



FIRST MEETING OF A NEW COUNCIL, SIXTH NATIONAL COUNCIL



MINUTES OF PROCEEDINGS

Tuesday, December 15, 2020

(09:30 - 13:00)

No.1 – 2020

The Council met pursuant to adjournment to sine die of the 5th National Council.

- 1.0 The Secretary took the Chair.
- 2.0 The Secretary read the Prayer and Affirmation.
- 3.0 OPENING REMARKS BY THE SECRETARY OF THE NATIONAL COUNCIL

The Secretary of the National Council welcomed Right Honourable Saara Kuugongelwa-Amadhila, Prime Minister of the Republic of Namibia, His Lordship, Peter Shivute, Chief Justice of the Republic of Namibia, Mr Bernard Songa Sibatani, Former Chairperson of the 5th National Council, Honourable Members of the 6th National Council, Honourable Members of the National Assembly, His Excellency Ambassador Anastas Kaboba Kasongo Wa-Kimba, Dean of the Diplomatic Corps, Leaders of Political Parties, Distinguished Guests, Members of the Press, Ladies and Gentlemen to Parliament: National Council. He sincerely appreciated their presence to witness the two significant historic events, namely the swearing-in of Members of Parliament of the 6th National Council; and secondly the election of the Chairperson and Vice-Chairperson of the Council.

4.0 ADMINISTRATION OF THE AFFIRMATION AND OATH

The Secretary of the National Council called upon His Lordship, Chief Justice Peter Shivute to administer the Affirmation and Oath to the 42 Members of the 6th National Council from the 14 regions, in terms of Article 71 of the Namibian Constitution and Rule 13 of the Standing Rules and Orders of the National Council.

Members were sworn-in in groups, and first group were those Members who had opted for an Affirmation and the rest taking Oath followed in alphabetic order as per sitting arrangement as indicated below.

Group 1: Affirmation

1. **Isaak**, Paul (Mr)
2. **Kambrude**, Harald James (Mr)
3. **Likando**, John Musialela (Mr)
4. **Motinga**, Nicodemus Jesajas (Mr)

Group 2: Oath

5. **Lukaezi**, Micky Mumbali (Mr) ¹
6. **Abraham**, Alfeus Kaushiweni (Mr)
7. **Benson**, Deriou Andred (Mr)
8. **Beukes**, Anseline Vincentina (Ms)
9. **Filipe**, Elder (Mr)

Group 3: Oath

10. **Gaoseb**, Richard (Mr)
11. **Garab**, George (Mr)
12. **Gobs**, Sebastiaan Ignatius (Mr)
13. **Goeieman**, Jeremias (Mr)
14. **Hainghumbi**, Elkan (Mr)

¹ Mr Lukaezi, M.M. was physically challenged and was therefore seated at a seat near the Clerks Table to avoid him having to walk a long distance from-and-to his seat for his Oath.

Group 4: Oath

15. **Hanghuwo**, Olivia Tuyenikelao (Ms)
16. **!Haoseb**, Joram Kennedy (Mr)
17. **Iipinge**, Laurentius Makana (Mr)
18. **Kaishungu**, Lonia (Ms)
19. **Karondo**, Johannes Hamba (Mr)

Group 5: Oath

20. **Kauma**, Victoria Mbawo (Ms)
21. **Kuuoko**, Tjimutambo Daniel (Mr)
22. **Kazongominja**, Peter Change Kamunguisi Razungana (Mr)
23. **Likuwa**, Christopher (Mr)
24. **Mavara**, Phillipus Nkore (Mr)

Group 6: Oath

25. **Mbangu**, Paulus Nginga (Mr)
26. **Muha**, Lukas Sinimbo (Mr)
27. **Mukaya**, John Muchila (Mr)
28. **Muteka**, Emma Tangi (Ms)
29. **Nambondi**, Hans Linekela (Mr)

Group 7: Oath

30. **Nangula**, Sakeus (Mr)
31. **Ndjago**, Melania (Ms)
32. **Ndjambula**, Phillemon (Mr)
33. **Ngunaihe**, Ueutjerevi (Mr)
34. **Nguvauva**, Rocco (Mr)

Group 8: Oath

35. **Sikondo**, Johannes Kahonzo (Mr)
36. **Shiimi**, Gerhard (Mr)
37. **Shikongo**, Abner Shikongo (Mr)

38. **Shikulo**, Leonard (Mr)

39. **Tebele**, Augustinus (Mr)

Group 9: Oath

40. **Tjaveondja**, Bethuel (Mr)

41. **Uutoni**, Andreas (Mr)

42. **Witbooi**, Gerrit Albertus (Mr)

5.0 ELECTION OF THE CHAIRPERSON OF THE NATIONAL COUNCIL

5.1 APPLICATION PROVISIONS AND RULES

Rule 14(1) provides for the Secretary to take the chair whereupon the Council shall proceed with the election of the Chairperson. It was in accordance with this Rule that the Secretary presided over the election of the Chairperson. Rule 14(2) provides for a Member to propose a Chairperson; while Rule 14(3) provides that if only one Member is proposed and seconded, he or she shall be declared elected and be conducted to the chair without any question being put. Rule 14(4) provides that “Where more than one person is proposed and seconded, a motion shall be made and seconded in respect of each person, and the House shall proceed to elect the Chairperson/Presiding Member by secret ballot in accordance with the provisions of this Rule.”

Therefore, the Secretary presided over the election of the Chairperson of the 6th National Council.

The Secretary called for nominations for the position of Chairperson of the National Council.

Honourable Elder Filipe, from Otjozondjupa Region, seconded by Honourable Leonard Shikulo, from Omusati Region, nominated Honourable Lukas Sinimbo Muha, from Kavango West Region.

Honourable Gerrit Witbooi, from //Kharas Region, seconded by Honourable Deriou Benson, from Erongo Region, nominated Honourable Sebastiaan Ignatius Gobs, from Kunene Region.

Honourable Anseline Beukes, from //Kharas Region, seconded by Hon. Harald James Kambrude, from Hardap Region, nominated Honourable Gerhard Shiimi, from Omusati Region. However, Honourable Gerhard Shiimi declined the nomination.

There being no further nomination, the Secretary suspended business for 15 minutes to give opportunity to the Clerks-at-Table to prepare the ballot papers.

Council resumed.

5.2 ELECTION OF THE CHAIRPERSON OF THE 6th NATIONAL COUNCIL BY SECRET BALLOT

The Secretary asked the Clerks to issue each Member with a ballot paper.

Thereafter, all Members proceeded one by one to drop their folded ballots into the Ballot Box at the Table.

After all Members present casted their votes, the Clerk handed over the ballot box to the Secretary. Secretary counted the ballot papers received and announced the total to the House; before counting the ballot papers for each candidate.

The Secretary then proceeded to announce the results of the voting as follows:

Honourable Lukas Sinimbo Muha got 28 votes.

Honourable Sebastiaan Ignatius Gobs got 13 votes.

The Secretary declared Honourable Lukas Sinimbo Muha as duly elected Chairperson of the 6th National Council.

One of the Clerks ushered Honourable Muha to the front to take the chair.

The Secretary vested Honourable Lukas Sinimbo Muha as Chairperson and then he took the chair.

The Secretary called upon the former Chairperson to hand over the Namibian Constitution and Gavel to the newly elected Chairperson.

6.0 ELECTION OF THE VICE - CHAIRPERSON OF THE NATIONAL COUNCIL

6.1 APPLICATION PROVISIONS AND RULES

The Chairperson informed the Council that Rule 15 of the National Council Standing Rules and Orders provides for the election of the Vice-Chairperson of the National Council. In electing the Vice-Chairperson, the relevant provisions of Rule 14 shall apply *mutatis mutandis*.

The Chairperson of the National Council presided over the election of the Vice - Chairperson of the National Council.

The Chairperson called for nominations for the position of Vice-Chairperson of the National Council.

Honourable Lonia Kaishungu, from Ohangwena Region, seconded by Honourable Bethuel Tjaveondja, from Otjozondjua Region, nominated Honourable Victoria Kauma, from Kavango East Region.

Honourable Jeremias Goeieman, from //Kharas region, seconded by Honourable Joram !Haoseb, from Erongo Region, nominated Honourable Harald James Kambrude, from Hardap Region.

There being no further nomination, the Chairperson suspended business for 15 minutes to give opportunity to Clerks-at-the Table to prepare the ballot papers.

Council resumed.

6.2 ELECTION OF THE VICE-CHAIRPERSON OF THE 6th NATIONAL COUNCIL BY SECRET BALLOT

The Honourable Chairperson informed the Council that in electing the Vice-Chairperson, the relevant rules and procedures shall apply *mutatis mutandis*.

The Chairperson asked the Clerks to issue each Member with a ballot paper.

Thereafter, all Members proceeded one by one to drop their folded ballots into the Ballot Box at the Table.

After all Members present casted their votes, the Clerk handed over the ballot box to the Secretary. Secretary counted the ballot papers received and announced the total to the House; before counting the ballot papers for each candidate.

The Chairperson then proceeded to announce the results of the voting as follows:

Honourable Victoria Mbawo Kauma got 29 votes.

Honourable Harald Kambrude got 12 votes.

The Chairperson declared Honourable Kauma as duly elected Vice-Chairperson of the 6th National Council.

7.0 REMARKS BY OUTGOING CHAIRPERSON OF THE 5th NATIONAL COUNCIL

Mr Bernard Sibatani, the former Chairperson of the 5th National Council delivered his Remarks to the House at the Swearing-in Ceremony of the Members of the 6th National Council on Tuesday, 15 December 2020. The Remarks are reproduced hereunder:

“Right Honourable Saara Kuugongelwa-Amadhila, Prime Minister of the Republic of Namibia;

- Your Lordship Peter Shivute, Chief Justice;
- Newly Elected Chairperson and Vice-Chairperson of the National Council;
- Your Excellency, Dean of the Diplomatic Corps;
- Leaders of political parties present;
- Honourable Members of the National Council;
- Distinguished invited guests;
- Members of the media;
- Ladies and gentlemen.

It gives me a great pleasure to address you at this important moment that add credence to our democracy. The swearing in of newly elected members is a ceremony that marks a smooth transfer of power and responsibilities in our political system of representative democracy. The constituting of the National Council after the holding of Regional Councils’ Elections provides this august House with a unique opportunity to draw its membership from regional representatives representing our 14 regions.

Right Honourable Prime Minister, Honourable Chairperson

The National Council plays a crucial role, particularly in representing the interests of our people from all corners of our country. The constitutional powers, functions and scope of operation of the National Council impose a duty upon its Honourable Members to always take into account the views of the constituents.

Indeed, being an institution comprised of regional representatives, the National Council has an obligation to ensure that public views solicited as widely as possible are incorporated into national legislation. Thus, fulfilling the constitutional provision of recommending legislation on matters of regional concern to the National Assembly. In this regard, the National Council initiated the Constituency Development Fund Bill otherwise popularly known as the CDF Bill and submitted it to the National Assembly for consideration.

The objects and purpose of the Constituency Development Fund Bill are amongst others;

- to financially assist with the implementation of decentralization programmes at constituency level;
- to provide funding for the identification and management of development projects at constituency level; and
- to provide funding for small-scale community-based projects to improve the livelihood of the communities, as well as enable Regional Councils to deal with emergencies in Constituencies speedily.

Ten (10) Members who served in the 5th National Council have been returned by the respective regions to the House; I expect them to ensure that the other thirty two (32) Members are properly informed on the noble objectives of the Constituency Development Fund (CDF) Bill and should thus provide the necessary continuity in terms of the engagements undertaken with the line Ministry so that the CDF Bill enacted in the shortest time possible. I have no doubt in my mind that the CDF Bill once enacted will immensely contribute towards service delivery in the various constituencies.

Another unfinished business relates to the adoption of the Joint Rules of Parliament by the two Houses. The adoption and implementation of the Joint Rules will enhance cooperation between the two Chambers; and unlock areas of mutual collaboration on areas such as the establishment of joint parliamentary committees, capacity building of Members, harmonization of the parliamentary calendars; and the facilitation of smooth exchange of legislative information between the two Houses.

Right Honourable Prime Minister; Honourable Chairperson

The National Council's mission is "*to effectively carry out the review and oversight functions by strengthening civic engagement and partnership*". In line with the mission statement, the 5th National Council has in its endeavours added value to the law-making process by reviewing seventy-seven (77) Bills received from the National Assembly.

The National Council has carried out its oversight function by scrutinising policies, programmes, and expenditure plans of government's Offices, Ministries and Agencies.

The oversight function was carried out by the National Council's Standing Committees tasked with the principal purpose of finding out the facts of each case, examining witnesses, sifting evidence, and drawing up reasoned conclusions and recommendations.

It is also important to emphasize that through the oversight function, the National Council had an opportunity to take Parliament to the people, this allowing direct contact between Committee members and the members of the public. Meeting communities at grassroots level served as an opportunity that enriched the views of Committee Members and at the same time promote public debate on the subject matter before a specific parliamentary committee.

Right Honourable Prime Minister; Honourable Chairperson

It has been a pleasure to serve the people of Namibia as a Member and Chairperson of the National Council. Although the position of the Chairperson is not always comfortable and easy, it does offer a variety of experiences and rewards.

It is a position that requires a broad range of skills and personal qualities to successfully fulfil all the duties expected from the incumbent. Hence, one has to be sympathetic, honest, fair and impartial but firm when the need arises, specifically when applying the House Rules.

Right Honourable Prime Minister; Honourable Chairperson

As the outgoing Chairperson of the National Council, I want to say the following, I have been a Member of this House since 2008, during those 12 years, and the Council never experienced the lack of quorum at any of its sessions. It is therefore my sincere wish and hope that this well-established parliamentary practice of this House shall continue under the new House leadership.

Allow me, at this juncture, to thank the Members of the 5th National council for their support and cooperation. Equally, I extend my sincere appreciation to the Secretariat under the leadership of Mr Tousy Namiseb for the administrative support rendered not only to me as Chairperson, but to all member of the 5th National Council.

To conclude, I wish to congratulate the newly sworn-in Members of the National Council. I have no doubt that there will be a great deal of demanding tasks ahead of you.

However, I am strongly convinced that positive synergy between the presiding officers, Members and Secretariat will make your victory certain.

I thank you and God bless you all”

8.0 ACCEPTANCE SPEECH BY ELECTED CHAIRPERSON OF THE 6TH NATIONAL COUNCIL

Hon. Lukas Sinimbo Muha, elected Chairperson of the 6th National Council delivered his Acceptance Speech to the House at the Swearing-in Ceremony of the Members of the 6th National Council on Tuesday, 15 December 2020. The Acceptance Speech is reproduced hereunder:

- “Right Honourable Saara Kuugongelwa-Amadhila, Prime Minister of the Republic of Namibia;
- Honourable Professor Peter Katjavivi, Speaker of the National Assembly (in absentia);
- Your Lordship Peter Shivute, Chief Justice;

- Newly elected Chairperson and Vice-Chairperson of the National Council;
- Your Excellency, Dean of the Diplomatic Corps;
- Leaders of political parties present;
- Honourable Members of the National Council;
- Distinguished invited guests;
- Members of the media;
- Ladies and gentlemen.

It gives me a great pleasure to accept this noble national responsibility bestowed upon me today. It is indeed an honour to join a list of illustrious Presiding Officers in which footsteps I am following. I have no doubt that the foundation laid by those who presided over this house in the pass will serve and guide me well on this difficult yet exciting new journey.

Right Honourable Prime Minister; Honourable Members

The commitment made by the Members of the 6th National Council towards the upholding and defending the Constitution and Laws of the Republic of Namibia demonstrate a commitment towards working in the interest of peace and prosperity of the Namibian people. Therefore, as a newly elected Chairperson, I am encouraged and convinced that assembled here before me is a tea of Honourable Members committed towards legislating laws that will address the needs and aspirations of all our people.

Hence, let me implore that despite our opposing political affiliations we should be united by a common purpose of bringing prosperity to our people who have mandated us to make laws on their behalf. In fact, it is imperative that from the onset we work towards building a culture of excellence, a culture of tolerance and above all a culture of servant leadership.

Honourable Members, Parliamentary decorum and etiquette dictate that any fruitful discussion and debate in the House should be conducted under certain amount of discipline, decorum and order in the House, Therefore, it is important that the

Honourable Members observe a respectable code of conduct and follow the set rules, customs and conventions of the House.

Honourable Members

As Members of this august House we should take cognisance of the various national and international policies and programmes that can enrich our parliamentary work. In short, we must consult key policies such as our Vision 2030, the Harambee Prosperity Plan and the United Nations Sustainable Development Goals.

As a Chairperson of the National Council, I look forward to enhancing the role of this august House whose mandate is to complement the National Assembly as two sister Houses tasked with the responsibility of the law-making process.

Moreover, the Office of the Chairperson will endeavour to orientate the Namibian public on the functions of the National Council as a sister chamber within our parliament bicameral system.

Honourable Members, allow me at this juncture to call upon the nation to refrain from gender based violence.

In conclusion, allow me to thank my predecessors for the foundation laid by them since the inception of this august House. Similarly, I extend my wholehearted appreciation to the people of Namibia in general and, in particular, the people of Mankumpi Constituency and Kavango west Region for paving the way to this historic achievement in my life. More importantly, I thank the mighty SWAPO Party for entrusting me with this enormous responsibility.

I wish the Honourable Members and staff of the National Council a joyous festive season and prosperous New Year. However, let me add that as we celebrate a well-deserved holiday break with our loved ones let us be mindful of the danger of Covid-19 virus which is still among us. Let us sanitise and maintain social distancing at all times. I thank you”.

9.0 KEYNOTE ADDRESS BY THE RIGHT HONOURABLE PRIME MINISTER

Right Honourable Saara Kuugongelwa-Amadhila, Prime Minister of the Republic of Namibia delivered the Keynote Address to the House at the Swearing-in Ceremony of the Members of the 6th National Council on Tuesday, 15 December 2020. The Keynote Address is reproduced hereunder:

“Director of Proceedings

Honourable Chairperson of the National Council

Your Lordship Chief Justice Peter Shivute

Honourable Deputy Chairperson of the National Council

Honourable Members of the National Council

Very Good morning!

I wish to start by extending hearty congratulations to all the members of the 6th National Council, having been elected at the just concluded Regional Council Elections.

I am informed that of the 42 members of the 6th National Council, 32 are elected to represent their Regions at the National Council for the first time. I welcome you to the Legislature.

As we just witnessed the election of the Chairperson and Deputy Chairperson, I wish to congratulate them on being elected to preside over this August House.

I wish to thank the former members of this house for their contribution to the work of this House.

The successful holding of the last elections for members of the Regional Councils and Local Authorities is a significant milestone in our governance in that it both demonstrated the unquestionable commitment to and the maturing of our democracy.

The strength of our democracy is consolidated by strong institutions, systems and processes. The National Council is one such institution.

The National Council is established under article 68 of the Constitution with the power to, amongst others, consider all bills passed by the National Assembly, to investigate and report to the National Assembly on any subordinate legislation, reports and documents and to recommend legislation on matters of regional concern for consideration by the National Assembly.

These Constitutional provisions ensure that the legislative process and the Parliamentary oversight in Namibia optimize public input, with community participation promoted during policy and law formulation by nationally elected leaders and through participation by elected representatives of the various regions at the National Council.

This also ensures that the law making process benefits from the experiences of the different Regions through the participation of Regional Councils' representatives who constitute the membership of the National Council.

To harness the full benefits of our democratic system with a separation of powers of the organs of the State and a parliamentary system with two chambers of parliament, it is imperative that there is effective cooperation and coordination between all the stakeholders in the governance of our country.

As Parliamentarians, our function is not only that of legislating, but we also have a Constitutional responsibility, as elected representatives of our people, to ensure the effective exercise of the sovereignty by the Namibian people by respecting their wishes and optimizing their welfare.

While we are all elected to Parliament on the tickets of political parties for the most part and National Councillors are deployed by Regional Councils to represent their respective regions, once we become members of the respective Houses of Parliament, we are representatives of all the people of Namibia, and we must at all times, work for the

interest of all Namibians. This calls upon us to rise above our political differences and work together to find solutions to problems facing our people.

Similarly, while the Constitution provides for the separation of powers of the organs of the State, and the two parliamentary chambers have distinct functions, it is of importance that there is cooperation and coordination between these organs and between the two parliamentary chambers.

Besides the parliamentary responsibilities, National Council members are involved with executive functions in the regions, as members of their respective Regional Councils.

This dual function of National Councillors enhances coordination and cooperation with the Executive and National Assembly, and consequently promotes better service to the public.

As the Legislative arm of government, Parliament has a key role to play in ensuring effective governance in the country, which in turn is key for effective public service delivery and optimal development.

To achieve this both Houses of Parliament should strive to ensure that:

- a) The process of law making is stream lined to expedite the passing of laws,
- b) The discussions on bills and other documents brought before Parliament is based on thorough consideration of facts so that the Laws that we pass effectively deal with the concerned national issues, and that
- c) We act in a proactive manner, to ensure that our governance framework evolves with the evolving challenges that our nation faces and the opportunities that become available to optimize economic development and the welfare of our people.

In this regard, Parliament has adopted a set of rules to govern the conduct of the affairs of our respective chambers, and agreed upon committees to assist it to study and investigate matters on which it has to decide.

It is important that these mechanisms are made full and effective use of by all of us, in order that we improve the work of Parliament.

The National Council as part of its functions considers reports referred to it by National Assembly, which the Assembly is required to consider as part of its oversight function. The Council further conducts public consultations on bills submitted for its review. These are important aspects of legislating and oversight. It is, therefore, of utmost importance that they receive the due priority that they deserve.

As representatives of the people, we should also ensure at all times that we keep parliament close to the people, maintaining easy public access to parliament and facilitating public input in our decisions, as well as promoting accountability to the public.

We should also conduct the debates in the house in a manner that reflects the dignity of the house and indeed honours the public whom we represent and serve.

I want to conclude by emphasizing the importance of upholding the best standards of governance in the management of the Council as a Public institution. Effective public sector governance requires that there are purposeful efforts to ensure effective administration of public institutions. In this regard, NDP5 enjoins all public institutions to promote a culture of performance, accountability and integrity in public institutions. These are key to the realization of our respective institutional mandate.

Of equal importance is the efficient use of the scarce public resources so as to optimize value for money, as well as the harnessing of ICT to improve service delivery.

The COVID pandemic is challenging all of us to find ways of managing our affairs in a way that promote innovation and build resilience. I believe that we have what it takes to rise to that challenge. We should also reinforce our efforts to curb the pervasive sexual and gender based violence in our country.

The Executive is committed to cooperation with this important institution of our democracy, in the spirit of our Constitution. We look forward to working with you, and we wish you the best in all your endeavours.

As the year end is upon us, I take this opportunity to wish all of you and your families a blessed festive season and a prosperous new year. Let's all support the efforts to fight COVID-19. COVID-19 has caused devastation across the globe, our country included. Many of our compatriots were lost to this disease, including members of our institution, the latest being honourable Mandela Kapere. Our thoughts are with the families during the difficult period of bereavement.

I ask that we observe a minute of silence in their honour.

Thank you".

10.0 The Chairperson adjourned the Council at 12:02 until further notice.

Mr Tousy Namiseb
Secretary to the National Council
