



SECOND SESSION, SIXTH NATIONAL COUNCIL



MINUTES OF PROCEEDINGS

Tuesday, May 11, 2021

(09:30 - 13:00)

No. 2 – 2021

The Council met pursuant to adjournment.

1.0 The Chairperson took the Chair.

2.0 The Chairperson read the Prayer and Affirmation.

3.0 NOTICES OF MOTIONS

Honourable Kauma moved notice in terms of Rule 5 sub-rule (1) of the National Council Standing Rules and Orders, a motion without notice that the August House suspend Rule 153 sub-rule (2) of the Standing Rules and Orders to allow the August House to amend the following Rules-

- (1) Rule 155 Standing Committee on Public Accounts and Economy;
- (2) Rule 156 Standing Committee on Security, Constitutional and Legal Affairs;
- (3) Rule 157 Standing Committee on Urban and Rural Development;
- (4) Rule 158 Standing Committee on Gender, Youth and Information;
- (5) Rule 159 Standing Committee on Habitat;
- (6) Rule 160 Women Caucus; and
- (7) Rule 161 Standing Committee on Audit

Further to provide for the establishment of new Standing Committees as a result of the restructuring exercise; and the specific amendments to be moved shortly by other Members of the August House.

The suspension of Rule 153 (2) is necessitated by the fact that the Standing Committee on Rules and Orders, which is responsible for the review and amendment of the Standing Rules and Orders, was not yet constituted, hence the August House was requested to deal with such amendments.

MOTIVATION

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4.0 AMMENDMENTS TO THE NATIONAL COUNCIL STANDING RULES AND ORDERS

4.1 In Rule 155

By substitution of Rule 155 to read as follows:

“Rule 155

Standing Committee on Public Accounts and Economy

Functions:

- (1) to deal with questions falling within the ambit of Offices, Ministries, Agencies and Public Enterprises dealing with trade and industry, SME development, finance and public enterprises;
- (2) shall examine annual reports of the Auditor-General, as may be referred to the Council by the Assembly in terms of the provisions of the Constitution, and advise the Council thereon;
- (3) to scrutinise the Government’s financial proposals and fiscal policies and advise the Council thereon;
- (4) to examine incidents of financial mismanagement in the public sector and advise the Council thereon;
- (5) to promote trade, industrialisation and SME development;

- (6) to monitor budget implementation of Offices, Ministries and Agencies falling within the Standing Committee's ambit;
- (7) to monitor the implementation of the decentralization process on matters falling within the ambit of the Standing Committee; and
- (8) to perform any other function as may be referred to it by the Council."

MOTIVATION

Let me state at the outset that this motivation is applicable to all amendments pertaining to the new committees. The various amendments that will be moved shall make with specific reference to the Rules to be amended, names of proposed committees as well as the proposed functions of the said committees.

In conformity with Article 74 (2) of the Namibian Constitution, the past Council has established Parliamentary Committees for the exercise of its powers and functions. Such committees of the National Council are entitled to conduct hearings and to collect evidence, as it considers necessary for the exercise of its powers of review and investigations.

As an institution that started its business as a House of Review in 1993, it is important that the National Council, from time to time, equip itself to play a more effective oversight role, by strengthening the role of parliamentary committees, particularly the Standing Committees tasked with the oversight of specific Government offices, ministries and agencies.

Thus, the commencement of the 6th National Council for 2020-2025 presents an opportunity for the Council to restructure its committees' system with the ultimate objective of strengthening the capacity of committees to effectively perform the review and oversight functions over executive actions and budget implementation.

The reasons for the restructuring of the existing committees are as follow-

• **Firstly**, there are several committees that have overlapping mandates. For instance, the Committee on Gender, Youth and Information Communications Technology and the Committee on Women Caucus compete for gender related oversight activities. Yet, another example of overlapping mandate is between the Urban and Rural Development Committee and Habitat Committee on issues of housing, sanitation and water provision in urban and rural areas. Furthermore, the Coordinator of Committees is given the same functions as the Audit Committee.

Therefore, there is need to establish and define clear demarcated mandates for the respective committees.

• **Secondly**, the names of Committees not reflecting themes. The names of the Committees do not reflect the thematic issues covered by the offices, ministries and agencies they are supposed to oversee. Moreover, the existing names are not self-explanatory for outsiders who may wish to engage with committees. Therefore, there is need to revisit the naming of the committees such that they resemble the thematic issues covered by the OMAs and make issues covered easily identifiable.

It is important to note that two cross-cutting functions have been added to all newly established committees, these are to monitor budget implementation of Offices, Ministries and Agencies as well as to monitor the implementation of the decentralization process on matters falling within the ambit of each Standing Committee. The addition of these functions will ensure that committees sufficiently scrutinize Government's efforts in relation to the decentralisation of services and resources to the regions.

To conclude, the reform of the National Council oversight parliamentary committees is geared towards strengthening the review and oversight work with the overarching purpose of making the executive and Government at large more accountable and responsive to the Legislature. The position of the UK Parliament's Liaison Committee with respect to the relationship between parliamentary committees and OMAs is instructive in this regard. It is the view of the UK Liaison Committee that *"committees should be respected, listened to and feared by departments (ministries) and ministers"*

for the quality of their investigations, the rigour of their questioning, the depth of their analysis, and the value of their reports.”

4.2 In the Rule 156

By the substitution of Rule 156 to read as follows:

“Rule 156

Standing Committee on Home Affairs, Security, Constitutional and Legal Affairs

Functions:

- (1) to deal with questions falling within the ambit of Offices, Ministries, Agencies and Public Enterprises dealing with justice, international relations and cooperation, safety and security, veterans’ affairs and defence, constitutional and legal affairs;
- (2) to deal with matters of security, home affairs, human rights, constitutional and legal affairs;
- (3) to review international and regional cooperation agreements with regards to peace and security and advise the Council thereon;
- (4) to review Namibia’s foreign policy and make its recommendations to the Council;
- (5) to promote compliance with the UN Standard Minimum Rules for the Treatment of Prisoners and the UN Bangkok Rules on the Treatment of Female Prisoners;
- (6) to promote compliance with the UN Code of Conduct for Law Enforcement Officials;
- (7) to ensure that all Bills tabled in the Council, are in compliance with the Constitution;
- (8) to monitor budget implementation of Offices, Ministries and Agencies falling within the Standing Committee’s ambit;
- (9) to monitor the implementation of the decentralization process on matters falling within the ambit of the Standing Committee; and

(10) to perform any other function as may be referred to by the Council.”

4.3 In the Rule 157

By the substitution of Rule 157 to read as follows:

“Rule 157

Standing Committee on Transport, Infrastructure and Housing

Functions:

- (1) to deal with questions falling within the ambit of Offices, Ministries, Agencies, and Public Enterprises dealing with national planning, works and transport, urban and rural development, housing and sanitation;
- (2) to scrutinise regional development policies and advise the Council thereon;
- (3) to scrutinise legislation on Regional and Local Authorities and advise the Council on such matters as the Committee deems necessary;
- (4) to liaise with bodies representing the interests of Regional Councils and Local Authorities;
- (5) to promote the development, upgrading and maintenance of road infrastructure in rural areas;
- (6) to promote compliance with Istanbul Declaration on Human Settlements and UN Habitat Agenda;
- (7) to monitor budget implementation of Offices, Ministries and Agencies falling within the Standing Committee’s ambit;
- (8) to monitor the implementation of the decentralization process on matters falling within the ambit of the Standing Committee; and
- (9) to perform any other function as may be referred to it by the Council.”

4.4 In the Rule 158

By the substitution of Rule 158 to read as follows:

“Rule 158

Standing Committee on Education, Science, ICT and Youth Development

Functions:

- (1) to scrutinise and report to the Council on matters and questions falling within the ambit of Offices, Ministries, Agencies and all Public Enterprises dealing with education, science, information communication and technology, youth development, national service, sport, arts and culture;
- (2) to liaise with Offices, Ministries, Agencies and institutions representing the interests of the youth and advise the Council on such matters;
- (3) to scrutinize and review the implication of Bills and Acts that impact on the lives of the youth;
- (4) to monitor budget implementation of Offices, Ministries and Agencies falling within the Standing Committee’s ambit;
- (5) to monitor the implementation of the decentralization process on matters falling within the ambit of the Standing Committee; and
- (6) to perform any other function, as may be referred to it by the Council.”

4.5 In the Rule 159

By the substitution of Rule 159 to read as follows:

“Rule 159

Standing Committee on Agriculture, Environment and Natural Resources

Functions:

- (1) to deal with questions falling within the ambit of Offices, Ministries, Agencies and Public Enterprises dealing with agriculture, land, water, environment, forestry, tourism, mines, energy, and marine-resources;
- (2) to promote adequate food security;
- (3) to inquire into matters that may affect the natural resources;
- (4) to promote sustainable utilisation of natural resources;
- (5) to promote the protection and conservation of the environment;
- (6) to promote a fair distribution of farming land and productive utilisation thereof;
- (7) to monitor budget implementation of Offices, Ministries and Agencies falling within the Standing Committee's ambit;
- (8) to monitor the implementation of the decentralization process on matters falling within the ambit of the Standing Committee; and
- (9) to perform any other function as may be referred to it by the Council.”

4.6 In the Rule 160

By the substitution of Rule 160 to read as follows:

“Rule 160

Standing Committee on Health, Social Welfare and Labour Affairs

Functions:

- (1) to scrutinise and report to the Council on matters and questions falling within the ambit of Offices, Ministries, Agencies and Public Enterprises dealing with health, social welfare, gender equality, labour and employment creation;
- (2) to promote gender balance;
- (3) to promote health and social welfare;
- (4) to promote gender equality;
- (5) to monitor budget implementation of Offices, Ministries and Agencies falling within the Standing Committee's ambit;
- (6) to monitor the implementation of the decentralization process on matters falling within the ambit of the Standing Committee; and
- (7) to perform any other function as may be referred to it by the Council.”

4.7 In the Rule 161

By the substitution of Rule 161 to read as follows:

“Rule 161

Implementation and Coordination Committee

Functions:

- (1) to guide and co-ordinate the operations, policies and mandate of all Standing Committees;
- (2) to scrutinize and report to the Council on the work of any Standing Committee;
- (3) to study regional reports and monitor the implementation of the recommendations made by the Council;
- (4) to ensure that each Standing Committee has a 5-year Activity Plan;

- (5) to ensure that the annual activity plans of the Standing Committees are in compliance with their five (5) year plans;
- (6) to monitor implementation of the Standing Committees' activity plans through the submission of accountability reports at determined intervals;
- (7) to conduct monitoring, evaluation and follow up on implementation of Committees' recommendations to OMAs;
- (8) to produce an oversight report of committees' activities at the end of their 5-year term; and
- (9) to perform any other functions as may be referred to it by the Council."

5.0 DEBATE ON SECOND READING

ORDER READ

Debate on Second Reading – *Appropriation Bill* [B.5 – 2021].

The Chairperson put the question: That the Bill be read a Second Time.

Agreed to:

The Acting Secretary then read the Bill a Second Time.

The Bill stood referred to **Committee Stage**.

- 6.0 The Chairperson, Honourable Muha adjourned the Council in terms of Rule 29(1) at 13:09 until Wednesday, 12, May 2021 at 09:30.

Mr Efraim G. Jane
Acting Secretary to the National Council