



FIFTH SESSION, FIFTH NATIONAL COUNCIL



MINUTES OF PROCEEDINGS

Thursday, 13 October 2016

(09:30 - 13:00)

No.28 - 2016

The Council met pursuant to adjournment.

- 1.0 The Chairperson took the Chair.
- 2.0 The Chairperson recited the Prayer and Affirmation.
- 3.0 NOTICE OF MOTION(S)

Honourable Sibatani moved, in terms of Rule 114 of the Standing Rules and Orders of the National Council, a motion without notice: That this Council should resolve that the Second Reading, Committee and Third Reading Stages of the following Bills be effected on Thursday, 13 October 2016: *Liquor Amendment Bill* [B.7-2016]; *Short-Term Insurance Amendment Bill* [B.12-2016]; *Unit Trusts Control Amendment Bill* [B.13 – 2016]; *Medical Aid Funds Amendment Bill* [B.14 – 2016] and *Long-Term Insurance Amendment Bill* [B.15 – 2016]. Further moved, in accordance with Rule 30 of the Standing Rules and Orders, that the proceedings of the House be not interrupted if still under consideration at 13:00 hours.

4.0 INTRODUCTION AND MOTIVATION OF REPORT(S)

FIRST ORDER READ

Honourable Sipapela moved, seconded by Honourable Antsino, the Report on the *134th IPU Assembly and Related Meetings* held in all fourteen Regions from 16 – 29 September 2016.

The Chairperson put the question: That the Report be adopted.

Agreed to.

The Report was unanimously adopted.

5.0 DEBATE ON REPORT(S)

5.1 SECOND ORDER READ

Resumption of Debate on Report - *The Report of the National Council Standing Committee on Public Hearings on the Liquor Amendment Bill [B.7 – 2016] held in all fourteen Regions from 16 – 29 September 2016.*

The Chairperson put the question: That the Report be adopted.

Agreed to.

The Report was unanimously adopted.

The Council suspended business at 10:35 and resumed at 11:05

6.0 DEBATE ON SECOND READING

6.1 THIRD ORDER READ

Debate on Second Reading – *Liquor Amendment Bill* [B.7-2016]

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

Agreed to.

The Secretary then read the Bill a Second Time.

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

6.2 FOURTH ORDER READ

Debate on Second Reading – *Short-Term Insurance Amendment Bill* [B. 12 - 2016]

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

Agreed to.

The Secretary then read the Bill a Second Time.

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

6.3 FIFTH ORDER READ

Debate on Second Reading – *Unit Trusts Control Amendment Bill* [B. 13 - 2016].

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

Agreed to.

The Secretary then read the Bill a Second Time.

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

6.4 SIXTH TH ORDER READ

Debate on Second Reading – *Medical Aid Funds Amendment Bill* [B. 14 - 2016]

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

Agreed to.

The Secretary then read the Bill a Second Time.

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

6.5 SEVENTH ORDER READ

Debate on Second Reading – *Long-Term Insurance Amendment Bill* [B. 15 - 2016]

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

Agreed to.

The Secretary then read the Bill a Second Time.

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

7.0 DEBATE ON COMMITTEE STAGE

7.1 EIGHTH ORDER READ

Debate on Committee Stage – *Liquor Amendment Bill* [B.7 – 2016]

The Chairperson put the question: That she leaves the Chair

Agreed to.

The Chairperson then called upon the Vice-Chairperson of the Committee of the Whole Council to take the Chair.

The Vice-Chairperson of the Committee of the Whole Council then took the Chair.

Council in Committee:

Clause 1 was put.

Hon Shikongo P. H. moved an amendment to clause 1.

That Clause 2A (1) be amended to insert the following sub-clauses after sub-clause (d):

“2A No person shall be granted a licence for the sale of liquor, within a prescribed distance from the vicinity of-

- (a) a school;
- (b) a place of worship;
- (c) a hospital;
- (d) residential premises;
- (e) places of safety;**
- (f) children’s homes;**
- (g) designated children’s parks; and**
- (h) old age homes**

unless the written consent has been given by all owners of residential premises, situated within the prescribed distance of the vicinity of the proposed licensed premises, affected persons and relevant authorities, after a prescribed notice has been served on those owners, affected persons and relevant authorities.”

Motivation

“The amendment of the clause is necessitated by the fact that the sale of liquor has a negative impact on children who are vulnerable and easily exposed to the dangers of alcohol abuse. The sale of alcohol in residential areas also impact on the children’s school work and they are entitled to special protection and care during their childhood. Article 27 of the Convention on the Rights of the Child provides that every child has the right to a standard of living adequate for the child’s physical, mental, spiritual, moral and social development. Namibia has ratified the Convention on the Rights of the Child and is therefore obliged to abide by the provisions of this Convention. Further our senior citizens are vulnerable and therefore also needs protection.”

Clause 1 was then put and agreed to as amended.

Clauses 2 to 5 were put and agreed to.

Clause 6, The **Short Title** was put and agreed to.

Council resumed:

The Vice-Chairperson of the National Council and Chairperson Committee of the Whole Council reported the Bill **with amendments**.

The Bill stood referred to **Third Reading**.

7.2 NINTH ORDER READ

Debate on Committee Stage – *Short-Term Insurance Amendment Bill*
[B.12 – 2016].

The Chairperson put the question: That she leaves the Chair.

Agreed to.

The Chairperson then called upon the Vice-Chairperson of the Committee of the Whole Council to take the Chair.

The Vice-Chairperson of the Committee of the Whole Council then took the Chair.

Council in Committee:

Clauses **1 - 3** were put and agreed to.

Clause **4**, The **Short Title** was put and agreed to.

Council resumed:

The Vice-Chairperson of the Committee of the Whole Council reported the Bill **without amendments**.

The Bill stood referred to **Third Reading**.

7.3 TENTH ORDER READ

Debate on Committee Stage – *Unit Trusts Control Amendment Bill* [B.13 – 2016]

The Chairperson put the question: That she leaves the Chair

Agreed to.

The Chairperson then called upon the Vice-Chairperson of the Committee of the Whole Council to take the Chair.

The Vice-Chairperson of the Committee of the Whole Council then took the Chair.

Council in Committee:

Clauses **1** and **2** were put and agreed to **without amendments**.

Clause **3**, The **Short Title** was put and agreed to.

Council resumed:

The Vice-Chairperson of the Committee of the Whole Council reported the Bill **without amendments**.

The Bill stood referred to **Third Reading**.

7.4 ELEVENTH ORDER READ

Debate on Committee Stage – *Medical Aid Funds Amendment Bill* [B.14 – 2016]

The Chairperson put the question: That she leaves the Chair

Agreed to.

The Chairperson then called upon the Vice-Chairperson of the Committee of the Whole Council to take the Chair.

The Vice-Chairperson of the Committee of the Whole Council then took the Chair.

Council in Committee:

Clauses **1** and **3** was put and agreed to **without amendments**.

Clause **4**, The **Short Title** was put and agreed to.

Council resumed:

The Vice-Chairperson of the Committee of the Whole Council reported the Bill **without amendments**.

The Bill stood referred to **Third Reading**.

7.5 TWELVETH ORDER READ

Debate on Committee Stage – *Long-Term Insurance Amendment Bill*

[B.15 – 2016]

The Chairperson put the question: That she leaves the Chair

Agreed to.

The Chairperson then called upon the Vice-Chairperson of the Committee of the Whole Council to take the Chair.

The Vice-Chairperson of the Committee of the Whole Council then took the Chair.

Council in Committee:

Clauses **1 - 3** was put and agreed to **without amendments.**

Clause **4**, The **Short Title** was put and agreed to.

Council resumed:

The Vice-Chairperson of the Committee of the Whole Council reported the Bill **without amendments.**

The Bill stood referred to **Third Reading.**

8.0 DEBATE ON THIRD READING

8.1 THIRTEENTH ORDER READ

Debate on Third Reading – *Liquor Amendment Bill* [B.7 – 2016]

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

Agreed to.

The Secretary then read the Bill a Third Time.

The Bill was passed **with amendments**.

8.2 FOURTEENTH ORDER READ

Debate on Third Reading – *Short-Term Insurance Amendment Bill* [B.12 – 2016]

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

Agreed to.

The Secretary then read the Bill a Third Time.

The Bill was passed **without amendments**.

8.3 FIFTEENTH ORDER READ

Debate on Third Reading – *Unit Trusts Control Amendment Bill* [B.13 – 2016]

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

Agreed to.

The Secretary then read the Bill a Third Time.

The Bill was passed **without amendments.**

8.4 SIXTEENTH ORDER READ

Debate on Third Reading – *Medical Aid Funds Amendment Bill* [B.14 – 2016]

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

Agreed to.

The Secretary then read the Bill a Third Time.

The Bill was passed **without amendments.**

8.5 SEVETEENTH ORDER READ

Debate on Third Reading – *Long-Term Insurance Amendment Bill* [B.15 – 2016]

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

Agreed to.

The Secretary then read the Bill a Third Time.

The Bill was passed **without amendments.**

9.0 CLOSING STATEMENT BY THE CHAIRPERSON

Honourable Mensah-Williams, Chairperson of the National Council made a Statement to the House at the Closing of the Fifth Session of the 5th National Council on 13 October 2016. The Statement is reproduced verbatim hereunder:

**“HONOURABLE BERNARD SIBALATANI, VICE-CHAIRPERSON OF THE NATIONAL COUNCIL,
HONOURABLE HILMA NICANOR, DEPUTY MINISTER OF VETERANS AFFAIRS,
HONOURABLE DAWID BOOIS, DEPUTY CHIEF WHIP OF THE RULING PARTY IN THE NATIONAL COUNCIL,
MS EMILIA MKUSA, SECRETARY TO THE NATIONAL COUNCIL,
HONOURABLE MEMBERS,
MEMBERS OF THE MEDIA,
LADIES AND GENTLEMEN.**

We have come to the end of this Session where we have reviewed and deliberated on Bills referred to us by the National Assembly as stipulated in the Namibian Constitution. The Bills that came before us were;

- Short-Term Insurance Amendment Bill (B12-2016);
- Long-Term Insurance Amendment Bill (B-15-2016)
- Medical Aid Funds Amendment Bill (B14-2016)
- Unit Trust Amendment Bill (B-13-2016)

The House has further deliberated and considered the finding of the Report of the Liquor Amendment Bill (B-7-2016). The report emanated from the public hearings conducted by the Standing Committee on Public Accounts. I delighted that the report has been adopted and appreciate the hard work that the Standing Committee on Public Accounts have put

in to make sure that the views of the citizens are taken into consideration regarding this Liquor Amendment Bill.

The House likewise adopted reports from different Standing Committees such as Committees on Constitutional and Legal Affairs, Habitat, Women Caucus, and Audit. This just shows that the oversight function of the House of Review is being carried out effectively. Based on this, I would like to urge the respective Standing Committees to follow up with the line ministries on the implementations of recommendations contained in their reports, this is the only way to monitor and evaluate whether the O/M/As are indeed implementing the recommendations proposed by the legislative branch.

HONOURABLE MEMBERS,

I would like to inform you that the preparations of the National Council Junior Council is underway and is anticipated to take place next year in May. This initiative is spearheaded by my Office and its aim is to get the youth involved in the law making process. The youth as the leaders of tomorrow cannot be left behind when lawmakers are discussing issues concerning their future. They need to get involved, participate and give real resolutions on how they think the government should assist in implementing policies concerning them. We are going to need the assistance of all the Honourable Members because the participants will be coming from all the 14 regions of the country. More details regarding this historic event will be announced at a later stage.

HONOURABLE MEMBERS,

I would like to thank you Honourable Members for having submitted your first regional reports in the previous Session. I know that it is not easy but I have full confidence in you that you will continue to do so. On that note, let me remind me you that your respective regional reports are due. These reports are of utmost importance as they stipulates the developments that happened or are happening and challenges being faced in your respective regions. These reports should always be submitted on time.

We are still to come back for the final Session of the year just before Christmas and I hope by then all of you Honourable Members would have prepared your reports and ready for tabling.

HONOURABLE MEMBERS;

We are approaching a season of giving which is Christmas. I really think that is very important that we join the President in ensuring that the Namibian House is built on the foundation of love and care. This means that let us open our hearts and care for the less fortunate, let us give where we can, let us give back to the community in the spirit of Harambee and doing so God`s blessings will be in abundance.

HONOURABLE MEMBERS;

I know that the House is going in recess but the Standing Committee works continues. This means that Honourable Members you will be embarking upon activities as stated in your respective Annual Activities Plans and will come back to this August House with reports that the House will consider on activities undertaken.

That being said Honourable Members, I wish you all safe returns to your regions and let us continue to carry out the National Council activities in the spirit of Harambee. May the travel mercies be with you as you return your families and community. Let us continue to serve the Namibian Nation diligently as elected leaders in our communities.

I would now like to call upon the Deputy Chief Whip to adjourn the House until further notice.

I THANK YOU”

10.0 Hon. Boois adjourned the House at 12:35 until further notice.

E. Mkusa
Secretary to the National Council