

Tuesday, 20 November 2018

No. 73 – 2018

EIGHTH SESSION, SIXTH PARLIAMENT

**REPUBLIC OF NAMIBIA**  
**MINUTES OF PROCEEDINGS**  
**OF THE**  
**NATIONAL ASSEMBLY**

**TUESDAY, 20 NOVEMBER 2018**

The Assembly met pursuant to the adjournment.

1. The Speaker took the Chair and read the Prayer and Affirmation.

2. **The Deputy Minister of Finance laid upon the Table:**

Reports of the Auditor-General on the Accounts of the –

- (i) Regional Council of the Kavango West for the financial year ended 31 March 2016;
- (ii) Land Acquisition and Development Fund for the financial year ended 31 March 2017; and
- (iii) Regional Council of the Khomas Region for the financial year ended 31 March 2017.

3. **The Minister of Mines and Energy laid upon the Table:**

- (i) Annual Report of NAMDIA, for the financial year 2017; and
- (ii) Annual Report of National Energy Fund (NEF) for the financial year 2015-2016.

4. **Ministerial Statement in terms of Rule 98 of the Standing Rules and Orders:**

The Minister of Mines and Energy reacted on a newspaper article of 8 November 2018 that had stated that the Minister did not know that Namdia was owned by the State.

The Minister also corrected the comment made in an interview clip by one of the Members of the Assembly, when the Member was quoted saying; *“that it is so mind boggling, it is totally crazy because the Board Members of Namibia are being appointed by the Cabinet of which the Minister is a Member since 2015 before Namdia was started. And now he does not know”* that Namdia is owned by the State.

5. **FIRST NOTICE OF A MOTION:**

The Prime Minister moved, seconded by the Minister of Home Affairs and Immigration:

That leave be given to introduce a Bill to amend the Public Service Act, 1995, so as to substitute the term “executive director” for the term “permanent secretary”; to provide for the appointment of executive directors on fixed-term contracts; and to provide for incidental matters.

Agreed to.

*Public Service Amendment Bill* [B. 18 – 2018] read a First Time.

The Prime Minister moved, subject to Rule 32(a) of the Standing Rules and Orders, seconded by Ms. Kandjimi: That the Bill be read a Second Time.

On the motion of the Minister of Finance, seconded by the Minister of Safety and Security, debate adjourned until Wednesday, 21 November 2018.

6. **SECOND NOTICE OF A MOTION**

The Deputy Minister of Works and Transport moved, seconded by the Deputy Minister of Public Enterprises:

That this Assembly –

*Discusses and agrees* to the Ratification of the African Road Safety Charter.

Question put: That the Ratification be agreed to.

Agreed to.

7. **THIRD NOTICE OF A MOTION:**

The Deputy Minister of Justice moved, seconded by Ms. Kafula:

That leave be given to introduce a Bill to determine the national coat of arms, national anthem, national seal and presidential standard for the Republic of Namibia and for the use thereof; to determine the use of the national flag; and to provide for incidental matters.

Agreed to.

*National Symbols of the Republic of Namibia Bill* [B. 22 – 2018] read a First Time.

The Deputy Minister of Justice moved, subject to Rule 32(a) of the Standing Rules and Orders, seconded by the Minister of Fisheries and Marine Resources: That the Bill be read a Second Time.

Agreed to.

*National Symbols of the Republic of Namibia Bill* [B. 22 – 2018] read a Second Time.

8. **FOURTH NOTICE OF A MOTION:**

The Deputy Minister of Justice moved, seconded by Mr. Karupu:

That leave be given to introduce a Bill to amend the Extradition Act, 1996, so as to provide for the extradition of persons from Namibia to any country on the basis of a multilateral agreement to which Namibia is also a party to; to make it permissible for Namibian citizens to be prosecuted and punished in Namibia in accordance with the laws of Namibia for any extraditable offence which such Namibian citizen may have committed or is accused of having committed within the jurisdiction of a country other than Namibia; to provide for the required evidence to be considered by a magistrate at an enquiry and the discharge of a person at an enquiry when there is no evidence to extradite the person; to provide for a proper method of authentication of documents; to provide the person with an opportunity to apply for bail; to provide for appeals to the Supreme Court; and to provide for incidental matters.

Agreed to.

*Extradition Amendment Bill* [B. 19 – 2018] read a First Time.

The Deputy Minister of Justice moved, subject to Rule 32(a) of the Standing Rules and Orders, seconded by Ms. Kooper: That the Bill be read a Second Time.

On the motion of the Minister of Finance, seconded by Ms. Sikerete, debate adjourned until Wednesday, 21 November 2018.

9. **FIFTH NOTICE OF A MOTION:**

The Deputy Minister of Justice moved, seconded by the Minister of Finance:

That leave be given to introduce a Bill to amend the International Co-operation in Criminal Matters Act, 2000 so as to establish a Central Authority to receive and to make requests for assistance; to make provisions for the request for assistance to conform to the domestic laws of the requested State and that it should be executed in accordance with the procedures specified in the request; to make provision for non-disclosure of requests for assistance; to provide for additional grounds for refusal of request for assistance and non-refusal of assistance in criminal matters; to provide procedures for persons detained in Namibia who are wanted as witnesses in the requesting State; to provide for the use of video conferencing technology in rendering assistance to a requesting State; and to provide for incidental matters.

Agreed to.

*International Co-operation in Criminal Matters Amendment Bill* [B. 20 – 2018] read a First Time.

The Deputy Minister of Justice moved, subject to Rule 32(a) of the Standing Rules and Orders, seconded by Ms. Kandumbu: That the Bill be read a Second Time.

On the motion of Ms. Iivula-Ithana, seconded by the Deputy Minister of Defence, debate adjourned until Wednesday, 21 November 2018.

10. **SIXTH NOTICE OF A MOTION:**

The Minister of Finance moved, seconded by the Minister of Works and Transport:

That this Assembly –

*Makes* known the appointment of members of the Public Private Partnerships Committee (PPP Committee), in terms of section 5(a) of the Public Private Partnership Act (Act No. 4 of 2017).

Question put: That the Assembly agrees to the appointment of members of the PPP Committee.

Agreed to.

11. **SEVENTH NOTICE OF A MOTION** deferred due to the absence of the Mover.

12. **FIRST ORDER READ:**

Resumption of Committee Stage – *Basic Education Bill* [B. 4 – 2018].

The Deputy Minister of Education, Arts and Culture moved, seconded by the Deputy Minister of Finance: That the Assembly now goes into Committee.

Agreed to.

ASSEMBLY IN COMMITTEE:

The Deputy Chairperson of the Whole House Committee reported that when progress was reported on Tuesday, 13 November 2018, Clauses 1, 3 and 12 as amended by the Deputy Minister, were put and agreed to while Clauses 2, 4 – 11 were put and agreed to without amendments.

Clauses 13, 23, 26, 35, 37, 69, 91, 124 and 125 as amended by the Deputy Minister, put and agreed to.

Clauses 14 – 22, 24, 25, 27 – 34, 36, 38 – 68, 70 – 90, 92 – 123, 126 – 128 put and agreed to without amendments.

Title put and agreed to.

ASSEMBLY RESUMED:

Bill reported with amendments.

The Deputy Minister of Education, Arts and Culture moved, seconded by Ms. Hoffmann: That the Bill be read a Third Time.

Agreed to.

*Basic Education Bill* [B. 4 – 2018] read a Third Time.

13. **SECOND ORDER READ:**

Committee Stage – *Criminal Procedure Act Repeal Bill* [B. 17 – 2018].

The Deputy Minister of Justice moved, seconded by the Deputy Speaker: That the Assembly now goes into Committee.

Agreed to.

ASSEMBLY IN COMMITTEE:

Clauses 1 and 2 put and agreed to.  
Title put and agreed to.

ASSEMBLY RESUMED:

Bill reported without amendments.

The Deputy Minister of Justice moved, seconded by Ms. Sibungo: That the Bill be read a Third Time.

Agreed to.

*Criminal Procedure Act Repeal Bill* [B. 17 – 2018] read a Third Time.

14. **THIRD ORDER READ:**

Committee Stage – *Appropriation Amendment Bill* [B. 16 – 2018].

The Minister of Finance moved, seconded by Ms. Nghaamwa: That the Assembly now goes into Committee.

Agreed to.

ASSEMBLY IN COMMITTEE:

Clauses 1 and 2 put and agreed to.  
Schedule put and agreed to.  
Title put and agreed to.

ASSEMBLY RESUMED:

Bill reported without amendments.

The Minister of Finance moved, seconded by the Minister of Environment and Tourism: That the Bill be read a Third Time.

Agreed to.

*Appropriation Amendment Bill* [B. 16 – 2018] read a Third Time.

15. **FOURTH ORDER READ:**

Reconsideration – *Seed and Seed Varieties Bill* [B. 1 – 2018].

The Deputy Minister of Agriculture, Water and Forestry moved, seconded by Hon. Namupala: That the Assembly now goes into Committee.

Agreed to.

ASSEMBLY IN COMMITTEE:

Clauses 2, 11, 12, 16 as amended by the National Council, put and agreed to.  
Clause 22 as amended by the Minister, put and agreed to.  
Clause 25 as amended by the National Council, put and rejected.  
In the Bill, Chapter 8 as amended by the National Council to be substituted with Chapter 7, put and agreed to.  
In Clause 48, Sub clause 13 as amended by the National Council, put and rejected.  
In Clause 48, Sub clause 16 as amended by the National Council, put and agreed to.  
In Clause 48, Sub clause 16 as amended by the National Council, put and rejected.

ASSEMBLY RESUMED.

Bill as reconsidered, reported with amendments.

In terms of Article 75(3), the Speaker shall refer the Bill to H.E. the President to deal with it under Articles 56 and 64 of the Constitution.

16. **FIFTH ORDER READ:**

Resumption of Debate on Second Reading – *Public Enterprises Governance Bill* [B. 15 – 2018].

Question before the Assembly on Thursday, 15 November 2018, as moved by the Minister of Public Enterprises (175).

Question put: That the Bill be read a Second Time.

Agreed to.

*Public Enterprises Governance Bill* [B. 15 – 2018] read a Second Time.

17. **SIXTH ORDER READ:**

Resumption of Consideration of the Committee Report on the First WHO Global Ministerial Conference on ending TB in the Sustainable Development Era.

Question put: That the Report be adopted.

Agreed to.

18. **SEVENTH ORDER READ:**

Resumption of Debate on Second Reading – *Namibia Deposit Guarantee Bill* [B. 14 – 2018].

Question before the Assembly on Wednesday, 14 November 2018, as moved by the Minister of Finance (153).

Question put: That the Bill be read a Second Time.

Agreed to.

*Namibia Deposit Guarantee Bill* [B. 14 – 2018] read a Second Time.

19. In terms of Rule 99(a) of the Standing Rules and Orders, the Speaker adjourned the Assembly at 17:50 until Wednesday, 21 November 2018.

**MS. L. KANDETU**  
*Secretary of the National Assembly*

*Compiled by I. Nehoya*