



Wednesday, 21 June 2023

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SEVENTH SESSION, SEVENTH PARLIAMENT

REPUBLIC OF NAMIBIA
MINUTES OF PROCEEDINGS
OF THE
NATIONAL ASSEMBLY

WEDNESDAY, 21 JUNE 2023

The Assembly met pursuant to the adjournment.

1. The Speaker took the Chair and read the Prayer and Affirmation.
2. **Announcements by the Speaker in terms of Rule 20(b) of the Standing Rules and Orders:**

- (i) The Speaker announced that, with a sense of urgency and concern it was brought to the attention of the House a matter of significant importance. Over the past few weeks, there has been an engagement in the review and preparation of several critical pieces of legislation and financial bills that have the potential to shape the future of our nation. These 13 urgent Bills were expected to be presented in a timely manner to afford the Assembly ample opportunity for comprehensive review and informed debate. Regrettably, this has not been the case.

The Cabinet Members, have brought forth these bills to Parliament late in the process, leaving the Assembly in a situation where the procedures are hasten, deliberations are condensed. This comes from a place of collective disappointment in the Cabinet for their lack of foresight and planning. This practice of waiting until the last minute to bring Bills to Parliament is not conducive to our legislative process, nor is it respectful of the significant responsibilities this august House shoulders.

Furthermore, the Speaker drew attention to the fact that two critical bills - the Banking Institutions Bill and the Trust Bill - are still not delivered to Parliament and cautions the House that the outstanding Banking Institutions Bill and the Trust Bill are expected to be presented to the National Assembly

by Thursday, 22 June 2023, without fail. The Assembly's deadlines are not mere suggestions, they are obligations that must be met in order to keep our legislative process moving smoothly.

Lastly, the Speaker urged the House to reflect on these matters and renew the commitment to fulfilling the duties as Lawmaker with the highest standards of diligence, timeliness, and responsibility. Parliament is here to serve the people, and actions must always be guided by the best interests of the nation.

- (ii) The Speaker also announced that at the meeting with the Chief Whips and the meeting of the Committee on Standing Rules and Orders and Internal Arrangements which took place today, 21 June 2023, it was agreed that tomorrow, 22 June 2023, be dedicated to accommodate the discussion of these important Bills. It was further agreed that the Chief Whip of the Majority Party will introduce a Motion tomorrow, 22 June 2023, that proceedings on these Bills not be interrupted if still under consideration at 17:45. The Assembly will then meet on Monday, 26 April 2023, as from 14:30 to consider these Bills.
- (iii) The Speaker announced that his office was informed by the Chief Whip of the Landless People's Movement (LPM) that they have nominated;
 - 1) Honourable Bernadus Swartbooi; and
 - 2) Honourable Utaara Mootuto serve on the Standing Committee on Human Resources and Community Development and the Standing Committee on Natural Resources.

The office of the Speaker was also informed by the Leader of the Rally for Democracy and Progress (RDP) that Honourable Kennedy Shekupakela has been nominated to serve on the Standing Committee on Natural Resources

The Speaker declared all these Members as duly elected to the said Parliamentary Standing Committees.

The Speaker was further informed by the Chief Whip of the Landless People's Movement (LPM) that Honourable Henny H. Seibeb has been withdrawn from the Standing Committees on Economics and Public Administration and the Standing Committee on Foreign Affairs, Defence and Security.

This is duly confirmed by the House.

- (iv) The Speaker extend his congratulations to the Deputy Prime Minister and Minister of International Relations and Cooperation for becoming the first Namibian to receive the Order of Simon of Cyrene on Sunday, 18 June 2023, which is the highest award given the Anglican Church of Southern Africa.

The nation share in this big achievement.

3. NOTICES OF QUESTIONS:

- (i) Hon. Dienda (PDM) to ask the Minister of Environment, Forestry and Tourism (No. 101).

- (ii) Hon. Swartbooi (LPM) to ask the Minister of Urban and Rural Development (No. 102).
- (iii) Hon. Swartbooi (LPM) to ask the Minister of Fisheries and Marine Resources (No. 103).
- (iv) Hon. Swartbooi (LPM) to ask the Rt. Hon. Prime Minister (No. 104).
- (v) Hon. Iipumbu (NEFF) to ask the Minister in the Presidency (No. 105).

4. **SECOND NOTICE OF A MOTION:**

The Minister of Justice moved, seconded by the Deputy Minister of Gender Equality, Poverty Eradication and Social Welfare:

That leave be given to introduce a Bill to amend the Criminal Procedure Act, 1977 so as to provide for the access, search and seizure of electronic records; to provide for arrangements for giving of evidence through an audio-visual link or similar electronic transmission; to provide for the postponement of criminal proceedings through audio-visual links; to include the requirements for audio-visual appearance by accused persons and to provide for the protection of communication between the accused person and the legal representative; to include requirements for the technical requirements for audio-visual links in courtrooms; to provide for police powers to obtain information; to provide for the furnishing of evidence to a judge of the High Court or a magistrate without the need for appearance; to provide for the application to criminal proceedings of certain provisions of the Electronic Transactions Act, 2019, relating to data messages and computer evidence; to provide for police powers to use traps or undercover operations and for the admissibility of evidence obtained from such traps or undercover operations; and to provide for incidental matters.

Agreed to.

Criminal Procedure Amendment Bill [B.10 – 2023] read a First Time.

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

On the motion of Hon. Dienda, seconded by Hon. Swartbooi, debate adjourned until Tuesday, 27 June 2023.

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

The Deputy Minister of Home Affairs, Immigration, Safety and Security moved, seconded by the Minister of Agriculture, Water and Land Reform:

That leave be given to introduce a Bill to amend the Police Act 1990, so as to authorise the Inspector-General to share information obtained during investigations of money laundering and associated predicate offences, the financing of terrorism or proliferation activities or any other offences of interest with foreign law enforcement agencies and foreign non-law enforcement agencies; and to provide for incidental matters.

Agreed to.

Police Amendment Bill [B.5 – 2023] read a First Time.

The Minister of Home Affairs, Immigration, Safety and Security moved, subject to Rule 32(a) of the Standing Rules and Orders, seconded by Hon. Karupu: That the Bill be read a Second Time.

On the motion of Hon. Seibeb, seconded by Hon. Katjimune, debate adjourned until Monday, 26 June 2023.

6. THIRD NOTICE OF A MOTION:

The Minister of Justice moved, seconded by the Deputy Minister of Defence and Veterans Affairs:

That leave be given to introduce a Bill to amend the Prevention of Organised Crime Act, 2004 so as to substitute and insert new definitions; to provide for the exclusion of a conviction on a predicate offence as a ground for committing the offence of money laundering; to provide for the offences of smuggling of migrants, illicit trafficking of stolen goods, piracy and related offences; to provide for the seizure of pirate ships or aircrafts; to provide for the forfeiture of intended instrumentalities of offences and unexplained assets; to provide for condonation after cessation of impossibility to give notice; to provide for staff members to perform certain functions in relation to property; to provide for the allocation of money from the Fund to the Financial Intelligence Centre or supervisory bodies and recommendations for such allocation under the powers and functions of the Committee; to extend the investigation powers of the Inspector-General to the Director-General of the Anti-Corruption Commission; to subject banking institutions to property tracking orders; to provide for the seizure of tainted property without a warrant; to extend the police powers of requesting for information to authorised officers of the Anti-Corruption Commission and to include banking institutions as one of the bodies from which information may be requested from; to provide authority for the Prosecutor-General to carry out functions as a legal practitioner; and to provide for incidental matters.

Agreed to.

Prevention of Organised Crime Amendment Bill [B.11 – 2023] read a First Time.

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

On the motion of Minister of Gender Equality, Poverty Eradication and Social Welfare, seconded by Hon. Van Wyk, debate adjourned until Monday, 26 June 2023.

7. FOURTH NOTICE OF A MOTION:

The Minister of Justice moved, seconded by the Deputy Minister of Industrialisation and Trade:

That leave be given to introduce a Bill to amend the Extradition Act, 1996 so as to delete the ground of refusal of extradition where a person is convicted in his or her absence by a court in a requesting country.

Extradition Amendment Bill [B.8 – 2023] read a First Time.

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

On the motion of the Deputy Minister of Works and Transport, seconded by Deputy Minister of Agriculture, Water and Land Reform, debate adjourned until Monday, 26 June 2023.

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

The Minister of Justice moved, seconded by the Deputy Prime Minister and Minister of International Relations and Cooperation:

That leave be given to introduce a Bill to amend the International Cooperation in Criminal Matters Act, 2000 so as to provide for certain definitions; to provide for further grounds for refusal of foreign requests for assistance in obtaining evidence; to provide for requests for assistance in enforcing preservation and forfeiture orders, to provide for registration of foreign preservation and forfeiture orders, to provide for the setting aside of registration of foreign preservation or forfeiture orders; and to provide for incidental matters.

International Co-operation in Criminal Matters Amendment Bill [B.7 – 2023] read a First Time.

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

On the motion of the Deputy Minister of Finance and Public Enterprises, seconded by Hon. Kavetuna, debate adjourned until Monday, 26 June 2023.

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

The Minister of Finance and Public Enterprises moved, seconded by the Minister of Mines and Energy:

That leave be given to introduce a Bill to provide for the licensing and regulation of virtual asset service providers; to designate a Regulatory Authority to regulate and supervise virtual asset service providers and related activities, for purposes of ensuring consumer protection, preventing market abuse and preventing or mitigating the risk of money laundering and terrorist financing posed by virtual assets markets; and to provide for incidental matters.

Virtual Assets Bill [B.12 – 2023] read a First Time.

The Minister of Finance and Public Enterprises moved, subject to Rule 32(a) of the Standing Rules and Orders, seconded by the Minister of Sport, Youth and National Service: That the Bill be read a Second Time.

On the motion of Hon. Van den Heever, seconded by Hon. Auchab, debate adjourned until Tuesday, 27 June 2023.

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

The Deputy Minister of Home Affairs, Immigration, Safety and Security moved, seconded by Hon. Isaack:

That leave be given to introduce a Bill to amend the Prevention and Combating of Terrorist and Proliferation Activities Act, 2014, so as to substitute the definitions of “competent authority” and “organisation”; to provide for the intentional provision of funds or other assets; to finance terrorist and proliferation activities; to provide for the designation of certain persons, organisations or countries by the United Nations Security Council; to provide for changes in the implementation of the United Nations Security Council resolutions; and to provide for incidental matters.

Prevention and Combating of Terrorist and Proliferation Activities Amendment Bill [B.13 – 2023] read a First Time.

The Deputy Minister of Home Affairs, Immigration, Safety and Security moved, subject to Rule 32(a) of the Standing Rules and Orders, seconded by the Deputy Minister of Education, Arts and Culture: That the Bill be read a Second Time.

On the motion of Hon. Dienda, seconded by Hon. Amutse, debate adjourned until Tuesday, 27 June 2023.

11. **EIGHTH NOTICE OF A MOTION:**

The Minister of Agriculture, Water and Land Reform moved, seconded by Hon. Mukapuli:

That leave be given to introduce a Bill to amend the Meat Industry Act, 1981 so as to amend the long title; to amend certain definitions and insert new definitions; to change the name of the board and amend the objectives of the board; to include in the Act provisions relating to livestock products in general; to provide that poultry is livestock for purposes of the Act and that dairy products are livestock products for purposes of the Act; to amend the short title of the Act; and to provide for incidental matters.

Livestock and Livestock Products Amendment Bill [B.4 – 2023] read a First Time.

The Minister of Agriculture, Water and Land Reform moved, subject to Rule 32(a) of the Standing Rules and Orders, seconded by Hon. Ekandjo: That the Bill be read a Second Time.

On the motion of Hon. Vries, seconded by Hon. Elago, debate adjourned until Monday, 26 June 2023.

12. **FIRST ORDER READ:**

Resumption of Debate on Second Reading – *Financial Intelligence Amendment Bill* [B. 3 – 2023].

Question before the Assembly on Tuesday, 20 June 2023, as moved by the Minister of Finance and Public Enterprises (page 103).

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

Agreed to.

Financial Intelligence Amendment Bill [B. 3 – 2023] read a Second Time.

13. **SECOND ORDER READ:**

Resumption of Debate on Second Reading – *Civil Registration and Identification Bill* [B. 2 – 2023].

Question before the Assembly on Tuesday, 20 June 2023, as moved by the Deputy Minister of Home Affairs, Immigration, Safety and Security (page 104).

On the motion of Hon. Mootu, seconded by Hon. Swartbooi, debate adjourned until Monday, 26 June 2023.

14. **THIRD ORDER READ:**

Resumption of Debate on the brave deeds of the Late Hompa Kandjimi-Hauwanga of VaKwangali against the racist German and Portuguese imperialists and to have his skull and of others Namibians repatriated from Germany.

Question before the Assembly on Tuesday, 13 June 2023, as moved by Hon. Hambyuka (page 101): That the Motion be referred to a relevant Parliamentary Standing Committee for further research and report back to this August House.

On the motion of Hon. Dinyando-Nyambe on behalf of Hon. Karondo, seconded by Hon. Witbooi, debate adjourned until Tuesday, 27 June 2023.

15. **FOURTH ORDER READ** deferred to Monday, 26 June 2023 by the Deputy Minister of Finance and Public Enterprises:

16. In terms of Rule 99(a) of the Standing Rules and Orders, the Speaker adjourned the Assembly at 17:40 until Thursday, 22 June 2023.

MS. L. KANDETU

Secretary of the National Assembly

Compiled by H. Christiaans