PARLIAMENT OF ZIMBABWE

Tuesday, 29th September, 2015

The Senate met at Half-past Two o’clock

PRAYERS

(The Deputy President in the Chair)

ANNOUNCEMENTS BY THE DEPUTY PRESIDENT

APPOINTMENT AND CHANGES TO COMMITTEES

The Deputy President: I have to inform the Senate that the Committee on Standing Rules and Orders met on Thursday, 24th September 2015 and appointed Committees for the Third Session of the Eighth Parliament. Committees remained the same except for the following changes:

i) Senator Mavhunga replaces Senator Mathuthu on the Committee on Standing Rules and Orders.
ii) Senator Chimhini to move to Peace and Security from Human Rights.

iii) Senator Juba to move to Millennium Development Goals from Indigenisation and Empowerment Committee and

iv) Senator B. Sibanda to move to Human Rights from Millennium Development Goals.

COMPOSITION OF THE PARLIAMENTARY LEGAL COMMITTEE


CHANGES TO MEMBERSHIP OF VARIOUS STATUTORY PARLIAMENTARY BODIES

THE DEPUTY PRESIDENT: I also wish to advise of the changes of membership of various statutory parliamentary bodies as follows:
Pan African Parliament; Article 4(2) and 4(3) of the Protocol to the Treaty establishing the African Economic Community provides as follows:

Member states shall be represented in the Pan-African Parliament by an equal number of Parliamentarians. The representation of each member state must reflect the diversity of political opinions in each national Parliament or other deliberative organ.

In observing these provisions, Hon. A. Mnangagwa has replaced Hon. Dr. J. M. Gumbo and Hon. L. Ndoro has replaced Hon. T. A. Mathuthu as members of the Pan African Parliament.

**African Carribean Pacific European Union (ACP-EU):** Hon. Dr. D. Shummba has replaced Hon. M. Hlongwane and Hon. I. Zindi has replaced Hon. N. Chikwinya as members of the ACP-EU.

**Inter-Parliamentary Union (IPU):** Hon. N. J. Mhlanga has replaced Hon. M. Chimene as member of the IPU.

**MOTION**
LEAVE TO MOVE RESTORATION OF THE JOINT VENTURES BILL (H. B. 4A, 2015) ON THE ORDER PAPER

THE MINISTER OF FINANCE AND ECONOMIC DEVELOPMENT (MR. CHINAMASA): I seek leave of the Senate to move that the Joint Ventures Bill [H.B. 4, 2015] which was transmitted from the National Assembly and superceded by the end of the Second Session of the Eighth Parliament before it could be placed on the Senate Order Paper be restored on the Order Paper at the Second Reading stage and be treated as Order of the Day, Number 1 on today’s business.

Motion put and agreed to.

MOTION

RESTORATION OF THE JOINT VENTURES BILL (H. B. 4A, 2015) ON THE ORDER PAPER

THE MINISTER OF FINANCE AND ECONOMIC DEVELOPMENT (MR. CHINAMASA): Mr. President Sir, I move that the Joint Ventures Bill [H.B. 4, 2015] which was transmitted from
the National Assembly and superceded by the end of the Second Session of the Eighth Parliament before it could be placed on the Senate Order Paper be restored on the Order Paper at the Second Reading stage and be treated as Order of the Day, Number 1 on today’s business.

Motion put and agreed.

SECOND READING

JOINT VENTURES BILL (H.B. 4A, 2015)

First Order read: Second Reading: Joint Ventures Bill (H. B. 4A, 2015).

THE MINISTER OF FINANCE AND ECONOMIC DEVELOPMENT (MR. CHINAMASA): Mr. President Sir, the provision of public infrastructure services is one of the prime mandates of Government and a pre-requisite for sustainable long term economic growth and development. The Zimbabwe Agenda for Sustainable Socio Economic Transformation (ZIM ASSET) identifies priority infrastructure projects that need to be implemented over the plan period
for us to achieve sustainable economic growth, create jobs and uplift the standard of living for our people. Success of the plan however, hinges on the mobilisation of financial resources for the implementation of targeted programmes and projects.

4. In this regard, Mr. President Sir, and recognising the limitations of mobilising public sector funding in support of planned projects, the Plan proposes other investment vehicles such as joint ventures to finance infrastructure leveraging on project cash flows.

**Rationale of Joint ventures in Zimbabwe**

5. Mr. President Sir, the world over, the traditional role of Government as the primary infrastructure and public service provider is gradually being supplemented and replaced by private sector expertise and financing.

6. As our previous experiences testify, reliance on fiscal resources to finance our huge infrastructure needs has been problematic, given the limited fiscal revenues and space on the Budget.
7. Mr. President Sir, financing infrastructure by leveraging private sector finances through joint ventures provides the following benefits.

7.1. Use of private finance enables the public to have access to improved services now, rather than years away when fiscal resources permit;

7.2. Project costs are spread over the long term allowing Government to focus the limited resources in other areas of high priority such as education and health care services.

7.3. Enhancement of value for money through superior private sector financing, operational efficiencies, superior risk management, greater implementing capacity and enhanced service quality;

7.4. Evidence elsewhere suggests that there will be better quality design and construction compared to traditional procurement methods.

7.5. Projects are usually completed to plan and within budget as the private party will only receive payment when the facility is available for use and,
7.6. Fostering the development and strengthening of domestic financial capital markets.

8. Mr. President Sir, it is also clear that private investment only goes where there is confidence, policy certainty and policy clarity. It is therefore, critical that Government undertakes policy and legal reforms, provide incentives and institutional support that attract private sector participation in the provision of infrastructure services.

9. The 2004 Public-Private Partnerships Policy and Guidelines provided the initial framework for a better organised implementation of joint venture arrangements between Government and the private sector.

10. The Joint ventures Bill, if enacted, will provide the legal framework to this arrangement, reflecting Governments commitment to open key public services to competition where such mode of delivery provides greater value for money.

**Key Provisions of the Bill**
11. Mr. President Sir, the Bill outlines key aspects relating to joint ventures with primary focus being on the following:

11.1 Institutional framework for joint ventures with specific roles and responsibilities of the Contracting Authority, Joint venture Unit, Cabinet and Joint venture Committee;

11.2 Procedures and processes for identifying and submitting joint venture proposals.

11.3 Project preparation including engaging of consultants to assist with feasibility studies.

11.4 Procedures for procurement of projects by contracting authorities;

11.5 Evaluating and selecting the preferred bidders;

11.6 Negotiation and awarding of contracts with the concurrence of the State Procurement Board (SPB) where necessary.

11.7 Implementing and managing joint venture projects with the assistance of the Joint venture Unit.
Joint venture Unit

12. Mr. President Sir, the Bill provides for the establishment of a Joint venture Unit which shall be a department within the Ministry of Finance and Economic Development under the control and supervision of the Secretary for Finance and Economic Development.

13. The main functions of the Joint venture Unit shall be as follows:

13.1 To consider project proposals submitted and assess the viability of projects and conformity to approved technical specifications.

13.2 To recommend approval of projects to the Joint venture Committee.

13.3 To advise Government on implementation of joint venture projects.

14. The Bill compels the Unit to submit an annual report to the Minister on progress with regards to the implementation of joint ventures. Other reports may be submitted when necessary.
15. The Unit will be resourced with experts in the field of engineering, finance and legal. Additional skills can be contracted out where necessary.

**Joint Venture Committee**

16. Mr. President Sir, to assist in the implementation and coordination of joint ventures, the Bill makes provision for establishment of the joint ventures Committee consisting of nine members drawn from key Government institutions involved in Joint ventures and chaired by the Secretary for Finance and Economic Development. Other experts can also be co-opted when and where necessary.

17. The Committee will assist the Minister on policy matters relating to joint ventures, ensure conformity of projects to national priorities and recommend for Cabinet approval or rejection of project proposals submitted by the Joint ventures Unit.

**Procedures for Conclusion of Joint venture Agreements**
18. Mr. President Sir, the Bill outlines the procedure for the conclusion of joint venture agreements as follows:

18.1 Contracting authority identifies projects for implementation under joint venture and invites Expressions of Interests.

18.2 Contracting authority undertakes feasibility studies and submits these to the Unit for approval.

18.3 The Unit approves feasibility studies and prepares project proposal and model agreement.

18.4 Unit refers the project proposal to the Committee which will make recommendations to Cabinet.

18.5 Cabinet approves the proposal paving way for procurement to commence.

**Feasibility Studies**

19. Mr. President Sir, it is a requirement that contracting authorities undertake feasibility studies for projects to be considered under joint ventures. The feasibility study is prepared to determine the
viability of projects and identify key technical aspects of the projects, appropriate financing model and issues of affordability and value for money.

**Treatment of Unsolicited Bids**

20. Mr. President Sir, under joint ventures, contracting authorities are normally responsible for the actual identification of projects and invitation of private parties through the expression of interest.

21. In some instances, the private party may prepare a project proposal without invitation and solicitation by contracting authority. These proposals are called unsolicited bids.

22. According to the Bill, the contracting authority may refer the unsolicited bid to the Unit for consideration if project is viable and is in line with Government priorities.

23. If the Unit approves the proposal, it is then submitted to the Joint Venture Committee for approval to conduct feasibility study.

**Award of project and signature of agreement**
24. Mr. President, the Bill compels contracting authorities to only sign joint venture agreements after the joint venture agreement has been approved by Cabinet. Any agreement signed without Cabinet approval shall be deemed null and void.

Regulation

25. Mr. President, the Bill makes provision for the Minister of Finance and Economic Development after consulting the Committee to make regulations that will give effect to the act.

26. These regulations will encompass issues to do with the following among others:

26.1 Charging of levies on joint venture projects;

26.2 Fees or charges levied by the Unit;

26.3 Timelines within which the Unit and Committee must complete and conclude key tasks; and

26.4 Penalties that may be chargeable for various offences. Mr. President, I now move that the Joint Ventures Bill be read a second time.
SENATOR MLOTSHWA: Thank you Mr. President. Thank you for the tabling of the Bill hon. Minister. Can I please have some clarifications on page 12, part 2 when you said “build and transfer”. Also on page 13, on the lease management contract, I would like to thank for you mentioning that for one to invest, there should be an enabling environment. How does the Indigenisation Act come on fore on this Bill? Will we not see invasions on these ventures as is usually the case, when people in Government want to make political grandstanding? I thank you.

SENATOR NYAMBUYA: Thank you Madam President. I rise to say just a few words in support of the Bill which has been tabled by the Minister of Finance and Economic Development. To me, this is actually a very important Bill that seeks to create a conducive macro-economic environment for enabling our economy to grow. It is part and parcel of the measures which the Minister is trying to put into effect so that we can achieve some growth in the economy, attract foreign direct investment which we need badly, bring some order into the economy; so
that we can straighten some of the outstanding issues in the areas which are really grey at this stage which need some enabling legislation so that the country can move forward.

In this particular case, we are talking of infrastructure. There is no country anywhere in the world which can progress and achieve sustainable economic growth without putting up some infrastructure. We are talking here of first class infrastructure. By talking of infrastructure we are talking amongst other things vital components of the economy like our roads, communication, railways, dams, energy et cetera. This infrastructure is very important if we are to attract foreign direct investment. There is no foreigner who will come with his money, even domestic investor; nobody is going to invest in this country if we do not sort out our infrastructure.

We just have to see for ourselves, the amount of dilapidation which has occurred in terms of roads, lack of water, energy et cetera. This Bill is very important because it is actually outlining the macro-economic conditions and what procedures are going to be followed. Above all it is
putting an authority which is going to be in charge of ensuring joint ventures are carried out in a sustainable manner. Among other things, the Minister has talked about the procedures which are going to be followed, the offices which are going to be established in his Ministry. But what I would just like to flag is the issue which the Minister has touched on, that is procurement.

To me, this is a very important aspect of economic growth. We have seen some investors who have come into this country, one thing which they have violated mercilessly is procurement. When investors come into this country, it is imperative and important that they procure as much as possible locally so that we generate employment and revenue inside the country. We have seen some investors who have come in with picks, shovels and wheelbarrows from their own countries. This does not in anyway does not promote local industries. I would like to commend the Minister for particularly emphasising and flagging this very important aspect of construction; this particular aspect of infrastructure procurement. When we are talking of procurement, we
are talking of millions if not billions of dollars. Whoever it is will have to procure cement, steel, all sorts of things and most of the things we have them here locally. It is very imperative, it is a real issue that procurement be hammered on that it must done as much of it locally as possible so that we generate some economic activity within this country.

I would also like to emphasise that the establishment of the unit in the Ministry of Finance and Economic Development is a very positive step in the right direction. Again would like to urge the Minister that I hope ‘bureaucracy’, is going to be as little as possible. The person who invented bureaucracy is called Max Weber, he is a German. When he invented bureaucracy, it was supposed to promote efficiency, by specialisation of branches. Unfortunately, in our civil service today, we experience situations where this is being abused. Procedures take long to implement. Decisions take extremely long to be implemented. In the end we can frustrate potential investors by taking long to approve these projects. With those few words I would like to say, this is a good Bill which the Minister is putting before this House, and this is one of the
many measures which he is taking so that we can achieve some real and substantial economic growth in this country, so that at the end of the day we will see growth. We will also see proper budgets, not US$4,2 billion but real ones, for example US$8 billion being tabled in this Senate, thereby growing the cake so that it can be shared among the many demands which the country has. Thank you.

THE MINISTER OF FINANCE AND ECONOMIC DEVELOPMENT (MR. CHINAMASA): I want to thank the hon. senators who have contributed in support of the Bill. I have very little to clarify; Senator Mlotshwa would like me to clarify what is Build-Operate-Transfer. In fact hon. senator, you will realise that under part 2, we have set out the possible types of joint ventures. I think if you take time to read, under each heading they clarify and explain, for instance what a Build and Transfer means. It actually means what it says. An investor will come and build, soon after completing he hands over to Government. With respect to build operate transfer, type number 3, an investor will come and build, operate; make his money and after making
his money for the concession period, transfer to the Government. I encourage the hon. senators to read, there are 16 types and they are not exhaustive. These were just given by way of illustration of what we are proposing to do.

Senator Retired General Nyambuya, thank you very much for your contribution. You are quite right that for an economy to develop in a sustainable manner, we need a sound foundation. That foundation is laid by adequate infrastructure of what we call enablers and there should be adequate power. We should not have a factory having to suffer load shedding almost on a daily basis; that is not good business. We should have good roads, adequate water wherever we are, both for residential and more importantly industrial. We should also have a functional railway system that is able to carry our imports, especially the heavy imports like coal, if we are exporting. ICT infrastructure is also needed to enhance interconnectivity and create a conducive environment for ease of doing business.
So, that is the foundation we are talking about and that is what this Bill is all about, laying a legal framework under which these joint ventures by Government can take place, can be contracted and concluded. For example, the dualisation of the Beitbridge-Harare-Chirundu road requires something like US$2 billion but Government does not yet have such kind of resources. So, what we shall be doing, under joint ventures, will be to say to any investor, put your money, build the design and the dualisation from Beitbridge to Harare including the ring road to Chirundu and to agree that over 20 years, you will be able to recover your investment through collection of toll fees. That is what this Bill is about and it is providing that legal framework for the negotiation and conclusion of such joint venture agreements. So, I want to thank hon. senators for their support.

It is difficult to do away with bureaucracy, you can only try hard to overcome it, go round it sometimes but you cannot do away with it entirely. Bureaucracy is checks and balances, if you remove the checks and balances, then you will give room to abuse of resources. I got what
the hon. senator was saying but I just want to say that you cannot
remove bureaucracy entirely. You need someone who still has to prepare
the papers and to know that certain things have been fulfilled, certain
procedures and that the interest of fairness has been observed; that kind
of thing. If you remove that, then you will end up with a worse problem,
which is abuse and corruption.

However, thank you very much for the support, it is now my
pleasure, Madam President, to move that the Joint Ventures Bill be now
read a second time.

Motion put and agreed to.

Bill read a second time.

Committee: With leave; forthwith.

COMMITTEE STAGE

JOINT VENTURES BILL (H. B. 4A, 2014)

Senate in Committee.
Clauses 1 to 17 put and agreed to.

Schedule put and agreed to

Senate resumed.

Bill reported without amendments.

Third Reading: With leave; forthwith.

THIRD READING

JOINT VENTURES BILL (H.B 4A 2015)

THE MINISTER OF FINANCE AND ECONOMIC DEVELOPMENT (MR. CHINAMASA): Madam President, with the leave of the Senate, I move that the Bill be read the third time.

Motion put and agreed to.

Bill read the third time.

MOTION

PRESIDENTIAL SPEECH: DEBATE ON ADDRESS
SENATOR TAWENGWA: Madam President, I move the motion standing in my name:

That a respectful address be presented to the President of Zimbabwe as follows: –

May it please you, your Excellency the President:

We, the Members of the Parliament of Zimbabwe, desire to express our loyalty to Zimbabwe and beg leave to offer our respectful thanks for the speech, which you have been pleased to address to Parliament.

SENATOR MASUKU: I second.

SENATOR TAWENGWA: Thank you Madam President of the Senate for giving me the opportunity to express our gratitude to His Excellency the President of Zimbabwe and to commence debate guided by His Excellency’s address on the occasion of the Official Opening of the Third Session of the Eighth Parliament of Zimbabwe.
Madam President, we welcome the various Bills that were presented to Parliament by His Excellency, The President, Bills which seek to align our legislation to the new Constitution. Bills which seek to stimulate both local and foreign investment and seek to carry out a raft of measures to improve the economy and business environment in the country by speedily implementing the Ten Point Plan, in order to turn around the nation’s economic fortunes by addressing fundamental economic issues and cutting red tape and bureaucracy that impedes, retards and slows down the way we do business in order to attract new capital, create a vibrant private sector wealth and employment.

Madam President, there is need to address trade barriers by addressing policy uncertainty by creating a consistent stable, legal and enabling environment including regulatory frameworks with solutions that work. The economy should grow, become bigger and broader in order to cater for all Zimbabweans, including the poor, the dispossessed, the homeless and provide the much needed social services.
Madam President, there were various Bills presented to Parliament and I will confine myself to some of them including the Indigenisation and Economic Empowerment Act which will be revised in order to create flexibility and address policy uncertainty, provide clear guidelines on Investment Policy, provide security and confidence to investors and the private sector.

We need to facilitate for more sustainable foreign capital investments and offer incentives and guarantees in our proposed free trade areas namely Economic Zones, but not losing focus on Local Trade.

Had it not been for our Policies, Zimbabwe with its abundant mineral resources is one of the best investment destinations.

Madam President, the Cooperative Societies ct (Amendment Bill) should unlock the potential of Small to Medium Enterprises, should formalise the spiralling informal employment, which is due to industrial contraction and open financial windows and allow SMEs to play a
pivotal role in our economic revival by manufacturing quality exportable goods.

Madam President, we hope the amendment will open doors for the Youth, Women and those with disabilities to be owners and masters of production, and be truly in business with bankable projects.

We also welcome the Minerals Exploration and Marketing Corporation Bill and the Pan African Minerals University of Science and Technology Bill. Madam President, given the abundance of our natural God given minerals, we have to capitalise on our clear advantage and strengths in order to grow the economy and create jobs. In order to achieve our ZIM ASSET goals, we need technology skills transfer in specific areas, thereby creating a specialized human resource base. We have to invest a lot in the country’s present manpower needs and for future development. There is also need for skills development and creating career paths, if we are to export quality value chain processed goods.
Madam President, we welcome the Consumer Protection Bill which seeks to promote consumer rights and fair business competition and marketing. To emphasise why this Bill is welcome, I will cite the Electricity Regulations of 2013, Statutory Instrument 44A of 2013, specifically on unpaid bills, prepaid meters and smart meters. I will concentrate on Clause 3 of the Statutory Instrument which refers to unpaid bills and prepaid meters:

(i) any electricity charges outstanding on the date of which a prepaid meter is installed shall be debts of the property in which that prepaid meter was installed and shall be reflected as a debit in the installed prepaid meter.

(ii) any person who owns the property upon which a prepaid meter has been installed has the right to recover the debts of the property from any person who is responsible for incurring the debts.

(iii) an owner of a property may enter into an agreement with any person who intends to occupy the property regarding the manner in
which they will make payments towards the unpaid Bill in the prepaid
meter.

For unknown reasons or because property owners are “lame
ducks” ZESA decided not to open new accounts for new tenants opting
to force the new account holders to inherit someone else’s outstanding
account owed to ZESA. ZESA had a contract with the former tenant and
not with the property owner or new tenant. Why should property owners
be punished for the ineptness of ZESA? Madam President, I raise this to
illustrate that the Consumer Council of Zimbabwe is toothless and we
hope the Bill to come before us will truly promote consumer rights. The
above Statutory Instrument should be revisited.

Madam President, the belated National Code of Corporate
Governance Bill is a very welcome development which also shows His
Excellency’s resolve to deal with corruption and stem it. It also
demonstrates to the people that we are serious about tackling corruption.
The extent of corruption has permeated the whole society and whilst the
disclosure of assets upon assumption of office for those in senior
positions is a must, there are some in lower positions who are amassing assets through corrupt activities.

We also welcome the belated Bill to combine the War Veterans Act, the Political Prisoners, Detainees and Restrictees Act and the incorporation of War Collaborators. The establishment of three Zimbabwe war memorial hospitals will be no mean achievement. The welfare of freedom fighters should always be foremost in our minds.

Madam President, we look forward to the tabling of the Local Authorities Bill which seeks to establish a tribunal to deal with issues of dismissal or discipline of mayors, councillors and chairpersons of local authorities, upgrading or downgrading of local authorities. Some councils are being run fairly well but some, due to incompetent councillors are facing a myriad of problems forcing the intervention of Central Government.

Whilst cognisant of the fact that there is increasing pressure on basic service delivery, we have witnessed poor uncoordinated housing delivery systems resulting in illegal land barons mushrooming
throughout the country. Illegal land barons who are disregarding the need for sound town planning, which has resulted in desperate Zimbabweans losing millions of dollars of their hard earned money when they are evicted or their properties are demolished. Note that the same local authorities’ personnel were watching when these buildings were mushrooming only to have pleasure when they see these vulnerable groups stand by, crying, yelling, wailing and sobbing when bulldozers and graders raze their homes to the ground.

Madam President, there is poor monitoring and enforcement of regulations in local authorities such that some towns and cities are regressing. We need councillors with a vision, who will accelerate the delivery of stands and houses with clean portable water, roads, refuse removal, environmental health and safety, schools and electricity amongst others.

Madam President, allow me once again, to express our appreciation for His Excellency’s speedy, timeous assent to the Labour Amendment Bill, which was a stop-gap measure to address a very
disturbing trend between business and labour. This resulted in thousands of workers being jobless overnight and with no reward for their sweat for the number of years they had worked. The relationship between Government, labour and business should always improve and not be antagonistic. There is need for teamwork as a tripartite in order to work towards harmony, productivity, increasing output and in return, a well reasonably remunerated labour force.

We also welcome the intended drastic measures to be implemented in order to reform parastatals. If the measures are drastic enough this will plug the perennial drain on the fiscus. It should not be business as usual.

Madam President, we also welcome the recently introduced measures to monitor fuel prices. This has resulted in a trickledown effect benefitting motorists, farmers, industry, trade and commerce and households.

Madam President, the imposition of mandatory sentences against perpetrators of child abuse is long overdue. So much has been said and
not enough has been implemented to punish these beasts, animals or brutes for their heinous atrocious acts on toddlers and children. We once again, express our sincere appreciation to His Excellency for his concern about the defenseless toddlers and children of the world.

On a very sad note Madam President, allow me to outrightly condemn the issue of veld fires which are caused by reckless beings intentionally or unintentionally. The veld fires are unnecessarily claiming human lives and destroying flora and fauna. Recently, there was an article in which a woman went out to assist in putting out a wild fire in her village, only to return home to find her huts gutted by fire, razed to the ground. In one of those huts were the charred remains of her daughter who had been sleeping in it. Zimbabweans should take heed of the advice that we are always given by the Environmental Management Authority (EMA) in order to avoid such unnecessary tragic incidences.

Madam President, I strongly believe that we have key competitive advantages in that we own vast tracts of land, abundant natural and human resources, friendly, hospitable and educated people, peace, safety
and stability. With improved infrastructure, policy reform, labour reforms, efficiency and with an all encompassing voice from all Zimbabweans, we will achieve our ZIM ASSET goals through the Ten Point Plan.

As legislators it is our role to uplift the living standards of Zimbabweans and in order to achieve that we should have a productive functional stable economy which the private sector is eager to fulfill.

We have to act and correct where there is need, improve and be innovative in order to serve the millions of people we represent lest they curse at us forever. We need actions with political will.

Madam President, you are aware that the role of Government is indispensible and the private sector must be facilitated to fully participate in our economic growth hence we welcome and appreciate His Excellency’s speech which gave directions on Bills to be tabled in Parliament in order to stimulate both local and foreign direct investment inflows amongst other Bills. I thank you Madam President.
SENATOR MASUKU: I thank you Madam President for giving me this opportunity to debate on the Presidential Speech on the opening of the this Session. The President of Zimbabwe mentioned a lot of things which have been mentioned by the senator who moved this motion. I now only look at some of the things. His Excellency looked at realignment of laws to the Constitution of Zimbabwe. It is important that when the Constitution of Zimbabwe has been agreed to by the majority, the laws should be realigned as what the majority have agreed. The President put it clearly that at this time of the Eighth Parliament; a lot of laws should be realigned so as to fulfill the wishes of the people which were brought forth when we came up with the Constitution.

I will not mention what Senator Tawengwa debated at but I will look at some other matters that have not been debated but brought forth by His Excellency. I know the President looked at coming up with the Land Commission as in Section 296 of the Constitution of Zimbabwe. It is important at this time that the Land Commission should start its work to look at how land was redistributed to its original owners. We realise
that it has been in the press for quite a number of times that some people have put the law into their own hands by taking the land on the basis that they have money to buy but the land is not for sale.

A lot of people have lost their monies to land barons. We must look deeply into matters of these greedy people. We know that they are some who still own more than one farm; all such matters should be looked at by the Land Commission. It should also examine the mischief of people settling themselves without taking due course of the law. We read about such people in the press that there are people who have invaded pastures; people settle themselves in such places. When they have resettled themselves in such places, they use names of leaders so that they cannot be removed from such places but such places are for pastures or for the people who would have been resettled legally.

We hope that such matters will be dealt with; if there are farms that are still available, there are many people that need to be resettled. I have to look again at the youths; the President said something on the youths. He said that programmes of the youths are important; yes they made
mistakes in the past. Monies which were supposed to have helped resettle people so that they can be in the mainstream of the economy were abused. The President is aware that the programmes of youths should be resuscitated so that when you talk of development and the economy of the country, youths should also be involved because it is time that the youths should prepare to be the leaders of tomorrow because we are at the twilight of our lives. Madam President, it is important that the youth should not be left behind going out of the country, going to the diaspora thinking that there are greener pastures. No, there are no greener pastures out there except harassment and death. As such, they are brought home in coffins. The President said something on education.

We are happy that at this time, we realise that there are three universities whose fees we are about to debate. These are Gwanda, Marondera and Mutare. We are looking forward that these universities should help particularly the youth so that they can be educated and be experts. What the President said on education – he talked about
education not in words only, but education that would help the youth to be able and competent people in our economy. Thus, it is important that at our schools, from primary up to tertiary and colleges, courses on improving competence should be taught so that it is easier for them going to universities. We should not only push education to those who want to be employed, but we should push education for employers to create employment. Therefore, our education should rightfully put the economic issues in the right lane because our people would have learnt to be owners of the economy of our country Zimbabwe.

The mover of the motion, that is Hon. Senator Tawengwa, also mentioned some people who are so unscrupulous, those who rape our children and even rape three year olds. Those people are not different from animals. Therefore, our laws should be realigned such that culprits should not be given an opportunity to pay a fine, but that they should be incarcerated, if at all possible to even die there in those prisons so that they do not go out into the community and commit those offences again. What is important is when something is embedded in our culture, it is
difficult to remove that thing. Even if someone has been put in correctional centres for a long time, that person will not have been corrected. So he will want to go back into society and repeat his mischief so as to go back to jail. To rape a child even an old lady with no defence at all is a shame.

Madam President, when we were discussing this matter from the 1980s, Mrs. Chinamano who was once a member of this Parliament actually promulgated that people should be castrated. I do not know why we are afraid to castrate them. I see that we have mentioned a number of times, even mothers have said it in other fora that no, when a bull becomes a problem it should be castrated. Here are the bulls which are ravaging our children. The children we look forward to as the future leaders, these bulls ravage them. Let us think again about this matter.

Yes, we incarcerate them, but probably there is a better way of doing it. Even the Bible says if there is a part of the body that is a problem, it should be removed. In some countries, they say when a hand is a problem that takes other people’s issues, then that hand should be
cut off. In our country, the problem is that thing which was not supposed to be pointed at children. No, we care for our children.

These men who are doing this should be castrated. There are some women who are also doing that. We do not know how to castrate the women who rape the boy child. We do not only stand for the girl child but we stand for all children. We are talking much about the girl child because it is in us as women that we should protect the girl child because they are the ones who are being ravaged. I hope that will help. If it is necessary for the women to go into the streets, demonstrate against this with their children then it is fine. Probably it can be heard better.

To conclude Madam President, I will talk about the Gender Commission which is already in place. This is in line with the realignment of our laws to the Constitution. I believe, Madam President, that this will help upholding the rights of women so they are not suppressed; be it in education, leadership or anywhere. Women should not be looked down upon. We should not violate their rights. Why we are saying this, Madam President, is because it is up to us as women to
stand firm. Where there are opportunities for a woman, a woman should be there.

It is frustrating sometimes when a woman is available at school from primary but when it comes to reaching university, she would have been disturbed by quite a lot of things, probably by some of these men who ravage them or because of financial problems. At such places, Government should realise that the woman is helped, particularly those who are looking forward to improving their education.

Of late, it was said that the woman belongs in the kitchen. Today, it is quite clear that the woman’s place is there where God has placed that woman to help. Wherever it is she is supposed to be, that woman should be there to work as well; to be part and parcel of that. Be it in business, the woman should be there; be it in churches or wherever, we should see a woman in leadership. Madam President, I would like to thank His Excellency on his 10 point plan which I believe was not just mere postering and pontification but actual realignment of laws, which
will be followed and implemented. Debate should also see to it that matters are solved. I thank you Madam President.

THE DEPUTY MINISTER OF MEDIA, INFORMATION AND BROADCASTING SERVICES (SENATOR MATHUTHU) I move that the debate do now adjourn.

Motion put and agreed to.

Debate to resume: Wednesday, 30th September, 2015.

On the motion of THE DEPUTY MINISTER OF MEDIA, INFORMATION AND BROADCASTING SERVICES (SENATOR MATHUTHU), the Senate adjourned at Eight Minutes to Four o’clock p.m.