



Republic of Namibia

MINISTRY OF URBAN AND RURAL DEVELOPMENT

NATIONAL ASSEMBLY

NOTICE OF QUESTIONS BY THE HONOURABLE NENNY SEIBEB

NOTICE OF QUESTION NO. 177

RESPONSE ON: 12 OCTOBER 2023

Hon. Speaker
Hon. Members

I rise to respond to questions that have been posed by Hon. Henny Seibeb of LPM.

Question 1:

How long have you been aware of Councillor Fabian George serve as the Chairperson of the Management Committee of Ongwediva but works full-time in Okakarara, rendering him unable to meaningfully discharge his duties as a councillor?

Answer:

The Ministry learned of the allegation through the print media this year in February and I immediately called the Mayor to confirm the allegations in the print media. As for Honourable Councillor's inability to discharge his duties, the office of the mayor provided me with a report that councillor George carried out all his responsibility as required to this date despite him reside in Okakarara but his permanent residence is in Ongwediva Town.

Question 2:

Have you received communication, Minutes of Council from Ongwediva CEO since 2020-2021 about the predicament of Councillor Fabiam George not being every day in Ongwediva but yet a fulltime trainee support at Okakarara Vocational Training Centre?

Answer:

As I alluded, I actually did not wait to be informed by the CEO but acted after the issue was reported in the daily. Therefore, the Mayor's report indicated that Councillor Fabiam diligently attended and presided over all the 15 Management meetings during the year 2022 and continue to do so this year. Also, copies of attendance register as well as records for both council and management meetings as well as the proof of residency are available for convenience.

Question 3:

How many councillors of local authorities in Namibia are facing the similar challenges such as that being faced by Councillors Kanalombe and George?

Answer:

As far as our knowledge at the Ministry, none apart from the two councillors unless we are not informed of any other.

Question 4:

Concerning the alleged violation of the local Authorities Act by disrespecting or neglecting wrongdoings committed by SWAPO councillors, what steps have you taken to rectify such anomalies?

Answer:

Honourable members, in the given instances, it is our duty of the Ministry to request the respectively local authority to confirm or deny and unfortunately this has a process that need to take course before enforce Section 13(3) of the Local Authorities Act, (Act No. 23 of 1992) as amended.

To be specific, after my investigation and extensive consultation with the Ongwediva Town Council having satisfy myself with the report, I have already written a letter on 18 August 2023 to instruct council through its Chief Executive Officer to immediately cause the publication of Vacancy as per the stated provision.

As for Councillor Lazuras Kanelombe of Karibib Town Council, I am provided with a report by council and a police declaration that he indeed live in Karibib and commute daily from his house to his work at Arandis. Also, I wish to refer and inform this August House that the Electoral Commission of Namibia (ECN) in 2021 and Ombudsman Report of the 07 March 2022 affirmed the permanent residency of the honourable councillor. Further, the Electoral Commission affirmed that councillor Kanelombe is a registered voter of the Karibib Local Authority and hence met the requirements as provided for in terms of Section 85 of the Electoral Act. The Ministry therefore, is in possession of the minutes of

council of when this particular issue of the residency was discussed and it is confirmed that the Honourable Councillor is indeed residing at Erf 406.

Question 5

Will you consider reporting the Executive Director to the Prime Minister for not adhering to the relevant laws pertaining to local authorities act.

Answer:

I don't think this question is relevant because as a Ministry, we were just busy doing due diligence given the situation.

Question 6:

Could you explain why you ignored legal advice dated January 2021 from the Attorney General Festus Mbandeka which informed you to remove Councillor George?

Answer:

There is no law that was ignored but as a Ministry responsible, we have to make sure that the allegations are confirmed and possibly if there is an oversight, we are obliged to provide guidance to our local authorities to follow the prescribed laws.

Question 7:

Given that the Attorney-General advised that the Minister has legal recourse to effect the removal of non-resident councillors and "does not have to wait for a

political party'' to withdraw its member, why have you not taken action independently?

Answer:

As I said, the Ministry and my office does not jump to conclusion or act by rumours or accusations but will verify such information with the relevant local authority. Yes, as you can see after follow all necessary procedures and after satisfying myself I acted.

Question 8:

The Attorney General emphasized that you have legal recourse to effect the removal of non-resident councillors and does not have to wait for a political party'' to withdraw its member. Why have you delay taking action thus far?

Answer:

As I have eluted to earlier, after I have satisfy myself with the outcome of my probe, I have taken the necessary action.

Hon. Speaker

Hon. Members

I so submit.