medicines and payments amounting to only US\$92,449 had been made to suppliers by September 2011. The outstanding balance of US\$367,679 had still not been paid to suppliers. The Committee learned that NatPharm had been paid \$9,245 in service fees (money charged by NatPharm for storage and distribution of medicines) and \$36,768 was still outstanding at the end of 2011.

7.0 Strategic Business Unit

The company formed a strategic business unit (SBU) in 2003, and registered it as a private company (National Medicines (Pvt) Ltd) to trade in the private sector by wholesaling and retailing. It was expected to achieve this through the procurement of fast selling medicines to the private sector, mainly pharmacies and private medical institutions. The big

challenge faced by SBU is that it is still bound by State Procurement Board (SPB) regulations in its procurement practices. This is preventing it from competing with the private sector on equal footing. The other problem faced by the SBU is that proceeds from sales that were meant to be used for re-stocking have instead been used to fund NatPharm operations.

8.0 Efforts at Repositioning the Organization

NatPharm informed the Committee that it has re-positioned itself as a storage and distribution facility for some donors who agreed to pay handling fees to NatPharm for that service, with assistance from the Ministry of Health and Child Welfare. This strategy was aimed at generating revenue. However, only limited success has been achieved from this revenue stream due to restrictions on the type of goods that NatPharm can handle.

9.0 Recapitalization

NatPharm has recorded losses for two successive financial years, which has prompted the auditors to seriously question NatPharm's viability

as a company. The pharmaceutical company requires significant capital injection to restore its long term viability and to safeguard the country's health delivery system.

The Committee was informed that the annual national requirements are \$65 million. This includes some specialist medicines such as cancer medicines, renal medicines and consumables. The Development Partners are currently providing about \$25 million of the national requirements. This leaves a gap of about \$40 million which should be met by NatPharm for re-capitalisation. The Committee was told that the USD40 million capital injection would be applied as follows:

- Vital medicines (tablets): USD 29.2 M
- Vital medicines (injectables): USD 5.9 M
- Vital medicines (galenicals e.g. USD 1.1M syrups etc)
- Vital medical sundries, e.g. USD 2.7 M latex exam gloves
- Specialist medicines USD 1.1 M

- Total

USD 40.0 M

- 10 Recommendations

The Portfolio Committee on Health and Child Welfare recommends the following:

10.1 NatPharm should be exempted from the State Procurement Board regulations and authorisation, so that it can perform efficiently.

10.2 NatPharm should strengthen its SBU and be recapitalised appropriately by Treasury, so that it can fulfil its mandate.

10.3 Ministry of Finance is urged to pay the \$3.6 million debt owed to Natpharm by Ministry of Health and child Welfare.

10.4 More money should be given to the Ministry of Health.

10.5 Refurbish the NATPHARM.

11.0 Conclusion

If Ministry of Health and Child Welfare repays its debt and the company is recapitalised, this will lead to a reduction of dependency on donors, an increase in job opportunities in the health sector, retention of skilled manpower and ability to deliver quality pharmaceutical services, and will help in supporting the local pharmaceutical industry.

MRS. MASAITI: I want thank Mr. Speaker, for affording me this opportunity to also contribute to this important motion, brought to this august House by the Chairperson of the Portfolio Committee on Health, Dr. Parirenyatwa.

Firstly, I want to urge hon. members to support the recommendations because I can see that most of the members are no longer in the House. I would want to urge hon. members to read the recommendations put forward by the Portfolio Committee. On this note I want to encourage hon. members to also come to realise that for our country to develop socially, economically and politically, it requires both a healthy body and mind.

A healthy nation is most likely to increase its production levels, be it in agriculture, in industry, mining etc. Without making sure that our communities are healthy, we are doomed to fail or fall. This therefore requires that the body and the mind be free from diseases. I also want to remind all hon. members in the august House that at one stage of our lives, whether we like it or not, big or small, rich or poor there is a time when we fall sick whether we like it or not and therefore we will require drugs and medicines to be able to encounter whatever ailment we might have during our life-time.

I also want to urge all hon. members to know that life is a series of moments. Sometimes whether you are right or wrong, you may end up getting involved in an accident and once you are involved in the accident, you will eventually need drugs or medicines to help you recover from that tragedy.

So no one can ever say I will never require drugs or medicines in my life cycle. Mr. Speaker Sir, realising the importance of drugs and medicines

in our lives, I therefore call upon this august House to support the need for Natpharm to be recapitalised appropriately by the Treasury so that it will be able to carry out its mandate.

As Members of Parliament, we also need to support the idea that Natpharm be exempted from the State Procurement Board Regulations and Authorization for it to be able to be efficient and to do its work fast so as to be able to overcome the challenges that it is currently facing.

According to the Millennium Goals to which our country is a signatory, it is incumbent to all nation states to ensure good health and safety to its citizens and in Zimbabwe this can not be achieved without our Government supporting Natpharm financially or otherwise.

Us as Parliamentarians, we need to play an oversight role to ensure that there is collaboration between the Ministry of Health and Child Welfare and Natpharm so that each one of them is able to do its mandate well and efficiently so as to provide services to the people of Zimbabwe.

We therefore should urge the Ministry of Health or the Ministry of Finance

to make sure that they pay the debt that it owes to Natpharm. I am sure my Hon Chairperson has already alluded to the Ministry of Health and Child Welfare owing \$3.56 million. This is a very big amount of money that will enable Natpharm to buy or procure specialist medicines or drugs that will help those that are suffering from cancer, hypertension, diabetes, just to mention but a few. I am sure we are all aware that even from this august House that we have lost so many hon. members due to these ailments or diseases. So, we have to support that Natpharm be supported by our Government. I want to thank you.

MS. D. SIBANDA: I move that the debate do now adjourn.

MR. CHEBUNDO: I second.

Motion put and agreed to.

Debate to resume: Tuesday, 27th March, 2012.

On the motion of MS. D. SIBANDA seconded by MR. CHEBUNDO, the House adjourned at Ten Minutes past Five o'clock p.m. until Tuesday, 27th March, 2012.

