

# DAILY HANSARD

YOUR VOICE IN PARLIAMENT



## THE FIRST MEETING OF THE FOURTH SESSION OF THE ELEVENTH PARLIAMENT TUESDAY 5 DECEMBER 2017

### ENGLISH VERSION

HANSARD NO. 189



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**DEPUTY SPEAKER**  
**The Hon. Kagiso P. Molatlhegi, MP Gaborone South**

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Deputy Clerk of the National Assembly	- Ms T. Tsiang
Ag. Learned Parliamentary Counsel	- Ms. B. Morolong
Assistant Clerk (E)	- Mr R. Josiah

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Hon. D. K. Makgato, MP. (Sefhare - Ramokgonami)	- Minister of Health and Wellness
Hon. T. S. Khama, MP. (Serowe West)	- Minister of Environment, Natural Resources Conservation and Tourism
Hon. V. T. Seretse, MP. (Mmopane - Lentsweletau)	- Minister of Investment, Trade and Industry
Hon. O. K. Matambo, MP. (Specially Elected)	- Minister of Finance and Economic Development
Hon. T. Mabeo, MP. (Thamaga - Kumakwane)	- Minister of Employment, Labour Productivity and Skills Development
Hon. T. Olopeng, MP. (Tonota)	- Minister of Youth Empowerment, Sport and Culture Development
Hon. E. M. Molale, MP. (Specially Elected)	- Minister for Presidential Affairs, Governance and Public Administration
Hon. Dr. U. Dow, MP. (Specially Elected)	- Minister of Basic Education
Hon. P. P. Ralotsia, MP. (Kanye North)	- Minister of Agricultural Development and Food Security
Hon. Dr. A. Madigele, MP. (Mmathethe - Molapowabojang)	- Minister of Tertiary Education, Research, Science and Technology
Hon. S. Kebonang, MP. (Lobatse)	- Minister of Mineral Resources, Green Technology and Energy Security
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Hon. I. E. Moipisi, MP (Kgalagadi North)	- Assistant Minister, Land Management, Water and Sanitation Services
Hon. G. B. Butale, MP (Tati West)	- Assistant Minister, Investment, Trade and Industry

## MEMBERS OF PARLIAMENT AND THEIR CONSTITUENCIES

<b>Names</b>	<b>Constituency</b>
<b>RULING PARTY (Botswana Democratic Party)</b>	
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Hon. C. De Graaff, MP	Ghanzi South
Hon. L. Kablay, MP	Letlhakeng - Lephephe
Hon. M. N. Ngaka, MP	Takatokwane
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Hon. K. Markus, MP	Maun East
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Hon. B. J. Kenewendo, MP	Specially Elected
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<b>(Umbrella for Democratic Change)</b>	
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Hon. G. S. M. Mangole, MP	Mochudi West
Hon. A. S. Kesupile, MP	Kanye South
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Hon. S. Ntlhaile, MP	Jwaneng -Mabutsane
Hon. M. I. Khan, MP	Molepolole North
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<b>(Alliance for Progressives)</b>	
Hon. W. B. Mmolotsi, MP	Francistown South
Hon. Maj. Gen. P. Mokgware, MP	Gabane-Mmankgodi
Hon. N. N. Gaolathe, MP	Gaborone Bonnington South
Hon. S. Kgoroba, MP	Mogoditshane
Hon. Dr P. Butale, MP	Gaborone Central
<b>(Independent Member of Parliament)</b>	
Hon. T. Moremi, MP	Maun West

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**OF THE ELEVENTH PARLIAMENT**  
**TUESDAY 5 DECEMBER 2017**

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**Tuesday 5<sup>th</sup> December, 2017**

**THE ASSEMBLY met at 2:00 p.m.**

**(THE SPEAKER in the Chair)**

### PRAYERS

\* \* \* \*

### SPEAKER'S ANNOUNCEMENTS

**MR SPEAKER (MR MOLATLHEGI):** Order! Honourable Olopeng, Honourable Boko order! Good afternoon Honourable Members, I have an announcement. Honourable Members, today we have some special guests in the Public Gallery. We are honoured to have the finalists of the Miss Remote Area Development Programme (RADP) 2017 beauty pageant in the gallery. The contestants are preparing for Miss RADP 2017 beauty pageant finals to be held on Saturday the 9<sup>th</sup> December, 2017 at the Limkokwing University Hall of Fame.

The event will start at 1800 hours till late and the entry fees are as follows;

- (i) VIP P200
- (ii) Standard P100

The theme for the event is “unearthing natural beauty and talent.” I will quickly go through the names of the contestants so that you know and greet them...

**HONOURABLE MEMBERS:** ... (Murmurs)...

**MR SPEAKER:** Order! I will read out the name of the village and district.

The first contestant is Ontlametse Kearate from Kgomodiatsaba in Kgatleng; Otshepeng Modise from Kgomodiatsaba in Kgatleng. I am not sure if the camera can reach there. Olebogile Oganne from Gojwane in the Central District. Ketshwentsemang Garebaitse from Zoroga in the Central District; Keotshepile Kudume from Kokotsha in Kgalagadi, Pholoso Molefele from Maake in Kgalagadi; Kesegofetse Ntau from Sekhutlane in Southern, Kgatlhego Motlhopheng from Kutuku in the Southern District; Laone Meswele from Kweneng in the Kweneng District; Gomolemo Baeseng from Tshwaane in the Kweneng District, Onkgopotse Nyatsang from New Xade in Ghanzi, Amogelang Morris from Qabo in the Ghanzi District, Renate Amos from Tobere in the North West, Juliet Sango from Khwae

in the North West. Those are our beauty contestants for Miss RADP, welcome them Honourable Members.

**HONOURABLE MEMBERS:** ... (Applause!) ...

**MR SPEAKER:** Order! If you want to see them properly you should go to Limkokwing University Hall of Fame. Order! Honourable Members it is question time. Before we go to questions, I believe you all received corrigendum removing those two Bills that were supposed to be at the second reading stage. We have removed them, we will be dealing with Standing Orders this afternoon.

### QUESTIONS FOR ORAL ANSWER

#### STRATEGIES TO CONTROL STUDENTS INDISCIPLINE

**MR H. B. BILLY (FRANCISTOWN EAST):** asked the Minister of Basic Education if student indiscipline is getting out of control, particularly the abuse of alcohol and drugs; if so, to state the strategies in place to contain this problem.

**ASSISTANT MINISTER OF BASIC EDUCATION (MR GOYA):** Thank you Mr Speaker.

Indiscipline remains a worrisome situation in schools. The behaviour of a small minority can disrupt education for all. The increased use of alcohol and drugs in the wider community is of national concern and all of us are working to fight this scourge.

My ministry has introduced a wide variety of measures to address indiscipline in schools and sensitise learners on the dangers of substance abuse which includes;

- (a) The strengthening of the pastoral policy which advocates and involves students in some of the decision making and running of the school. It involves the division of large schools into more manageable houses headed by a head of department.
- (b) Development of the community in the school is also very important through Parent Teacher Associations, Kgotla meetings, open days etcetera, etcetera.
- (c) Counselling at school level as well as regional level.
- (d) Anti-substance abuse fairs for students (regional and cluster school based)
- (e) Liaising and working with Non-Governmental Organisations (NGOs) to help address students on issues of substance abuse including;



- (i) American Embassy under the Young African Leadership Initiative
- (ii) The Botswana Student Network
- (iii) Hope Worldwide Botswana
- (iv) Youth Alliance for Leadership and Development in Africa
- (v) Captive Eye
- (vi) The New Africa's Salvation
- (vii) Young Entrepreneurs
- (viii) Youth Edutainment Groups
- (ix) Botswana Police under the Narcotics Division
- (x) Ministry of Health and Wellness, using the clinics
- (xi) Botswana Substance Abuse Support Network (BOSASNET)
- (xii) Stepping Stone

Mr Speaker, formation of regional anti-drug abuse club made up of students from different schools to empower peers is one of the measures that we use. Lastly Mr Speaker, we have also run parenting workshops to mentor members of the community as we have noted that children adopt many of these bad habits when on vacation from school. I thank you.

**MAJ. GEN. MOKGWARE:** Supplementary. Thank you Mr Speaker. Honourable Minister, have you not considered random testing of the students, or can you consider that to be part of your strategies also?

**MR GOYA:** Thank you Mr Speaker, thank you Honourable Member. No, I have not thought about that, but it could be something we could look into and check whether it could be applied. To test the pupils as we once thought of bringing an equipment that could be put by the entrance to check what they are carrying. It seemed it was not acceptable, because we would be violating the children's rights Mr Speaker. Thank you.

**DR P. BUTALE:** Supplementary. Thank you Mr Speaker. Minister, I appreciate the efforts that you are making to fight this drug problem. Would you agree with me that this drug issue, has raised epidemic levels in this country, and therefore, it warrants special attention from Government like when HIV/AIDS started? We need to focus on it and come up with robust ways of dealing with it.

**MR GOYA:** Thank you Mr Speaker, thank you Honourable Member. It is true that drugs have infested our country. No one can dispute that. The recent instances where the police have been moving from one house to the other, door to door unravelling the drugs is a clear statement that drugs in this country have indeed penetrated heavily. It is important for us as the Government to see what we can do. I take it that what the police are doing is a step in the right direction. I hope it will not stop that far; that they will reach each and every area. They have made it very clear that they are going to reach every place. I hope they will reach even at schools and see how we can remove them. Thank you.

#### **LABOUR INSPECTIONS AT REGENT HILL SCHOOL**

**MAJ. GEN. P. MOKGWARE (GABANE-MMANKGODI):** asked the Minister of Employment, Labour Productivity and Skills Development:-

- (i) how many labour inspections were carried out in the following schools in the last three years;
  - (a) Regent Hill School in Block 9;
  - (b) Regent Metsimotlhabe;
  - (c) Regent Little Feet;
  - (d) Regent Tlokweg;
  - (e) Regent Molepolole; and
- (ii) whether all foreign teachers employed at the above schools have work permits; if so, to state the approval and expiration dates of the permits respectively;
- (iii) how many times each of the foreign teachers' contracts were renewed; and
- (iv) whether the labour inspection teams addressed Batswana teachers to get information on how they are treated by the schools' leadership.

**MINISTER OF EMPLOYMENT, LABOUR PRODUCTIVITY AND SKILLS DEVELOPMENT (MR MABEO):** Good afternoon Mr Speaker and welcome back. Let me also me pass my regards to our beauty queens Mr Speaker,

- (i) Labour inspections were conducted at Regent Metsimotlhabe and Regent Molepolole on the 14<sup>th</sup> April 2016 and 30<sup>th</sup> November 2017 respectively...



**HONOURABLE MEMBER:** You are a player.

**MR MABEO:** Mr Speaker, I seek your protection.

**HONOURABLE MEMBER:** I said you are a player.

**MR MABEO:** Mr Speaker,

- (ii) Regent Hill School in Block 9, Regent Little Feet, and Regent Tlokweng have not been inspected yet, and are on plan for inspection.
- (iii) Out of a total of 33 non-citizen employees engaged in all the five Regent Schools, 28 had valid work permits, three were found without valid work permits and two were awaiting decision of the Regional Immigration Selection Board. The employer and non-citizens that were found without valid work permits were fined for non-compliance to the law. Approval and expiration dates of all valid work permits issued to the 28 employees vary from 2015 to 2020.

Mr Speaker, I have a list here which shows when everyone's permit start and when it ends.

- (iv) Permits of nine teachers were renewed once, while the rest are on first issuance.
- (v) Labour inspection teams addressed employees and employers (management) on separate meetings, followed by a joint meeting of employees and employers facilitated by the labour inspection team, to discuss issues raised on the separate meetings. The inspection teams do not separate employees by nationality, hence Batswana are not segregated from others during the meetings. However, Batswana are at liberty to approach inspectors on any peculiar issues of concern. I thank you Madam Speaker.

**MAJ. GEN. MOKGWARE:** Supplementary. Thank you. Honourable Minister, do I hear you clearly saying that for the last three years, there has never been any labour inspections in the four schools, and why? Secondly, did I hear you well that out of 33 teachers, there are 28 expatriates? Clarify that.

**MR MABEO:** Thank you very much Maj. Gen. The reason why our inspections are few, I have to admit, we do not have enough resources in terms of human resources as well as vehicles that we need to go and do inspections. As you might be aware, we are looking at the whole country and therefore the resources are still

not enough. With regards to the number of teachers that you asked me about, I have a list here which shows the number expatriate teachers. It also shows when they got their permits for the first time and when they will be expiring. I will avail this list to you sir, so that you look at it closely. Thank you Mr Speaker.

**HONOURABLE MEMBER:** Further supplementary.

**MR SPEAKER:** You are slow Honourable Mokgware.

**MAJ. GEN. MOKGWARE:** Further supplementary. Thank you Mr Speaker. Minister, can you confirm to this House the last inspection you conducted after receiving this particular question. Secondly, have you ever discovered during this inspection that Batswana are being abused in some of these schools, especially when you go to Regent High School in Block 9 where the principal uses some abusive language to onlookers?

**MR MABEO:** Thank you Maj. Gen. Mr Speaker, I must admit that at one point Maj. Gen. did approach and told me about this issue. I think that is the reason why he is asking me why we did not go and inspect just recently. We had to do something. I believe as I have said Maj. Gen., we have a challenge with resources sir. That is the response I can give you. Thank you Mr Speaker.

#### **THE ENVIRONMENTAL IMPACT ASSESSMENT PROCESS**

**MR D. L. KEORAPETSE (SELEBI PHIKWE WEST):** asked the Minister of Environment, Natural Resources Conservation and Tourism:-

- (i) what the process of an Environmental Impact Assessment (EIA) entails and how long it takes on average to complete for companies seeking to set up;
- (ii) to state the number of companies in Selebi Phikwe awaiting greenlight from his ministry in respect of the EIA; and
- (iii) if he is aware or has received complaints that EIA has become a business hurdle and if so, how he intends to expedite the process for purposes of both domestic investment and Foreign Direct Investment (FDI).

**Later Date.**

**MR SPEAKER:** Honourable Salakae again, he is not here yet.



### LOCALISATION OF THE BOTSWANA COURT OF APPEAL

**MR H. B. BILLY (FRANCISTOWN EAST):** asked the Minister of Defence, Justice and Security if there is a policy to localise the Court of Appeal of Botswana; if so, what steps are being taken to implement it.

**MINISTER OF DEFENCE, JUSTICE AND SECURITY (MR KGATHI):** Mr Speaker, there is no formal policy on localisation of the Court of Appeal of Botswana, whose composition is determined under the Constitution of Botswana by the Judicial Service Commission. Since the appointment in October 2010, of the first citizen President and members of the Court of Appeal, steps have been taken to progress the localisation of the court at an appropriate pace so as to ensure continuity and proper standards of delivery of justice. To date, four additional citizen appointments have been made, and presently the court is made up of four citizens and four eminent retired Justices from other jurisdictions; two from Scotland and two from South Africa.

Mr Speaker, the process of localisation will proceed as the present incumbents complete their terms of office, or retire on account of advanced years and as determined from time to time by the Judicial Service Commission (JSC). I thank you Mr Speaker.

### LABOUR INSPECTIONS AT FLAMINGO PRIMARY SCHOOL

**MAJ. GEN. P. MOKGWARE (GABANE-MMANKGODI):** asked the Minister of Employment, Labour Productivity and Skills Development:-

- (i) how many labour inspections were carried out at Flamingo Primary School in Sowa Town in the last three (3) years;
- (ii) to state whether all foreign teachers employed at the above school have work permits; if so, to state the approval and expiration dates for the permits respectively;
- (iii) how many times each of the foreign teachers' contracts were renewed; and
- (iv) whether the labour inspection teams addressed Botswana teachers to get information on how they are treated by the school leadership.

### MINISTER OF EMPLOYMENT, LABOUR PRODUCTIVITY AND SKILLS DEVELOPMENT (MR MABEO):

- Thank you very much Mr Speaker.
- (i) Mr Speaker, one inspection was carried out at both Flamingo Primary and Secondary Schools as a joint inspection because both schools are housed within the same premises and managed by one Headteacher. This inspection was conducted for a duration of three days on the 25<sup>th</sup> February, 9<sup>th</sup> and 16<sup>th</sup> March 2015. A follow up was made on the 30<sup>th</sup> November 2017 for verification and confirmation of information.
  - (ii) All the seven non-citizens employed at Flamingo Primary School have valid work permits.
  - (iii) Two teachers are on their third contract, three on their second contract, and two are on their first contract.
  - (iv) The process of conducting a labour inspection involves three phases; that is separate interviews with the employees which includes Botswana employees, another meeting with the management (employer) and lastly a tripartite meeting involving employees, management and labour inspectors. This process was followed in the labour inspection carried out at Flamingo School. I thank you Madam Speaker.

### NUMBER OF POACHERS KILLED OR ARRESTED SINCE 2008

**MR D. L. KEORAPETSE (SELEBI PHIKWE WEST):** asked the Minister of Environment, Natural Resources Conservation and Tourism to state:-

- (i) the number of poachers killed or arrested by his department or other law enforcement agencies working with his ministry since 2008 and their nationalities;
- (ii) how many were prosecuted and convicted or acquitted; and
- (iii) how many of the arrested, tried, convicted or absolved are foreigners, Botswana and are employed in law enforcement or security organs of the state (Botswana Police Service, Department of Wildlife, Directorate of Intelligence and Security Services, Botswana Defence Force, Botswana Prison Service) respectively.

**Later Date.**



### APPOINTMENT OF CITIZEN HIGH COURT JUDGES TO COURT OF APPEAL

**MR H. B. BILLY (FRANCISTOWN EAST):** asked the Minister of Defence, Justice and Security to state the criteria used for the appointment of citizen High Court Judges to the Court of Appeal.

**MINISTER OF DEFENCE, JUSTICE AND SECURITY (MR KGATHI):** Thank you Mr Speaker. Mr Speaker, appointments to the Court of Appeal are made by His Excellency the President acting in accordance with the advice of the Judicial Service Commission.

In the case of citizen Justices of Appeal, as in the case of others, when there is a vacancy, names are put forward to the Judicial Service Commission by the President of the Court of Appeal after consultation with the Chief Justice, where the records of the nominees are debated, and alternative names may be proposed.

Mr Speaker, criteria considered include maturity, experience, quality of previous judgments, standing in the profession and in public life, health status, and in the case of retired Judges; current activities as well as other personal and professional attributes considered by the Judicial Service Commission to be relevant. I thank you Mr Speaker.

### EVALUATION OF POVERTY ERADICATION PROGRAMME SINCE INCEPTION

**MR D. L. KEORAPETSE (SELEBI PHIKWE WEST):** asked the Minister for Presidential Affairs, Governance and Public Administration to state:-

- (i) whether the Poverty Eradication Programme has been evaluated; if so, to furnish Members of Parliament with the report and if not, why;
- (ii) the amount in Pula terms used in the programme since its inception; and
- (iii) by what percentage or numbers the programme has reduced poverty.

**MINISTER FOR PRESIDENTIAL AFFAIRS, GOVERNANCE AND PUBLIC ADMINISTRATION (MR MOLALE):** Thank you Mr Speaker.

- (i) Mr Speaker, the Poverty Eradication Programme has not been evaluated as yet. However, we have

engaged Statistics Botswana to conduct a multi-topic household survey which survey will provide indicators on the impact of the programme. The survey was started in November 2015 and as it is now, the results are expected before the end of this financial year.

- (ii) The amount used in the programme since its inception is P836, 187, 792. This amount covers packages and projects for beneficiaries as well as administrative functions and other requisite logistics.
- (iii) As I did indicate at (i) above, my ministry is awaiting the results of the multi-topic survey which is expected to be concluded before the end of the financial year. I thank you Mr Speaker.

**MR KEORAPETSE:** Supplementary. Thank you Honourable Minister, will this multi-topic survey serve as evaluation of the programme or it is a different matter which is expected to inevitably evaluate or provide answers which will otherwise be provided by evaluation?

**MR MOLALE:** Thank you Mr Speaker. I must preface my answer by saying that a number of assessments have been done in the interim, like the 2015 poverty assessment. The survey will not only look at the ultimate impact the programme has had on the beneficiaries; it will also be looking at other things that may sound like evaluation, where we will be looking at what improvements have to be made in the future if the programme is to continue. I thank you Mr Speaker.

**MR KEORAPETSE:** Further supplementary. Thank you Mr Speaker. Honourable Minister, are there plans to specifically evaluate this programme in future?

**MR MOLALE:** Yes, Mr Speaker.

**DR P. BUTALE:** Supplementary. Minister, what has been informing your continued expenditure on this programme, if you have never evaluated it? How do you know that it is working, it is yielding the desired results if you have never evaluated it until you have spent over P800 million?

**MR MOLALE:** I did say Mr Speaker that much as we may not have done a full evaluation of the programme, there have been regular and periodic assessments to indicate to us whether the programme is creating the necessary impact, and I am just indicating that the latest



one is here for 2015. So it is showing that indeed we know that the programme is creating the impact. Thank you Mr Speaker.

**HONOURABLE MEMBER:** Supplementary.

**MR SPEAKER:** No, we have other questions and we have only 25 minutes only.

**HONOURABLE MEMBER:** I am the last one.

**MR SPEAKER:** Only 25 minutes remaining, be the last one Honourable Nkaigwa.

**MR NKAIGWA:** Supplementary. Thank you Mr Speaker. Honourable Minister, I think you should make it very clear to this House that there was no survey and there was no evaluation of the programme to date, because I am one of those that took part in the multi-topic survey that you are referring to; it did not relate at all to the poverty eradication programme. So I want to know how that multi-topic survey which you are saying was related to the Poverty Eradication Programme; it was not related at all. I answered this question.

**MR MOLALE:** Thank you Mr Speaker. I am amazed at your resoluteness. I am telling you what I am doing, and you want to tell me that I am not doing it...

**HONOURABLE MEMBERS:** ... (Laughter!) ...

**MR MOLALE:** Mr Speaker, we are doing the survey. We have previously done quick assessments like an impact assessment, like the one I am having here. So I really do not understand what his problem is.

**HONOURABLE MEMBERS:** No, he is a false...

**MR SPEAKER:** Order! Let us go to...

**HONOURABLE MEMBER:** Point of order.

**MR SPEAKER:** No, Honourable Butale, I expect supplementary questions, not points of order. Let us go back to question number one. Anybody for Honourable Salakae?

**HONOURABLE MEMBERS:** ... (Murmurs)...

**MR SPEAKER:** Sorry, my mistake.

#### LABOUR INSPECTION AT KOLOBENG LIVINGSTONE COLLEGE

**MAJ. GEN. P. MOKGWARE (GABANE-MMANKGODD):** asked the Minister of Employment, Labour Productivity and Skills Development:-

- (i) if there are any improvements at Livingstone Kolobeng College since the last labour inspection; and
- (ii) how many foreign teachers were given work permits since the last inspection; and
- (iii) whether the inspection team addressed Batswana teachers and support staff to get information on how they are treated by the school leadership.

**MINISTER OF EMPLOYMENT, LABOUR PRODUCTIVITY AND SKILLS DEVELOPMENT (MR MABEO):** Mr Speaker,

- (i) The last labour inspection conducted at Livingstone Kolobeng College was on the 28<sup>th</sup> February 2017. Since the last inspection, no complaints were registered with my ministry from employees. This is an indication that there have been improvements.
- (ii) Since the last labour inspection, two foreign teachers have been given work permits. One permit is valid until December 2019 and the other one is valid until December 2018.
- (iii) Mr Speaker, the process of conducting a labour inspection has three phases; i.e. separate interviews with the employees, management (employer) and then a tripartite meeting involving employees, management and labour inspectors. This process was followed in the labour inspection carried out at Livingstone Kolobeng College. I thank you Mr Speaker.

**MAJ. GEN MOKGWARE:** Supplementary. Thank you Mr Speaker. Honourable Minister, now you have turned against me, I called you and reported that there is a problem in that school and you told me that you will send people there. So, what do you mean when you say there is no problem there? You told me that you will send your Permanent Secretary the day I told you about this problem. After receiving this question, did you not go there to check?

**MR MABEO:** Thank you Mr Speaker. Honourable Major General, I have said I went there in February. If you take cognisance of the fact I have mentioned, we are having challenges with our facilities in terms of vehicles and even the people that we send to these industries. So, we will go and conduct that inspections when we have time but what I can say is that, we are still attending to other areas Honourable Member. Thank you.



**HONOURABLE MEMBER:** Supplementary.

**MR SPEAKER:** It should be the last one.

**MAJ. GEN. MOKGWARE:** Supplementary. Mr Speaker, I wanted to remind him. I received a report, which means that you are not aware of what is happening in your ministry. Last week they told me that your people are there.

**MR MABEO:** Thank you Mr Speaker. If you had noticed the way I have been responding to questions, especially the first one, the inspection is not done in one day which means that it is not yet complete, it is continuing. That is why I do not have feedback now. So, when it comes Major General Mokgware, I will give you answers outside Parliament. I thank you Mr Speaker.

**HONOURABLE MEMBER:** Supplementary.

**MR SPEAKER:** Wait Honourable Butale.

**DR P. BUTALE:** Hmm! You came prepared for me.

**MR SPEAKER:** Honourable Butale, withdraw the words you uttered in the microphone.

**HONOURABLE MEMBER:** So, you heard?

**MR SPEAKER:** I heard you, you are out of order. Withdraw that.

**DR P. BUTALE:** Mr Speaker, you did not come prepared for me Madam Speaker.

**MR SPEAKER:** Withdraw those words. Honourable Butale, I said withdraw what you said initially.

**DR P. BUTALE:** I withdraw Mr Speaker.

**STAFF COMPLEMENT AND ITS WAGE BILL AT MINISTRY OF MINERAL RESOURCES, GREEN TECHNOLOGY AND ENERGY SECURITY**

**MR N. S. L. M. SALAKAE (GHANZI NORTH):** asked the Minister of Mineral Resources, Green Technology and Energy Security to state the ministry's:-

- (i) staff complement for the financial years: 2012/2013; 2013/2014; 2014/2015; 2015/2016 and 2016/2017;
- (ii) wage bill for the above financial years;
- (iii) staff complement at strategic management, middle management and operational positions respectively for the same financial years; and
- (iv) wage bill for strategic management, middle management and operational positions for these financial years.

**ACTING MINISTER OF MINERAL RESOURCES, GREEN TECHNOLOGY AND ENERGY SECURITY (MR MABEO):** Mr Speaker,

- (i) The staff complement for the financial years: 2012/2013; 2013/2014; 2014/2015; 2015/2016 and 2016/2017 was as follows;

2012/13 – 1126

2013/14 – 1118

2014/15 – 1051

2015/16 – 1098

2016/17 – 1094



(ii) The wage bill for the above financial years was as follows;

2012/13 – P183,447,211

2013/14 – P104,088,210

2014/15 – P95,087,624

2015/16 – P113,208,839

2016/17 – P121,886,522

(iii) The staff complement at strategic management, middle management and operational positions respectively for the same financial years was as follows;

Financial year	Strategic Management	Middle Management	Operational Management	Totals
2012/13	22	156	948	1126
2013/14	39	190	889	1118
2014/15	25	209	817	1051
2015/16	27	247	824	1098
2016/17	20	252	822	1094
<b>Totals</b>	<b>133</b>	<b>1054</b>	<b>4300</b>	<b>5491</b>

(iv) The wage bill for strategic management, middle management and operational positions for these financial years was as follows:

Financial year	Strategic Management	Middle Management	Operational Management	Totals
2012/13	5,786,252	32,197,258	145,463,701	183,447,211
2013/14	7,679,424	44,806,728	51,602,058	104,088,210
2014/15	8,799,096	39,330,480	46,958,048	95,087,624
2015/16	9,535,244	50,638,980	53,034,615	113,208,839
2016/17	10,349,172	50,444,100	69,093,250	121,886,522
<b>Totals</b>	<b>42,149,188</b>	<b>209,417,496</b>	<b>366,151,772</b>	<b>625,718,456</b>

I thank you Mr Speaker.

#### **STAFF COMPLEMENT AND ITS WAGE BILL AT MINISTRY OF YOUTH EMPOWERMENT, SPORT AND CULTURE DEVELOPMENT**

**MR N. S. L. M. SALAKAE (GHANZI NORTH):** asked the Minister of Youth Empowerment, Sport and Culture Development to state the ministry's:-

(i) staff complement for the financial years: 2012/2013; 2013/2014; 2014/2015; 2015/2016 and 2016/2017;

(ii) wage bill for the above financial years;

(iii) staff complement at strategic management, middle management and operational positions respectively for the same financial years; and

(iv) wage bill for strategic management, middle management and operational positions for these financial years.

**ASSISTANT MINISTER OF YOUTH EMPOWERMENT, SPORT AND CULTURE DEVELOPMENT (MR MZWINILA):** Mr Speaker,



(i) The staff complement for the years in question is as follows;

Financial Year	Total Staff Complement
2012/2013	1067
2013/2014	1056
2014/2015	1161
2015/2016	1160
2016/2017	1171

(ii) Mr Speaker, the wage bill for the years in question is as follows:

Financial Year	Wage Bill
2012/2013	P111, 486, 519.89
2013/2014	P106, 054, 195.09
2014/2015	P128, 068, 311.46
2015/2016	P146, 818, 118.85
2016/2017	P158, 182, 183.96
<b>TOTALS</b>	<b>P650, 609, 329.25</b>

(iii) Mr Speaker, the staff complement at strategic management, middle management and operational positions for the same financial years is as follows:

Financial Year	Organizational Level	Staff Complement
2012/2013	Strategic Management	22
	Middle Management	189
	Operational level	856
	<b>Total</b>	<b>1067</b>
2013/2014	Strategic Management	20
	Middle Management	164
	Operational level	872
	<b>Total</b>	<b>1056</b>
2014/2015	Strategic Management	20
	Middle Management	184
	Operational level	95
	<b>Total</b>	<b>1161</b>
2015/2016	Strategic Management	21
	Middle Management	210
	Operational level	92
	<b>Total</b>	<b>1160</b>
2016/2017	Strategic Management	24
	Middle Management	211
	Operational level	936
	<b>Total</b>	<b>1171</b>



(iv) Mr Speaker, the wage bill at strategic management, middle management and operational positions for these financial years is as follows:

Financial Year	Organizational Level	Wage Bill
2012/2013	Strategic Management	P 8,051,398.04
	Middle Management	P36,740,349.91
	Operational level	P66,694,771.97
	<b>Total for 2012/2013</b>	<b>P111 486 519.89</b>
2013/2014	Strategic Management	P 6,918,685.12
	Middle Management	P34,427,489.68
	Operational level	P64,708,020.29
	<b>Total for 2013/2014</b>	<b>P106 054 195.09</b>
2014/2015	Strategic Management	P7,366,504.30
	Middle Management	P45,469,950.93
	Operational level	P75,231,856.23
	<b>Total for 2014/2015</b>	<b>P128 068 311.46</b>
2015/2016	Strategic Management	P 9,380,875.17
	Middle Management	P51,643,352.56
	Operational level	P85,793,891.12
	<b>Total for 2015/2016</b>	<b>P146 818 118.85</b>
2016/2017	Strategic Management	P 8,416,265.47
	Middle Management	P55,180,166.14
	Operational level	P94,585,752.35
	<b>Total for 2016/2017</b>	<b>P158 182 183.96</b>

I thank you Mr Speaker.

**QUALIFICATIONS IN STRATEGIC MANAGEMENT CADRE AT THE MINISTRY OF YOUTH  
EMPOWERMENT, SPORT AND CULTURE DEVELOPMENT**

**MR N. S. L. M. SALAKAE (GHANZI NORTH):** asked the Minister of Youth Empowerment, Sport and Culture Development to state: -

- (i) the current lowest qualification in the senior/strategic management cadre of his ministry;
- (ii) the current highest qualification in middle management and operational cadres of the ministry; and
- (iii) whether his ministry has a budget for upskilling of employees; if so, what was the cost of the budget for the past five financial years.

**ASSISTANT MINISTER OF YOUTH EMPOWERMENT, SPORT AND CULTURE DEVELOPMENT (MR MZWINGILA):** Thank you Mr Speaker.

- (i) The current lowest qualification in the senior/strategic management cadre of the ministry is a First Degree;

LEVEL	SCALE	CURRENT LOWEST QUALIFICATION
Senior/Strategic Management	E - F	First Degree

- (ii) The current highest qualification in middle management and operational cadres is Masters Degree;



LEVEL	SCALE	CURRENT HIGHEST QUALIFICATION
Middle Management	D	Masters
Operational Cadres	C	Masters
	B	Certificate
	A	Diploma

(iii) The ministry has a budget for upskilling of employees and the cost of the budget for the five financial years is as follows:

No:	FINANCIAL YEAR	BUDGET COST (BWP)
A	2012/2013	2 , 751, 280
B	2013/2014	3, 088, 423
C	2014/2015	3, 717, 670
D	2015/2016	1, 665, 010
E	2016/2017	1, 293, 767

I thank you Mr Speaker.

### QUESTION WITHOUT NOTICE

#### ESTABLISHMENT OF DIAMOND TRADING COMPANY (DTC) INTERNATIONAL IN BOTSWANA

**MR M. REATILE (SPECIALLY ELECTED):** asked the Minister of Mineral Resources, Green Technology and Energy Security to apprise this Honourable House on the DTC International: -

- (i) when DTC International was established in Botswana;
- (ii) what were the main aims of the relocation from London to Botswana;
- (iii) among the regulatory and control measures were the following standards adopted;
  - (a) the Kimberly Process;
  - (b) establishment of a Diamond Register; and
  - (c) how many Batswana are diamond valuers and their experience in diamond valuing.

**Later Date.**

### ADOPTION OF THE DRAFT AMENDMENTS TO THE STANDING ORDERS

#### Motion

**MR KGOROBA:** Point of order. Mr Speaker, is the country so broke to an extent that we are going to stay here without water? We are told there is no water to drink.

**MR SPEAKER:** Some of the things are simple, if you are thirsty you just say so and you will be given water.

**HONOURABLE MEMBERS:** ... (Murmurs) ...

**MR SPEAKER:** You will be given water, let us get back to work. Proceed Honourable Guma.

**CHAIRPERSON OF THE STANDING ORDERS AND REFORMS COMMITTEE (MR GUMA):** Good afternoon Mr Speaker. Mr Speaker, I resort to Section 86 and 78 of the Constitution of Botswana, both of which invest certain powers in both this House and this Committee, as well as known Section 86 grants this Honourable House the power to make laws for the peace, order and good governance of Botswana, while 76 confers upon



this Committee, the power to regulate the procedure of Parliament. The power to regulate the procedure of this House deals with what in the ordinary parlance of Parliament we refer to as Standing Orders.

Mr Speaker sir, I take the opportunity to briefly touch upon the role of the Standing Orders and Reforms Committee that I have the privilege to chair. My Committee derives its authority from Standing Order 107 of the Standing Orders of the National Assembly of Botswana in this manner as spelt out at the Standing Order 107.2. Allow me to quote Mr Speaker, “the Committee shall carry out a review of the Standing Orders and all aspects of Parliamentary procedure and practices, and recommend necessary and/or desired amendments and changes thereto.”

Mr Speaker, it gives me great pleasure to now present for adoption, amendments to the Standing Orders of the National Assembly of Botswana as humbly and dutifully determined by my Committee in service to Botswana. The Committee met in January 2016 and on the 19<sup>th</sup> June 2017 to consider submissions from Members of Parliament and other interested parties. On the 14<sup>th</sup> and 15<sup>th</sup> August, the Standing Orders and Reforms Committee held a consultative meeting with Members of Parliament to discuss proposed amendments to the Standing Orders which we have since tabled before you. Among other matters covered by these amendments are at Standing Order No. 2 whose purpose is to empower the Business Advisory Committee to consider the rulings made by the Speaker in the House.

Standing Order 9.3.3 and Standing Order 9.3.4; for the purposes of reducing the time allotted to the Leader of the Opposition.

Standing Order 18; whose purpose is to insert a Standing Order enabling dignitaries and visiting Heads of State to address the National Assembly of Botswana. Security personnel of the Speaker and the Leader of the House are also provided thereby.

Standing Order No. 36; so as to remove paragraphs relating to questions and services/industries under the control of any Statutory Body and questions relating to information in easily accessible documents.

Standing Order No. 40; in order to reduce a limit on the number of Motions that may be tabled by a Member of Parliament in every meeting. Membership of the Business Advisory Committee is amended by Standing Order 102.1. Standing Order No. 117 (g) tackles the

matter of introducing the Committee on Government Assurances. Last but not least, Mr Speaker, the procedure to be adopted in the nomination of Specially Elected Members of Parliament is provided at Standing Order 132. Mr Speaker, I return to my seat with the hope that these amendments be adopted. Therefore, I move that the Draft Amendments to the Standing Orders be adopted Mr Speaker. I thank you.

**MR CHAIRPERSON:** Thank you Honourable Guma. Order! Honourable Members, the question is that this Honourable House resolves that the Draft Amendments to the Standing Orders be adopted.

**MR MMOLOTSI:** On a point of order. Mr Chairperson, I can see that certain amendments have been proposed but you will remember that we debated such amendments at Phakalane Golf Estate. I am surprised why we find them here today and yet before we adjourned sine die last time, we discussed this matter. I thought we agreed that Honourable Masisi should give in on this particular one. I am wondering why it has come back this time around? A number of them, one or two.

**MR CHAIRPERSON:** Order! Honourable Members, this morning at the General Assembly the Speaker has reminded you about the procedure we are going to follow to deal with these amendments. The reason being that if there was something you did not understand you should have asked there. I do not remember anyone of you showing any worries. So, I am going to follow your programme the way it is today on the Order Paper. May I request that we work together and execute this job with due efficiency and effectiveness that I know you can do.

**DR. P. BUTALE:** On a point of order. Mr Chairperson, I just want to seek your guidance. I think that we devoted a lot of time and I am sorry that I was not in attendance this morning, but we devoted a lot of time in Phakalane. We made a lot of progress, we agreed on how we want to proceed with regard to the Standing Orders. I want to ask the Chairperson, what would then have led to changes that we did not agree on to feature in this paper? Then it would mean we wasted public funds at Phakalane for two days, talking about something and agreeing on issues and voting, only for him and his committee if they ever met to change what Members of Parliament agreed. We need to agree and be at the same wavelength as Members. Are we discussing this afresh or we are going with what we agreed on at Phakalane?

**MR CHAIRPERSON:** Order! Honourable Members, your procedures are just straight forward anything that



you do and agree or disagree on outside this House will always be brought before this House for you to decide on procedurally. You once drafted the Standing Orders and completed them when you were in Phakalane. These Standing Orders have been brought before this House for you to accept or reject them. What I know which I can confirm is the fact that, in the morning Madam Speaker told you which procedure for Standing Orders we are going follow. As you know that I was not in Parliament last week, I have the Order paper for Monday and I saw what happened. That is why I use it today so, let us proceed with our work. You know that when we do the Standing Orders, we do them like the Committee of supply. The amendment is proposed, you debate it, you vote, you support or negate it. That is the procedure you are supposed to follow. Today I feel like you are wasting time with the point of orders, but I did not want to stop you. I thought you understand the procedure that we are following. So, let us continue.

**HONOURABLE MEMBER:** Point of order.

**MR CHAIRPERSON:** No, your arguments will not help Honourable Mmolotsi.

**HONOURABLE MEMBER:** ... (Murmurs)...

**HONOURABLE MEMBER:** Point of order Mr Chairperson.

**HONOURABLE MEMBER:** ... (Murmurs)...

**HONOURABLE MEMBER:** Get out of here devil!

**MR CHAIRPERSON:** Honourable Nkaigwa, do not act like that, your microphone was on when you said that which means you were recorded. Switch on the microphone and withdraw.

**MR NKAIGWA:** I withdraw, Mr Chairperson.

**MR CHAIRPERSON:** Order! Thank you Honourable Nkaigwa. Honourable Members, let us start debating our standing orders, do you need any clarification Honourable Nkaigwa? You are the last one then we will be proceeding, time is ticking.

**MR NKAIGWA:** Thank you Mr Chairperson. I was saying because you have already answered, I want to understand because we extended our days of sitting in the last Parliament session so that we can discuss this issue of standing orders. We then went to Phakalane to discuss them as Members of Parliament and we came back to Parliament but we could not pass them. We

then concluded that they will be brought to this House as we had agreed in Phakalane. Are we looking at new standing orders? Is that what we had discussed and agreed on in Phakalane? Does that mean we can move other amendments that can be there in this standing order? I wanted clarification Mr Chairperson.

**MR CHAIRPERSON:** Order! Honourable Members. I get your point Honourable Nkaigwa. Looking at today's business if there is an amendment that you want to move, you are allowed to do so. However, our procedure states that amendments should be noticed but since some of you did not have time to notice, I am going to allow you to do so. Let us proceed.

**HONOURABLE MEMBER:** ... (Inaudible)...

**MR CHAIRPERSON:** Yes, you can move them if there are there then I will hear them and you can debate them, then we proceed. There is no problem. I will allow you using the Standing Order, it gives me the power to do so.

Order! Honourable Members, I hope you have understood me Honourable Mokgware. If you have an amendment at Clause 5, you will move it at Clause 5 or any Clause you want to amend. If I have read it, you will move your amendment. There is no problem.

Honourable Members, the draft Standing Orders have 131 Clauses and a schedule. Some amendments have been noticed. I shall therefore call the Standing Orders in groups. This is the same procedure we follow when we do the Committee of Supply, please do not be confused.

Standing Order 1 **agreed to.**

**MR NKAIGWA:** Procedure. Thank you Mr Chairperson. Mr Chairperson I would like to understand because an item that I wanted to move as an insertion to the Standing Order does not appear under Standing Order 1, 2 or whatever. It appears as the first item of our Standing Orders being the way we conduct the proceedings of prayer in this Parliament.

**MR CHAIRPERSON:** Order! Honourable Members. I thought you understood when I informed you that you can move an amendment whenever I call Standing Orders. You could have sought procedure then. I have passed that so it means you have submit your request to the Standing Orders Committee and start there.

**MINISTER OF LAND MANAGEMENT, WATER AND SANITATION SERVICES (MR MAELE):** Procedure. Let me correct it. The one he is talking about



is in the Daily Business. It is only in Standing Order 30.1 that is where he can move it. It is exactly 30.1 (c). I think you were a bit confused.

**MR CHAIRPERSON:** You can move it there or submit it to the Standing Orders Committee Honourable Nkaigwa.

**MR GUMA:** Mr Chairperson, the amendment is as detailed in the schedule. I do not want to say much about it sir. I move accordingly.

**MR CHAIRPERSON:** Honourable Guma, why are you taking shortcuts? Read your amendment so that other Members can hear it.

**MR GUMA:** Mr Chairperson, do you want me to read it as is?

**MR CHAIRPERSON:** Yes, you are proposing, go ahead.

**MR GUMA:** Standing Order 4 is amended by substituting for Standing Order 4.5, the following new Standing Order.

**HONOURABLE MEMBERS:** No, Standing Order 2.

**MR CHAIRPERSON:** Wait Honourable Guma, assist him.

#### Amendment of Standing Order 2

**MR GUMA:** Thank you Mr Chairperson. Standing Order 2 is amended-

(a) by inserting immediately after Standing Order 2.1 the following new Standing Order- "2.1.1 The ruling of the Speaker under this Standing Order shall be final."; and

(b) by substituting for Standing Order 2.2 the following new Standing Order -

"2.2 The Speaker shall, when be acting under the provisions of Standing Order 2.1, be guided by previous Speaker's rulings provided such rulings have been approved by the Business Advisory Committee and the approved rulings have been endorsed by the House.

2.2.1 The Speaker shall not participate in the deliberations of the Business Advisory Committee when that Committee is considering the rulings under Standing Order 2.2.

2.2.2 The Members of the Business Advisory Committee

acting under Standing Order 2.2 (A) shall elect a Chairperson from among themselves.

2.2.3 Notwithstanding Standing Order 123.5, the Chairperson elected for the purposes of the Standing Order 2.2 (B) shall vote." I move accordingly Mr Chairperson.

**MR CHAIRPERSON:** Order! Honourable Members, I think you are aware that you do not have time to debate in the Committee Stage and I will allow you to debate till late in just one amendment. I am going to time you so that you talk briefly and we can proceed with other amendments.

**HIS HONOUR THE VICE PRESIDENT (MR MASISI):** Thank you Mr Chairperson. I support the amendments except I would want to, as a matter of correction really, nothing substantive suggest that for purpose of consistency at 2.2.2, the 2.2 (A) in the text be made small case (a) and 2.2.3 also the 2.2, the (B) there be made a small case (b) to reflect what is in the above. Thank you.

**MR MMOLOTSI:** Mr Chairperson, I would like to propose an amendment at Clause 2.2.2. and the amendment is as follows;

"The Members of the Business Advisory Committee acting under Standing Order 2.2 (A) shall be chaired by the Deputy Speaker or they may elect a chairperson from amongst themselves".

**HONOURABLE MEMBER:** Procedure.

**MR CHAIRPERSON:** Order! Honourable Members, please pardon me. I was still clearing something.

**HONOURABLE MEMBER:** ... (Murmurs)...

**MR CHAIRPERSON:** Honourable Boko, you are so close to me, I will fall on you!

**HONOURABLE MEMBER:** ... (Laughter!)...

**MR CHAIRPERSON:** Honourable Members, there are two amendments proposed, one is by the Chairperson of the Standing Orders Committee and the other by Honourable Mmolotsi. We will dispose of the amendment by Honourable Guma first and then deal with the second amendment by Honourable Mmolotsi. That is our procedure, right?

**HONOURABLE MEMBER:** No.



**MR CHAIRPERSON:** The amendment by the Leader of the House, he noticed that typo, so we will remove the (a)s and (b)s, that is okay. So we do not need to argue about that one. We will do it. We will make the necessary adjustments, no problem.

Question put and agreed to.

**MR CHAIRPERSON:** Honourable Mmolotsi, I am giving you five minutes to present and motivate your amendment.

#### **Amendment of Standing Order 2.2 (a)**

**MR MMOLOTSI:** Thank you very much Mr Chairperson. Previously we have had experiences whereby if the Speaker of the National Assembly was not there, the Deputy Speaker acted on her behalf and therefore chaired the Business Advisory Committee. That is why I propose that in the event that the Speaker is conflicted, that is to say, in the event that the ruling we are looking at was made by the substantive Speaker, then the Deputy Speaker can actually chair the Business Advisory Committee. In the event that the Deputy Speaker is not there then the Committee can elect a Chairperson amongst themselves. This is the proposal that I want to put before this House Mr Chairperson, I move accordingly. Thank you.

**MR CHAIRPERSON:** Please repeat your amendment so that I get it clearly.

**MR MMOLOTSI:** The amendment is as follows: “the members of the Business Advisory Committee acting under Standing Order 2.2(a) shall be chaired by the Deputy Speaker or may elect a Chairperson from amongst themselves”. I move accordingly Mr Chairperson.

**MR CHAIRPERSON:** Order! Honourable Members, I understand Honourable Mmolotsi’s amendment, but I believe I got lost from the onset, because it talks about the composition of the Business Advisory Committee that is already stipulated in Standing Order 102.1. If you were to amend, that is where you would have to start.

**HONOURABLE MEMBER:** ...(Murmurs)...

**MR CHAIRPERSON:** Right now you cannot talk about it, the Deputy Speaker is not a member of that committee...

**HONOURABLE MEMBERS:** ... (Murmurs)...

**MR CHAIRPERSON:** I am standing and you are still talking that side. If you want to try such an amendment, you can make it at the end, amending this particular Clause.

**MINISTER OF LOCAL GOVERNMENT AND RURAL DEVELOPMENT (MR TSOGWANE):** Procedure. I just wanted to say you are not debating Mr Chairperson, so you should have let us educate the young man because we know. Thank you Mr Chairperson.

**MR CHAIRPERSON:** Order! I just wanted to save time, that Honourable Mmolotsi’s amendment would not be appropriate here. He can find space for it in the coming Clauses where it can fit, not in this particular Clause.

**MINISTER OF LAND MANAGEMENT, WATER AND SANITATION SERVICES (MR MAELE):** Procedure. Mr Chairperson, Honourable Mmolotsi’s amendment cannot work at all. So when we say it should be carried forward, we will just be delaying him. Why, because this Clause is talking about looking into the rulings of the Speaker. If you consider 2.2.2 it reads “the Speaker shall not participate” and therefore when we make the Deputy Speaker the Chairperson in the absence of the Speaker it is also conflicted because we are talking about insulating the Speakership from deciding on the rulings of the Speaker. It cannot work. Even if we take it forward, thinking he will modify it, it cannot work sir. I just want us to work together on that one.

**MR MMOLOTSI:** Procedure. Mr Chairperson, I think Honourable Maele is confused, because 2.2.1 is actually referring to the presiding Speaker and therefore it is not referring to any other Speaker. The Deputy Speaker can actually chair in the event that it was not him who was presiding when a ruling was made. What I want to say again on 2.2 is that, Honourable Tsogwane, said he was going to teach us, but my point here is, you know and I think you can still remember that previously when the Speaker was not there you have had to chair meetings of the Business Advisory Committee. I thought since you sometimes chaired them as the Deputy Speaker when the substantive Speaker is not there, then we can simply go with what has been happening all along. You continue to perform that function when she is not there.

**MR CHAIRPERSON:** Order! Honourable Mmolotsi, take my advice. You cannot amend composition of the Business Advisory Committee here and the duties of the members. Standing Order 102.1 reads, “there shall be a



Standing Committee known as the Business Advisory Committee consisting of the Speaker as the Chairperson, the Leader of the House, Leader of Opposition and party Whips.” That is where we can amend it. The Speaker is at the office, it does not say by the presiding officer, it says by the Speaker. So that is the one that can be amended Honourable Mmolotsi.

**HONOURABLE MEMBER:** ... (Murmurs)...

**MR CHAIRPERSON:** Let us not argue, it cannot be amended here Honourable Maele, that is the bottom line.

**HONOURABLE MEMBER:** Let us move forward.

**MINISTER OF LAND MANAGEMENT, WATER AND SANITATION SERVICES (MR MAELE):**

Point of procedure. Go to the definition sir. I am helping you my beloved Honourable Member of Parliament. Go to definitions, and check how it defines the Speaker. It does not matter if it is the Speaker or the Deputy Speaker. What matters is that the person should be the presiding officer at that time in the National Assembly. If the Speaker is not there, and the Deputy Speaker is presiding, it refers to him as the Speaker. It is there, just look at the definition of the Speaker sir on page 9. It says, “Speaker means the Speaker of the National Assembly and includes any Member presiding for the time being in the Assembly in terms of Section 72 of the Constitution”. Even if it is the Deputy Speaker, he is the Speaker at that point in time. Therefore, what Honourable Mmolotsi is sceptical about, it cannot work. It is not talking about an individual, it is talking about the office, Mr Chairperson. Even if he takes it forward, it will not work. I just wanted to clarify that sir. Thank you.

**MR CHAIRPERSON:** Order! I and Honourable Maele are in agreement. Let us proceed.

**HONOURABLE MEMBERS:** ... (Murmurs)...

**MR CHAIRPERSON:** Order! Honourable Members, I clarified what I needed to clarify. Honourable Mmolotsi has proposed an amendment. The question is that, the amendment as proposed by Honourable Mmolotsi be agreed to.

**MR MMOLOTSI:** Point of procedure. With what I have understood Honourable Maele, let me kindly withdraw that amendment.

Amendment **withdrawn**.

Standing Order 2 as amended **agreed to**.

**MR CHAIRPERSON:** Honourable Members, I request that you all vote, I want to get your views, I do not want to make decisions for you.

**HONOURABLE MEMBER:** ... (Inaudible)...

**MR CHAIRPERSON:** Order! Honourable Boko.

Standing Order 3 **agreed to**.

**Standing Order 4**

**MR CHAIRPERSON:** Order! Honourable Members, there is an amendment at Standing Order 4, by the Chairperson of the Standing Orders and Reforms Committee. Honourable Member, please move your amendment.

**MR GUMA:** Thank you Mr Chairperson. Standing Order 4 is amended by substituting for Standing Order 4.5 the following new Standing Order – “4.5 The Clerk shall-

- (a) Prepare, prior to the meeting of the house, ballot papers upon which shall be shown the names of all candidates validly nominated under paragraph (4) of this Standing Order; and
- (b) At the commencement of the ballot, announce the names of the candidates validly nominated, and cause their names to be visibly displayed in the full view of the members for the duration of the conduct of the ballot.” I move accordingly Mr Chairperson.

Amendment **agreed to**.

Standing Order 4 as amended **agreed to**.

**HONOURABLE MEMBER:** I asked a question.

**MR CHAIRPERSON:** What are you pressing?

**HONOURABLE MEMBER:** I am asking sir.

...Silence...

**Standing Order 5**

**MR CHAIRPERSON:** Order! Honourable Members, there is an amendment at Standing Order 5, by the Chairperson of the Standing Orders and Reforms Committee.



**MR GUMA:** Thank you Mr Chairperson. Standing Order 5 is amended by deleting the words, “not related to Government Business” appearing at Standing Order 5.1 (i). I thank you Mr Chairperson.

**MR CHAIRPERSON:** Order! Order! Honourable Members, the question is that the amendment be agreed to. The floor is open.

**MR MMOLOTSI:** Mr Chairperson, we are trying to identify the particular Standing Order that...

**HONOURABLE MEMBERS:** ...(Inaudible)...

**MR MMOLOTSI:** Oh! Okay.

**MR CHAIRPERSON:** The floor is open.

**MR MOREMI:** Clarification.

**MR CHAIRPERSON:** Honourable Moremi, you are slow, proceed.

**MR MOREMI:** Clarification Mr Chairperson, I want to understand whether we are saying, the role of the Speaker is to chair All Party Caucus meetings. I do not understand the amendment, to chair All Party Caucus meetings. The role of the Speaker shall be as follows; at (i), and then it is to chair All Party Caucus meetings. There is something, maybe I do not understand something.

**MR CHAIRPERSON:** Honourable Moremi, do you mean at All Party Caucus?

**MR MOREMI:** The Language is confusing. If we were saying at the General Assembly, it could be clear and state that to chair the General Assembly. So, if this one says, All Party Caucus meetings...

**MR CHAIRPERSON:** Yes! All Party Caucus and General Assembly, is one thing.

**MR MOREMI:** Party, do we mean a political party?

**MR CHAIRPERSON:** For consistency, we will term it General Assembly, but...

**MR MOREMI:** You are changing the wording Mr Chairperson, just for this?

**MR CHAIRPERSON:** No, we are saying for consistency we shall term in General Assembly.

**MR MOREMI:** Should we change that wording?

**MR CHAIRPERSON:** Yes, that is what I am saying.

**MR MOREMI:** Does the mover agree to the change of the wording?

**MR CHAIRPERSON:** Honourable Moremi, General Assembly is also called All Party Caucus. For consistency, let us stick to the General Assembly so that this is understood by everyone. That is what I am saying.

**MR MOREMI:** Does the mover agree to changing the wording?

**MR CHAIRPERSON:** Honourable Moremi, General Assembly is called All Party Caucus but for consistency, let us stick to the General Assembly so that everyone may understand. That is what I am saying.

**MR MMOLOTSI:** On a point of procedure. Mr Chairperson how are we going to add ‘General Assembly’ when it has not been moved? We are trying to change All Party Caucus to General Assembly but nobody has moved...

**HONOURABLE MEMBER:** ...(Murmurs)...

**MR MMOLOTSI:** ...what Mr Chairperson and Honourable Moremi are saying makes a lot of sense that we should call it the General Assembly but I am saying what is the proper procedure of actually taking out the All Party Caucus and replacing it with the General Assembly? Should somebody not move that amendment?

**MR CHAIRPERSON:** Honourable Mmolotsi, please move that amendment without notice.

**MR MMOLOTSI:** Thank you very much Mr Chairperson. I would like to move without notice an amendment at Standing Order 5 (i) so that it reads, “to chair the General Assembly meetings and/or briefings. I move accordingly Mr Chairperson. We have removed the subsequent sentence of, “not related to Government business.”

**MR MOREMI:** Mr Chairperson, further to Honourable Mmolotsi’s contribution, I want to say, ‘General Assembly of Members’, just to amend the offering of Honourable Mmolotsi.

**MR CHAIRPERSON:** No, when you go down that route, you will distort it. Let us adopt the nomenclature of General Assembly which means All Party Caucus of all Members of Parliament. For now, it will be referred to as General Assembly and it should be the one that we adopt in the Standing Order and it should be written that way. We should also correct it in the definition.



**MINISTER OF DEFENCE, JUSTICE AND SECURITY (MR KGATHI):** On a point of procedure. Mr Chairperson, I want to say that whilst I do not look down upon your suggestion of being liberal, the whole idea of amendments being noticed is to allow the legal team to check what effect it will have consequentially even on other clauses which are there. We run the risk if we continue with the system we are using and we will end up messing the good job that has been done.

**MR CHAIRPERSON:** Order! No, I have been advised that the time you were amending the Standing Orders some time back before this one, you agreed that you will move from using All Party Caucus to General Assembly. What I am saying is, this time around, it was an honest mistake that we did not use General Assembly and no one noticed it because we could have amended earlier. That is what you are doing right now and I do not think it will change anything.

**MR MOREMI:** On a point of order. Mr Chairperson, still on that one, could we include General Assembly in the definitions? Mr Chairperson, I understand that here we understand the words that we use but it has been shown that these things can appear in courts. So, maybe it will be best if we can confirm that it cannot be used by some to ...

**MR CHAIRPERSON:** Definitions are in Standing Order 3. I understand Honourable Moremi that as we amend General Assembly, we should include it in definitions ...

**HONOURABLE MEMBER:** Yes.

**MR CHAIRPERSON:** Did we not agree to that? I think it is already there or is it consequential Parliamentary Counsel, if we amend it here it will consequentially amend others?

...Silence...

**HONOURABLE MEMBER:** Point of order.

...Silence...

**HONOURABLE MEMBER:** Point of elucidation.

**MR CHAIRPERSON:** Order! Let us continue, I was still consulting the experts I am working with in the Standing Orders. Definition is not mandatory because we have been having this Standing Order which explains what General Assembly is. Standing Order 117 (F).1. Honourable Mokgware is found in page 102 or 65 in

this amendment. So, that being the case, there is no need to go to definitions. Let us leave it as it is and continue with others.

**MR MOREMI:** On a point of order. Mr Chairperson, sorry to seem like I am nit-picking. However, familiarity with these things brings another comfort that can mislead to say we can use, "shall be an All Party Caucus" it seems all of us here understand what we are saying but another person may need that clarity. If we can rephrase and say, "there shall be a caucus of all the representative parties in Parliament," it can put this matter to rest.

**MR CHAIRPERSON:** No, I have not reached that far, I was still settling this one first. Let me finish with this one first, allow you to vote and then conclude it. The rest we shall attend to them as we continue.

**MAJ. GEN. MOKGWARE:** On a point of procedure. Mr Chairperson, I do not dispute that there is a definition of All Party Caucus. I am not a Lawyer but I know that in terms of service writing, whenever you introduce a new term, you should define it first. We cannot introduce All Party Caucus when we read law because the legal experts are there, and then I search for its definition at the last page. I should be informed of what it means initially. Those who write essays, will agree with me that whenever you introduce a new term you define it first, you do not define it at the end like it is the case here, it is defined at 117, why?

**MR CHAIRPERSON:** Order! Honourable Mokgware, I wonder what we could be doing wrong if we proceed. Definitions are at Standing Order 3, and we have long passed them. I cannot go back, but we move forward. Let us proceed because I have addressed concerns that were raised by Honourable Moremi and the Standing Order explains it as well. We have been using the name 'General Assembly' and we did not have explanation for that. Even 'All Party Caucus' was defined only at 117 (F). (1). Let us believe that the Standing Order is fine and we proceed.

Amendment **agreed to.**

**MR KEORAPETSE:** Procedure.

**MR CHAIRPERSON:** Honourable Keorapetse, let me conclude this one first, unless you want to stop me. Order!

Standing Order 5 as amended **agreed to.**



**MR KEORAPETSE:** Procedure. Mr Chairperson, I rise to move an amendment without notice at Standing Order 8.1.

**HONOURABLE MEMBER:** We are not yet there.

**MR CHAIRPERSON:** Yes, we are moving towards that Honourable Member, hold that amendment.

**MR KEORAPETSE:** Yes, do not forget me.

**MR CHAIRPERSON:** Sorry, I will get there Honourable Member. Order!

Standing Orders 6 - 7 **agreed to.**

### Standing Order 8

**MR KEORAPETSE:** Mr Chairperson, I beg to move an amendment at Standing Order 8 (i) without notice. I have scribbled it here, it reads thus, “there shall be a Leader of Government Business who shall be the primary link between the Executive and the Legislature.” The words that appear here is that, “there shall be a Leader of the House, who shall be the primary link between the Executive and the Legislature.” So I am substituting “Leader of the House” with “Leader of Government Business.”

**MR CHAIRPERSON:** While still standing Honourable Keorapetse, that sounds like you want to amend definition of ‘Leader of the House’, and that is under Standing Order 3, that we passed.

**MR KEORAPETSE:** No, it is not that one.

**MR CHAIRPERSON:** I think you are talking about definitions and I remember that ‘Leader of the House’ is defined at Standing Order 3. Honourable Keorapetse, do you still want to say something? Proceed Honourable Member.

**MR KEORAPETSE:** Mr Chairperson, does that mean you have made a ruling that we cannot deal with it? My understanding is that, Standing Order 8 establishes the office of the Leader of the House which is defined, but if it is amended here, there must be a consequential amendment to the definitions. Otherwise Mr Chairperson, it would render the whole process useless. What would be the point now of deleting this ...

**HONOURABLE MEMBERS:** ... (Murmurs) ...

**MR KEORAPETSE:** No Mr Chairperson, you have not allowed me to motivate. We are on a procedural point.

**MR CHAIRPERSON:** I was asking if your amendment seeks to amend the definition of Leader of the House and to say, that definition is at Standing Order 3 that we have already passed. That is what I was saying and I wanted to hear how you conclude and then get to other members to assist you.

**MR KEORAPETSE:** My conclusion is that...

**MR CHAIRPERSON:** Order! Honourable Keorapetse, we have been caucusing here, can you explain your amendment. Do you want it to read as Leader of Government Business in Standing Order 8.1 only or anywhere where Leader of the House appears? Please explain.

**MR KEORAPETSE:** Yes sir, I suggest “Leader of the House” is amended to “Leader of Government Business” anywhere and everywhere it appears. The nomenclature should consequently change. The reason Mr Chairperson is that, for all purposes, even if you look on the definitions, what I am proposing is consistent with how the Leader of the House is defined in the definitions. It is supposed to be Leader of Government Business. It gives us the impression that the Leader of the House as His Honour the Vice President is now referred to as... gives the impression that he is the Leader of Parliament, but you know Parliament operates on a principle of *primus inter pares*, that even the President is the first among equals. So, I am pleading with the House that the Leader of the House should now change to the Leader of Government Business because that is what he is for all intents and purposes.

**MR CHAIRPERSON:** Order! Honourable Boko, I will move you very far, you are noisy.

**MINISTER OF LAND MANAGEMENT, WATER AND SANITATION SERVICES (MR MAELE):** Mr Speaker, I do not agree with Honourable Keorapetse at all. His motivation is ill informed, for the fact that we are saying the Leader of the House, it is like we are saying he is the leader of this Parliament. It is wrong. When you talk about the House, we talk about issues of this Chamber. We are not talking about the legislative of the National Assembly. We are talking about business related to this Chamber. Therefore, the motivation to start with is wrong and there is no way in which I can support what Honourable Keorapetse is saying. I totally refuse his request. May be it would sound better if Honourable Keorapetse could have told us that he changes the function. Now, he is talking about irrelevant things.



**DR P. BUTALE (GABORONE CENTRAL):** Thank you Mr Chairman. I think I want to fully associate myself with the amendment led by Honourable Keorapetse. I think this amendment does nothing in terms of changing the definitions as we know them in this House, as they are written in the Standing Orders. If you read on page 8 of the document that I am holding, the Leader of the House is defined as a Minister designated as such by the President for the arrangement of Government Business in the House. We are simply saying, let us improve our wording. Let us change the nomenclature such that there is no confusion as to what is the role of the Leader of the House. We want to move to a place where the independence of this Parliament is not compromised by an over domineering Executive; where the Vice President who doubles as the Leader of the House thinks he is now the supervisor of the Speaker. I think we need to change this now and not miss this opportunity.

**MINISTER OF DEFENCE, JUSTICE AND SECURITY (MR KGATHI):** On a point of procedure. Mr Speaker, this is a point of procedure at the same time is a clarification. Are we following procedure to come here and amend what has already been moved? What is the real procedure because we have already moved what we are talking about now with a vote? Still going further, we want to have an indirect way of amending what we have already passed. I want to understand the procedure here, what are we debating?

**MR CHAIRPERSON:** No Honourable Kgathi we have already discussed that, that is why I opened the floor for debates, so that we finish in time and proceed. I want this motion to be completed.

**MR MOREMI (MAUN WEST):** Mr Speaker, I really understand the spirit that Honourable Keorapetse is moving this motion with and I support him because even if you go down to eight in page 11 of the Standing Orders, you can see the functions of the person you are talking about. The main duty of the Leader of the house is to supervise the Government. It explains that, arrangement of Government Business is in the House and responds on behalf of the President. If you go down to Roman (vii); chairing all party briefings associated and directed to dispatch off Government Business. It is clear even everywhere you can read that this man was sent to come and manage Government business. It is not like he is representing those of us on different parties, when he is on that position, he is our leader in

this House. The leader of the house is there to come and take care what he has been sent by the Executive. I associate with Honourable Keorapetse on his motion.

**CHAIRPERSON OF THE STANDING ORDERS AND REFORMS COMMITTEE (MR GUMA):** Mr Chair, I stand to oppose this amendment. In the Tenth Parliament Mr Chair, this matter came again. We deliberated on it thoroughly by making a clear distinction between a House and the National Assembly. Hence a clear definition of the Leader of the House. We defined that. This matter was...(interruptions)...

**HONOURABLE MEMBER:** Procedure Mr Speaker!

**MR GUMA:** I am saying, I disagree and I am opposing this. I am giving a historical perspective of this particular matter. It is very clear when you talk about the House, is this House.

**HONOURABLE MEMBER:** ...(Inaudible)...

**MR GUMA:** Yes, but I am on the floor and you can shout. You will get an opportunity. I have been listening to you talking...

**MR CHAIRPERSON:** No can you talk politely to each other.

**HONOURABLE MEMBER:** I am not regulated by you.

**MR GUMA:** Yes, I will regulate you, now I am telling you. I disagree with you on this one. I would not vote for you on this one. I sit down sir.

**DR P. BUTALE:** On a point of procedure. We are making a law here that will be used to run this House Mr Speaker So, what I want to understand is that, if it was mentioned in the Tenth parliament, does that mean it is sacrosanct, so that we can understand how we will proceed.

**MR CHAIRPERSON:** No, you are amending Standing Orders. If you agree to change your reasons, they will be changed. He was just reminding us that this issue was mentioned before, it is not wrong to remind those who were not there, so that if they come up with new ideas they should know what was suggested before.

**DR MMATLI (MOLEPOLOLE SOUTH):** Thank you Mr Speaker. I was slow to stand because I wanted to assess the words used. When I listen to Honorable sticks `s words....



**MR CHAIRPERSON:** Honourable Keorapetse.

**DR MMATLI:** Okay he is Honourable Keorapetse. When I look at Honourable Keorapetse's words they correspond to this issue that, the definition that the Leader of the House specifies him as someone who supervises Government Business. He is protecting the interest of the Government in this House and of the executive, that is why when we debate he keeps on reminding us the procedures and directing us on how we should debate because the Government has these in place. So, looking into this amendment, whether you are talking about definition or substantive clause, it talks about one thing, it defines him as someone looking after the Government's interest in this very House. So there is no argument here except that my colleagues are aware that he is doing their job well. I am not sure whether they mean that, if they amend this Clause anything will change because his functions are going to remain the same and they will be consistent with the definition of Leader of the House. That is my view.

**MR CHAIRPERSON:** Let us debate it and move.

**MAJ. GEN. MOKGWARE (GABANE-MMANKGODI):** Thank you Mr Chairperson. Let me also comment on this very simple issue we want to complicate. The issue is simple, perhaps we can start by saying we do not want to create an impression that when one is Leader of the House then it is said House refers to the whole Parliament as our colleagues want us to believe. If you look up at the definition of Leader of the House, his functions are clear, there are Government's. He is here representing the Executive doing Government business, it is clear. I agree let us not call it Leader of the House.

At some point it might cause confusion and children might think that Leader of the House mean someone who is representing all Members of Parliament including the Speaker. So, we do not want to do that, we do not want that sort of thing just like Honourable Guma suggested that we have to define what a House is because we have included here, you see? If we leave it as is, and not define House other people can come with different meanings. Everyone will think that if Maele is the Leader of the House it means that he is controlling Parliament and we do not want that. We want it to be clear that he is the Leader of Government Business, there is a difference. If you call it like Leader of Opposition, it is clear, he is Leader of Opposition, his roles are clear, this one is the Leader of Government Business.

We should not use terminology just because we found it being used in Parliament. Let us kindly amend it and define terms clearly otherwise I am going to call for definition of the House to be included.

**HONOURABLE MEMBER:** Procedure.

**HONOURABLE MEMBER:** Elucidation.

**DR MMATLI:** Procedure. The point is...we have to indicate that when we talk about House we are not referring to Tsholetsa (Botswana Democratic Party) House where our colleagues think we want to interfere.

**HONOURABLE MEMBERS:** ... (Laughter!)

**MR CHAIRPERSON:** I hear you but you are out of order, there is no procedure.

**MR MMOLOTSI (FRANCISTOWN SOUTH):** Thank you Mr Chairperson. I think what we can do now is to try and amend clauses which were wrong. So, I think my colleagues if they want to be very honest with themselves realise that they have been wrong to call Leader of Government Business as Leader of the House. There can only be this House. I heard Honourable Guma wanting to confuse things that there can be two Houses, no, we are talking about this House. So, I think as Honourable Keorapetse is proposing, let us amend that part because this is not taking away the fact that he will still be Leader of Government Business, your boss. He will remain your boss but then we will be precise that this person is Leader of what.

That is why Honourable Moremi explained that even if you look at the functions of the Leader of the House there are that of Leader of the Government Business. That is why each and every function ends with Government business. So why can we not amend such a simple thing and have Leader of Opposition and Leader of Government Business because he is and then we have clear positions.

Perhaps the poor person does not have any problem with being called the right name, the problem lies with people who think that when he takes over he will demote them from Ministerial positions. No, let us amend.

**MR CHAIRPERSON:** Order! One of the things I would like to prevent today is to ensure that your debate is focused on amendment of Standing Orders, if you provoke others I reduce your allotted time. I want you to focus on Standing Orders. So, the reason Honourable Mmolotsi was provoking is because he had finished his



debate, he supports Honourable Keorapetse. If you start provoking other members it automatically informs me that you have nothing more to say. So, Honourable stand and conclude.

**MR MMOLOTSI:** Mr Chairperson, that is what I am requesting for my colleagues...

**MR CHAIRPERSON:** I was expecting point of order.

**MINISTER OF HEALTH AND WELLNESS (MS MAKGATO):** Point of order. Thank you very much Mr Speaker. If he has nothing more to say, he should withdraw his statements which impute that we are doing our job this side because we want to be appointed to the Cabinet. I think that is inappropriate. So, he must withdraw that.

**MR CHAIRPERSON:** Honourable Mmolotsi, you are out of order, you have offended Government Ministers, withdraw your statement. Withdraw those statements which you were imputing improper motives.

**MR MMOLOTSI:** No, Mr Chairperson it means that you were also not listening I said they might think that when Honourable Masisi takes over he might not appoint them to the Cabinet so I feel I was very conscious of... should I withdraw?

**MR CHAIRPERSON:** Yes.

**MR MMOLOTSI:** I withdraw. It means Minister does not want to be appointed as Minister your Honour. That is why I am pleading with you Honourable Members that let us support the amendment even people will laugh at us that we are causing confusion over such a clear clause...

**LEADER OF THE HOUSE (MR MASISI):** Point of order. Mr Chairperson, I am a little concerned. I think there is time for frivolous joking and clowning around but when improper motives are imputed on colleagues, it is only proper that you withdraw unconditionally and then we get back to our business. So, please ask Honourable Mmolotsi to withdraw those motives that were in bad light to others.

**HONOURABLE MEMBER:** No, there are no improper motives.

**MR CHAIRPERSON:** Honourable Boko, you do not just speak. You indicate whether you want a point of order, procedure, clarification or elucidation, you do not just speak on the microphone.

**HONOURABLE MEMBER:** Point of order.

**MR CHAIRPERSON:** Order! Leader of the House, you are telling the truth, I thought you did not hear that when Honourable Mmolotsi withdrew he did so with condition. I thought you will allow him to finish. There is a complaint Honourable Mmolotsi. I do not know what harm it would do you for you to just stand and withdraw; you keep removing from one side and taking it to the other side.

**HONOURABLE MEMBER:** Point of order.

**MR CHAIRPERSON:** No wait a moment Honourable Butale, we are still finishing. Honourable Mmolotsi withdrew those words and also added something again. He is still provoking the Ministers.

**HONOURABLE MEMBERS:** ...(Murmurs)...

**MR CHAIRPERSON:** Honourable Boko, please wait. Honourable Mmolotsi, please stand and withdraw the provoking Ministers, and then continue with your debate and finish it.

**MR MMOLOTSI:** Mr Chairperson, we are not here to babysit Dorcas you know, it seems she wants to be nursed

**MR CHAIRPERSON:** No, Honourable Mmolotsi, you are out of order.

**MR MMOLOTSI:** These days she is going overboard. She is enjoying and lamenting at the same time. (Majaalela)...

**MR CHAIRPERSON:** Order! Honourable Mmolotsi, you are one of the people who when provoked you will insist that the words used be withdrawn. You have imputed improper motives on others, please withdraw your statement and continue with your debate, and wind it up. Also saying someone is "majaalela" (meaning: enjoying and lamenting at the same time) or whatever it is you said; withdraw and get it over and done with.

**MR MMOLOTSI:** I withdraw Mr Chairperson. Lastly, I just want to request that we should not make ourselves laughing storks with the things that we want to do.

Question put and **Division called for.**

**MR CHAIRPERSON:** Order! Order! Let everyone take his or her seats because you are going to vote. I am activating voting. Those who say "yes" press 2, those



who say “no” press 3, and those who wish to abstain press 4. Vote.

...Silence...

**MR CHAIRPERSON:** I believe you have voted. I am stopping this side. Here are the results, those who said “yes” are 14, and those who said “no” are 28.

Amendment **negated**.

Standing Order 8 **agreed to**.

**MR CHAIRPERSON:** Order! Order! Honourable Members, there is an amendment at Standing Order 9 by the Chairperson of the Standing Orders and Reforms Committee.

**CHAIRPERSON OF THE STANDING ORDERS AND REFORMS COMMITTEE (MR GUMA):**

Thank you Mr Chairperson. (a) Standing Order 9 is amended by inserting immediately after Standing Order 9.3.4 the following new Standing Order-

“9.3.4(A) Notwithstanding the provisions of Standing Order 9.3.4, the time allotted to the Leader of the Opposition shall be less than the time allotted to the presenter of the State of the Nation Address, the Budget Speech or other major Government Policy, or the time allotted to the Leader of the House under the Standing Order.”

(b) Standing Order 9 is amended by deleting Standing Order 9.3.3. I move accordingly Mr Chairperson.

**MR CHAIRPERSON:** Order! Thank you Honourable Guma.

**MR KEORAPETSE (SELEBI PHIKWE WEST):** Thank you Mr Chairperson. I stand to oppose the amendment in that I do not understand why the alternative view should be given a lesser time.

**EXCHANGE OF SPEAKERSHIP**

**MR KEORAPETSE:** Madam Chairperson, in terms of Standing Order 9.3.3 which the mover of the amendment seeks to obliterate, it provides that the Leader of the Opposition shall enjoy the same status as the Leader of the House in relation to the Business of the House and I do not see anything wrong with this. I move that we maintain 9.3.3 but we also do not agree with reducing the time of the Leader of the Opposition to a lesser time of Ministers when they present Government policies and President when he presents the State of the Nation

Address because what the Leader of the Opposition is presenting is the alternative view. I must hasten to say that I hear that some may think that what the Leader of the Opposition is presenting is a minority view. Madam Chairperson, when you look at the number of Batswana who voted for the opposition, they are actually more than those who voted for the Botswana Democratic Party (BDP) in real numbers. When we are saying alternative view, we are actually talking about majority of the citizens of this country who have voted for the opposition collectively.

The Leader of the Opposition in my view, when a Minister of Government presents a policy, the Leader of the Opposition must be accorded the equal amount of time provided to the mover of the policy or the presenter of a Government paper. On that note, I beg to oppose this amendment...

**MR NKAIGWA (GABORONE NORTH):** Thank you Madam Chairperson. I do not agree to the deletion of 9.3.3 not for the fact that I form a part of the opposition but I think that rather than you making things complicated for us to amend it again when we take power, better you leave it as is. So that you feel that as an opposition party that you will soon be, that you are just a normal Member of this House. When we make laws we bear in mind that if we make a repressing law with the benefit of suppressing those we are leading, at some point that law has to apply to us as well. I do not think that should be the intention of the law. We should look at the intention of the law when we make it. Firstly, what was the intension of the law when it was made; at first when it was said that their status will be at par, we were looking at the fact that at the end of the presentation of the State of the Nation Address we expect opposition to deliver its stand on what would be the alternative position to what has been presented. That is why I am saying, it is not wrong to leave it the way it is. It has not worked for us and we have had no problem with its existence. Why would we delete it? What scares me is that things have been going on well and Standing Order 9.3.3 has been serving us well and it showed us that indeed we embrace each other and we both understand that we have been elected by the people to this House so that we represent them. Madam Chairperson, let us keep it and see how we can embrace each other, how we can move forward, and how we can drive this democracy together. Thank you.

**HIS HONOUR THE VICE PRESIDENT (MR MASISI):** Thank you Madam Chairperson, I stand to



support the amendment fully; completely, because it is consistent with the formation of this House. When we went to the elections Madam Chairperson, we did not go as Botswana Democratic Party (BDP) and the opposition, we went to the elections to contest them in the names and under symbols of our different parties. This majority realised as measured by the seats, distribution of seats in the House which results in the formation of a Government, should be reflected unambiguously, distinguish between who is in charge and who is not. Even if the BDP were to be in the opposition, as they so pray and wish, always...

**HONOURABLE MEMBERS:** ... (Murmurs)...

**MR MASISI:** Yes, but that is the only acknowledge you can make of us and them that they led and we are in government now, everything else is significantly different. If anything there are attributes that they have that are similar to what you have, than we do, so please! Getting on with my point Madam Chairperson, for those who are... sorry, let me continue with English; the majority party in the House is led by its leadership, that should be reflected in the allocation of time as it relates to the burden of responsibility and accountability.

**HONOURABLE MEMBERS:** ... (Inaudible)...

**MR MASISI:** Yes, so let it be very defined that all those will have more and the Leader of the Opposition as proposed here, would get less time than those who have been granted to be accountable. I thank you Madam Speaker.

**MADAM CHAIRPERSON:** You take the floor in numbers!

**DR P. BUTALE (GABORONE CENTRAL):** Thank you Madam Chairperson. I thought this exercise that we are embarking on now of improving our Standing Orders would be geared towards ensuring the independence of our Parliament and ensuring that indeed we adhere to the dictates of the separation of powers as we call ourselves a democracy. I always feel so disappointed when our so called incoming President stands up and supports regressive amendments such as this one. This is regressive, because it shows that in his world and in the world of the majority party in Parliament, indeed this facade of calling ourselves a democracy, it is just that, a facade because we believe and he believes and his party believes that the only view that should be taken to Botswana is the view of the majority party. Therefore, we are a de facto one party state. That is why Leader of

the House, when you come here to speak in Parliament, you beam your speeches for Botswana to see, that is why you cannot beam the alternative one. So that is why you would vote for this regressive amendment.

**MADAM CHAIRPERSON:** Address the Speaker, please!

**DR P. BUTALE:** This amendment Madam Chairperson. You are the Madam Chairperson not the Speaker. This amendment is...

**MADAM CHAIRPERSON:** Yes, address the Chairperson.

**DR P. BUTALE:** This amendment is regressive and I think that if Botswana hoped for anything better in the coming regime, this posture by the Leader of the House should be worrisome. Should be worrisome because this is indeed at odds with democracy. In a democratic dispensation you need divergent and alternative views to be heard. That is why you cannot want special dispensation where your voices as the majority supercedes those of the Leader of Opposition. So the current dispensation where the Leader of Opposition has enough time, same time as the Leader of the House is accorded the same treatment as per the Standing Orders should remain. Therefore 9.3.3 amendment there where we are saying it should be deleted, I think is regressive and we should shun it. When we talk about the allocation of time, I think this is a personal taste by the current Leader of the House, let us not spoil it for the coming one, because he would not feel this way.

**MADAM CHAIRPERSON:** No, you are just too many and you are wasting time Honourable Members.

**MR SEGOKGO (TLOKWENG):** Thank you Madam Chairperson. I do not support the amendment. As I listen to the daily prayer, it calls for us to set aside our interests and partial affections so that we move forward to the glory of the lord. At times we need to set aside party interests and move forward. At one point I had an argument with my younger brother and I felt I overpowered him somehow but he continues to say that even though he was younger than me, I could still benefit from what he said. I take it that when we are in Parliament on the other side of the aisle, we have something to say. And they can take something from us, especially from the speech made by the Leader of Opposition. My wish is for us not to amend this Standing order and we should leave it as is. Thank you.



**DR MMATLI (MOLEPOPOLE SOUTH):** Thank you Madam Chairperson. I want to indicate that I do not support this amendment. Its intention is to reduce time allocated to Leader of the Opposition. It has never at any point in time been equal to that of Leader of the House.

**HONOURABLE MEMBER:** ... (Inaudible) ...

**DR MMATLI:** Okay. From where I am standing, it has never been equal.

**HONOURABLE MEMBER:** You just came in.

**DR MMATLI:** I am new but I found that it was less. It is surprising that although some people have more time already, they still want more and even take from one who had less. What is that? When you have power and want more power all the time, at the end the saying, 'absolute power corrupts absolutely' becomes true. There is a serious problem.

**HONOURABLE MEMBER:** ... (Inaudible) ...

**DR MMATLI:** It is true Madam Chairperson, that 46 per cent of Batswana have voted Botswana Democratic Party (BDP), 54 per cent did not vote. That 54 per cent need to hear its voice represented in Parliament. If we curtail this democracy where when people are supposed to listen to their leader, his time is reduced, what is it that he is doing which disturbs the mandate of the ruling party in Parliament? I do not support this amendment Madam Chairperson.

The other thing is that, this deletion of 9.3.3 is just based on the Leader of the House's feeling that he does not want to be undermined. He cannot enjoy equal status with an opposition member. In a nutshell it is all about, 'I do not want to be undermined, you are making this child undermine me.' There is no child in this Parliament Honourable Vice President, we are messengers. Leader of the Opposition has a great responsibility which should not be undermined in this manner. With those words, I do not support this Motion. It stands to demean Batswana who voted opposition in Botswana.

**MR MMOLOTSI (FRANCISTOWN SOUTH):** Madam Chairperson, I rise to disagree with the Motions brought by the Chairman of this Committee. Their intention is to reduce the time allocated to the Leader of the Opposition which he has been given so that Batswana may hear other views available. I think this is now getting out of hand and it is bordering on abuse. I believe that the ideal intents of this Standing Order is to

be progressive. We do not want a situation whereby the Chairman of this committee sets us back by 20 years yet we had made so much progress. Right now opposition is being dealt a hard blow; time is reduced and some of its members are not regarded. They are trying all possible ways of frustrating the vote of opposition. It is painful because this is led by someone who is supposed to be President next year. It is so painful that I am even thinking we are already going to miss President Khama if the incoming President is coming in this manner. I do not think a leader of the nation is supposed to be this cruel where he wants to see him and his followers only at the top. No! Madam Chairperson, that will be pure evil exceeding that of satan himself. That is why I am requesting that this Motion which Guma has brought before Parliament be retracted because even the nation will shun him because there is no ordinary person who can propose an amendment of this nature. With those words Madam Chairperson, I was requesting the Honourable Chairperson of this Committee to withdraw this regressive amendment. It will not benefit us as a nation of Botswana, as Parliament and it is infuriating.

**MR NTLHAILE (JWANENG-MABUTSANE):** Thank you Madam Chairperson. I stand to oppose this Motion which depicts a spirit of hatred and cruelty. The painful thing is that, it is led by someone who Batswana could have had hope in, that he is coming with a new spirit of trying to make progress on what has already been done by our predecessors. It is painful to note that we are taking three or four steps back as opposed to those we took as a way of progressing. Madam Chairperson, it is painful and we ask Batswana in general to stand up regarding what is happening in Parliament because it will not just end here in Parliament. It is an action which will make Batswana to rise up and shun this Parliament to show that in all Parliaments terms, this is the only Parliament that came up with systems that saw their country regressing.

Madam Chairperson, it is surprising that this Motion which seeks to reduce Leader of the Opposition's time who speaks on the challenges faced by Batswana is brought here. Right now Government business dominates Parliament proceedings. Be that as it may, the Government still comes with a Motion which seeks to reduce Leader of the Opposition's time. Madam Chairperson, this situation is disheartening. The opposition is here to hold Government accountable. What you are saying to Batswana out there is that, when opposition tells Government that ...



**MADAM CHAIRPERSON:** Your time is up.

**MINISTER OF LAND MANAGEMENT, WATER AND SANITATION SERVICES (MR MAELE):**

Madam Speaker, I support the mover of the Standing Order, who is the Chairperson of the Standing Orders Committee for two reasons. The first reason is that we have said in this Parliament that it is common that whenever we run short of explanations, we look at the Westminster system, we look at the culture and practice of other Parliaments similar to ours. If you look at the UK, they are doing exactly what we are doing in terms of allotting times. You can look at their Standing Order, the latest of 2016, just Google it and look at it, you will find that. Look at Australia's Standing Order, they are saying exactly that. So Madam Speaker, for that first reason I agree that that should be the case. We should do like Westminster systems and not for us to use a system that we do not know where it originates, which people use as a result of frustration.

The second reason Madam Speaker is that, we are a party that has been voted by Batswana. The fact that some people talk about 46 per cent and 54 per cent, people do not understand. They are...

**MR MOREMI:** Point of order. Madam Speaker, you cannot advise from there but colonialism has long ended even in 1966 so we cannot keep following colonies in 2017, reprimand that Madam Chairperson.

**MADAM CHAIRPERSON:** Honourable Moremi I cannot say anything because actually we are using the Westminster system. There are many countries which I can name which operate like us. Proceed Honourable Maele.

**MR MAELE:** I said even Australia, we were never colonised by Australia, so I do not know why you talk of colonialism because I am giving you an example of Westminster system. That was the first reason. The second reason Madam Speaker, I was saying this issue of 46 per cent...

**HONOURABLE MEMBER:** ... (Inaudible)...

**MR MAELE:** ... even if you can leave them to me, I am fine. This issue of 46 per cent...

**MR NTLHAILE:** Procedure. Madam Speaker, Honourable Member, you are giving an example of systems used in other countries; therefore, they are trying to align with other commonwealth countries. So I want to understand if we want to ignore the natural

justice rule which says that when we amend a law, we cannot amend to the disadvantage. The amendment should be positive not to amend to the disadvantage.

**MADAM CHAIRPERSON:** That is a clarification.

**MR MAELE:** Madam Speaker, he is wasting my time by calling a procedure while he is making a clarification. So I am going to punish him by not responding to what he said. My second reason Madam Speaker is that when we look at the issue of 46 per cent and 54 per cent that they are talking about, Botswana Democratic Party (BDP) against Opposition, that is not correct. They did not go to elections as a collective, Botswana Congress Party (BCP) was there, and other parties were there. So they must actually be alive to that thing, they came together and then the next thing they want to...

Lastly Madam Speaker, I urge members to read 9.3.4, it already promotes the Leader of the Opposition, it shows that he is not our equal and we are saying much as we recognise that he is equal to us as ordinary members, we must also make sure that he is not equal to Leader of the House. I do not know what they are trying to say by "regressive, regressive." If they think we are regressive, they should also not think that the Leader of Opposition is equal to ordinary members. Thank you Madam Chairperson.

**CHAIRPERSON OF THE STANDING ORDERS AND REFORMS COMMITTEE (MR GUMA):**

Madam Chairperson, let me put certain things into proper perspective. Leader of the Opposition must always be given adequate time to deliberate on issues with an opposing view; that is a fact. He must be given adequate time, but let me focus on the State of the Nation Address, His Excellency comes in here and gives a total update of how the economy has been performing. Thereafter he leaves. He delegates that responsibility to his Vice, who must respond to all the issues that had been raised, including the views presented by Leader of the Opposition. It then goes without saying that in terms of time allocation, the Leader of the House has more to answer to and therefore more time should be given to him because he also has to respond to the issues raised even by Leader of the Opposition.

In terms of responsibilities, you cannot equate the two. These are things that we should all agree and we all agree that Leader of the Opposition must be given adequate time. Even in the last presentation he did not use all the time allocated to him. In fact, it is the content



that is measured and not how long he speaks. He may deliberately not speak long but have content and he did that in the last presentation. He believes in what he was presenting. Madam Chairperson, we are not trying to disadvantage Leader of the Opposition or anybody. When Ministers present issues here, they are the ones that have got issues; they are more accountable than us. So we need to give them adequate time and that is the import of this amendment Madam Speaker. Let me sit down.

**MADAM CHAIRPERSON:** Thank you very much. Honourable Members let us vote. Order! Order! You have debated and it is now time for you to vote. Order! Order!

**Amendment agreed to.**

**MR NKAIGWA:** Procedure Madam Chairperson. Bear with me, we have been here since 2 o'clock, it is now 9 minutes to 5 and some of us drink water, so if there is no water there is no life. We have been here; we want to make certain amendments to the Standing Order. I thought of going home to drink water, but I cannot do that because when I come back Honourable Guma would have passed this Standing Order and I would not have noticed an amendment that I want to make. So I request that we break at least for 20 minutes so that we can go to our homes to drink water.

**MADAM CHAIRPERSON:** Honourable Nkaigwa, Clerk is going to check why there is no water because I heard you complaining earlier on about unavailability of water. They will bring you some water, let us not waste time. Clerk is going to attend to that. Go Clerk. Order! Order! Honourable Members.

Standing Order 9 as amended **agreed to.**

Standing Order 10 **agreed to.**

**Standing Order 11**

**MR GUMA (CHAIRPERSON OF THE STANDING ORDERS AND REFORMS COMMITTEE):** Thank you Madam Chairperson. Madam Chairperson, Standing Order 11 is amended- (a) by substituting for Standing Order 11.3, the following;

Standing Order, 11.3 "The Clerk shall be responsible for preparing an Order Book showing all future business of which notice have been given".

Standing Order 11.3.1 "The Order Book referred to

under Standing Order 11.3 shall be open to inspection by Members at all reasonable hours," and,

(b) by inserting immediately after Standing Order 11.8 the following new Standing Order-

11.9, "In the event that a question arises as to the correctness of a record of the proceedings of the Assembly, the record prepared by the Clerk shall prevail". I move accordingly Madam Chairperson.

**MADAM CHAIRPERSON:** Order! Order! Honourable Members, the question is that the amendments be agreed to. The floor is open.

**MR MOREMI (MAUN WEST):** Madam Chairperson, I would like to focus on the issue of Order Book; I am one of the members who has a hard time when it comes to the issue of order of business in this House. Even if you go to the library and search for Maun West file you will find that for the past two years there is no question or Motion tabled by the Member of Parliament for Maun West. I was also surprised; I wonder what happened. I support Order Book but can we not upgrade it to an electronic format so that even if it is not physical book at the Clerk's office there can be some page in electronic media or even in the Parliament website which we can visit and see what is in there. We should also have a timeline of when it can be updated; whether it can be updated every close of business every day or every close of business every Friday. Although I concur with the amendment of Order Book, I think we can just review it and upgrade it in the manner in which we want to present this Order Book, we can take on new advanced formats. Thank you.

**Amendment agreed to.**

Standing Order 11 as amendment **agreed to.**

Standing Orders 12 - 16 **agreed to.**

**Standing Order 17**

**MR GUMA (CHAIRPERSON OF THE STANDING ORDERS AND REFORMS COMMITTEE):** Thank you Madam Chairperson. Madam Chairperson, Standing Order 17 is amended by substituting for Standing Order 17.3 the following new Standing Order; 17.3, "If the attention of the Chairperson in the Committee of the whole Assembly is drawn to the fact that the quorum is not present, the Chairperson shall leave the chair and the Assembly shall resume where upon the Chairperson shall act as provided under Standing Order 17.2".



17.3A, “If before the expiry of 15 minutes, a quorum is present, the Assembly shall resolve itself into a Committee.” I move accordingly Madam Chairperson.

**MADAM CHAIRPERSON:** Order! The question is that the amendment be agreed to.

**MR MOREMI (MAUN WEST):** Madam Chairperson, I want to move without notice amendment to 17.1. My reasoning is that we are seriously inconvenienced by issues of quorums. I would like to preface it thus just to identify the mischief we want to undo. Madam Chairperson we want to collapse quorum intentionally so that our business in the House may suffer. I have watched other Parliaments on television, you will find a member speaking on the microphone knowing that the Hansard is capturing them and that those who are at their homes watching television can hear him from there a decision can be taken regarding the motion he presented in Parliament on that day.

Madam Chairperson, this quorum of one third has made us unproductive more especially on Thursdays and Fridays in this House. We can gauge by Motions which...

**MADAM CHAIRPERSON:** Time is up Honourable Member, Clerk had set the timer to three minutes.

**MR MOREMI:** She did not inform us.

**MADAM CHAIRPERSON:** No, she said she did and she would not lie to me.

**MR MOREMI:** She did not say.

**MADAM CHAIRPERSON:** Sit down because there is something I want to say. I do understand your point but most of our Standing Orders are from the Constitution. When you read Section 73, it is about quorum, there is no how we can amend the Standing Orders because it now affects the Constitution. We may proceed.

Amendment **agreed to.**

**MADAM CHAIRPERSON:** Let us move on to Standing Order 18. There are amendments there.

#### Amendments to Standing Order 18

#### CHAIRPERSON OF THE STANDING ORDERS AND REFORMS COMMITTEE (MR GUMA):

Madam Chairperson, thank you again. Standing Order 18 is amended by inserting immediately after that Standing Order, the following new Standing Orders:

#### DIGNITARIES

18 (A) 1; the Speaker may, in consultation with the Business Advisory Committee allow a visiting Head of State or such other dignitary, to address the House.

18 (A) 2; the dignitary or Head of State under Standing Order 18 (A) 1 may be accompanied in the Chamber by an Aide-De-Camp.

#### SPEAKER AND LEADER OF THE HOUSE SECURITY PERSONNEL

18 (B); The Speaker and the Leader of the House may be accompanied in the Chamber by the security personnel. I move accordingly Madam Chairperson.

**MADAM CHAIRPERSON:** Order! Order! The floor is open.

**MR MOREMI (MAUN WEST):** Madam Chairperson, I would like to move an amendment to remove the words ‘such other dignitary’ and end at visiting Head of State. Such other dignitary is too broad, it can include others. There was a hullabaloo about the Dalai Lama, it was an issue right? If we stop at visiting Head of State, we know whom we would be talking about. If we could say such other dignitary, others will come in through that window. Then we would be given an address by those who are against them.

#### ASSISTANT MINISTER OF BASIC EDUCATION

**(MR GOYA):** Madam Chairperson, I rise to support the amendment by the Chairman of the Standing Orders Committee. On 18 (A) 1, the phrase ‘such other dignitary,’ I see it as very important. Botswana is a Member of international organisations. For example; we have the Pan African Parliament which at one time the President of that Parliament can visit us this side, and you would grant him permission to address our Parliament.

There are other organisations like United Nations (UN) and people from those organizations can visit us who we as Members of Parliament would wish they addressed us. We could even be the ones requesting you to allow them to address us because we would be seeing their importance to the country. I think it is important that this amendment that the Chairperson brought be as proposed. I support it. Thank you.

**MADAM CHAIRPERSON:** Honourable Moremi proposed an amendment.



**HONOURABLE MEMBER:** ...(Inaudible)...

**MADAM CHAIRPERSON:** Let us deal with that one, and then we shall come to this one. That that is what I am doing. The officer is saying exactly what I am doing and you have stopped me.

Amendment **negated**.

Question put and **Division called for**.

**MADAM CHAIRPERSON:** I hope you are ringing the bell. Order! Order! Take your seats. We are starting to vote, those who say “yes” press two, those who say “no” press three, those who wish to not vote based on some reasons press four. Have you voted?

**HONOURABLE MEMBER:** No, please wait.

**MADAM CHAIRPERSON:** Order! I have never seen people voting and talking at the same time, what kind of elections are these?

**ASSISTANT MINISTER OF BASIC EDUCATION (MR GOYA):** Clarification. Madam Chairperson, I think we need to be clear, what are we voting for?

**MADAM CHAIRPERSON:** I have already read out the Motion.

**MR GOYA:** People were outside when you put the question.

**HONOURABLE MEMBERS:** ...(Murmurs)...

**MADAM CHAIRPERSON:** Order! Order! Let me hear what he has to say. We are done. I read the Motion.

**MR GOYA:** No Madam Chairperson, when you put the question, some members were outside. You are supposed to have put the question first so that they hear what they would be voting for. They do not know what they are voting for.

**HONOURABLE MEMBERS:** ...(Murmurs)...

**MADAM CHAIRPERSON:** Please wait. All the people who have voted are 46, those who said “yes” are 28; those who said “no” are 17. Therefore, the Ayes have it.

Amendment **agreed to**.

Standing Order 18 as amended **agreed to**.

Standing Orders 19-25 **agreed to**.

**MADAM CHAIRPERSON:** There is an amendment at Standing Order 26.

**Amendments to Standing Order 26**

**CHAIRPERSON OF THE STANDING ORDERS AND REFORMS COMMITTEE (MR GUMA):** Thank you Madam Chairperson. Standing Order 26 is amended by substituting for the word “Minister” wherever it appears in that Standing Order the words “Leader of the House, or in his or her absence, the most senior Minister present”. I move accordingly Madam Chairperson.

Amendment **agreed to**.

Standing Order 26 as amended **agreed to**.

**Standing Order 27**

**MADAM CHAIRPERSON:** Order! Order! There is an amendment at Standing Order 27.

**MR GUMA:** Thank you Madam Chairperson. Standing Order 27.1 is amended by substituting for the word “Minister” the words “the Leader of the House or in his or her absence, the most senior Minister present”. I move accordingly Madam Chairperson.

Amendment **agreed to**.

Standing Order 27 as amended **agreed to**.

**MADAM CHAIRPERSON:** Order! Order! Honourable Members... (Interruptions)... Where is this debate going to?

**HONOURABLE MEMBER:** The leadership is debating.

**MADAM CHAIRPERSON:** No, are you saying the leadership?

Standing Orders 28-30 **agreed to**.

**HONOURABLE MEMBER:** Procedure Madam Chairperson.

**MADAM CHAIRPERSON:** What Procedure? I hope you are not taking me back because I gave you time.

**MR NKAIGWA:** Procedure. I think when you asked the House, I did rise to give you attention that I wanted to move an amendment at Standing Order 30.1 (c).

**HONOURABLE MEMBER:** You did not take the floor.



**MR NKAIGWA:** I stood up, you saw me. I stood up Madam Chairperson, thinking you would give me the floor but I just saw that...

**HONOURABLE MEMBERS:** ... (Murmurs)...

**MR NKAIGWA:** No, I had stood up Madam Chairperson. If there are cameras in this House... When we started, I sought for guidance from the Chairperson on how to notice an amendment for 30.1(c)...

**MADAM CHAIRPERSON:** We know that yes, all I am saying is that I checked but you did not stand up.

**MR NKAIGWA:** You saw me, I stood up.

**HONOURABLE MEMBERS:** ... (Murmurs)...

### Standing Order 31

**MADAM CHAIRPERSON:** Let us proceed, there is an amendment at Standing Order 31.

**HONOURABLE MEMBERS:** ... (Murmurs)...

**MR GUMA:** Thank you Madam Chairperson. Standing Order 31.1 is amended by substituting for Paragraph (d) of the following new Paragraph “(d) Motions for the adoption of reports by Committees.” I move accordingly Madam Chairperson.

Amendment **agreed to.**

Standing Order 31 as amended **agreed to.**

**MADAM CHAIRPERSON:** Let us move on to Standing Order 31...

**DR P. BUTALE:** Procedure. I just want to advice Madam Chairperson, that the procedure is that upon the conclusion of the amendment, we have to agree to the amendment, it was an omission.

**MADAM CHAIRPERSON:** If it is amended.

**DR P. BUTALE:** Standing Order 31.1, it means that we agree to an amendment, so, it means that we change the original Standing Order?

**MADAM CHAIRPERSON:** It is ok. They have been listening and they are even saying it is ok. Let us proceed.

Standing Orders 32-37 **agreed to.**

### Standing Order 38

**MADAM CHAIRPERSON:** There are amendments at Standing Order 38.

**MR GUMA:** Thank you Madam Chairperson. Standing Order 38 is amended by - (a) deleting Standing Order 38.1(k) and (b) deleting Standing Order 38.1(m). I move accordingly Madam Chairperson.

Amendment **agreed to.**

Standing Order 38 as amended **agreed to.**

**MADAM CHAIRPERSON (MS KOKORWE):** ... Order! The question is that Standing Orders 39 to 40 (a) stand part of the Standing Orders.

**DR P. BUTALE (GABORONE CENTRAL):** I need your guidance here Madam Chairperson, because I have an amendment that seeks to introduce President’s Question Time. I do not know whether it should be 40 (a) or 40 (b), 1 or 2 but I want to introduce that amendment.

**MADAM CHAIRPERSON:** Is it supposed to be in 40 so that we can finish with 39 then?

**HONOURABLE MEMBERS:** ... (Murmurs)...

**MADAM CHAIRPERSON:** Okay.

Amendment **agreed to.**

Standing Order 39 as amended **agreed to.**

**DR P. BUTALE:** Thank you Madam Chairperson. I want to propose an amendment without notice that we have the President’s Question Time and that would be 40 (b) 1. There shall be asking of questions by Members to the President of the country on issues of national, regional and international importance once every sitting. Madam Chairperson, I wanted to say because there is a 40 (b) 1 that talks to the Leader of the House’s Question Time, my amendment seeks to substitute that with the President’s Question Time.

**HONOURABLE MEMBER:** Procedure Madam Chairperson.

**HONOURABLE MEMBER:** Learn to hold your horses.

**HONOURABLE MEMBER:** Why should I? Procedure Madam Chairperson. You think I am here to play. Procedure Madam Chairperson.

**MADAM CHAIRPERSON:** Wait, I can hear you. The reason why I am still checking is because we are not



there yet; so we should go back and attend to 40.1 up to these. Until we reach 40 (a), that is when he can do what he wants to do ...

**HONOURABLE MEMBER:** Correction, 40 (b).

**MADAM CHAIRPERSON:** Yes, that is 40 (b).

Amendments **agreed to.**

Standing Orders 40.1 - 40.8 as amended **agreed to.**

**HONOURABLE MEMBER:** Procedure Madam Chairperson.

**MADAM CHAIRPERSON:** I am coming there. Wait, I am coming to what he wants.

**HONOURABLE MEMBER:** No.

**MADAM CHAIRPERSON:** You have voted.

**HONOURABLE MEMBER:** No, I was saying you should show us what you are talking about because it is not there in these Standing Orders?

**MADAM CHAIRPERSON:** Honourable Kesupile, you understand me very well. He said he was adding ...

**HONOURABLE MEMBER:** ... (Inaudible)...

**MADAM CHAIRPERSON:** Yes, at 40 (a) 1. I think I should take this. The question is that the amendment as proposed by Honourable Dr Butale be agreed to.

**HONOURABLE MEMBER:** No, his amendment is at 40 (b)...

Amendment **agreed to.**

Standing Order 40 (a) as amended **agreed to.**

**MADAM CHAIRPERSON:** Now we can attend to his amendment.

**HONOURABLE MEMBERS:** ... (Murmurs)...

**MADAM CHAIRPERSON:** Honourable Dr Butale, wait because we want to do Standing Order 40 (b) first. Honourable Chairperson, there is an amendment there.

**MR GUMA:** Madam Chairperson, thank you. The Standing Orders are amended by inserting immediately after Standing Order 40 (a) the following new Standing Order-

**“LEADER OF THE HOUSE’S QUESTION TIME**

40 (b) 1. There shall be asking of questions by members

to the Leader of the House on issues of national, regional and international importance on every other Thursday.

40 (b) 2. Standing Order 30.1 (g) and the procedure that applies to Standing Order 40 (a) shall with necessary modifications apply to this Standing Order.” I move accordingly Madam Chairperson.

**Amendment of Standing Order 40 (b) 1**

**DR P. BUTALE:** Thank you Madam Chairperson. I wish to applaud first of all the spirit with which this amendment is brought which is to encourage debates in this House to ensure that the Executive is indeed held accountable. I wish to notice an amendment on 40 (b) 1 to substitute Leader of the House with President so that we have the President of the country in the same spirit with this amendment was brought; coming to account to Parliament because I find it quite anomalous to have a President who is the Executive who never comes to Parliament. We have a President currently who is retiring after 10 years and he has never fielded questions from Members of Parliament. I think we want to develop and grow our democracy, we need to move in this direction. I therefore want to move this amendment that we have the President’s Question Time instead of Leader of the Question Time.

**MADAM CHAIRPERSON:** Order! Order!...

**HONOURABLE MEMBER:** ... (Inaudible)...

**MADAM CHAIRPERSON:** Oh, he wants to speak, okay, alright.

**MAJ. GEN. MOKGWARE:** Thank you Madam Chairperson. I rise to encourage and support my colleague to say the time has come for this Parliament to show productivity and have a President who is accountable to the nation. The President of Botswana should also do what other Presidents are doing who come to answer questions and concerns of Members of Parliament as the senior accounting officer of the Government. This will strengthen democracy and our Parliament. Even Botswana can be delighted to see that and they would know that their President is understanding and can listen to their challenges. Just like the President is able to come here and give the State of the Nation address, for the same token, he should also be able to answer questions from Members of Parliament (MPs). This will demonstrate democracy and accountability on the part of the President, and as a result Botswana can have absolute trust in their President. They would be sure that their President knows what is happening in the country.



**MR MANGOLE (MOCHUDI WEST):** Thank you Madam Chairperson. I stand to support Honourable Butale's motion. Like it happens in other countries and as it is an international best practice that the President should come to Parliament to answer questions from Members of Parliament, the intention is that the same should happen here. I do not know where else it happens, subject to being corrected where the Leader of the House is the one who answers questions on behalf of the President.

Maybe our counterparts could remind us so that we can understand what the problem was in the past especially in the immediate past which made us very reluctant that the President could come to Parliament to answer questions. On 1<sup>st</sup> April, the incoming President would be taking over and we would not be doing justice to him if we could say he should not come to Parliament to answer to answer questions from Members of Parliament. I think he is better placed to do that and that does not imply I doubt his predecessors.

Let us do like other countries. Do you mean we can be surpassed by South Africa which is a new democracy? Already their President can come to Parliament to answer questions. Let us give the incoming President that chance and dignity to come to Parliament and address MPs. Honourable Members, let us adopt this amendment. It is not premised in bad faith but seeks to give Honourable Masisi, His Excellency a chance to come and address us here in Parliament.

**MINISTER FOR PRESIDENTIAL AFFAIRS, GOVERNANCE AND PUBLIC ADMINISTRATION (MR MOLALE):** Thank you Madam Chairperson. I rise to reject this Motion. The mover of this Motion seems not to know how government is run. During Cabinet meetings, the President and his Cabinet discuss issues across board. So when the Vice President comes here to respond, which we also agree to, he responds on behalf of all of us and we should know that that is cooperation.

The issue that is always said that the President is afraid to come here and answer questions is not true, the President is not afraid of anything, rather, he would be out there addressing the public and fielding questions there. Those are more important than coming here for you to ridicule our President because that is what you want.

**HONOURABLE MEMBER:** ... (Murmurs) ...

**MADAM CHAIRPERSON:** Hey, we are not outside.

**MR MOLALE:** Hey! Keep quiet rotten teeth, shut up!

**MAJ. GEN. MOKGWARE:** On a point of order. Thank you Madam Chair. The Honourable Member could be getting into his points but he is imputing some improper motives by saying we want to ridicule the President. We will never do that. We respect the Head of State, we simply want him to come here and we put questions to him in an orderly manner, like we are doing with you currently. So can you just withdraw that, we are not here ...

**MADAM CHAIRPERSON:** No, that is not a point of order. Proceed Honourable Molale.

**MR MOLALE:** Thank you Madam Chairperson. Honourable Mokgware knows that he is not telling the truth. You are pretty aware of what you have been saying about our President as we have been responding to the State of the Nation address. You have been mocking him yet he is the Head of State. So we cannot allow you to come here and ridicule our President here.

**MR NKAIGWA:** On a point of order. Madam Chairperson I think this House is out of order. Members are debating about a person but I take it that this paper before us talks about the Office of the President. Let us not debate this thing on the basis that we are discussing someone, that is wrong. Let us look at the bigger picture that we are talking about the Office of the President that can be held by anyone. I will be the President of this country one day and I will want Members of Parliament to ask me questions.

**DR P. BUTALE:** On a point of order. Madam Chairperson, I think we will be out of procedure if we could proceed after the Minister said that Honourable Members have bad manners pointing this side. I think the Minister should remember that we are not at the hall where he said public servants are talking "bokorol". Here he should address us respectfully as Honourable Members of Parliament.

**MADAM CHAIRPERSON:** Order! Address them well Honourable Molale. When you say MPs, you are not necessarily referring to those this of the aisle but to all MPs in general. Correct that if you said that and proceed, it was noisy, I did not hear. Do not make noise.

**MR MOLALE:** Thank you Madam Chairperson. I said we can go and get the Hansard and see those who were ridiculing the President. As I was gesturing, it does not



mean I am pointing to them but I am emphasising the point.

**HONOURABLE MEMBER:** Point of order Madam Chairperson, we are not going to ...

**MADAM CHAIRPERSON:** No, he is being general. Let us proceed.

**HONOURABLE MEMBER:** No, point of order, point of order Madam Chairperson.

**MADAM CHAIRPERSON:** Are you reprimanding me now?

**HONOURABLE MEMBER:** No Madam Chairperson.

**DR P. BUTALE:** Madam Chairperson, I cannot do that. But the Honourable Member said, "MPs who were mocking the President." So he should not try to paraphrase and rephrase, he said that. If he disputes that, let us go and get the Hansard because if it goes there, we can either show whether or not we have bad manners. He needs to respect us, if he does not, we will return the favour.

**MADAM CHAIRPERSON:** Honourable Molale, can you just withdraw that and proceed.

**MINISTER FOR PRESIDENTIAL AFFAIRS, GOVERNANCE AND PUBLIC ADMINISTRATION (MR MOLALE):** Yes Madam. It seems like someone is offended because one cannot take back what they said but I withdraw.

**HONOURABLE MEMBER:** Withdraw.

**MR MOLALE:** Madam Chairperson, with those words I strongly disagree with the Motion tabled by Honourable Butale.

**MR NKAIGWA (GABORONE NORTH):** Thank you Madam Chairperson. I wonder how one becomes Minister in Government. I do respect someone who is Minister.

**MADAM CHAIRPERSON:** Honourable, you are aware that you are starting your debate by imputing improper motives.

**MR NKAIGWA:** No!

**MADAM CHAIRPERSON:** You are imputing improper motives. You are saying what criteria is used?

**MR NKAIGWA:** Madam Chairperson, I sometimes

wonder how we think and how other people think. Where other people live and where we live. When we simply say...

**MADAM CHAIRPERSON:** You cannot allude that what is considered when one is appointed Minister because you are imputing improper motives on them.

**MR NKAIGWA:** No, I am wondering what the President was looking at when he appointed Honourable Molale Minister.

**LEADER OF THE HOUSE (MR MASISI):** Point of order. Madam Chairperson, I would like all sides of the aisle to be calm, we have a forum where we can say all these things, so we should stop attacking each other with words. He should therefore withdraw and focus on his debate.

**MADAM CHAIRPERSON:** No, but he withdrew.

**HONOURABLE MEMBER:** He did not withdraw.

**MADAM CHAIRPERSON:** No Honourable Boko, wait. Honourable Nkaigwa stand and withdraw then proceed.

**MR NKAIGWA:** I withdraw Madam Chairperson. I believe this Standing Order is procedure that runs Parliament. We are not talking about an individual at all but rather office of the President. We are saying there should be President's Question Time. The President should come to Parliament and address Members of Parliament and explain to us why he makes certain decisions. You cannot have a President who is Executive and allude that he cannot come to account to Members of Parliament. There is a system of democracy whereby in order for one to be President it is because of Members of Parliament and then you say it is okay for the President to go around holding Dikgotla meetings making promises to the people then fails to come to Parliament and account to Members of Parliament regarding those promises.

We have a President who can spend government funds as he likes. He can make decisions without anyone challenging him about it. No Honourable Members, if that is bootlicking, then I do not ever want that in my life. Let us admit that democracy does not call for the Vice President to respond to our questions. No, not at all. Not the Vice President. We are talking about national interest and international interest. We want to know why other Presidents do not attend United Nations (UN) and African Union (AU). Where will we ask such questions?



**MADAM SPEAKER:** We are talking about Minister's Question Time, not UN.

**MR NKAIGWA:** We are not attending Dikgotla meetings, he does not even visit our constituencies especially those represented by the opposition. That is why I am saying let us be rational thinkers and think for those who sent us in Parliament. Thank you Madam Speaker.

**MINISTER OF LOCAL GOVERNMENT AND RURAL DEVELOPMENT (MR TSOGWANE):** Thank you Madam Chairperson, I will be brief. I just want to emphasise the Motion tabled by the Committee which we appointed. We even submitted the amendments on time so that they can table these Standing Orders. It is Parliament Committee, these amendments were not tabled by the Botswana Democratic Party or opposition so we should respect these amendments, they are ours. I support the amendments we made as Parliament that they table them. I think Leader of the House Question Time is there and I concur with it.

**MR MMOLOTSI:** Point of order. Madam Chairperson, the Honourable Minister is alluding that he concurs with the amendments tabled by Parliament I am not aware that Parliament moved amendments because we are debating these amendments now. Parliament will make a decision, so I wonder which Parliament the Minister is referring to and when, perhaps he can give us the date...

**MADAM CHAIRPERSON:** Maybe it is just a slip of the tongue.

**MR TSOGWANE:** We know that, we can teach you a thing or two. These committees of Parliament are an extension of Parliament. General Assembly is part of Parliament. I am not talking about their layman's understanding. We have to understand these things at an advanced level. He is a Member of Parliament who should understand these things better, more so that he has been in Parliament for so long.

**MADAM CHAIRPERSON:** You have finished right? No one is standing so I should move?

**HONOURABLE MEMBER:** He is yielding Madam Chairperson.

**MADAM SPEAKER:** Okay, sit down.

**MR TSOGWANE:** It is an amendment, there is no need to bring in other issues into the Motion. We support this Standing Order as tabled by the Committee. Thank you.

**ASSISTANT MINISTER OF BASIC EDUCATION (MR GOYA):** Thank you Madam Speaker. I joined this Parliament during the 9<sup>th</sup> Parliament and that time, there was ...

**MADAM SPEAKER:** No, 9<sup>th</sup> Parliament. I was here in 10<sup>th</sup> Parliament. I was not with you then.

**HONOURABLE MEMBER:** No, he was there.

**MR GOYA:** It was part of the 9<sup>th</sup> Parliament, towards the end of it. I was here Madam Speaker. During that time Madam Speaker, there was nothing like Ministers' Question Time. It was during the 10<sup>th</sup> Parliament, when we introduced Ministers' Question Time. Madam Speaker, we are in the 11<sup>th</sup> Parliament and I think we did ourselves justice by introducing yet another element of question time by coming up with this proposal. The proposal to have the Leader of the House being asked questions pertaining to issues of national, regional and international importance. I think it is suffice for me to say that, we are a progressing Parliament Madam Speaker. We have come from somewhere else. We have been to a certain stage, now we are entering yet another stage. I support the proposal coming from the Chairperson of the Standing Orders Committee. I am not in support of my colleague's proposal that side. I thank you Madam Speaker.

**MR KESUPILE (KANYE SOUTH):** Thank you Madam Chairperson. I stand to support Honourable Butale's amendment to request the for President's Question Time. This is not out of lack of respect, in fact it is an honour do so. This is one way of giving him his dignity.

I know that most of the time when someone is asked questions when they are the owner of the territory, there are questions they responds to wholeheartedly, emotionally; and that would change certain things which under normal circumstances would not change according to assumptions and fears. The one who would have been sent might tell you the truth that "I was afraid of saying this, because it mean I am like this..." If it were the rightful person speaking, they would not fear anything. Whatever they say would be appropriate because it would improve the procedures and change the way people see things. The questions which people ask sometimes give people ideas which they did not have. It would mean if they accept them as they are, they would encourage change and bring about better administration. The one that says the Leader of the House is included, I



think this is bootlicking to a point where the Leader of the House is being put in an uncomfortable situation. Let it be a position appropriate for the President. Let us not continue with a practice that undermines Parliament. It is Parliament just because it is nomenclatural, otherwise it generally does not have that worth which can make it a true Parliament. Thank you Mr Chairman.

**MADAM CHAIRPERSON:** Do you know what? There is an urgent Business Motion, so it is better for you to seat down so that I ascend to my chair up there.

**MADAM SPEAKER (MS KOKORWE):** Order! Honourable Members, the Honourable Leader of the House has a Business Motion to move.

### BUSINESS MOTION

**LEADER OF THE HOUSE (MR MASISI):** Thank you very much Madam Speaker. I beg to move in terms of Standing Order 27.1 that today's sitting of the Assembly be extended by two hours to allow for the conclusion of the adoption of the draft amendments to the Standing Orders. I thank you.

Question put and **Division called for.**

**MADAM SPEAKER:** Please ring the bell for two minutes.

**MR MMOLOTSI:** On a point of order. Madam Speaker, I just wanted to bring to your attention that the time is up. We cannot transact any business after six. If this Motion had come in earlier before the expiration of time, then this Motion would have worked. This time it will not work Madam Speaker because the time is and it is the official Parliament time. We cannot decide anything after six. It does not work like that.

**MADAM SPEAKER:** Order! Order! I checked and I have been advised that since the Motion was moved before six, we can proceed. Please lock the door. Have you locked the door?

**MR MANGOLE:** On a point of order. Madam Speaker, we do not dispute that you have checked. We kindly request that you tell us which Standing Order you evoked, which gave you permission to continue with the business of the House after the stipulated time. We would be happy if you pointed it to us.

**MADAM SPEAKER:** Look, Honourable Members, please listen to me. It was moved before six, because when a division was called, which is sometimes called

deliberately just to kill time; we could have voted and finished. It was moved before six and I said ring the bell before six, then you stopped me. Do you know what? We are proceeding before I listen to your points of order; I have decided that since it was moved before six, and I also stood before six, we are continuing. I am no longer going to entertain any points of order, I am done. The question is that the Motion be agreed to. Those who are saying "yes" should press two, those who are saying "no" should press three, those who "abstain" can press four. I believe you are quiet and voting because I know voting should be done in silence. You have voted, right? Order! Listen. Those who have said "yes" are 33, those who have said "no" are 10, there is no "abstain". Therefore, the Ayes have it.

Question put and **agreed to.**

**HONOURABLE MEMBERS:** Point of order.

**MADAM CHAIRPERSON:** I hope you are not taking me back because I will not allow it. I will take this but be sure you have not stirred trouble.

**MR MMOLOTSI (FRANCISTOWN SOUTH):** Thank you Madam Speaker. It is clear we are going to miss President Khama in the near future.

**MADAM SPEAKER:** You missed others even when I came in.

**MR MMOLOTSI:** I just wanted to clarify that the Presidency in Botswana carries a lot of powers. The powers which the President have, in fact his Cabinet are his advisors and the President can even take decisions alone and no one could question him. I would have loved at one point to ask the President myself to explain why he had to pardon Kalafatis' murderers, but I could not because he is nowhere to be seen. I would have loved to ask him if it was safe for him to continue talking about the Zimbabwe situation and if he would not think that Zimbabwe would attack us, how prepared are we in terms of security in the event an attack ensues? I would have loved to ask so many questions. Now I may not...

**MADAM SPEAKER:** Wait, are you debating?

**MR MMOLOTSI:** Yes, I am debating.

**MADAM SPEAKER:** He did not stand on a Point of order; he is debating amendment. The problem is that you are irrelevant.

**MR MMOLOTSI:** The time is moving but since you



are the one who is talking...

**MADAM SPEAKER:** The problem is that you are irrelevant.

**MR MMOLOTSI:** How can I be irrelevant when I am prefacing my debate?

**MADAM SPEAKER:** No, just be relevant to the debate.

**MR MMOLOTSI:** What is it that we are debating? Madam Speaker, the President's question time that we are calling for will really help us solve some of the issues which could be responded to by the President himself because he took the decisions without consulting, for some he consulted and we would know the reasons for the decisions and we would have an opportunity to ask him on those decisions. We will be looking at the fact that he has the executive powers of the Republic.

Currently at the Republic of South Africa, President Jacob Zuma responds to questions in Parliament and is doing a good job. He responds to questions in line with the country's democracy. We are said to be a democratic nation in Botswana but we cannot even ask the President a simple question. Our President only makes it to parliament twice in a year. Our former president Mr Mogae would sit in the parliament during his time to debate, and we could see him interacting with the people when we were seated at the gallery. We therefore do not know what is it that is being done when the President of the Republic remains a no go person and we cannot even ask him questions yet he has been elected by the people, and remains accountable to the nation.

These are some of the concerns Honourable Members. I am even worried that our democracy might drop because from the look of things Honourable Masisi is even going to be worse in abuse upon the retirement of President Khama. If it is going to be like this, Botswana is going to be in more problems than it is today. One could tell that he is an abusive person, for him to do this to us Madam Speaker, as responsible people, it is not right.

**MADAM SPEAKER:** You are out of order.

**CHAIRPERSON OF THE STANDING ORDERS AND REFORMS COMMITTEE (MR GUMA):** Madam Chairperson, I am the mover and I am chairing. We did consult extensively on this matter, and I remember very well when we were in Phakalane because this particular amendment was brought in by Dr Butale. At the committee, we had agreed, we were

talking about the Presidency in particular. We had said, "the President" or "his nominee"; that is what we were presenting as the first draft. At the All-Party Caucus, the assembly in Phakalane, we deliberated extensively on this matter, and we came to a conclusion to then put in the "Leader of the House" who traditionally is the Vice President.

So, what gave me comfort deliberately, I was interested in the Presidency being accountable. This role of answering questions in the House, the President can delegate that responsibility to His Vice. The relationship between the President and the Vice is inseparable. The Vice President should at all-time be a trusted, loyal person to the President. The moment he opens his mouth, he must be representing the President all the time. When people see the Vice President, they should see the President. He does not think independently because his role is to be the Vice President. They are husband and a wife.

**HONOURABLE MEMBER:** No, correction.

**MR GUMA:** They should be together. I have got no doubt about it. I want to put it on record. Let me tell you something; I consulted with the incoming President, at a personal level, he does not have a problem with coming and answering questions, but we are discussing a certain principle.

**MR MMOLOTSI:** Point of order. I just want him to correct his language because we cannot agree with him on the fact that the President and his Vice are wife and husband. Please rephrase that.

**MADAM CHAIRPERSON:** Please correct that Honourable Guma.

**MR GUMA:** No, I am not correcting it. It depends on who is the President at that point in time,. There can be a male President and a woman Vice President.

**MADAM CHAIRPERSON:** Honourable Guma, correct that.

**MR GUMA:** Madam Chairperson, I am confused, what is offensive here?

**MADAM CHAIRPERSON:** No, if others take it like that then you will have to correct and it is important to do so.

**MR GUMA:** No! I cannot. He has been offensive so many times. I do not understand what is it that I have



offended Parliament with. I can only withdraw when I have offended Parliament not an individual shouting. Now the truth of the matter is that the incoming President, not the so called, he does not have a problem, and would not have a problem because currently he is answering those questions. So, we are discussing a principle of the presidency. We have actually reached the compromise. Let me sit down Madam Speaker.

Question put and **Division called for.**

**MADAM CHAIRPERSON:** We should amend this Standing Order because you are abusing it. Can someone propose so that we amend it? It is so abused.

**MAJ. GEN. MOKGWARE:** Procedure. Madam Speaker, Standing Orders have been made for a purpose. If you remember, most of the time we are told that Parliament has agreed and it has approved this. It is important to have a record on who actually agreed and who refused. This is why there is this issue of division. That is what democracy is all about. If you can remove it, you will be removing one of the most important instruments of democracy because I want my people who brought me here, to know how I voted. So, it is very, very important.

**MADAM CHAIRPERSON:** You are abusing... Let me go to my chair.

**DR P. BUTALE:** Point of order. Madam Chairperson, I want to say this with a lot of trepidation and I do not intend to challenge your views, but I find it quite alarming for you to say, we are abusing a provision that is there in the Standing Orders. If it is there, it is there for us to use it. I think your view and opinion on how we use it, should not really come out in this House because there are instances where we felt members from the other side did the same. You as the neutral arbiter, should not really express your view as you have done now.

**MADAM CHAIRPERSON:** It is a fact. This Standing Order is being abused. I heard it very well that the Ayes were so loud, the “noes” were few. It is abuse. We are ringing the bell now for two minutes in accordance with the Standing Orders.

...Silence...

**MADAM CHAIRPERSON:** Lock the door please. I have pressed, those who are saying “yes” press two, “no” press three. You have already voted. Those who

said, “yes” are 10, those who said “no” are 27. The Noes have it.

Question put and **negated.**

Amendment **agreed to.**

Standing Order 40 (B) as amended **agreed to.**

**MADAM CHAIRPERSON:** There is an amendment at Standing Order 41.

**Amendment to Standing Order 41**

**CHAIRPERSON OF THE STANDING ORDERS AND REFORMS COMMITTEE (MR GUMA):** Madam Chairperson, thank you very much. Standing Order 41 is amended by substituting for Standing Order 41.1 with the following new Standing Order 41.1, “the Minister who wishes to make a statement shall:-

(a) inform the Speaker of his/or her wish; and

(b) submit to the Speaker a copy of the statement before the beginning of the sitting at which he/ she wishes to make the statement.

41.1.1; the Speaker may after assessing the statement, refuse to allow the statement for reasons that shall be communicated to the Minister.

41.1.2; the provisions of this Standing Order shall with the necessary modification apply to a statement made by the Leader of the Opposition under Standing Order 9.3.2”. I move accordingly Madam Chairperson.

**MADAM CHAIRPERSON:** Order! Order! The floor is open.

**MAJ. GEN. MOKGWARE (GABANE-MMANKGODI):** Thank you Madam Chairperson. I do not support this amendment. I believe that it erodes the independence of the Minister or even the Leader of the Opposition. It will seem as if the Speaker wants to censor the speech they will be delivering. I think it is up to Parliament to decide on the statements they are issuing instead of burdening the Speaker with too much work on top of several responsibilities she has. It is wrong to read Ministers’ statements and determine whether they are good or not. What is the objective of the Speaker doing that? What is the Speaker trying to achieve by so doing? It appears to me like she is censoring the speeches of people and that kills democracy. We must protect the integrity of democracy. We must protect Parliament bearing in mind the consequences of our



actions concerning Minister or Leader of the Opposition. I foresee a time whereby the Speaker will be swamped with a lot of statements that requires reading. Will she be required to correct them here and there or how will she determine whether they are appropriate or not? Unless there are reasons which are explained in this Standing Order that the Speaker can allow this kind of statement and will not allow this one. If there were reasons which were very, very clear, I would agree with this amendment, on the basis of what the Speaker will be looking for and wants to achieve by reading and correcting statement and determining whether it can be permitted or not. On those reasons, I think we will be making decisions for other people while giving the Speaker an enormous task which does not fall in her scope of work. There will come a point when somebody may feel aggrieved about the Speaker's ruling and definitely challenge the Speaker through the courts to say their statement was fine and the Speaker changes it. So I believe we should not allow some of these things. We should be jealous of guarding our democracies, trying to make it one of the best democracies in Southern Africa. With those words, I therefore reject this Motion.

**ASSISTANT MINISTER OF BASIC EDUCATION (MR GOYA):** I thank you Madam Chairperson. Madam Speaker, we must ensure that Parliament is run well like it has been the case years back. As MPs, we bring questions that we ask here in Parliament Madam Chairperson, but they do not just come straight to Parliament, your officials scrutinise them and at times they sit us down and advise on how we should phrase our questions. The same thing applies to the statements Madam Chairperson, they should be handed to you before they are made here in Parliament and you should examine them to check if they are fine. If there is something that is not worth presenting in Parliament Madam Chairperson, you have got the right to prevent such from coming here. We cannot read everything in Parliament just because we are a democracy. We should not abuse democracy and we do not want to degrade the dignity of our Parliament by reading everything. Therefore Madam Chairperson, I support the amendment made by the Chairperson of the Standing Orders Committee. Thank you.

**MR MOREMI (MAUN WEST):** Thank you Madam Chairperson. There is the issue of Parliamentary privilege, but if you back a little, there is freedom of expression. So Madam Chairperson, when you combine those issues, I do not think it is right that a Member

of Parliament who wants to talk about an issue that is happening in their constituency or when a Minister wants to address a certain issue, they will then be obscured by the Speaker's subjective positions. We are binding ourselves with a position that does not have a popular mandate from constituencies. I concur with Honourable Mokgware that we should be allowed to do our job of voicing opinions of people who have sent us and show the status of issues out there.

It could be better if Madam Chairperson could discuss issues with the MP who is bringing an issue not whereby the Speakership will be deciding on its own. As I speak, the Speakership rejected a lot of my questions in this Assembly. If you try to find out why, you would be told lame excuses and ultimately give up. So for us to say an unelected official should come here and vet our issues, we would not be doing justice to ourselves. Let us leave the Speakership out of this.

**MR MANGOLE (MOCHUDI WEST):** Thank you Madam Chairperson. Madam Chairperson, I stand to reject this amendment. When we look at it, you will realise that it is targeting the Leader of the Opposition. It is inconceivable that a Minister may want to come here to make a statement and the Speaker can have the nerve to reject it. So our colleagues that side know very well that the Standing Order will be used to block the Leader of the Opposition and the opposition to make statements in Parliament.

We do not know the basis of this amendment. Maybe if we could have been told incidents that happened in Parliament which showed that procedure is not being used or is abused, we could understand. Otherwise, it is very clear that the target is the Leader of the Opposition. It happens that a Minister can come to Parliament and make a statement on incidents that happened in Bobonong and just tell lies throughout the statement. It cannot happen that the Speaker can rise and cancel the statement, so the target is non other than the opposition. We are aware Madam Chairperson, but...

**MR GOYA:** Point of procedure. Madam Chairperson, I hear what the Honourable Member is saying and I feel the use of some words could be prohibited in this House. There is a word which the Honourable Member could use than saying the Minister was telling lies. Why do you not use words which we teach our children at home? I tell my children to say someone is not telling the truth but not say lies. It is not right to say an Honourable Member was lying and you are talking of someone



who has children. Madam, Speaker, let us speak against some of these things. Thank you.

**MADAM CHAIRPERSON:** Honourable Members of Parliament, I wish you could use proper words but you like saying, ‘you are lying, you are what,’ and I am not comfortable with those words. I concur with you. You are elders, let us respect ourselves and avoid words such as ‘shut up’. Our grandchildren are going to read these things.

**MR MANGOLE:** Thank you Madam Chairperson. I take that the Honourable Member is aware that the concern that he is raising was brought by the opposition here, as we were labelled to be telling lies. This Speakership has explained that the word ‘lying’ can be used and it is on the basis of that that we use it. There is no problem it can be used. You will recall that...

**MADAM CHAIRPERSON:** I do not remember.

**MR MANGOLE:** Madam Chairperson, you may not recall, but we sorely asked here and a ruling was made that the word ‘lie, lying’ is fine and can be used, so that is why we are using it. However, I agree with the Honourable Member that some words should not be used but the truth is that when we asked if such words... (Interruptions)... we were told that it is fine.

**ASSISTANT MINISTER OF LOCAL GOVERNMENT AND RURAL DEVELOPMENT (MS TSHIRELETSO):** Point of order. Madam Chairperson, I request that the Honourable Member withdraw that word because he has not told us the person who said it at the time he says a ruling was made that the word can be used. We never use such words, but in English it is fine when you say, “*he was lying,*” but in Setswana when you say, “*o maaka, o aka,*” it is not right and it is better to say it in English and say, “you are not telling the truth”. I do not know if ever it was once allowed in this Parliament. So, I humbly request him to withdraw, he is one person that I so much respect on the basis of his conduct. I know he is someone who could help me rebuke someone who uses this word. Thank you Madam Chairperson.

**MADAM CHAIRPERSON:** If ever we used this word in the past, then we were all wrong. Let us correct ourselves Honourable. We grew up in our Setswana culture knowing that you can rather say you are wrong than saying you are lying.

**MR MANGOLE:** Madam Chairperson, I want you to

make a ruling in this House for this to ban the use of this word because it is not polite. We will agree with you.

**MADAM CHAIRPERSON:** With effect from today, let us respect each other and stop using phrases like, “you are lying” and respect each other. Do you know that even this phrase, “shut up” is not polite? Please refrain from using those words.

**HONOURABLE MEMBER:** Objection! Objection!

**MADAM CHAIRPERSON:** No, there is no any objection let us proceed. Honourable Mangole can you recognize that they wasted your time?

**HONOURABLE MEMBER:** They did not pause his time.

**MADAM CHAIRPERSON:** He said he paused the time for point of order. I am sorry.

**MR MMOLOTSI (FRANCISTOWN SOUTH):** Madam Chairperson, I have a hiccup with the fact that whenever the Speaker is supposed to be given powers to run this Parliament she is denied them. The Speaker will just be given the powers which only favour Government so as to use her/him to their advantage. Our Speaker is not given the powers that we see other Speakers in other countries given, they are given total independence of Parliament and everything that goes hand in hand with controlling Parliament, which is not the case with Botswana. Madam Chairperson, I am worried that today this Government want to destroy even the freedom of expression in our Parliament. I do not believe that the Speaker is the one who should determine the validity of a statement. I once proposed to move the Motion of no confidence on the Speaker which I do not want to move today and I was denied by the Madam Speaker. Everyone was against it because they do not want to lose their jobs. So, this is why I believe that giving the Speaker such kind of powers is just to commit the Speaker with law which will make people hate her because if I am the Leader of Opposition and you discard my statement I will believe that the Speaker is doing that because she got the instruction from the ruling party. There is no how a person of a Parliament calibre can bring up a statement that does not have any significance in Parliament. I believe that the Leader of the Opposition or a Government Minister bring statements that they have shared with the Members of Parliament that they work with and came to an agreement. Madam Chairperson that is why, I want to propose that we delete 41.1.1 from the Standing Orders. I move accordingly Madam Chairperson.



**DR P. BUTALE (GABORONE CENTRAL):** Thank you Madam Chairperson. Let me show that this motion brought by Honourable Mmolotsi is very important because we want try to relieve the Speaker the load of being the one who control what Members of Parliament should propose or not. I believe that what we are doing here is to try to make Parliament to be independent in the true sense of the word. The Speaker will also be impartial as we expect her or him to be. Just like Honourable Mmolotsi was saying if ever the Speaker is going to take the decision about the statement that the Leader of the opposition has brought then it will be wrong because we all know how the Speaker was voted. We might end up in the situation where by she or he is going to refuse a lot of statements which are brought by the Leader of the Opposition. It is not going to be fair because all the statements which will be brought by ministers will be agreed even if there are those which do not have any importance to the nation. This motion is just trying to ensure that the Speaker does not get involved in these issues and get used by the Government or those who are in power by that time to sabotage the voice of the minority in Parliament. We should move this motion; I believe that we must be....

#### “EXCHANGE OF SPEAKERSHIP”

**MR MOREMI:** On a point of elucidation. Honourable Butale, we are all politicians, either opposition or the ruling party. So, for Speaker to make a political ruling puts those on the opposition in the wrong side.

**DR P. BUTALE:** That is very true, it just like the way you see Mr Chairman speaking so slowly to finish my time. I withdraw Mr Chairman but this motion is good for our Democracy. It will insure that our Speaker is not being told any sort words like what I wanted to say before. This is a very good motion, I believe standing order 41.1.2 should also be cancelled because when we can say “with the necessary modification” this is giving a Speaker a blank cheque now to go and censor what the Leader of the opposition has to say in the House.

**MR MANGOLE (MOCHUDI WEST):** Thank you Mr Chairperson. I stand to support the amendment that says standing order 41.1. I should be removed. Mr Chairperson, I believe removing this standing order will return back the dignity of this Parliament and of the Speaker rather than putting a Speaker in a political position. The Speakers will now be used and be told not to accept any statement that is brought by the Leader of the Opposition. There is no statement of a Minister

that is going to be rejected in this Parliament, the target here is the Leader of the Opposition. Therefore, out of respect of the position of Speakership, the poor woman should not be involved in making decisions for the Botswana Democratic Party because there is no statement by the Leader of Opposition which is going to be approved. So the objective of this amendment is to respect the Speakership and make this Parliament to be as independent as it can possibly be. Therefore, Madam Chairperson I support this amendment to remove this evilness and irresponsibility. We know that at the end of the day they are going to violate our rights and Batswana’s due their numerical advantage. They will even violate the Speaker’s rights using their numbers. We are praying that God guide them so they can think rationally and know that tomorrow they might be at the receiving end. Mr Chairperson, I support the Motion that 41.1.1 should be deleted. I also agree with Honourable Butale to delete 41. 1. 2 however it will be consequential to the deletion of 1.1. I support the amendment with those remarks.

**MR CHAIRPERSON:** Many members are standing up so it will force me to reduce time for debate.

#### CHAIRPERSON OF STANDING ORDERS AND REFORMS COMMITTEE (MR GUMA):

Mr Chairperson, I stand to oppose the amendment. My simple belief is that we have to respect an office. The Office of the Presidency, of the Speaker and the Chief Justice, the people who are appointed there, we must actually believe that at some point all the time, they must dispense justice fairly. So whenever there are state things which are being brought to their attention which are matters of public interest, he/she should be the gatekeeper. I am not talking about an individual here. I am just talking about the office. Somebody must be able to say this is really of national interest. All the time there should be somebody who is a gatekeeper and in this particular case we say we will hold you Speaker accountable, please scrutinise everything that goes out, before it reaches the public. That is the principle. We are not directing this only to Ministers. We are also saying, anybody who we have given that opportunity to stand and make public statements must be scrutinised. As Members of Parliament, we are not given that opportunity. We are not. That privilege is given only to Ministers and Leader of the Opposition. I am not. I am just asking you the Speaker, please protect us and make sure that whatever is said by those that are given that privilege, somebody must be able to say, let me check it first. That is where the principle is coming from. Of



course I know where members are coming from. The belief is that all the time, the Speaker is chosen by the majority in Parliament, that is what democracy is all about. The feeling is that he or she will always be biased towards the ruling party and so are Judges, they are appointed by the President. There is the assumption that when they dispense of justice they will always be biased towards the ruling party, otherwise we will never have a Government. You see at some point in time we will most probably be on that side, but what we need to be discussing are the principles. I remember Ms Nasha, she was a very good woman. She dispensed of...

**HONOURABLE MEMBER:** You?

**MR GUMA:** I did not vote for her, yes its true, for my own reasons. I will not question her ability to work. Just because you are doing a good job, it does not mean to say for a certain position I would not change, they say, "a wise man can change his mind sometimes, but a fool will never."

**MR CHAIRPERSON:** Honourable Guma, stop mentioning Ms Nasha's name as she is not in this House.

**MR GUMA:** What I wanted to conclude with Mr Chairperson was, "a wise man can change his mind sometimes, but a fool will never." Let me sit down, I do not support his amendment.

**MR MOREMI (MAUN WEST):** Thank you Mr Chairperson. I want to stand and address the amendment discussed on this side of the aisle. I do not recall in the recent past having a Speaker who was not a member of the Botswana Democratic Party (BDP). I would like to emphasise Honourable Moyo's statements that it is principle, of course it is principle but we can only apply it in our country if we do not appoint a Speaker who is a member of the Botswana Democratic Party then we ascribe to that person, judiciousness which is being mentioned by Honourable Guma without pinning him/her to any affiliation with the Botswana Democratic Party... Right now we want to ascribe to a person who we know 90 per cent is a member of the Botswana Democratic Party and ask him/her to supervise us and see whether the statement by the Leader of Opposition is acceptable in Botswana Democratic Party terms. Mathematically Mr Chairperson, this is a fail, we know 100 per cent if Leader of the Opposition wants to respond to some policies by the party at the other side of the aisle he is going to negate a few which do not have impact. So, to have one politician supervising another

politician is wrong. Let us support the amendment to delete this clause which restrict us to air our views about the Leader of Opposition including those on the other side even if it will be Minister presenting a statement.

**MR TSOGWANE:** I do not support the amendment tabled by the Honourable Member because we have already made amendments. Like I said earlier, we have sent and assigned our Parliament Committee, the procedure is that we submit our amendments to them, the Standing Orders Committee, so that they may review them. In future Honourable Mokgware might be the Chairperson of the Standing Order Committee and will read out the amendments we have submitted. I do not know why he is shaking that hard head of his. Is he going to refuse to read these amendments? So, Honourable Members let us support these amendments, we have already discussed them at Phakalane and we agreed on them, there is nothing wrong with them let us pass them and avoid staying up all night. Tomorrow we will be having headaches because of lack of sleep.

**HONOURABLE MEMBER:** ... (Inaudible)...

**MR TSOGWANE:** Okay, you are a fly by night pastor... (Laughter!)... this is your peak hours. So, I do not support this amendment Mr Chairperson because it will take us back to zero regarding all the amendments we have moved. It reverses our Parliament procedure, it is crooked it should be done through the normal procedure. Thank you.

**MAJ. GEN. MOKGWARE (GABANE-MMANKGODI):** Thank you Mr Chairperson. Let me also disagree with this amendment so that it does not pass. The Minister's statement is the Government's position. The statement read by the Minister is approved by Cabinet, by the Head of State. It would have been agreed as the position of the Government. I do not see the reason why the Speaker of Parliament would not agree with something like that; refusing to allow the statement and position of the Government to be brought here. I do not see the Speaker editing anything from the Minister. The truth of the matter is that here they are witch-hunting the Leader of the Opposition only. That is why when they make laws, the likes of Honourable Dow... they talk of lifting the veil to see the motive behind. If you lift the veil, you could see the motive behind. No! It is only to block the Leader of the Opposition. I have never seen anywhere where the Speaker can refuse to allow a statement by a Minister because that is the position of the Government and it is



clear. We can see what the oppression here is about. If you can pay close attention to the roles of the Speaker here at 5.1, how many they are, and you give him or her a chance to read the statements and make a ruling on them; what competencies does he/she have? What judgement, ability or capability does she have to decide whether this is of national interest and this is not? I can see that this thing is to censor, to control the statements which are from the Leader of the Opposition. Actually, what are we addressing? Has there been any statement that was wrong?

**MR CHAIRPERSON:** Honourable Mokgware, you are being asked to speak directly into the microphone.

**MAJ. GEN. MOKGWARE:** Are there any statements that were once brought here that were not in order? That is why I am saying the Speaker has many other duties. The BDP (Domkrag) Members of Parliament, Batswana are watching and they want to see what you want to do, and some of you like Honourable Slumber Tsogwane want to see themselves in those high positions. You want to oppress the Leader of Opposition by bringing in that Clause. You cannot put the Speaker in such a corner. We saw the other Member bringing a statement after a concert at which a person died. Another young person died in his own building, he said bloody nothing. He is just dead silent! He is the one person we could be asking where a statement is; why is he not saying anything about that person? I am not supporting it Mr Chairperson.

**MR NGAKA (TAKATOKWANE):** Thank you Mr Chairperson. I am just wondering where there ever was administration where no one was overseeing what was happening. Where exactly? Honourable Guma Moyo was talking about a gatekeeper. Where has there never been anyone who reviews how the day to day dealings go, as you are gathered there? What you are doing. If the Honourable Members can say the BDP is amending these Standing Orders for itself; or any party is amending them for itself against them; in other words, they are showing that they have given up on ever having an opportunity or chance to be in power. Someone might also think they are opposing because they want things to favour them. That makes it very clear that when some of us speak, we are not very careful with what we are saying. Some do not wish that in future this Parliament should produce robust laws that will be going to the nation; showing that indeed, as we are gathered here, we have come to work. We cannot sit here in Parliament without reviewing anything; allowing anybody to just

bring a statement to be read and passed. The Speaker not having even seen it. What exactly would we be doing? Should everybody bring a statement? In future as Members of Parliament, we will also say we should be allowed to present statements. This is where we are leading to. We cannot stay in Parliament. What will it look like? It will not be proper. If you have given up on ever triumphing over the ruling party, whether in Parliament, in governance, or wherever, governing is a challenge. It implies a heavy load, a burden, you do things diligently together, and it implies a high level of responsibility. Tomorrow you will not say, "We wanted to do this not that." That is why somebody has to scrutinize whatever that comes, and that which goes out. That alone shows responsibility in the ruling party. It shows high responsibility in our party, and that we are accountable for what we are doing, that there is a gatekeeper somewhere, whom in future will say "this is not right, take back that statement and correct it; it would read better when it is crafted like this," or even say "we do not really need it." We do not want it to just be open-ended, not knowing how exactly it is shaped. Thank you Mr Chairperson.

**MR NKAIGWA (GABORONE NORTH):** Thank you Mr Speaker. Citizens of Zimbabwe did something for themselves. What I have observed is that the President of Botswana supported the people of Zimbabwe when they did what is called "faith without works is dead." I wish what happened in Zimbabwe could happen in this country. If some people think some people do not realise that the things they are doing are not good for this country, I am telling you if the President of Botswana believed that what was done by the soldiers in Zimbabwe was right, I wish Botswana soldiers could do what was done in Zimbabwe; helping us to deal with the BDP (Domkrag) Government. I believe in the 50 years of governance, there is nothing to write home about and say anything which benefits Botswana which you have done. What we are only seeing are laws that are so regressive, they are taking us way back. I am a victim of submitting a Motion and a Minister's question to the Speaker's office, having been sent by my constituents. When they reached there, they got rejected. When you look at this amendment, its main objective..., Honourable Members, we are not children, we are adults. If there is anyone who thinks that we are young boys, that we are children, we are not children at all. Anything that you will bring to us..., Honourable Kgathi you do not have any superior mind or brain to mine. Your head is just full of a lot of water.



**MR CHAIRPERSON:** Order! Withdraw that. You are out of order.

**MR NKAIGWA:** I withdraw that statement Mr Chairperson. That is why I was saying when you look at this issue Mr Chairperson...

**MINISTER OF DEFENCE, JUSTICE AND SECURITY (MR KGATHI):** On a point of order, Mr Chairperson. A deacon caught in the middle, who is already losing faith, even the school that I went to, you cannot go to it. You are not even fit to be my student. I do not know why you are just failing to focus on the matter on the table. I request that he should withdraw the statement he uttered about me.

**MR CHAIRPERSON:** No, but he has already withdrawn.

**MR NKAIGWA:** That is what I am talking about Mr Chairperson. Someone just sleeps, and when he wakes up, he says I should withdraw. I do not know what it is that should be withdrawn, that he was dreaming about.

**MR CHAIRPERSON:** Honourable Member, the topic at hand is an amendment that was proposed by Honourable Mmolotsi. Proceed along those lines.

**MR NKAIGWA:** Mr Chairperson, if this thing can pass I want to implore all opposition parties and even the civil society to arise and go to court to fight this paper. The Standing Orders are not supreme to the Constitution of Botswana. Freedom of expression is enshrined in the Constitution of Botswana. We shall not allow Standing Orders that are going to oppress us to pass in parliament. I am telling you, this is just a joke. This thing will not pass the test of law in any Court...

**MR CHAIRPERSON:** Time up!

**MR NTLHAILE (JWANENG-MABUTSANE):** Thank you Mr Chairperson. I stand to support the amendment that standing order 41.1.1 be deleted completely. We are talking about democracy and democracy should not regress, it is progressive. We are also looking at the fact that there is separation of powers; that is what the government is running the nation with. We have never seen anywhere...

**MR MMOLOTSI:** Procedure. I just wanted to check if we are still in order if a Member could move for an extension of hours and then they leave? Since he is not in Parliament, for whom did he move a motion of extension of hours?

**MR CHAIRPERSON:** That is not procedure and he was extending the hours for this House to proceed working until that time.

**MR NTLHAILE:** Mr Chairperson, this is an abusive proposal, I do not know if witchcraft is a proper word but the procedure is just not okay...

**MR CHAIRPERSON:** I advised you against that word "Witchcraft"

**MR NTLHAILE:** That is why I said I am wondering if it is a proper word.

**MR CHAIRPERSON:** Yes, then why are you using it?

**MR NTLHAILE:** No, if it is not proper, I withdraw it. Separation of powers is there and there is no how we can support the proposal that has been made. Secondly the Speaker has been given all powers and privileges at Standing Order 5. Those powers allow them to effectively run Parliament and it will be embarrassing if we are to continue to give the speaker the powers she already has through back door, which come through his proposal. I therefore support those Members who are suggesting that this proposal is not legit and therefore we should not support it. Standing Order 41.1.1 should be deleted because the bottom line is that there is a plot to deter the leader of opposition. That is the target which we have realised because there is no how the speaker could attend the government business because the Speaker is a part of Parliament and works with Members of Parliament, and can deter Members of Parliament as well as Leader of Opposition.

**MR CHAIRPERSON:** Time up! Order! Order!

Question put and **Division called for.**

**MR SPEAKER (MR MOLATLHEGI):** Order! Please lock the door. Order! I am activating voting. Those who are voting for yes, please press two, for no please press three and for those who are abstaining please press four. Please vote. Are you done already? These are the results: for yes we have 8, and those who have said no are 26. Therefore, the Noes have it.

Question and **negated.**

**MR MMOLOTSI:** Procedure. Mr Chairperson, since it looks like we will be here until late, why can the Parliament not arrange for dinner? I doubt we are going to adjourn before 2 am.



**MR SPEAKER:** Even if you are going to work past 12 midnight, there is no dinner for you, you will eat those sweets provided. Let us work! Order!

**HONOURABLE MEMBER:** Point of order.

**MR SPEAKER:** Be mindful of what you want every time you interject. I am in the process of concluding, allow me to conclude then you can proceed and ask whatever you want to ask. Be mindful of that.

Amendment **agreed to.**

**HONOURABLE MEMBER:** Point of order.

**MR CHAIRPERSON (MR MOLATLHEGI):** Honourable Lelatisitswe learn to listen, I said allow me to conclude then you can proceed to ask what you want to ask. Take it easy.

Standing Order 41 as amended **agreed to.**

**MR CHAIRPERSON:** Honourable Members, the question is that Standing Orders 42 to 43 stand part of the Standing Orders.

Question put and **Division called for.**

**HONOURABLE MEMBERS:** ... (Murmurs)...

**MR CHAIRPERSON:** I did not hear you, I am calling a division, I want to take the numbers.

**HONOURABLE MEMBERS:** ... (Murmurs)...

**MINISTER OF LAND MANAGEMENT, WATER AND SANITATION SERVICES (MR MAELE):** Procedure. Mr Chairperson, in terms of the Standing Orders, there is no way the Chairperson can call a division. The Chairperson only listens to the preponderance of the voices, the member can be the only one who did not hear, it cannot be the Speaker. In terms of Standing Order...

**MR CHAIRPERSON:** Order! Honourable Maele, do not do that. Read the whole of Standing Order 62.

**HONOURABLE MEMBER:** Send him out.

**MR CHAIRPERSON:** You are voting, as for you, read Standing Order 62.

**MR MAELE:** No, Mr Chairperson, it is not the one. With due respect, procedure.

**MR CHAIRPERSON:** I said you should read Standing Order in its entirety, 62 (a), (b), 62.1...

**MR MAELE:** I have read all of it, let me explain.

**MR CHAIRPERSON:** What are you explaining?

**MR GUMA:** Procedure. The Chairperson's ruling is final; can we proceed?

**MR CHAIRPERSON:** Honourable Guma, Standing Order 62.1 says, "Speaker to order division in certain circumstances" 62. 1 (b) "the Speaker is unable to judge the preponderance of voices on either side." Now this is a circumstance. I did not hear the...

**HONOURABLE MEMBERS:** ... (Laughter!) ...

**MR CHAIRPERSON:** I was not able to judge the preponderance of your voices. So I am in order.

Order! Order! The question is that Standing Orders 42-43 stand part of the Standing Orders. Vote. I am stopping. Here are the results; those who said "yes" are 29, those who said "no" are 7. Therefore, the Ayes have it.

Standing Orders 42-43 **agreed to.**

#### Standing Order 44

**CHAIRPERSON OF THE STANDING ORDERS AND REFORMS COMMITTEE (MR GUMA):** Thank you Mr Chairperson. Standing Order 44 is amended by inserting immediately after Standing Order 44.2 the following new Standing Order-

44.3, "a Member shall not move more than two Motions in every meeting",

44.4, "a Member may move more than two Motions in a meeting where there are no other Motions for that meeting." I move accordingly Mr Chairperson.

**MR CHAIRPERSON:** Order! The question is that the amendment be agreed to. The floor is open.

**MR LELATISITSWE (BOTETI EAST):** Thank you Mr Chairperson. I support this Motion because the system that we have been using of first come, first served, allowed a member to go and pile his or her Motions and sometimes they are all questions which can block Order Paper and this did not give other Honourable Members a chance to bring Motions. We will then be subjected to listening to one member asking questions that he or she could have asked the Minister. In short, I believe that it is a good motion which we must all support so that as Honourable Members, we might have an opportunity of our Motions being heard in this House. Thank you.



**MR NGAKA (TAKATOKWANE):** Thank you Mr Chairperson. I also support my colleague. It is a matter of giving each other chance as Honourable Members in this Parliament. Sometimes in a first come, first served scenario like Honourable Lelatisitswe said, you are going to find that one member has lined up several Motions which come one after the other. If it happens that he or she is absent from Parliament, sometimes on official business outside the country, or sick or held up by personal matters, you will find that the Parliament proceedings are affected just because of that one member. This results in maybe a Motion which was at the bottom of the list expedited to the top and sometimes the mover of that Motion was thinking he or she still had time to prepare for it and it ends up messing things up. This will now give members chance to present their Motions knowing that one member has two spots available for him or her. Yes, in an event where there are no Motions brought forward, a member can move more than two Motions. If there are some in the pipeline, then a member can just present two and give others a chance. Thank you.

**MR MMOLOTSI (FRANCISTOWN SOUTH):** Thank you Mr Chairperson. I have noticed that increasingly Parliament has shocking intentions of gagging Honourable Members. The main job of the MP is to bring people's opinions to Parliament. As ordinary MPs, the only opportunity that we have to bring issues here is through Motions. We have realised that there are people who do not come with Motions at all and there are those who bring Motion from time to time. We already have a situation whereby some MPs never bring Motions, for example; Honourable Guma Moyo has never brought up any Motion, so we cannot desire to have that prevail throughout.

That is why I do not agree with the number two because it is too restrictive. Therefore Mr Chairperson, I beg to request that Standing 44.3 be amended to read, "a member shall move not more than three Motions in every meeting" and then move an amendment at 44.4 which reads, "a member may move more than three Motions in a meeting where there are no other Motions for that meeting". That is my suggestion Mr Chairperson because I believe two is too restrictive but three is better. If you can recall, the last week Friday Order Paper had Motions of about three Members. So that means most MPs do not bring Motions.

**MR CHAIRPERSON:** Order! Wait Honourable

Mmolotsi! If you look at 44.4, it states exactly what you want. Have you read it?

**MR MMOLOTSI:** Yes Mr Chairperson. It is consequential. I am amending two Motions, and then at 44, I have to say more than three because 44...

**MR CHAIRPERSON:** No! No!

**HONOURABLE MEMBERS:** ... (Laughter!) ...

**MR MMOLOTSI:** No! No! No! That is it Mr Chairperson...

**MR CHAIRPERSON:** Honourable Mmolotsi, what you are saying is answered at 44.4, so, what you are looking for is already there.

**MR MMOLOTSI:** No, it is not Mr Chairperson. Listen to this, "a member shall move not more than two Motions in every meeting". Now, I am saying, let it be, "a member may move more than three Motions in a meeting." It is the same, initially it was said that the only difference here is that I have removed two and put three.

**MR CHAIRPERSON:** Honourable Mmolotsi, go through those amendments as they appear. Look at them first and understand what they are saying.

**MR MMOLOTSI:** I understand them.

**MR CHAIRPERSON:** No, I do not agree.

**MR MMOLOTSI:** Listen Mr Chairperson, let me explain to you 44.3 according to the proposed amendment by the Chairperson, it says, "a member shall move not more than two Motions in every meeting", so, what I am saying is that I want to...

**MR CHAIRPERSON:** What does the next one say?

**MR MMOLOTSI:** Sir? 44.4 says, "a member may move more than two Motions in a meeting where there are no other Motions for that meeting". Do you now see what 'for that meeting' means? So, that is why I am saying the only thing that we have removed is two and replaces it by three in both cases. There is no way it can confuse anybody. It is straight forward, unless Mr Chairperson is the proposer. You should not have included number one because as long as it is there, number two will also be there.

**MR CHAIRPERSON:** Your time is up!

**MINISTER OF LAND MANAGEMENT, WATER AND SANITATION SERVICES (MR MAELE):** Point of procedure. Mr Chairperson, bear with me sir,



with due respect I request that we correct the grammar of this amendment. I understand the intention and I am saying so because look at 44.3 Mr Chairperson, it says, “a member shall move.” The correct grammar would not read “a member shall move not more than two Motions in every meeting.” It implies that every member is obliged to move. We should replace that “shall” with “may”. I hope the Parliamentary Counsel will correct us. So when we go to 44.4; “a member may move more than two Motions in a meeting where there are no other Motions for the meeting,” is wrong. The principle here is that a member can move other Motions if we have dispensed all other Motions, but here it does not say so. Rather it says, “a member may move more than two Motions in a meeting where there are no other Motions for that meeting”. That means Motions left will be for that member only, but that is not the principle...

**HONOURABLE MEMBER:** ... (Inaudible)...

**MR MAELE:** No, it is the grammar here. That is not the principle we are talking about. The grammar here is saying a member “shall move two Motions,” “shall” we should use “may”. The second one says, “a member shall move two Motions in a meeting where there are no other Motions for that meeting,” it is wrong. That is why I say we should correct this grammar.

**HONOURABLE MEMBER:** The first one should be “shall not move”, ‘shall’ is still and must be there. It should be “a member shall not move more than two Motions...”

**HONOURABLE MEMBER:** Correction.

**HONOURABLE MEMBER:** Procedure Chair.

**HONOURABLE MEMBER:** We are together.

**HONOURABLE MEMBER:** Point of procedure.

**MR CHAIRPERSON:** Wait with procedure. Just relax.

**HONOURABLE MEMBER:** Procedure Mr Chair.

**HONOURABLE MEMBER:** Mr Chair what are you thinking?

**MR MAELE:** ... (Inaudible)... nothing Mokgware, shall not move more than two Motions. Read it as thus. Mr Chairperson Mokgware does not know English/ conversant in English.

...Silence...

**MR CHAIRPERSON:** Pardon me Honourable Members; I was still dealing with something here. Honourable Maele stood on procedure and highlighted that mistake, but he cannot make an amendment on procedure. That means I will leave him for now, but I have noted his advice. We are going back to Honourable Mmolotsi’s amendment, when we finish it, that is when we will see how we proceed with it. Alright! Are we together Honourable Members? The floor is open.

**MR MOLEFE (MAHALAPYE WEST):** Thank you Mr Chairperson. I also rise to support Honourable Member on the amendment of Standing Order 44. Mr Chair, we talked about this issue of Motions at the workshop in Phakalane. It also came up...

**HONOURABLE MEMBER:** ... (Inaudible)...

**MR MOLEFE:** By Wynter? Mr Chairperson, I stand to disagree with the amendment that the Honourable Member has proposed. Mr Chair, the Honourable Member is only trying to delay us while we are talking about the same thing. The issue of two Motions does not start here. If the Honourable Member says they should be three and not two, the difference between those figures is too small to take Parliament a lot of time deciding on them. Looking at Standing Order 44.4 A, if those two motions pass, the Honourable Member will not have time to add his motions again. Therefore, I do not agree with Honourable Mmolotsi’s amendment.

**DR P. BUTALE (GABORONE CENTRAL):** Thank you Mr Chairperson. I take it that if ever you listened to Honourable Mmolotsi well, you could have heard that he said that this Standing Order is included just to try to silence Members of Parliament. We are all aware that from Monday to Friday Members of Parliament will be seriously discussing Government business. So, reducing the number of motions on Fridays which is the only day for moving motions is just trying to silence them, we can all see that the allocated time is not enough for all of them. I agree with what Honourable Mmolotsi has proposed that we must increase the motions from two to three.

I heard Honourable Molefe saying that two or three is just the same, you can imagine the difference that can be made by one Motion in the policies running this country. Adding one motion on top of two can revolutionise our policy trajectory in this country. So I believe you should let us not downplay the role of the Members of Parliament (MPs) and get into the issue of us adding



motions to three. The reason why he said we should add three motions here is because Standing Order 44.4 takes care of what he is trying to say. The context here is that if each Member of Parliament has brought two motions it means 44.4 does not come into force because then it means Members of Parliament are just going to bring only two motions. This is what we are trying to correct that in the event the Members of Parliament bring two motions each then there is no chance that they can add another motion. Let us increase them up to three and not silence the Members of Parliament like that. That is what we are trying to do.

I agree with Honourable Maele that we should amend standing order 44.4 and 44.3 like he was saying.

**MR CHAIRPERSON:** Your time is up.

**CHAIRPERSON OF THE STANDING ORDERS AND REFORMS COMMITTEE (MR GUMA):**

Mr Chairperson, this sitting is two months, the next sitting is probably three months, now we always have four weeks. Now, how many Members of Parliament are there? Do your maths. If you are then as a Member given four hours, it means in one weekend, only one Member speaks. So, the attempt in here is to allow every Member to have an opportunity to have his voice heard, equitable distribution of time. You cannot come in here as an MP and be blocked by some ... it is now a law of physics, how strong is this one, who goes into the door first and blocks others. We have it here, even if you look into the Order Paper, all the Motions that are in here, maybe about 15 Motions belong to one person, he is the Member of Opposition and it is only your voice.

I have been elected as well to represent my people but I cannot go there, shout and push around other people, I stop and find other ways of talking to people. What we are basically saying is that, give every Member an opportunity to represent his people and let his voice be heard. Let us have a procedure and a system that allows everyone though a Standing Order to be able to bring a Motion, research properly and be assisted. Every Member must be able to bring a Motion but where there is no Motion on the floor, we can then allow you to put it on, that all of us will come back and say, "I was am not supposed to go and fight for my motion to come first because I will have my chance." that is the whole import of this amendment. I thank you Mr Chairperson, I have spoken.

**MR LELATISITWE (BOTETI EAST):** Thank you Mr Chairperson. Honourable Guma has addressed the

point that I was going to address, how many weeks do we take here in a sitting? The duration that we take here in a sitting is the one that causes this proposal of two motions per Member. This is the procedure that we should follow so that we could also have time. Sometimes we get reluctant to bring motions looking at the questions that are normally brought here which are referred to as motions, we will then become reluctant to bring motions because we know they have congested the Order Paper. I agree with the idea of having only two motions, and these two... I know Honourable Mmolotsi is being naughty (*chekanism*.) He says it is catered for on 4. 2..

**MR CHAIRPERSON:** Honourable Member, we do not allow those words in Parliament.

**MR LELATISITWE:** I withdraw... (*Chekwanism*) is English Mr Chairperson.

**MR CHAIRPERSON:** Honourable Lelatisitswe, I said that word is not allowed in this House. You can use it while you are outside this Parliament, not here.

**MR LELATISITWE:** I have withdrawn. I was still saying that three has been catered for in terms of when there is no one who has any other motion. The motion of whoever is available can then be discussed. I take that we should be realistic, we cannot add three motions, atleast if they were making an argument that this thing should not apply only on Fridays, in that way I would support them. If it is only Fridays and it is two hours, no I cannot support such. I think Motions are fine.

**MAJ. GEN. MOKGWARE (GABANE-MMANKGODI):**

Thank you Mr Chairperson. We can really see that slowly by slowly we will be denied access to debate. Wrong decisions are taken for Members of Parliament. We all know motions are not being moved because responsible Ministers are always absent on Fridays. So, to try and legitimise their absence on Friday, you are bringing a motion that will preventing people from bringing their motions. No I do not agree with that. I believe that we should increase the motions to three and erase this second sentence that says it will not be worthy. If I work my maths very well just like Honourable Guma was doing, we are 17 this side and there are 11 that side of the aisle, the total is 28 Members even though we know that some of them are going to be absent by the time they will be needed. There are some Members of Parliament who have never come to Parliament ever since they were voted, some have never brought any single motion or question, they



are going to complete their five-year term without any question or motions. So, you cannot starve the rest of the people because of those who never bring motions. This is the reason why I support Honourable Mmolotsi's amendment, let us remove the word "shall" and put three motions and get way 44.4A. It should read like "a Member may move not more than three Motions in every meeting" That way it is reasonable, it is okay, it does not need a second sentence. Most of the people who bring motions are from the opposition, so, you are trying to stop us from debating in Parliament by bringing Standing Orders that will bar us from debating. We should be fair Honourable Members, we should know the reason why we amend Standing Orders, what are we addressing? Why are we addressing those? What is wrong? If we amend as is the case now, will it improve performance of Parliament? I do not think so, but having three Motions does not change anything. Let us increase with one Motion and delete 44.4 (A) and take it as Minister reads it then we only have one that says, "a member may move not more than three Motions every meeting." So if we can do that it will be okay. There will be no need for the second sentence.

**HONOURABLE MEMBER:** Correction.

**MAJ. GEN. MOKGWARE:** That is what his amendment calls for...no you debated uninterrupted. I support Honourable Wynter Mmolotsi in his amendment.

**MR CHAIRPERSON:** Your time is up Honourable Mokgware.

**MR MARKUS (MAUN EAST):** Thank you Sir. Let me indicate that in this world know that there is Satan and Jesus. Satan never agrees with God and Jesus in anything no matter how good something is so even in life the opposition are like Satan, listen carefully, the opposition even if the ruling Government tries with all their might, they will never agree with us. It is a fact.

**MAJ. GEN. MOKGWARE:** Point of order. Chairman, we will be out of order if we can allow that analogy that is being used by the Honourable Member about God and Satan when he says we are like Satan. If we allow it...he can explain as best as he can, but the gist of the message is that we are Satan and they are God so we cannot allow that. Can he withdraw. It is a comparison which is quiet offensive.

**MR CHAIRPERSON:** Honourable Markus, I agree with Honourable Mokgware. Order! The example you gave is not good, it shows that those who do not support

are Satan and those who do are Jesus. You gave a wrong example. Withdraw Honourable Member and give another one if you want to give examples.

**MR MARKUS:** Your Honour, you did not hear me and they also did not. I gave an example about Satan and Jesus. So I said if Satan...

**MR CHAIRPERSON:** Honourable Markus, I was listening.

**MR MARKUS:** I withdraw although I did not say that. Opposition never agrees to anything no matter how good an idea is, not even once, that is why they are keeping us all night discussing things which we discussed at Phakalane. We even agreed and passed them but they now want us to keep us up and show people that, "as the opposition we can talk."

**MR MMOLOTSI:** Point of order Mr Chairman.

**MR CHAIRPERSON:** You have finished Honourable Markus? Finish, he will get a chance.

**MR MMOLOTSI:** No, point of order Mr Chair.

**MR MARKUS:** I was saying the many amendments we agreed upon...

**MR MMOLOTSI:** No, he is out of order.

**MR MARKUS:** He also agreed to them at Phakalane.

**MR MMOLOTSI:** No Mr Chairman, this man is out of order.

**MR MARKUS:** They are making us to stay up all night today. Recently we were at the General Assembly and they were asked to raise their concerns but they chose to raise them in Parliament and make noise so that they show people that they are representing them while they are raising baseless arguments...

**HONOURABLE MEMBER:** Point of order Mr Chair.

**MR MARKUS:** They are just wasting our time here. There is nothing they are saying here.

**HONOURABLE MEMBER:** Point of order Mr Chair. We are not here for this man. If he wants to leave, he can leave.

**MR CHAIRPERSON:** Order! No, do not be out of order even if your opinions differ. Honourable Butale, Honourable Mokgware, Honourable Ntlhaile...

**HONOURABLE MEMBERS:** ...(Murmurs).



**MR CHAIRPERSON:** Honourable Mokgware, sit down. No, Honourable Members, if you do not like what is being said you should act like Honourable Members and call for a point of order or procedure rather than standing up to go and fight him Honourable Mokgware. It is not allowed. Let us choose our words carefully Honourable Members, I want us to have progress, I am not prepared to stay here overnight.

**MR MARKUS:** I remember one time...

**MR MMOLOTSI:** Point of order Mr Chair.

**MR MARKUS:** The time we were here...

**MR MMOLOTSI:** Point of order. Mr chair, since you are listening, you could be calling Honourable Markus to order, he should not shift the blame to us because he is afraid of the Vice President. The Vice President is the one who extended the business hours not us. So if he alludes that we want them to stay here all night without being straightforward and telling the person who extended the hours.

**MR CHAIRPERSON:** Yes, I knew that you were going to go there. I have been informed there is another Business Motion, so I will allow you to move it now. Honourable Markus you are still left with 1 minute and 4 seconds. I will call you later.

**MR SPEAKER (MR MOLATLHEGI):** Order! Honourable Members, I am informed that there is Business Motion by the Leader of the House.

### BUSINESS MOTION

**LEADER OF THE HOUSE (MR MASISI):** Thank you Mr Speaker. Mr Speaker, I beg to move in terms of Standing Order 27.1 that today's sitting of the Assembly be extended by three hours to allow for the conclusion of the adoption of the draft amendments to the Standing Orders. I thank you.

Question put and **Division called for.**

**MR SPEAKER:** Ring the bell two minutes. Order! Honourable Members, time to vote. I am activating voting. Those who vote "yes" press 2, "no" 3, those who abstain press 4. You finished? Those who voted "yes" are 28, "no", 9 no one abstained. The Ayes have it. We have extended our sitting until 11pm.

Question put and **agreed to.**

**MR CHAIRPERSON (MR MOLATLHEGI):** Order!

Honourable Markus, you were on the floor, please continue.

**MR MOSWAANE:** On a point of order. Yes sir, I just wanted to advice on something because it seems we are out of order. The main point is not to confess our sins nor to mention what we are suffering from; some of us are diabetic. We love our job, but you should make a proper arrangement. We cannot be going out one by one, going to Nandos, or wherever. I am requesting you to take a decision to protect the Members of Parliament against ill health because it is way past everyone's supertime. I do not necessarily want to count for you, but there are 16 diabetics in this very House. So we are risking indeed.

**MR CHAIRPERSON:** Yes sir, but I have already made a ruling regarding what you have just said. I have passed it; we are not going to buy any food. You agreed to increase the time, so let us work.

**HONOURABLE MEMBER:** Point of order Mr Speaker.

**MR CHAIRPERSON:** No, I will not argue about it Honourable Moswaane.

**HONOURABLE MEMBER:** I am saying point of order Mr Speaker.

**MR CHAIRPERSON:** The last one.

**MR MOSWAANE:** I am talking about health Speaker, health is very important. You cannot take such a risk and you cannot use your powers over issues of health, not at all. You cannot win against that one Mr Speaker. We cannot afford to have you using your powers over that one; you will rather be apologetic and find some ways.

**MR CHAIRPERSON:** Order! Honourable Members, I am done with the issue of food. We are not going to buy any food tonight, you are going to work. Anyone who feels a bit pressed by hunger pangs can go and find something to bite.

**MR MARKUS (MAUN EAST):** I was still saying I remember that sometime back when we started, towards the beginning of this year, Honourable Moswaane brought many Motions, he was the only one on the list. Members on the other side of the isle started complaining and asking why it was Honourable Moswaane only. Now they are the ones who are changing again saying Motions should be many. I am wondering what kind of people we are working with. We would really like



to understand how they are because we work together. We are not working together properly because they are confusing us. Tomorrow they are this side, the next day they are here; they are all over. How can we understand exactly what you want? You will soon confuse even your electorates because you do not understand yourselves. I mean, sort yourselves out and see how you fix things.

**MR NKAIGWA (GABORONE NORTH):** Thank you Mr Chairperson. Mr Chairperson, I am a Chairperson of a Committee on Rights and Privileges. I believe when things turn out like this, we have to consider the fact that Members of Parliament keep doing a meticulous job. I want to request something from you; I want to make another one to the Vice President; you know I thought that you are one of the few leaders that respect a family. A family is something that is very important. We cannot come to Parliament and keep increasing the hours of work as if we are not married, as if we have no wives. Our wives are waiting for us at our respective homes; our children also want to see us. We cannot come here and...

**HONOURABLE MEMBERS:** ... (Murmurs)...

**MR NKAIGWA:** We need to respect marriage, we need to respect family.

**MR CHAIRPERSON:** Honourable Nkaigwa, focus on the amendment to Standing Order 45.

**MR NKAIGWA:** I am focusing on the amendment. That is why I am saying I am a Christian Mr Chairperson. A Christian is someone who respects marriage very much...

**MR CHAIRPERSON:** Order! Honourable Nkaigwa, I do not believe you have extended time to come and talk about things that have nothing to amendments. Focus on the amendments, if you do not have anything to say, there is nothing wrong with just keeping quiet and sitting down. Please, let us save the time, and focus on what is on the floor.

**MR NKAIGWA:** Thank you Mr Chairperson. Mr Chairperson, a 'night vigil' (*kalola matlho*) exists in Parliament. We can spend nights looking at Clauses as we are doing tonight. I am saying this because I had hoped Honourable Members will support the amendment as proposed by Honourable Mmolotsi, showing that indeed on Fridays we do not have enough time to consider Private Members' Bills. This shows we are not considering ourselves. When the Government is

using us, asking us to have a night vigil by increasing the time, we see that as normal. When it comes to us, to increase the number of Motions to at least three, to extend the Friday time so that we would be able to address as many of our Motions as possible, a Member would say no we cannot afford to do that. Now I wonder why we would fail to increase the time as we keep increasing the time in Parliament. Considering the fact that these Motions are not ours, they are for those who have sent us to Parliament. I do not have any Motion that is mine personally. All the Motions that you see on the Order Paper which are under my name, belong to the electorates in Gaborone North, and they wish to hear them being debated in Parliament. If one is like Honourable Moyo Guma, who has never brought even a single Motion since he came to Parliament, yes, indeed, he can support such things because he does not see the value and importance of a Motion at all. I believe we have come here for Motions. We have come here to make laws. That is why I am saying I totally concur with Honourable Mmolotsi's statements that we should amend these Standing Orders so that they would work for us. I believe there are no issues with time; there is plenty of time that we can use to debate our Motions. I have eight Motions in this Parliament, when you say two you are literally saying I should forget about the other eight because they will not be debated. That is why I am saying let us extend our time as we keep doing so that we manage to pass Bills. Honourable Members, you should be aware that all the Bills that we passed during the night will never the light of day. Electronic Voting Machine (EVM) is at court; even the one that you are going to pass at night will go to court. I am telling you, you are wasting our time.

**MINISTER OF LAND MANAGEMENT, WATER AND SANITATION SERVICES (MR MAELE):** Mr Speaker, thank you sir. Let me point out that I support the principle of how the Standing Order has been captured, and possibly in my understanding try to allay the fears of my colleagues from the opposition and say what the Clause seeks to achieve or do is even to give them more than the three that they want in terms of the 44.4. I am not sure whether they have read it properly. The 44.4 is going to make it unlimited. However, Mr Speaker, I wanted to say the drafting of this Standing Order is not quite good. I kindly request to amend this amendment Mr Speaker just to correct the drafting of this Standing Order. My request is that on 44.3 we should say, 'A Member shall not move more than two Motions in every meeting...'



**MR CHAIRPERSON:** Look, Honourable Maele, do not make the load heavy for me. Just hold on to your amendment. I have explained that I want to dispose of Honourable Mmolotsi's amendment, and then I will come back to you so that you make other amendments. If you pile them, and it becomes amendment to amendment, we might end up making errors.

**MR MAELE:** I did not hear you sir, sorry. Which means I will wait for us to finish this one first.

**MR NTLHAILE (JWANENG-MABUTSANE):** Mr Chairperson, I also support Honourable Mmolotsi's proposal because the situation we are experiencing; whereby when we are supposed to increase our time as Members of Parliament, and do the job that we have been sent to do, this is the point we should be focusing on. That is why I am saying I support Honourable Mmolotsi's amendment proposal, that we should increase these Motions, instead of saying two we should say three. Right now we are literally spending the night in Parliament, doing Government's work, but as Members of Parliament we are putting ourselves in position to be abused by the Government, yet we have been sent here by the people. We cannot sacrifice our motions for the government business. As Members of Parliament we have to balance these things. That is why I am saying that the upcoming trend in Parliament...

**MR GUMA:** Correction. I just want to correct this. This is not Government Business; it is Parliamentary work. This work is being brought in by a Committee of Parliament, to this Parliament. It is not Government Business. I wanted to correct that sir.

**MR CHAIRPERSON:** Honourable Ntlhaile, do you hear that?

**MR NTLHAILE:** I am trying to talk about the net effect for change which has been proposed that at the end of the day works for the government, and does not work for us as Members of Parliament. That is the trend that is being set Mr Chairperson. As Members of Parliament we should be in a position to stand our ground and represent our constituents in this House and we should agree on that. Let us show that we value our electorates by giving Members of Parliament a chance to represent them in Parliament. That is what I want to put across Mr Chairperson. I have to emphasise that I do support the proposal brought by Honourable Mmolotsi that we should increase the number of motions from two to three in every meeting. I just wanted to put that across.

**MR CHAIRPERSON:** You know what, if you continue speaking in hush tones, I will adjourn this House and then go home if you are not going to participate in this process.

**HONOURABLE MEMBERS:** ... (Murmurs) ...

**MR CHAIRPERSON:** No, I will start afresh.

Question put and **Division called for.**

**HONOURABLE MEMBER:** Procedure.

**MR SPEAKER (MR MOLATLHEGI):** No, I have ordered division. There can never be procedure. You vote first. Vote! Those who support please press two, for those who do not support, press three, Order! Silence! I am stopping this side. These are the results: the ayes are nine, the noes are 23 and there are no abstentions. Therefore, the Noes have it.

**Amendment negated.**

...Silence...

**MR SPEAKER:** Order! Sit down. Honourable Olopeng, what are you reading?

...Silence...

**MR CHAIRPERSON (MR MOLATLHEGI):** Order! Honourable Members, the amendment as proposed by Honourable Mmolotsi has not been carried, so we are going back to the original amendment as proposed by the Chairperson of the Standing Orders and Reforms Committee.

**MINISTER OF LAND MANAGEMENT, WATER AND SANITATION SERVICES (MR MAELE):** Mr Chairperson, I had started the debate on Honourable Mmolotsi's proposal after I realised that the Chairperson is bringing in issues of equity. As a backbencher, some of the Motions, during our times, we found that peroration comes because somebody has put their many motions and ours could not be debated. I do support the principle because it is purely equity that is being said here. I am thinking therefore that we should consider crafting the drafting. I take it that the Parliamentary Counsel (PC) will rectify that. At 44.3, I was thinking that maybe we could say, "a member shall not move more than two motions in every meeting." I do not know if I should move on to 44.4 Mr Chairperson?

**MR CHAIRPERSON:** Did you say may or a Member?



**MR MAELE:** We should rearrange those words, “*a Member shall not move more than two Motions in every Meeting.*” It should read as thus. The other one reads as proposed by Honourable Mokgware. I think it could be proper like that. I do not know if I may proceed to 44.4.

**MR CHAIRMAN:** Proceed.

**MR MAELE:** At 44.4 Mr Chairperson, I suggest that we say, notwithstanding 44.3 above, a Member may move more than two Motions in a Meeting, where all other Motions have been disposed of for that Meeting. I take it that it is clear that a Member may move more than two where all other motions have been disposed of for that meeting. That is what it means. That is why I told them that it is not necessary to stipulate the number three because this one will give you even more than three.

**HONOURABLE MEMBER:** ... (Inaudible) ...

**MR MAELE:** No, you are not paying attention, you are just like Honourable Mokgware, all that he is thinking about is firearms. I rest my case Mr Chairman.

**MR CHAIRPERSON:** Honourable Member, do you not move accordingly? You said you rest your case.

**MR MAELE:** Oh, sorry! I move accordingly.

**MINISTER OF LOCAL GOVERNMENT AND RURAL DEVELOPMENT (MR TSOGWANE):**

I support the first one and the second one is clear as well. If you say others have been removed, it means that something should have been inserted, if nothing has been added then you cannot say that something has been disposed of. The second one is straightforward because if there is no business, there is no Motion that has been addressed, it will be straightforward. Now when you say, “when we have disposed of” it means no business was attended to. Thank you.

**DR P. BUTALE (GABORONE CENTRAL):** Thank you Mr Chairperson. I also concur with the first amendment because I think it crystallises what the amendment seeks to achieve. I have a bit of a problem on the second one with the wording as proposed. The member is proposing that we say, “where all other Motions have been disposed of”, I think it creates another problem because if my Motion is being debated and there are still four other members who are allocated those two Motions, those Motions have not been disposed of but they are still on the line. I do not know

whether you get my point. Maybe we need to come up with a better way of saying it, something like, “if every member has presented their allocated Motions,” then maybe we will deal with that issue. I think this second one needs some attention.

**MR CHAIRPERSON:** Are you done?

...Silence...

**MR CHAIRPERSON:** Order! Order! Honourable Members, this amendment of Honourable Maele is in two parts. There is amendment of 44.3, “a member shall not move more than two Motions in every meeting”, that is the first one. So I want to put a question for 44.3 so that we may finish and then we go to the next one; 44.4. Honourable Members, the question is that the amendment as proposed by Honourable Maele on 44.3 be agreed to.

Amendment agreed to.

**MR CHAIRPERSON:** Let us go to the next Standing Order 44.4. Honourable Members...

**HONOURABLE MEMBER:** ... (Inaudible) ...

**MR CHAIRPERSON:** No, you did not move an amendment.

**HONOURABLE MEMBER:** I moved an amendment.

**MR CHAIRPERSON:** You did not move an amendment. You had a problem with Honourable Maele’s amendment and that is the one that I want to dispose of. Honourable Members, the question is that the amendment as proposed by Honourable Maele at Standing Order 44.4 be agreed to.

**HONOURABLE MEMBER:** Procedure.

**MR CHAIRPERSON:** Honourable Butale, you are making a muddle of this. These are two amendments from Honourable Maele, I am finishing with them. If you have an amendment you have thought of, I will allow you after ...

**DR P. BUTALE:** No, we do not want to just oppose it, let us correct it then we agree on it after amendment.

**MR CHAIRPERSON:** Again you had an opportunity to comment on this amendment, you cannot be given another chance. So, just keep quiet Honourable Member. Honourable Members, the question is that the amendment as proposed by Honourable Maele at



Standing Order 44.4 be agreed to.

Amendment **negated**.

**MR CHAIRPERSON:** Order! Honourable Members, we are going back to the original amendment as amended, finish it, if there is nothing else then we go on to conclude it.

**HONOURABLE MEMBER:** ...(Murmurs)...

**MR CHAIRPERSON:** Honourable Butale you had a chance to debate, there is no how you can have another go. No! Sit down. Order! Order! The question is that Standing Order 44 as amended be agreed to. I think the Ayes have it...

**HONOURABLE MEMBER:** Division!

**MR SPEAKER:** Division called. Ring the bell for two minutes.

**DR P. BUTALE:** Procedure Mr Chairperson.

**MR CHAIRPERSON:** You called a Division, so we finish with it first.

**DR P. BUTALE:** Do not forget the procedure.

**MR CHAIRPERSON:** ...(Inaudible)...

**DR P. BUTALE:** What does it say?

**MR CHAIRPERSON:** It needs to be corrected.

**DR P. BUTALE:** Kana...

...Silence...

**MR SPEAKER (MR MOLATLHEGI):** Order! Order! Honourable Members, I request each one of you to vote once. No one should vote twice, I beg you. Honourable Olopeng and Honourable Ralotsia, I am not there, so make sure that no one uses my machine.

**HONOURABLE MEMBERS:** Have you heard Ralotsia?

**HONOURABLE MEMBERS:** ...(Laughter!) ...

**MR SPEAKER:** Honourable Mokgware, use your machine only. Order! Honourable Members, the question is that Standing Order 44 as amended stand part of the Standing Orders. I am activating voting, you can now vote.

**HONOURABLE MEMBERS:** ...(Murmurs)...

**MR SPEAKER:** Have you finished voting? I am stopping. Those who voted “yes” are 28, those who voted “no” are 8, and no one abstained. Therefore, the Ayes have it.

Standing Order 44 as amended **agreed to**.

**DR P. BUTALE:** Point of procedure.

**MR SPEAKER:** I am moving down. The numbers tallied well. That is what I got.

**HONOURABLE MEMBER:** Wait.

**HONOURABLE MEMBER:** Procedure Mr Chairperson.

**MR CHAIRPERSON (MR MOLATLHEGI):** Order! Order! Honourable Members, let us proceed, it is becoming late. Let us be fast Honourable Members. Honourable Members, the question is that Standing Order 45 to 46 stand part of the Standing Orders.

**DR P. BUTALE:** I asked for procedure Mr Chairperson.

**MR CHAIRPERSON:** Yes, procedure Honourable Butale, what is your procedure?

**DR P. BUTALE:** You should remind Honourable Members that when Parliament is sitting, procedure does not change, procedure is still allowed.

I think Honourable Guma Moyo will soon be back here with the same Standing Order that we have just dealt with because I do not see how it will be put to use. When you say, “a Member may move more than three Motions in a meeting where there are no other Motions,” it is problematic, because there will always be other Motions. So, we have not...

**HONOURABLE MEMBER:** ...(Inaudible)...

**DR P. BUTALE:** No Honourable Member, it is illogical. So we need to really amend these things.

**MR CHAIRPERSON:** Order! Order! Honourable Butale, I think you will have time to sit with the Standing Orders Committee and state your case, do not worry. Find time and meet the Chairman of Standing Orders Committee and state your case.

Order! Honourable Members, the question is that Standing Orders 45 to 46 stand part of the Standing Orders. Honourable Butale! You are making noise.

**HONOURABLE MEMBER:** ...(Inaudible)...



**HONOURABLE MEMBERS:** ...(Laughter!) ...

Standing Orders 45 - 46 **agreed to.**

**MR CHAIRPERSON:** Honourable Members, there are amendments at Standing Order 47 by the Chairperson of the Standing Orders and Reforms Committee. Honourable Guma Moyo, present your amendment.

**Standing Order 47**

**CHAIRPERSON OF THE STANDING ORDERS AND REFORMS COMMITTEE (MR GUMA):** Thank you Mr Chairperson, Standing Order 47 is amended by-

- (a) by substituting for Standing Order 47.1 the following new Standing Orders;

“47.1, (A) Member who has risen to speak on a Motion may propose an amendment to that Motion.

47.1 (B), a Motion may be amended subject to the approval by the House.”

- (b) by substituting for Standing Order 47.2 the following new Standing Order- “47.2 no amendment to a Motion shall be permitted if it introduces a new matter or seeks to achieve a different objective than the original Motion,” and

- (c) inserting immediately after Standing Order 47.8 the following new Standing Order-

“47.9, the amended Motion shall be disposed of in the remaining time of the time allocated to the original Motion”. I move accordingly Mr Chairman.

**MR CHAIRPERSON:** Order! Order! Honourable Members, the question is that the amendments be agreed to. The floor is open.

**MR MMOLOTSI (FRANCISTOWN SOUTH):** Thank you Mr Chairperson. I do not have much problem with 47 (A) I agree with Honourable Moyo 47.1, 47.1(B) etc. however, I have a problem with Standing Order 47.9 which is a new amendment that seeks to amend the Motion which says, “the amended Motion shall be disposed of in the remaining time of the time allocated to the original motion.” I would like to amend Mr Chairperson this one to read as follows; “the amended Motion shall be allocated time equal to the time allocated to the original Motion.” Half the time when debating Motions, you will realise that we do not have time to explain ourselves in detail. So, since the

Motion will be debated, I think it needs the same time as the original Motion so that a member can present their case well. That is why a member who debates the original Motion is allowed to debate the amended Motion. It is because it has been realised that they are two different Motions. Therefore, that is why I want to push for an amendment so that this amendment can allow these two Motions to be allocated equal time. I move accordingly Mr Chairperson.

**MR CHAIRPERSON:** Order! Order! Honourable Members, Honourable Mmolotsi has moved an amendment to an amendment, so the procedure is we dispose of the first proposed amendment by Honourable Mmolotsi. The question is that the amendment as proposed by Honourable Mmolotsi be agreed to.

**MINISTER OF LAND MANAGEMENT, WATER AND SANITATION SERVICES (MR MAELE):** Mr Chairperson, I completely do not agree with Honourable Mmolotsi. We should not read these Standing Orders in isolation. These Standing Orders link well and if you may realise Mr Chairperson, 47.2, says, “no amendment to a Motion shall be permitted if it introduces a new matter or seeks to achieve a different objective other than the original Motion”. Now if the objective of the Motion that was debated does not change, if there is no new matter, why should we give it some more hours because the objective would still be the same? So, what are we saying, because we are not changing the Motion, we are just saying...

**HONOURABLE MEMBER:** ...(Inaudible)...

**MR MAELE:** If you are amending it, do not amend objective or the subject matter. So, there is no point for you to extend the other Motion because we are not changing anything, we are just amending maybe the wording or something else. So, what are we saying, because we are not changing the motion, we are just saying...

**HONOURABLE MEMBER:** ...(Inaudible)...

**MR MAELE:** If ever you are amending, you should not change the objective or the subject matter. There is no point for you to say we can extend while you are beyond a certain time because we are not changing anything, we are just amending, sometimes it just a matter of wording or something else Mr Chairperson, I do not agree. I think people should read these Standing Orders in totality, not just to focus on one aspect and think you can just deal with just that one aspect. I stand



to oppose Honourable Mmolotsi's amendment. Thank you so much sir.

**DR P. BUTALE (GABORONE CENTRAL):** Thank you Mr Chair. I think that the amendment as proposed by Honourable Mmolotsi for me is fitting. I fail to follow the logic as propagated by Honourable Maele that if you are going to amend a Motion, then you are not changing anything. Why are you amending in the first place? I think the reason here is that we want robust debates in this Parliament. We want Members of Parliament (MPs) to research very well and thoroughly matters that they bring to this House. We want them to improve the quality of Motions that are passed in this House. So, we cannot do things in a haphazard, hasty manner just because we want to pass a certain number of Motions at the detriment of the quality of the debates in this House. I think the core of the matter as proposed by Honourable Mmolotsi is quality; quality of debates allocated enough time, with members having enough opportunities to convince others through debates they will be bringing to this House and to ensure that at the end of day, whatever we agree will take this country forward. The reason why we are standing up here and talking about these issues, knowing very well that I am an MP for Gaborone Central and as an MP for Gaborone Central, these employees that are in this Parliament that are not going home, that are not eating anything, I feel for them. I understand...

**MR CHAIRPERSON:** Order! Wait Honourable Butale, Order! Learn to listen Honourable Rantwana, you are not supposed to use a cell phone in Parliament. You can go outside if you want to talk to your phone and finish, not in this House.

**HONOURABLE MEMBER:** ... (Inaudible) ...

**MR CHAIRPERSON:** Honourable Rantwana, you must never repeat that.

**DR P. BUTALE:** I was on that point Mr Chair where I was saying that I am really feeling for our workers who are here, who have not eaten anything and who are voters of the present speaker. I say to them that this is an important bit of our business that we need to do. I agree fully with the amendment as proposed by Honourable Mmolotsi to ensure that we encourage the plurality of ideas, the diversity of ideas and the quality of debates in this House. If we do that, then this Parliament will go in the direction that we want it to go. We will ensure that generations to come will come to the Hansard of this

House of this Eleventh Parliament and refer to it and say indeed, we were represented in Parliament. Members gave whatever issues they were debating and they did justice to those matters. I support this fully.

**MINISTER FOR PRESIDENTIAL AFFAIRS, GOVERNANCE AND PUBLIC ADMINISTRATION (MR MOLALE):** Thank you Mr Chairperson. Mr Chairperson, I stand to oppose the amendment as proposed by Honourable Mmolotsi because what he is advocating for is a free for all situation in this House. You do not introduce new subjects into an existing subject matter and expect that there will be focus, quality and rationale. This is just talking, just like Honourable Butale is just talking. So, what you are doing, you are just trying to filibuster and bring things that are not necessary. Mr Chairperson, I move to oppose what Honourable Mmolotsi had brought as an amendment.

**MR MMOLOTSI:** On a point of order. Mr Chairperson, Honourable Molale should not accuse us that we are doing nonsense, we are here because people have voted us to represent them and we account to the people. We do not know who sent you to this Parliament.

**MR CHAIRPERSON:** You are wasting time Honourable Mmolotsi.

**MR MOLALE:** Thank you Mr Chairperson. That is exactly the point I was making, creating a free for all situation in this Honourable House by people like him who are just behaving like ...

**HONOURABLE MEMBER:** The village idiot.

**MR MOLALE:** No, I will not say that. I stand here to vehemently oppose the proposed amendment by Honourable Mmolotsi and as supported by Honourable Butale because that is irrelevant to the point here and actually contradictory to the amendments proposed by Honourable Guma. I thank you.

**HONOURABLE MEMBER:** I am up Mr Chairperson.

**MR CHAIRPERSON:** Honourable Lelatisiwe, I am just giving you the floor because you are the only one who stood up, I have intended not to give you the floor may be you will learn that you have to be pointed first, that is when you can stand and talk.

**MR LELATISITSWE (BOTETI EAST):** Thank you Mr Chairperson. First, let me apologise that I pressed this thing by mistake, it is late so, we sometimes get a little bit



dozy. I thank you Mr Chairperson. I stand to oppose the amendment as brought by Honourable Mmolotsi. If the Honourable House will agree with this amendment, we will have a situation where we can have one Motion the whole sitting. This is because if amendments are many, that means we are going to debate those amendments for the whole sitting of Parliament. We can debate one Motion with 100 amendments. This is something that we need to guard against. When we are left with 10 minutes, one member can bring an amendment, and that means we will continue with such things. Therefore, we will end up without a productive House. I plead with other members to look more into that as we want to be progressive as Parliament. Thank you so much.

**MR NTLHAILE (JWANENG-MABUTSANE):** Thank you Mr Chairperson. It is very shameful to see the way the Government of Botswana Democratic Party (Domkrag) want to run things Mr Chairperson. I want to bring this to the attention of the Vice President as the incoming new President to look at the purpose of these Standing Orders because in future people are going to blame him. They would say that when the New President took over the laws changed and the dignity of the Parliament was compromised. The dignity of Parliament is compromised by rejecting the amendment like this one proposed by Honourable Mmolotsi which tries to protect, develop and to give Parliament debates enough time. If you extend Parliament time, it does not mean it is a favour to us so that we can debate, we are amending it so that we can have more time to discuss Motions which are of public interest. So I support Honourable Mmolotsi's amendment.

I am so disappointed that this Parliament is against Members of Parliament debating Motions of public interest without being restricted by time. Mr Chairperson, this improves the quality of the debate because Members of Parliament will speak without being restricted so that the Motion on the table cannot be quickly debated due to time restrictions.

**HONOURABLE MEMBER:** ... (Inaudible)...

**MR NTLHAILE:** You are not representing any constituency here, you are simply a specially elected member. I gave up. He also does not have a constituency just like you.

**MR CHAIRPERSON:** Honourable Ntlhaile, Standing Order No. 47.

**MR NTLHAILE:** Mr Chairperson, let me ignore Honourable Molale and the rest, they are wasting my time. I want to indicate that I support Honourable Mmolotsi's amendment.

**LEADER OF THE HOUSE (MR MASISI):** Point of order. Mr Chairman, this expression *ya go tsena ka fensetere* (means specially elected member) has been used in many Parliaments before and there have been consistent rulings by various Speakers over time to not allow it. So, kindly ask the Member to refrain and withdraw that expression.

**MR CHAIRPERSON:** Honourable Ntlhaile, it is said there was a ruling that *go tsena ka fensetere* (specially elected member) is not allowed so do not use it, kindly withdraw.

**MR NTLHAILE:** Okay, but I have observed that many people who have been voted by people are not present however I will just withdraw.

**MR CHAIRPERSON:** No, I do not know why you are failing to simply withdraw without any conditions but I heard you have withdrawn I do not want this issue to continue.

**MR MMOLOTSI:** Procedure Mr Chairperson.

**MR CHAIRPERSON:** No, keep quiet Honourable Mmolotsi, let us proceed.

**MR MMOLOTSI:** We have to know where the ruling was made.

**MR CHAIRPERSON:** I also used to rule against it at the Council when other members used the phrase *fensetere* (specially elected member).

**MR NGAKA (TAKATOKWANE):** Thank you Mr Chairperson. Actually let me start by cautioning the Vice President; it seems like there is just more than enough advice in this House, some seem to be insinuating that the Botswana Democratic Party Government is not practising democracy so be careful as to which one you heed.

I obviously stand to oppose Honourable Mmolotsi's amendment, Honourable Members in every quality policy making there is always a time frame.

We cannot come here and say every now and then we amend and extend time then do the same thing for a long time but if this House's mandate is to make laws if we then make laws then we do not pass, it will be wrong



for this House to Honourable to agree with Wynter Mmolotsi's amendment. I thank you.

**MR NKAIGWA (GABORONE NORTH):** Thank you Mr Chairperson. Mr Chairperson, I am not at all shocked by what my colleagues across the aisle are saying. If you look at our current situation of staying up all night, we are awake Mr Chairperson now but we are advocating that as Members of Parliament let us extend our allotted time to debate Motions so that if a Motion has an amendment like Honourable Mmolotsi is saying we should debate the amendment at the same time allotted to the first Motion.

Mr Chairperson I disagree that a Motion should be rushed as my colleagues want it to be rushed like we are doing now. We are debating Standing Orders and we are allocated only three minute whereas we should be allocated enough time to debate. Mr Chairperson we have been awake and we know the normal concentration span of a person then it is argued that as long as it can pass I as the Vice President I will be happy.

I disagree with that logic that is why I support that we should increase the debate time Mr Chairperson so that we can pass quality laws. When I read this whole clause of Standing Order 47 I disagree with it that in order for Motion to be amended, it needs approval of the House. I have seen it countless time in Parliament when a member of Opposition tables a Motion for approval of the House, if they do not want it they kill it through votes.

So, that is why I support the principle that if the Speaker has powers to protect the minority, he/she should be given the power to protect them by approving an amendment to a Motion because a Motion cannot be tabled in Parliament if it is not beneficial like some members sometimes do, they kill it before it is debated. Thank you Mr Chairperson.

**MR CHAIRPERSON:** Order! Order! Honourable Members.

Question put and **Division called for.**

**MR CHAIRPERSON:** I will just allow for a division but it is clear that you are abusing it. Even before I pronounce my judgement, a Member would just shout "division." That is where abuse is apparent. You wait for me to pronounce first then you can divide the House if you so wish. I do not know how you missed correcting that one. Division, two minutes.

**MR SPEAKER (MR MOLATLHEGI):** Order! Honourable Members, the question is that the amendment as proposed by Honourable Mmolotsi be agreed to. Vote. I am stopping. Those who said "yes" are 8, those who said "no" are 27. There is no one who abstained. The "Noes" have it.

Amendment negated.

#### **Amendment of Standing Order 47**

**MR CHAIRPERSON (MR MOLATLHEGI):** Order! Honourable Tshireletso please put your blanket on my seat at least. If you leave it like that, it is like someone is standing behind you. I was confused, that is why I did not understand what was going on there. Honourable Members, we have gone back to that amendment as proposed by the Standing Orders and Reforms Committee; Standing Order 47.

Amendment **agreed to.**

Standing Order 47 as amended **agreed to.**

Standing Order 48 **agreed to.**

#### **Amendment of Standing Order 49**

**MR GUMA:** Thank you Mr Chairperson. Standing Order 49.1 is amended by substituting for the word "Minister" the word "the Leader of the House or in his or her absence, the most senior Minister present." I move accordingly Mr Chairperson.

**MR MMOLOTSI (FRANCISTOWN SOUTH):** Thank you Mr Chairperson. When I looking at this amendment, I believe doing it that way will not serve us right. When we say, "the Leader of the House or in his or her absence, the most senior Minister present," we will at some point find ourselves in a position where the most senior will not be present, and what will we do in that instance. Finding ourselves having those who are at par with one another only.

**HONOURABLE MEMBER:** We are never equal.

**MR MMOLOTSI:** Are you not equal?

**HONOURABLE MEMBER:** No.

**MINISTER OF JUSTICE, DEFENCE AND SECURITY (MR KGATHI):** On a point of procedure. Mr Chairperson, the procedure I stand on is that this is consequential. Exactly as it is, should be passed to Standing Order 26, so we cannot re-open new debates after it has been amended.



**MR CHAIRPERSON:** Honourable Kgathi, it is fine, let us proceed with it and address it as is.

**MR MMOLOTSI:** The phrase that says, “The most senior Minister present,” would be better for us as Parliament if it reads “any Minister present” because I do not know why it should be the most senior, since any Minister can move. Therefore, I want to propose an amendment which will read, Mr Chairperson, Standing Order 49.9...

**MINISTER OF LAND MANAGEMENT, WATER AND SANITATION SERVICES (MR MAELE):**

On a point of correction. Before he moves, I wanted to correct something Mr Chairperson because it might help him to withdraw what he intended to move. Mr Chairperson, there is no time where we could lack a Senior Minister. Our sitting arrangement tells you right away who is senior. Everybody on my left is my senior and therefore we do not need to indicate that because if Honourable Seretse is around, he has to be the one who does or Honourable Khama if he is around he has to be the one. When I am there and they are both absent, I am the most senior in terms of the seating arrangement. So there is no need to move an amendment Honourable Member. Thank you.

**MR MMOLOTSI:** Mr Chairperson. I believe that any Minister can move. Maybe the most senior might not be well at that time, and maybe we have those who cannot move properly just like Honourable Tsogwane. Therefore, we will be faced with that problem. That is why I want to propose this amendment Mr Speaker such that it reads, “is amended by substituting for the word Minister, the word Leader of the House, in his/her absence any Minister present. I move accordingly Mr Chairperson.

**MR CHAIRPERSON:** Order! Honourable Members, I can tell you do not want to complete your amendments. Maybe I should assure you now, I have all the energy enough to complete the work that is before us. So do not think that I will fall asleep along the way, I am just fine. Honourable Members, there is an amendment by Honourable Mmolotsi.

**MR NGAKA (TAKATOKWANE):** Thank you Mr Chairperson. I do not support the amendment as moved by Honourable Mmolotsi. I do not believe that the sitting arrangement could be in vain in this Parliament. There is a reason why we have sitting arrangement in that particular order and we cannot just ignore that. I also believe that even those at the Alliance for Progressives

will be properly seated once they have settled. There has to be a sitting arrangement and that is why we are back benchers while some are front benchers. We do not just sit anyhow. This sitting arrangement conforms with the day to day business of Parliament such that when the Leader of the House is not present, then most senior can do move an adjournment. If it could happen that none of them is present at front bench, then even I, Honourable Ngaka Ngaka as the back bencher could move adjournment. Maybe the standing orders will be amended someday to cater for a senior member at the back bench to move adjournment.

**HONOURABLE MEMBERS:** ... (Laughter!) ...

**MR NGAKA:** It is not a taboo, if ever there could be such a provision. We cannot all at the same level, take for example the teeth, there are no longer even teeth like before. Mr Chairperson, with those, it shows that we can never be equal, as it is evident now that he is consulting with his President and not, you, that is a clear indication that we are not equal. He had to move to him, and not vice versa.

**MR CHAIRPERSON:** Order! Please wait. Honourable Members, I have picked that the use of cell phones has gone high. I think it is not so far for me to collect them and put them away in a box and you will get them when we adjourn. Let us respect the Standing Orders, we are not supposed to use cell phones in this chamber.

**MR NGAKA:** Thank you Mr Chairperson. I have never seen a tradition where a child would greet a visitor instead of their parent doing so.

**HONOURABLE MEMBER:** ... (Inaudible) ...

**MR NGAKA:** No, I am showing you that even in our day to day lives, there is always the leader. Thank you Mr Chairperson.

**MAJ. GEN. MOKGWARE (GABANE-MMANKGODI):** Thank you Mr Chairperson. It is surprising that in a serious session like this, a Member talks about teeth and children, at this hour! We are talking about a serious amendment while he is talking about teeth and children, he said his teeth are not even.

**MR CHAIRPERSON:** Honourable Mokgware, please stick to Standing Order 49.1.

**MAJ. GEN. MOKGWARE:** Yes, I am on it. I do support Honourable Mmolotsi that there is no need to specify seniority, what for? As we are in this House, the



Speaker has the powers to call any Member to move adjournment, what is wrong with that? Why do we have to write the most senior? What do we mean by most senior? When a person is a senior, they are a senior and there is no senior who is senior than the other. This is surprising, we have to know why we are coming up with laws when we do such., and decide what we want to achieve with the laws. What do we want to achieve?

**HONOURABLE MEMBER:** Clarification.

**MAJ. GEN. MOKGWARE:** Keep quite Honourable Member! Just keep quiet, there is nothing you can say. We have so many problems in this country and you just come here to talk about teeth. You are not serious, at all. We have to be serious and talk about what this standing order is trying to achieve, what is it that we want, what is wrong?

**MR MMOLOTSI:** Elucidation. I mean that Honourable Mokgware when the most senior at that particular point their voice is hoarse and cannot speak yet here is one who can move, we are going to still call for the most senior.

**MAJ. GEN. MOKGWARE:** You are right. There are other Members here and we know that every Monday they cannot speak as their voice would be hoarse, what can we say? No, we are not going to be held at ransom only because the Standing Order calls for the most senior. Let every Minister move an adjournment, right Honourable Molale? I support Honourable Mmolotsi.

**DR P. BUTALE:** Thank you Mr Chairperson. The amendment that Honourable Mmolotsi proposed is trying to better the procedure in this House. The proposal seeks to rectify situations that we always have where things do not move because the responsible Ministers are not in and maybe at the end of the day end up debating on who the most senior Minister is. Maybe by that time they are not in a position to move. I believe that Honourable Mmolotsi's proposal makes our jobs as Parliamentarians much more efficient. If we say any Minister, we know that we trust that for a person to be appointed a Minister, much is upon them that they will serve the nation. Just as we have seen the Honourable Ministers who do not perform their duties and there are those back benchers who have not been given that Ministerial position. That is why I am saying that for the efficiency of our Parliament, let us deal with bottlenecks. One of the bottlenecks will be in the wording for qualifying senior Minister, we are setting

ourselves for failure Mr Chairperson, because we know that this Parliament has struggled a lot in this Eleventh Parliament.

When we are supposed to proceed with Parliament business, the relevant Minister who is supposed to be there is not available and it is something that we fight hard for. I believe that we should come to a point where if there is a Motion on Friday, we should not consider the whereabouts of the relevant Minister since we know that they become unavailable. We must simplify the business of this Parliament and that of Honourable Members who have been sent here by voters. What we can do to start simplifying this job is to adopt the spirit of Honourable Mmolotsi's amendment, which is to say, any Minister who will be available at that time should do this job because our Ministers, it is clear that Parliament in their order of priorities, comes somewhat last. While they are still busy with other important matters, the one who is available should pitch in so that Parliament business may continue. I strongly support this Motion.

**MR MMOLOTSI:** Procedure. I am still hung up on the issue which was mentioned by Honourable Maele. So, it is true that as we are here in Parliament, Honourable Maele is Honourable Molale's boss?

**MR CHAIRPERSON:** He is not a boss. I thought by now, you understand sitting arrangement; the location of the seats of those who came first.

**HONOURABLE MEMBERS:** ... (Murmurs)...

**MR CHAIRPERSON:** That is how it is Honourable Mmolotsi.

**MR NKAIGWA (GABORONE NORTH):** Thank you Mr Chairperson. I want to support Honourable Mmolotsi's Motion. I cannot oppose him since we think alike. Honourable Mmolotsi, that is the way to go. I would understand if maybe the Honourable Members are saying, the seniority that is being talked about has a benefit attached to it. However, that seniority has got nothing to offer in terms of benefits, they still have chapped lips and have got nothing to show for it.

**MR CHAIRPERSON:** Honourable Nkaigwa, choose your words carefully. Do not try to keep yourself awake by being rude to others. I do not know what you mean by chapped lips. Use appropriate words.

**MR NKAIGWA:** What I was trying to say was not to offend anyone. It was just that, I would appreciate the issue of ...



**DR P. BUTALE:** Procedure. Mr Chairperson, though I might agree with you that we should use appropriate language, we are also not trying to keep awake. You could find better words to address Honourable ...

**MR CHAIRPERSON:** Honourable Butale, you will go out. You are out of order.

**MR NKAIGWA:** You know, if we were looking at the conditions of service of Honourable Members, saying that we will pay them according to their seniority, I could understand why they are crying in this manner. Someone is crying to be the one who adjourns Parliament because of seniority. Mr Chairperson, these are things which I fail to comprehend. I thought we will be original. We still use old laws and old system of colonial era Mr Chairperson. I believe that when you copy, you should not copy even the name of Honourable Guma Moyo when your name is Honourable Molale. You would have failed at copying. Let us move away from those issues and focus on that any Minister can adjourn this Parliament without any seniority. You do not need to be a senior Minister for you to adjourn the Parliament. To me, it does not make any sense or logic.

**MR CHAIRPERSON:** Could you not let others represent your views?

**MR NTLHAILE (JWANENG-MABUTSANE):** Mr Chairperson, it is clear that this we notice House is still backward if we are still going back to old laws which places these positions in a high pedestal; who came first, for goodness sake. Just to tell the Honourable Members that today you worked hard, let us go and rest, does it require a person to be the most senior Minister? Really! No, Honourable Members. I support what was brought forward by Honourable Mmolotsi that let us respect Ministers. A Minister can stand up and tell Honourable Members that, "Honourable Members, today you worked hard, let us go and rest." I agree with Honourable Mmolotsi that every Minister can carry out that task.

**HONOURABLE MEMBER:** Clarification.

**MR NTLHAILE:** No, Honourable Member, keep quiet. Switch off that microphone and listen. It is a task that can be done by any Minister. That is why I support this Motion Mr Chairperson. We should not appear as if we are regressing while people are moving forward. We must appreciate that Ministers have already been given sufficient responsibility that they can temporarily adjourn Parliament. I do not think that while they are able

to do a lot of work in their offices and we are told that this task can be carried out by the most senior Minister. Mr Chairperson, I support Honourable Mmolotsi's Motion that we should amend this and allow every Minister to adjourn the House. That is all Mr Chairperson.

**MR CHAIRPERSON:** Order! Order! Honourable Members, the question is that the amendment as proposed by Honourable Mmolotsi be agreed to.

Amendment **negated**.

**HONOURABLE MEMBERS:** Division!

**MR CHAIRPERSON:** This time around I beat you to it Honourable Member, I have passed your division. I have reprimanded you earlier that, it cannot be that even before I make a pronouncement then you rush to call out division, that is not how it works. You only call for division, after I have made a pronouncement, when you do not agree with me but now here you are doing vice versa. That is not right, I am going to pass without accepting it. I want to be frank on that one, you are out of order; I have explained how a Division is called.

**HONOURABLE MEMBERS:** ... (Murmurs) ...

**MR SPEAKER:** Let me read it to you. This is Standing Order 62, "Speaker to order division in certain circumstances", 62.1 says, "if (a), a Member challenges the statement of the Speaker or Chairperson that he or she thinks that the Ayes or Noes have it by claiming a division", that is what I have been telling you, or (b) "the Speaker is unable to judge the preponderance of voices on either side" or (c) "the question to be decided by the Assembly is a question under paragraph (1) of Standing Order No. 84..." That one deals with passing of Bills. So the one that I have been telling you about is under 62.1(a), you wait for me to make a pronouncement first before you call for a division. So, if you call a division before a make a pronouncement then you are not using it right, you are abusing it. You are deliberately wasting time.

**HONOURABLE MEMBERS:** ... (Murmurs) ...

**MR SPEAKER:** No, I will not accept this one. I will accept the division you call right, otherwise I will not take it. No division. Let us proceed. No!

**HONOURABLE MEMBER:** Division called Mr Speaker.

**MR SPEAKER:** No! No! No! I explained to you earlier. Next item!



**HONOURABLE MEMBER:** No, division sir.

**MR SPEAKER:** Switch off that microphone.

**HONOURABLE MEMBER:** Division.

**MR SPEAKER:** Honourable Butale, switch off that microphone.

**DR P. BUTALE:** No, you are oppressing us.

**MR SPEAKER:** Switch off that microphone Honourable Butale.

**DR P. BUTALE:** Then why are we here?

**MR SPEAKER:** Switch off that microphone.

...Silence...

**MR CHAIRPERSON (MR MOLATLHEGI):** Order! Honourable Members, we are going back to the amendment as proposed by the Chairperson of the Standing Orders and Reforms Committee. The question is that the amendment be agreed to.

Amendment **agreed to.**

**MR CHAIRPERSON:** The question is that Standing Order 49 as amended stand part of the Standing Orders.

Honourable Members, I cannot judge the preponderance of your voices...

**HONOURABLE MEMBER:** Division! Division!

**MR SPEAKER (MR MOLATLHEGI):** No! No! No! I could not judge the preponderance of your voices, so I will call for a division. Ring the bell for two minutes.

**HONOURABLE MEMBER:** ...(Inaudible)...

**MR SPEAKER:** Yes, I want it cold as it is so that you do not fall asleep. Order! Order! Honourable Members, the question is that Standing Order 49 as amended stand part of the Standing Orders, please vote.

**HONOURABLE MEMBERS:** ...(Murmurs)...

**MR SPEAKER:** Have you voted. I am stopping the machines. Those who voted "yes" are 24, those who voted "no" are 7, and no one abstained. The Ayes have it. Order!

Standing Order 49 as amended **agreed to.**

...Silence...

**MR CHAIRPERSON (MR MOLATLHEGI):** Order! Honourable Members, there are amendments at Standing Order 50, by the Honourable Chairperson of the Standing Orders and Reforms Committee. Honourable Guma, please move your amendments.

#### **Amendment of Standing Order 50.1**

#### **CHAIRPERSON OF THE STANDING ORDERS AND REFORMS COMMITTEE (MR GUMA):**

Thank you Mr Chairperson. Standing Order 50.1 is amended, (a) by substituting for the words "adjournment of the Assembly" appearing in that Standing Order the words "adjournment of the current proceedings of the Assembly" and; (b) by inserting immediately after Standing Order 50.1 the following new Standing Orders. "50.1A notwithstanding the provisions of Standing Order 50.1, the Speaker may after assessing the business of the House, appoint a day on which the Member may present his or her Motion of urgency. 50.1B the decision by the Speaker under Standing Order 50.1A shall be final"; and (c) by substituting for Standing Order 50.3 the following new Standing Order, "50.3 if the Speaker is satisfied that the matter is definite, urgent and of public importance, a question shall be put to the House to adjourn and discuss the matter" I move accordingly Mr Chairperson.

**MR CHAIRPERSON:** Order! Honourable Members, the question is that the amendments be agreed to.

#### **MR MMOLOTSI (FRANCISTOWN SOUTH):**

Thank you very much Mr Chairperson. I am not too sure whether this particular Standing Order will serve us well because in the past, what I have witnessed is that giving the Speaker the authority to decide and make a determination of urgency has been very problematic because it depends on what kind of issue you are discussing with the Speaker. If it is an issue that the Speaker does not want, which is something that has happened before, the Speaker, has actually determined in the past, that, that particular Motion is not urgent and is not of public importance. That is why I think leaving this matter entirely in the hands of the Speaker is likely to cause a problem of subjectivity. Therefore, I do not think that this is the best way to craft this. I would rather think of a way in which the Speaker can be compelled to accept or to accede to that particular Motion. If you go to Standing Order 50.3; it even makes it worse because it says, "if the Speaker is satisfied that the matter is definite, urgent and of public importance, a question shall be put to the House to adjourn and discuss the



matter.” You are giving the Speaker the whole authority to determine whether the Motion is urgent. Speakers of this House are members of parties, and therefore if it is a Motion that goes against their party, they will obviously find it very difficult to declare it urgent and a Motion of public importance. That is why ...

**MR CHAIRPERSON:** Order! You are imputing improper motive Honourable Member. You voted the Deputy Speaker who is also a Member of Parliament for Gaborone South and you voted for Madam Speaker who was from the Embassy of Zimbabwe I do not know why you want to affiliate her to a political party why not talk about me, as you have evidence. Proceed with your debate...

**MR MMOLOTSI:** I know Honourable Deputy is a bona fide Member of the Botswana Democratic Party (BDP). Madam Speaker was once a Minister of the BDP, MP, and even today she carries a BDP membership card. Therefore, because of that, she is the Member of the BDP, and I do not think she will be very objective or the Deputy Speaker will be very objective if we bring Motions that are not favourable to the ruling party. I hope Honourable Members will find a way of amending this one because it brings a lot of discomfort especially to the opposition because we are likely to be disadvantaged like we have been disadvantaged before. I thank you Mr Chairperson.

**MR NGAKA (TAKATOKWANE):** Thank you Mr Chairperson. Winning elections is a clear indication that those who vote for you have total trust in you, so Speaker and her deputy won in that manner as we voted for them in this House.

**HONOURABLE MEMBER:** It is an instruction.

**MR NGAKA:** Instruction or no instruction, he won. It shows that the majority in Parliament has trust in him judging by his capability and his supervising skills. I do not believe that after we voted for him in this very same House then suspect that he cannot run this House properly. I disagree with you Honourable Mmolotsi.

**MR CHAIRPERSON:** Let us not debate about the Speaker and concentrate on the amendment Honourable Members.

**ASSISTANT MINISTER OF HEALTH AND WELLNESS (MR MAKGALEMELE):** On a point of elucidation. I agree with what the Honourable Member is saying. In this very House, I can even give evidence in this 11<sup>th</sup> Parliament...

**MR CHAIRPERSON:** Honourable Makgalemele what are you doing; are you clarifying or elucidating?

**MR MAKGALEMELE:** I said elucidation Sir. I was saying in this very same House of 11<sup>th</sup> Parliament, urgent matters which are of public importance were tabled here after you approved them Mr Chairperson. We debated them, some were passed and some were not, you were not biased.

**MR NGAKA:** Thank you Honourable. I do not think there is nothing wrong, I strongly disagree because his amendment is only trying to bring mistrust. If I look at the amendment here, if I may quote Mr Chairperson, “if the Speaker is satisfied that the matter is definite, urgent and of public importance...” Satisfied! We cannot work where there is no review. If somebody is satisfied it shows a certain process has been followed to see if the matter is urgent and is of public importance. So if we now want to have a Speaker who is there with no role to play this House will be out of order. I strongly disagree with Honourable Wynter Mmolotsi’s amendment. I thank you.

**MAJ. GEN. MOKGWARE (GABANE-MMANKGODI):** Thank you Mr Chairperson. In the midst of a good procedure we ruin the process by giving one person that responsibility, I completely disagree with this issue. When I look at the fact that the Speaker satisfies him/herself if the matter is definite and urgent I do not think it will be fine. I think we should carry on with our normal procedure and not give the Speaker too much powers. Earlier on we gave the Speaker powers that he/she will be deciding statements presented in the Parliament and now we want to give him/her more to satisfy him/herself. I believe we have to assess this amendment and rectify it. Read it more.

We also have 50.3. It reads, “if the Speaker is satisfied and at least four Members rise in their places to support the request, a question shall be proposed to the House.” I think that was sufficient. Why should we change it now? We now want to change it and say, “if the Speaker is satisfied that the matter is definite, urgent and of public importance, a question shall be put to the House to adjourn and discuss the matter.” Why are we amending? What is wrong with the current practice? What is wrong with the Standing Order? That is why I do not support it. I want to go back to that previous practice we are still giving all these things to the House that the question will be put to the House and the four Members will rise up and then support that particular Motion, rather than giving the Speaker so much power.



**HONOURABLE MEMBER:** ...(Inaudible)...

**MAJ. GEN. MOKGWARE:** No, why are we giving her/him so much power?

**HONOURABLE MEMBER:** ...(Inaudible)...

**MAJ. GEN. MOKGWARE:** No, that is not what I am saying Honourable Member, you misheard me. I do not support this amendment...(Interruptions)...it should not be changed, let us leave it as is.

**DR P. BUTALE (GABORONE CENTRAL):** Thank you Mr Chairperson. I am really worried by the trend of doing things in this House. The trajectory of the debates of this House is now very worrisome. We seem to have adopted a very regressive line of doing things. Instead of opening up this Parliament and adopting very progressive, creative, pragmatic ways of doing things in Parliament, instead of ensuring more debates and safeguarding the plurality of ideas and voices in this House, we seek ways of trying to censor the voices of the minority inside this House. We know that this amendment is simply geared towards silencing the minority in this House because the Speakership of this House has failed the impartiality test, that I can say very confidently. There are times without number in this House, the Speakership has been put to that test and they have failed. If we seek to give them much more powers to continue silencing and censoring Members of Parliament from the opposition in the manner in which this amendment seeks to do, then we are regressing.

I wish to say that as Honourable Mokgware has just said, the practice that we have been doing, that we have adopted in the past of ensuring that four members stand to support whatever request of an urgent Motion is put forward, is the best practice. What we need to be doing actually is to go further and say that should anyone get those four members to support him, then the Motion should be debated. What we are doing here, we are going to curtail debates and make sure that the ruling party or the majority party gets its way throughout the time. It is very wrong, it is regressive and I think it is regrettable. I think we need to shun this amendment and go back to the drawing board and ensure that we move forward with a more progressive approach.

**MR NKAIGWA (GABORONE NORTH):** Thank you Mr Chairperson. I do not agree with 50.3 at all. What concerns me Mr Chairperson is that, this Clause says, "If the Speaker is satisfied." What will have to satisfy him or her Mr Chair? What is the basis that indeed

the Speaker can be satisfied by the reasons one would advance? I think for anything that you come up with; there should be a tool or a measure of satisfaction you are talking about, how is it measured? I have seen in the past instances whereby you go to the Speaker with an urgent Motion that you believe should be debated in Parliament, when you get there, things do not turn out the way you had planned. According to how the Speaker sees things, he or she would not agree with you that this matter is definite or is of urgent public importance.

That is why I am saying, it is important for us to come up with a tool that will guide the Speaker as to what the baselines for satisfaction are. He or she should not use their emotions and 'say this one does not go well with me hence I will not allow it.' Whatever we shall come up with, should be measured or even audited to ensure that the decisions that were taken, were appropriate as Honourable Mmolotsi was explaining that we know very well that my learned friend Deputy Speaker is a Member of Parliament for Gaborone South and the Speaker of this Parliament is a member of the ruling party.

That is why I am saying you will discover that from the minority side we would be so compromised. I believe when one makes a law, you do not just do it because at the moment it is favouring you; you do it knowing that you might be on the other side of the isle in future. Being a Member of the opposition, yet at some point, you would have been on the ruling side. This happens. We have seen so many changes in this world that when the rulers made laws at that time, it seems they had no idea that at some point they would not be rulers. My wish, if you allow me Mr Chairperson, I want to move that we should delete 50.3 completely from the Standing Orders. I hereby move.

**MR CHAIRPERSON:** Honourable Nkaigwa, are you proposing an amendment or what are you saying?

**MR NKAIGWA:** I propose deletion, that we should remove it and replace it with the original one which has always been there. We should not come up with a new one that we have been asked to include my Honourable Chairperson.

**MR CHAIRPERSON:** Order!

Question put and **negated**.

**DR P. BUTALE:** Division.



**MR CHAIRPERSON:** Honourable Butale, you are doing exactly what I asked you not to do earlier. Let us cooperate. Wait for me to pronounce, do not go ahead of me. If you do that, I will not allow it. I am done with this one, the Noes have it.

**DR P. BUTALE:** Division.

**MR CHAIRPERSON:** No, Honourable Butale, when I say that it means I am done my friend. You will try again in the next one. Do as the Standing Order requires. Honourable Members, we are going back to Standing Order No. 50 as proposed by the Chairperson of the Standing Orders and Reforms Committee.

Question put and **Division called for.**

**MR SPEAKER:** Ring the bell for two minutes.

**MINISTER OF LAND MANAGEMENT, WATER AND SANITATION SERVICES (MR MAELE):**

Point of order Mr Speaker.

**MR SPEAKER:** Yes, let me dispose of division first Honourable Maele. Order! Honourable Members, the question is that the amendments as proposed by Honourable Chairperson of the Standing Orders and Reforms Committee be agreed to. Vote! I am stopping, the ayes are 29 and the noes are 7, there are no abstentions. The Ayes have it.

Amendments **agreed to.**

Standing Order 50 as amended **agreed to.**

**MINISTER OF IMMIGRATION, NATIONALITY AND GENDER AFFAIRS (MR BATSHU):** On a point of order. Thank you Mr Chairperson. I think we are out of order because there is a clear abuse of Standing Order 62. My reading of this Standing Order is very clear and if I were to refer to it with particular reference to the (b) part of it, it says, "Speaker to order divisions in certain circumstances". 62.1 says, "if (b) the Speaker is unable to judge the preponderance of voices on either side". My understanding of the Standing Order is that where the Speaker is clear about the preponderance, there is no need for a division.

**MR CHAIRPERSON:** Order! Honourable Batshu, I think we are perfectly in order. that Standing Order has three instances, where the Speaker may call a division. There is (a) which provides for when you do not agree with my pronouncement, (b), where I am not audible enough and (c), where we pass Bills. They are okay.

Even when I clearly heard the House but when there is a Member who does not agree with my pronouncement, I have to listen to them. It is okay, that is why I am calling for its amendment.

**MINISTER OF LAND MANAGEMENT, WATER AND SANITATION SERVICES (MR MAELE):** On a point of order. Mr Chairperson, Standing Order 62. 1 (a) deals with division sought by a Member, challenging the Speaker's judgement. The Speaker just grants it if they are not sure of the preponderance of the voices. If the preponderance of the voices is so clear, just like the one we just experienced, then that is a total waste of our time Mr Chairperson. Please consider that Sir.

**MR CHAIRPERSON:** Order! Honourable Maele, you are just being adamant. I have explained that it is procedural. Let us proceed.

**Standing Order 51**

**MR GUMA:** Thank you Mr Chairperson. Standing Order 51 is amended by - (a) deleting Standing Order 51.5 and (b) inserting immediately after Standing Order 51.7 the following new Standing Order; "51.7 where time for the debate is not allocated in terms of these Standing Orders, the Speaker may allocate a period for debate and he or she may at any time make subsequent announcements varying the terms of announcement under this paragraph". I move accordingly Mr Chairperson.

**MINISTER OF LOCAL GOVERNMENT AND RURAL DEVELOPMENT (MR TSOGWANE):** I just want to correct. I think it is a typo, that "A", "A where time", but when he read it he left it out because he realised that the "A" was not supposed to be there but did not consider deleting it.

**MR CHAIRPERSON:** Honourable Tsogwane, is it not 51.7 A?

**HONOURABLE MEMBER:** ... (Inaudible)...

**MR CHAIRPERSON:** No, 51.7, A where time for the debate is not allocated in terms of these Standing Orders.

**HONOURABLE MEMBER:** ... (Inaudible)...

**MR CHAIRPERSON:** This has been the case since we started. Maybe you could suggest we leave it like that, and maybe space so that it is clear. But that does not make much of a difference.



**MR NKAIGWA (GABORONE NORTH):** Thank you Mr Chairperson. If I remember very well, when we were at Phakalane, we agreed as Honourable Members that Standing Order 51.5 did not sit well with us. The agreement was to amend it and the way we proposed it, was such that a Member of Parliament should be allowed to read their response or whatever presentation they wish to make in Parliament. That is the agreement we had. I have never heard us agree that we completely delete it. We had proposed that we amend it such that we allow for a Member of Parliament if they are responding to the State of the Nation Address, to read their responses as a deliberation to the debates of Parliament just like the Leader of the Opposition and Leader of the House. That is what I recall.

Mr Chairperson, why can we not leave 51.7 for the Business Advisory Committee for it to determine the time that is prescribed for the debates. I do believe that we will not be fair on ourselves if we are to give the Speaker all the powers. Let this Standing Order prescribe the times for deliberations on the State of the Nation Address, Budget or Motions, so that it can be in black and white so that it does not compromise us going forward looking at the fact that we will be executing our mandate which has brought us to this Parliament. Thank you Mr Chairman.

**MAJ. GEN. MOKGWARE (GABANE-MMANKGODD):** Thank you Mr Chairman. I reiterate and say whatever you want to do has a reason. What are the objectives of what you are trying to do? Right now I have been telling you that we are trying to kill the vibrant discussions or debates which have been there in Parliament. People should be allowed to quote and read some certain newspapers or books as it was before. When we were there, we agreed that people should be allowed to read to improve debates in Parliament. Right now I am surprised to note that the Standing Order has not come out the way we had agreed, it has been destroyed completely and this is not right. This is what we agreed on, that people should be allowed to do so. He or she is a mover of the Motion, he or she should be allowed to read and be able to back his or her case with facts and quotes in his or her possession. Right now if we are deleting it totally, they are not even allowed to read and quote, what does that mean? It kills the debates. I think we were wrong to do this. I am moving that we should amend this. It should not be this way. We should amend this to allow a mover of the Motion to actually read and quote. That is what we agreed on and it is not

fair or right for us, that having agreed, we then see this happening.

**MR GUMA:** Procedure. Mr Chairman, I think I need your guidance here. I think I have erred here on this one; the members are correct. There is a mixture here. What we intended to do on this area here was to allow members to read and then I seem to have mixed up my points here. My apologies Mr Chairperson.

I would rather want to propose an amendment as agreed. The Parliamentary Counsel (PC), I remember that we had crafted a proper amendment on this one. Can the PC assist me because we had agreed on the proper captioning of this?

**MR CHAIRPERSON:** Honourable Guma, you called for procedure. I heard you. I am going back to Honourable Mokgware who is still on the floor to continue with his debate. If you want to propose an amendment, you will do that in the right manner.

**MAJ. GEN. MOKGWARE:** Thank you Mr Chairman. That is why I was moving an amendment that says, “a member may be allowed to read and quote during his or her presentations.” That is what I was moving; that we need to amend 5.3. I am moving that “a member may read his or her speech and quotes from books during his or her presentation.”

**HONOURABLE MEMBERS:** ... (Murmurs) ...

**MAJ. GEN. MOKGWARE:** Are you taking turns on us?

**MR CHAIRPERSON:** Order! Wait Honourable Mokgware. Do you know what? It seems Honourable Guma will have to withdraw that first amendment of deleting Standing Order 51.5. He has to withdraw it and that is when you can make an appropriate amendment. Honourable Mokgware, I was thinking you can finish with your debate, Honourable Guma should follow and do the right thing and then you can propose an amendment which you want.

**MAJ. GEN. MOKGWARE:** I did not hear what you want me to do. Were you saying I should stand or sit down?

**MR CHAIRPERSON:** Finish your debate so that Honourable Guma can comment.

**MAJ. GEN. MOKGWARE:** I was saying I want to move an amendment to say, “a member may read his or her speech during presentation.”



**MR CHAIRPERSON:** That is what I am saying you will do that after withdrawal of the amendment proposed by Honourable Guma.

**CHAIRPERSON OF STANDING ORDERS AND REFORMS COMMITTEE (MR GUMA):** Thank you Mr Chairperson. In terms of the relevant Standing Order, I move that the proposed Standing Order 51, in particular in reference to 51.5, that I withdraw that proposed amendment in total. I move accordingly Mr Chairperson.

Amendment-withdrawn.

#### EXCHANGE OF SPEAKERSHIP

**MAJ. GEN. MOKGWARE:** Thank you Madam Chairperson. I would like to move that we amend Standing Order 51.5 to read as, “a member may read his or her speech during presentation and read extract from books or papers in support of his or her argument and may refresh his or her memory by references to note.” I move as such.

**MADAM CHAIRPERSON (MS KOKORWE):** That is what we agreed on. Do you want to debate? This was debated at Phakalane and we agreed. Honourable Mmolotsi, I was listening to you, afterwards I need evidence.

**MR MMOLOTSI:** Thank you Madam Chairperson. I withdrew that issue. I support the amendment proposed by Honourable Mokgware. I believe that Honourable Members realise that when they come prepared for their presentations in writing, they should be allowed to read them because it enhances presentation in Parliament and it can also assist some of us who struggle with coherence. We can now be assisted by a written presentation to put across what you want to tell Parliament or the nation at large. That is why I believe that this is a progressive piece of legislation which will improve our procedure in Parliament. It will also help us improve our presentation because we would have documented and we would not forget anything. This will reduce instances whereby individuals' debates are haphazard like Honourable Tsogwane sometimes does...

**MADAM CHAIRPERSON:** You are starting.

**MR MMOLOTSI:** Does. Like Honourable Kgathi sometimes does. Madam Chairperson, with those words, I support Honourable Mokgware's amendment. Before I conclude, I realise that Honourable Members seem to be feeling sleepy, Madam Speaker, maybe you

should think of something. Honourable Kgathi's face is changing and that implies it is late.

**MINISTER OF LOCAL GOVERNMENT AND RURAL DEVELOPMENT (MR TSOGWANE):** Procedure. I think this should be captured well because Honourable Mokgware has proposed an amendment and it should be clear that we are amending an existing Standing Order and its words are being replaced by Honourable Mokgware's words. Otherwise the Standing Order as it exists will remain as it is, despite the amendment that he is making because he is making an amendment on the Standing Order that is existing. So it should clearly show. Honourable Guma had deleted it but he has withdrawn that deletion. Therefore, the Standing Order 51.5 remains as it was. Therefore, if there is an amendment to that, it should relate and the mover of the amendment must clearly show that he is amending Standing Order 51.5 to read, so that it shows that this one is replaced.

**HONOURABLE MEMBER:** He said that.

**MR TSOGWANE:** No, he did not say that. He only said the words, 'that he amended'

**MADAM CHAIRPERSON:** I heard that he is amending Standing Order 51.5, which prohibits Honourable Members from reading and he is replacing it with the one which now allows us to read like in other Parliaments.

**MR NKAIGWA (GABORONE NORTH):** It is clear Madam Chairperson. As people grow, our hearing becomes affected. Since that is not what we agreed in Phakalane, I want to highlight that Honourable Mokgware has really helped by coming up with an amendment which I believe will help us going forward such that as we will be coming up with Motions, discussions or when debating the State of the Nation Address and the Budget, we would not leave anything behind.

**HONOURABLE MEMBER:** ... (Murmurs)...

**MR NKAIGWA:** I prefer to write for myself. I can spend the whole night writing, but I know my friend Honourable Tsogwane cannot do that. I support the Honourable Member on the amendment that he has made. Thank you.

**MR NGAKA (TAKATOKWANE):** Thank you Madam Chairperson. I should congratulate Honourable Guma. If a Government is democratic enough, whenever there



has been a mistake, it is always good to go back and correct it. This shows that you care about people's lives. This is not done in bad faith or in favour of any group of people. This shows that in a democracy you do well to all people. Reading would be the best because most members can be able to prepare themselves so that when they debate, they are not fuelled by demonic spirits that they always talk about but if they have written, they would stick to what they have written. It is a good amendment Madam Chairperson, so I support it. Thank you.

**ASSISTANT MINISTER OF BASIC EDUCATION (MR GOYA):** Thank you Madam Chairperson. I support Honourable Mokgware on the amendment he is proposing to Standing Order 51.5 which prohibited us from reading, and he added an item which says, "...and may refresh his/her memory by reference to notes." I do think it sound well. Instead, I think he should say "... papers in support of his/or her arguments" and remove where he talks of references, because that one pertains to when a member is not reading. I request to move an amendment of an amendment made by Honourable Mokgware so that 51.5 reads, "a member may read his/her speech during presentation and may read extracts from books or papers in support of his/her argument". I move accordingly. Thank you.

**MADAM CHAIRPERSON:** Order! Order! The question is that the amendment to the amendment be agreed to.

Amendment to the amendment **agreed to.**

**MADAM CHAIRPERSON:** Order! Order! The question is that the amendment as proposed by Honourable Mokgware be agreed to and as amended by Honourable Goya.

Amendment **agreed to.**

**MADAM CHAIRPERSON:** Order! Order! There is an amendment at Standing Order 52.

#### **Amendment of Standing Order 52.5**

**CHAIRPERSON OF THE STANDING ORDERS AND REFORMS COMMITTEE (MR GUMA):** Thank you Madam Chairperson. Standing Order 52.5...

**MADAM CHAIRPERSON:** Sorry. Let me do it as amended. The question is that Standing Order 51 as amended stand part of the Standing Orders.

Amendment as amended **agreed to.**

**MADAM CHAIRPERSON:** Honourable Chairperson, the next one.

**MR GUMA:** Madam Chairperson, Standing Order 52.5 is amended by substituting for word "may" with the word "shall". I move accordingly.

**MADAM CHAIRPERSON:** Order! Order! Honourable Members, the question is that the amendment be agreed to. You want to debate?

Amendment **agreed to.**

**MADAM CHAIRPERSON:** Honourable Moswaane, you are giving me your back.

**MR MOLEFE:** Point of procedure. Thank you Madam Chairperson. 51.7 is not complete, it continues to b, c, d, then there is 51.8 and 9. We have not adopted them Madam Chairperson.

**MADAM CHAIRPERSON:** 51 has been adopted right? Yes, all of it. Order! Order! Honourable Members, there is an amendment at Standing Order 52.

...Silence...

**MADAM CHAIRPERSON:** Order! Honourable Members, there is an amendment at Standing Order 53, Chairperson Guma.

#### **Amendment of Standing Order 53**

**MR GUMA:** Thank you Madam Chairperson. Standing Order 53 is amended by inserting after Standing Order 53.2, the following new Standing Order 53.3, "a Member shall not interrupt the presenter in any way whatsoever, during the presentation of the State of the Nation address, or the Budget Speech." 53.4, "a Member shall not interrupt the Leader of the House or the Leader of Opposition in any way whatsoever during the presentation of the responses to the State of the Nation Address or the Budget Speech." 53.5, "a Member shall not interrupt a dignitary or a Head of State in any way whatsoever during the address under Standing Order 18A." I move accordingly Madam Chairperson.

**DR P. BUTALE (GABORONE CENTRAL):** Thank you Madam Chairperson. I stand Madam Chairperson, to remind the Chairperson of the Standing Orders Committee. I know that he is a man of his word and principle. We have agreed in Phakalane that, we will not remove from our Standing Orders, with reference to the leader of the minority party. Ever since we started, the Standing Orders have left out the minority party. Madam



Chairperson, if we do it this way, we are not moving in the right direction, we are regressing. I would want to propose an amendment to 53.4, as proposed to read thus Madam Chairperson, “a Member shall not interrupt the Leader of the House, the Leader of Opposition or the leader of the minority party in any way whatsoever during the presentation of the responses to the State of the Nation Address or the Budget Speech.” In that way, we have created the balance. If you remember very well when we were in Phakalane, the argument as we then agreed was that, the composition as it was then, where we had only two parties in Parliament shall not always obtain. As we know that we want to be progressive and ensure plurality of voices and recognise that diversity and plurality in Parliament, I think we need to have that leader of the minority party running through our Standing Orders. I so move accordingly Madam Chairperson.

**MADAM CHAIRPERSON:** Order! Order! Honourable Members, the question is that the amendment as proposed by Honourable Butale be agreed to. I will start with the Chairperson.

**MR GUMA:** Madam Chairperson, I stand to propose the amendment. We did meet as a Committee to review and look into these Standing Orders, including how we are going to present them. Our assumption is that the Leader of Opposition, is a Leader of Opposition for all and minority. At that point in time, there was not even any leader of minority to a party. So, that is where we are coming from. The Leader of Opposition, is a Leader of Opposition. The opposition Members may actually decide amongst themselves the approach in which they would want to conduct themselves in the House, that is why in my view there is Opposition Whip. I do not think we have included in the Standing Orders the minority Whip...

**HONOURABLE MEMBER:** ... (Inaudible)...

**MR GUMA:** No, we have not, as the Standing Order. That is why I am opposing this Madam Chairperson, and I hope the House will agree with us. I thank you Madam Chairperson.

**MR MMOLOTSI (FRANCISTOWN SOUTH):** Thank you Madam Chairperson. I think this is a straightforward issue, there should be Leader of the House, Leader of Opposition and leader of the minority. At this point in time we need to understand that when you are a Leader of Opposition you are from a majority

opposition party in Parliament. Right now Honourable Chairperson, you cannot be sure that majority opposition party shares the same views as the minority party. Therefore, it means the minority party will never be represented in anything if their voices are not going to be heard.

Honourable Members of Parliament, there are different parties and their voice need to be heard because this is democracy. Umbrella for Democratic Change (UDC) can have a view which the Alliance for Progressives (AP) does not share, or AP can have a view which UDC does not share. All these things must come out because Batswana need to know the views of AP and UDC. That is why at Phakalane we agreed and voted that there should be leader of minority in Parliament. I agree with Honourable Pheny Butale that we should have a leader of the minority party so that the voice of the minority can be heard in Parliament. I do not know what the problem is, why can we not have views of a minority from the leader of the minority. That is why even moving forward we have to ensure that we amend as agreed at Phakalane regarding issues of Whips, they should be represented in Committees as before. The Whips from different parties know the interests of their Members of Parliament. Therefore, there is no way a Whip of one party can share the views of Members of Parliament for another party, we all know quite well that sometimes there is animosity between parties. This is why I am suggesting that we should support the amendment brought forth by Honourable Butale just like we had previously agreed in Phakalane. We should not let the spirit of jealousy take over; Honourable Guma is trying to...

**MR GUMA:** On a point of order. I think that is very provocative. I do not think I am jealous and he must withdraw those words Madam Chairperson.

**MADAM CHAIRPERSON:** Withdraw the word jealous sir; you are provoking him.

**MR MMOLOTSI:** We had agreed on something in Phakalane and he decided to change it; that is jealousy. He should never do it again. This is not his Parliament.

**MADAM CHAIRPERSON:** Honourable Mmolotsi, he does not like being referred to as a jealous person. You even pointed at him and said, “You are a very jealous person.”

**HONOURABLE MEMBER:** ... (Inaudible)...

**MADAM CHAIRPERSON:** I understand that he



could have done you wrong but do not refer to him as jealous. Withdraw the word jealous.

**MR MMOLOTSI:** Madam Chairperson, he cannot go back on the agreement that we had and come back here and say he is opposing it; this shows that he did it deliberately and in Setswana we refer to a person who does that as a jealous traitor.

**MADAM CHAIRPERSON:** You have to withdraw Honourable Mmolotsi. Withdraw!

**MR MMOLOTSI:** Okay, I withdraw Madam Chairperson.

**MADAM CHAIRPERSON:** Let us hear what the Holy Spirit has to say.

**HONOURABLE MEMBERS:** ... (Laughter!)

**MR NKAIGWA (GABORONE NORTH):** Thank you Madam Chairperson. If my memory serves me well, when we looked at this Standing Order 53.4 in Phakalane, we did not have two political Parties in this House; we had three. We talked about leaders of the minority to be accorded the respect that everyone gets when they speak in this House. I remember very well that the reason why we did not look at Standing Order 9.3.6 and 9.4 is in recognition that there shall be minority leaders in this Parliament. I do not see anything wrong with accepting this Motion the way it is. We will continue to embrace all parties that are represented in this Parliament. I think we should just carry on with what we normally do Honourable Madam Chairperson because we are running out of time. By doing that, we will prove that indeed we are receptive to everyone in this Parliament of Botswana. Thank you Madam Chairperson.

**MAJ. GEN. MOKGWARE (GABANE-MMANKGODI):** Thank you very much Madam Chairperson. Committee Chair, if you could remember what Honourable Haskins is talking about, we never looked into Standing Order 9.3.6 which clearly says; “the minority opposition parties shall each appoint one of their own to be their leader in the House and notify the Speaker.” 9.4 continues to say, “each leader of a minority party shall be allotted longer speaking time than ordinary Members (but lesser time than that allotted to the Leader of the Opposition) during response to the State of the Nation Address, Budget Speech or any other major Government Policy Statement.” This was in recognition to that my dear Chair, if you could remember. So...

**HONOURABLE MEMBER:** Elucidation.

**MADAM CHAIRPERSON:** That means we skipped both standing orders 9.4 and 9.3.6. Which means that we have agreed that there is a minority. Have you amended them?

**HONOURABLE MEMBERS:** ... (Murmurs)...

**MADAM CHAIRPERSON:** Wait a moment; chairperson, I would like to know if Standing Order 9.4 has been amended or was it forgotten?

**CHAIRPERSON OF THE STANDING ORDERS AND REFORMS COMMITTEE (MR GUMA):**

Madam Chairperson, can we focus on what is in here. Let me tell you why; if a member wants to argue his or her point or elucidate and then make reference that does not change what I put in here as the substantive amendment. I cannot be drawn back to an amendment which I did not bring. They are using this particular argument for or against. So the truth of the matter is that I brought in an amendment and we stick to it. So if you do not agree with it, we will vote but what is being presented in here, whether he is right or not, we will vote on it. If you had wanted to make an amendment if anything, you will make it. So I have an amendment in here you are actually justifying your argument by making reference to that, I hear you, but we will vote on it. That is it. This is the ... (interruptions)... I do not want to get myself into this please because whatever you say here...

**MADAM CHAIRPERSON:** Order! I believe that they have understood you.

**MINISTER OF LOCAL GOVERNMENT AND RURAL DEVELOPMENT (MR TSOGWANE):**

Madam Chairperson, you can make reference to these things, you may leave another Standing Order for a particular objective. Here we are talking about time but where it has to be amended; we are not saying that they do not exist but where they are and they are assigned by the Standing Order a particular assignment, then they will be assigned. You may have leader of the...

**HONOURABLE MEMBER:** Point of order.

**MADAM CHAIRPERSON:** Wait for your turn, Honourable Mokgware is still on the floor.

**HONOURABLE MEMBER:** He had yielded to my elucidation.



**MADAM CHAIRPERSON:** That is fine he still has two minutes 40 seconds.

**DR P. BUTALE:** On a point of elucidation. The Honourable Member is right to say that the Standing Orders should not have any contradiction. Just like Standing Order 10.1.3 states that some party whips shall be elected by members of each minority opposition party represented in Parliament. We cannot recognise that there is a minority and then later contradict that. I think that one is illogical and does not make sense.

**MAJ. GEN. MOKGWARE:** Thank you very much. Madam Chairperson, the point which I am driving home here is that we have recognised the minority leader and even allocated them time that differs from an ordinary member. By giving them that time for presentation, we are saying he or she should not be interrupted by anybody else which is the case with the Leader of the Opposition and the Leader of the House. We are following the same process, there is the precedence here and if we change, our Standing Order would be flawed. We have recognised the minority leader and we gave him or her the appropriate respect by allocating him or her more time than an ordinary member. Now why should the same Standing Order say he should be interrupted during his presentation? No! That actually does not make sense. I think it will be wrong to try and do that, we have set a precedence and we should actually do that. So, if it is like that...

**HONOURABLE MEMBER:** It will not work.

**MAJ. GEN. MOKGWARE:** Man! Keep quiet, you are failing to run the Ministry, you cannot bring jobs to Botswana, and you are making noise here. Keep quiet man! I think Madam Chairperson; it is logical to follow the Standing Orders. We cannot make rules and then remove them the other side. No, that would not be good. So, that is why I support this amendment to include the Leader of the Minority that when he speaks, he should not be interrupted.

**ASSISTANT MINISTER OF BASIC EDUCATION (MR GOYA):** Thank you Madam Chairperson. Madam Chairperson, I have been listening to the Honourable Members on the other side of the isle debating this amendment. I do not support this amendment, but I agree with the principle they are talking about.

Madam Chairperson, as we were talking earlier, we keep debating the Clauses wanting to amend them, and it shows where we started, we started with them; we could

have started with amending them first. For example, where we are with the proposed amendment, we cannot allow it because we could have started with definitions, and the interpretation. Therefore, the Leader of the minority does not exist there, we did not include it. So, I was saying colleagues could have allowed it to pass as proposed by the Chairperson of the Standing Orders Committee, and they would report it to us, writing for to the committee to amend it, to consider it exclusively, not here Madam Chairperson.

**MR MMOLOTSI:** Procedure. I was thinking you should guide us here Madam Chairperson, when we use words like we are doing now in this particular clause of the Constitution, we use a word right, then after that we get to a point of defining it; to say we have used such and such words, therefore they should be defined. So I believe we are on the right track because we will define all the words. Even today, when we add amendments, including new words, and others need to be defined. Therefore, I think we are in order unless, Madam Chairperson you can guide us otherwise.

**MADAM CHAIRPERSON:** No, I do not think if a word has not been included in the definitions, it is wrong. Let us just debate whether we should do as they propose or as you think.

**MR GOYA:** Thank you Madam Chairperson. No, but if you take it like that Madam Chairperson, I do not support the proposal at all. Thank you.

Question put and **Division called for.**

**MADAM SPEAKER (MS KOKORWE):** Okay, two minutes is up, lock the door please. Let me read it first. The question is that the amendment as proposed by Honourable Dr P. Butale be agreed to. Those who say "yes" should press two, those who are saying "no" three, "abstain" four. Have you voted? Are you done? You talk too much. Order! Okay, let us listen. Those who said "yes" are seven; those who said "no" are 28. Therefore, the Noes have it.

Amendment **negated.**

## BUSINESS MOTION

**MADAM SPEAKER:** Order! Order! Honourable Members, I understand the Honourable Father of the House has a Business Motion.

**MINISTER OF LOCAL GOVERNMENT AND RURAL DEVELOPMENT (MR TSOGWANE):**



I thank you Madam Speaker. It seems the business of today's Order Paper will not be completed by the extended time, so I wish to extend time by three more hours. I thank you.

Question put and **agreed to.**

**MADAM CHAIRPERSON (MS KOKORWE):** I am moving to the Chairperson's amendment.

**MR NKAIGWA:** Point of order. Thank you Madam Chairperson. Madam Chairperson, I am not disputing that the Standing Orders provide that the Leader of the House or whoever has been assigned, can increase time as he wishes so that the business of the day can be concluded, but I believe that today Madam Chairperson, we are considering a tool that we are going to be using in this Parliament to guide us. As Parliament, we have been denied a meal. We entered Parliament at 2 o'clock, until now we have not eaten anything. I mean this is not normal. Remember Madam Chairperson we are talking about rules of procedure, rules that will guide the procedures in Parliament, the august House in Botswana. Now we are saying we should knock off at 2 o'clock without having eaten anything, nothing; and the Members of Parliament are tired, but we just want to force this paper to be passed tonight. I think it is very unfair and unfortunate for the ruling party that they would do things this way. At the end of the day, I do not think we are productive at all; we are just passing things in a manner that is not good for us. I value the Standing Orders, but the way things are being done, it is very touching Madam Chairperson.

**MADAM CHAIRPERSON:** Order! No, I understand him, I know that there is nothing that can be done but he has a point, we did not provide food; normally we provide a snack, so he actually has a point.

**HONOURABLE MEMBER:** We do not want it.

**MADAM CHAIRPERSON:** Oh! You do not want it? I do want the snack; I am a bit famished. Anyway, let us proceed.

Amendment **agreed to.**

**MR MOSWAANE:** On a point of order. Madam Chairperson, let me applaud you for recognising that we should eat. Madam Chairperson, even in the worst case scenario of captivities, people do not stay for 15 hours without food. I foresee deaths here...

**HONOURABLE MEMBERS:** ...(Laughter!) ...

**MR MOSWAANE:** They just want to impress you but we are going to burry you and then the next day we will elect a new Speaker. While you still can, please never allow Members of Parliament to go for 15 hours without food. These people have not represented themselves and they cannot represent the workforce if they are hungry and cannot fully represent themselves. This is not proper Madam Chairperson.

**MADAM CHAIRPERSON:** No, that is not proper. Order! Some member claims that they cannot be referred to as corpses. Order! Order!

**HONOURABLE MEMBERS:** ...(Murmurs)...

**MR MMOLOTSI:** On a point of order. Madam Chairperson, I think as the head of this House, you should guard against abuse of your Members of Parliament (MPs) by the Executive. Right now what is happening is total abuse of Members of Parliament. As Honourable Moswaane has already indicated, this is punishment of the highest order. I mean, we cannot come here at 2 o'clock and still be here this time around. No person has ever worked like that even at mines.

Madam Chairperson, we ask for your protection so that we work normal hours. Look at how Honourable Members are sleeping. Look at Honourable Ralotsia, look at other Honourable Members who are sleeping because this is the time for people to be sleeping. We are not witches Madam Chairperson. Please protect us from Honourable Tsogwane's tyranny. He knows what he wants and we cannot be suffering here just because Honourable Slumber wants to be the Vice President of the country. This is abuse. Protect us Madam Chairperson and release us so that we go and sleep. We have not assisted our children with their home work.

**HONOURABLE MEMBER:** Point of order Madam Chairperson.

**MADAM CHAIRPERSON:** Honourable Tsogwane, I take it that since the motion has been tabled and agreed on, there is nothing that I can do. The motion has been agreed to by the House but it is hectic. Let us proceed, as we do this, we are even delaying further and chances are if we do, we are going to leave here in the morning.

**HONOURABLE MEMBER:** Point of order Madam Chairperson.

**MADAM CHAIRPERSON:** No Honourable Moswaane, I already know what you are going to say. It is not helping us anyhow. Let us proceed.



**MR MOSWAANE:** It is a serious point of order Madam Chairperson. You are going to lose members. You are going to bury them.

**MADAM CHAIRPERSON:** No, just wait and let us proceed. Honourable Member.

**MR MOSWAANE:** Ok, just one minute.

**MADAM CHAIRPERSON:** No, is it not that you have already said what you had to say Honourable Member?

**MR MOSWAANE:** No, Madam Chairperson, do not let yourself be misled and be told we have agreed to the motion. We do agree because we love our country but we are saying that you should buy us dinner for us to fruitfully debate, just like other years. For us to be told that if we do not agree then we will not have dinner is a problem. You cannot tell me you and the Clerk cannot get us dinner, just a phone call to Nandos' to provide dinner for at least 60 members only.

**HONOURABLE MEMBER:** Nandos' is closed.

**MR MOSWAANE:** I just want to tell you that that is not proper, if you want to respond to what I am saying. You are just having dinner at your black cars, individually. We are not entitled to those black cars, *ah!ah!* do not let me go that far because if I am to go there, nothing will be okay in this House.

**MADAM CHAIRPERSON:** Order! Order! I had requested that they try getting you food but I do not know if they will manage as it is already late. Order! Order!

**HONOURABLE MEMBERS:** ... (Murmurs) ...

**MADAM CHAIRPERSON:** Order! Listen to me I am moving a Motion.

Standing Orders 54-57 **agreed to.**

**MADAM CHAIRPERSON:** There are amendments at Standing 58 Honourable Chairperson.

#### **Amendments to Standing Order 58**

**CHAIRPERSON OF THE STANDING ORDERS AND REFORMS COMMITTEE (MR GUMA):** Thank you Madam Chairperson. Standing Order No. 58 is amended. Standing Order 58. 2 by substituting for that Standing Order the following new Standing Order:-

“A member shall not cross the aisle of the House,”

(b) by substituting for Standing Order 58.9 the following new Standing Order:-

58.9, “No member shall use or operate a mobile phone or similar device or apparatus in a manner that interrupts or interferes with the business of the House” and

(c) by substituting for Standing Order 58.12, the following new Standing Order:-

58.12, “Any member who contravenes a provision of this Standing Order shall be dealt with under Standing Order 60”. I move accordingly Madam Chairperson.

**MADAM CHAIRPERSON:** Order! Order! Honourable Members. The floor is open.

**MR MMOLOTSI (FRANCISTOWN SOUTH):** Madam Chairperson, when we look at the amendment made at 58.9, I believe that it is going to be hard on you Madam Chairperson. It says that, “no member shall use or operate a mobile phone or similar device or apparatus in a manner that interrupts or interferes with the business of the House,” it is going to be hard. Currently we have the likes of Honourable Kgathi who always uses his cell phone like he always does in the House but it has not disrupted this House anyhow. I think it is going to be problematic because you will be put in a position to determine which of the uses disrupts the business of the House. That is why I think it will be problematic for it to be operationalized because really this does not interrupt the business of the House anyhow and every Member could even justify that. I think this one will be problematic in implementation in terms of determining which interrupts the business of the House. Look at it that way and let us see how best it will work for Parliament. Thank you Madam Chairperson.

#### **ASSISTANT MINISTER OF BASIC EDUCATION**

**(MR GOYA):** Thank you Madam Chairperson. I stand to support an amendment proposed by the Chairperson for the Standing Orders Committee. Nowadays, one cannot live without a mobile phone. This is because there might be an emergency at home and you can be notified through a message while you are here. If they do not send you a message, they might call you like the Honourable Member said while your phone is on silent mode and you pick it and you are told your child has a problem at school. You can then go and attend to that problem. The Chairperson in my view has come up with a good amendment and we must support it in this House. Thank you Madam Chairperson.



**MAJ. GEN. MOKGWARE (GABANE-MMANKGODI):** Thank you very much Madam Chairperson. I still maintain that everything that you do has an objective. What do you want to achieve? Now if we keep on doing the things that we are doing without achieving anything, we will not explain what we want to achieve. Right now there are critical issues here. 58.9 says, “no Member shall use or operate a mobile phone or similar device or apparatus in a manner that interrupt or interferes with the business of the House”. Madam Chairperson, when a person uses a mobile phone quietly, does that interrupt the business of the House?

**HONOURABLE MEMBERS:** Yes.

**MAJ. GEN. MOKGWARE:** In what way? I think it will be difficult. We are burdening the Speaker because it will be difficult for her to explain how the use of that particular device interrupts or interferes with the business of the House. We always see Honourable Markus speaking on the phone and it does not affect anyone because he speaks quietly.

**MR MARKUS:** Point of order. No, Honourable Mokgware that is defamation of character. He is saying I am the one who disturbs this House by speaking on the phone. He is not telling the truth, I have not used the phone, I request that he withdraw his words. He is imputing improper motives, I have not done that and he knows it too.

**MADAM CHAIRPERSON:** Honourable Mokgware, he is saying you are provoking him.

**MAJ. GEN. MOKGWARE:** No, you have already reprimanded him twice, he knows. I was just citing that as an example, that sometimes he can pick it and the caller talks to him, it does not interfere with Parliament business. Even you the Speaker and the one next to you, you will not hear him.

Now we are burdening you with a job that you cannot manage Madam Chairperson. Under these circumstances, let us not come up with tough laws which we cannot even explain. Coming up with tough laws brings corruption, eventually we will say the Speaker is favouring so and so, he or she was speaking on the phone and no action was taken. Now I am proposing an amendment, I want to move that we delete this particular Section 58.9. I move so Madam Chairperson.

**MADAM CHAIRPERSON:** Alright, sit down Honourable Member and let me propose your

amendment. What he says is that we should remove the words “interrupts or interferes”. Say it in full, I might misinterpret you.

**MAJ. GEN. MOKGWARE:** No Member shall use or operate a mobile phone or a similar device or apparatus.

**MINISTER OF DEFENCE, JUSTICE AND SECURITY (MR KGATHI):** Procedure. The Honourable Member might be feeling sleepy but he should say I move without notice, he cannot conclude ...

**MADAM CHAIRPERSON:** That one is okay. They are correcting you that you should say, I move without notice because it has not been noticed.

Amendment **negated**.

Standing Order 58 as amended **agreed to**.

Standing Order 59 **agreed to**.

#### **Amendment of Standing Order 60**

**CHAIRPERSON OF THE STANDING ORDERS AND REFORMS COMMITTEE (MR GUMA):** Thank you again Madam Chairperson. Standing Order 60 is amended by inserting immediately after Standing Order 60, the following new Standing Orders; 60 A.1, “The Chairperson of a Committee, after having called the attention of the committee to a conduct of a Member who persists irrelevance or tedious repetition of his or her own or other Members’ speeches, may direct him or her to discontinue his or her speech.

60A.2 The Chairperson of a Committee shall order a member whose conduct is grossly disorderly to withdraw immediately from the committee meeting for the remainder of that day’s sitting and may direct such steps to be taken as are required to ensure compliance with this order.” I move accordingly Madam Chairperson.

**MR NKAIGWA:** Procedure. Madam Chairperson, I need your indulgence. Are we safe in this Parliament? The Standing Orders say there should always be a Sergeant-at-Arms, but he is not there.

**MADAM CHAIRPERSON:** I was asking the Clerk where he is, they will check.

**MR MMOLOTSI (FRANCISTOWN SOUTH):** Madam Chairperson, it is said that MPs can move such things. Then the burden is dumped on you to rule that a member is irrelevant. Thereafter, it seems like you



are the one who dismisses as irrelevant and we end up asking what you mean by that. This does not reflect well on you because ultimately you become someone who makes very unpopular decisions that stifle the debates in Parliament.

Secondly Madam Chairperson, it proceeds to 60A.2 to say, “the Chairperson of a Committee shall order a member whose conduct is grossly disorderly to withdraw immediately...” let me stop there. Here, it does not even qualify to say “grossly,” what is it that they want the Speaker to look at that will define that ‘grossly’. All I see in the Standing Order Committee is to degrade Parliament to the level of petty talks which I do not believe Parliament should be dragged to. By the look of things, this thing is targeting freedom of speech because Honourable Members would not be free to say what they want to say for fear of being labelled as grossly disorderly and irrelevant. We cannot run Parliament like that. Madam Chairperson, we know these things can be passed, but how will posterity judge us? Some people have no credibility that they can protect, but it is sad that our standards are being downgraded with dictatorial Standing Orders which will not allow MPs to execute the duties they were given by voters. It is a sad day for democracy. It is sad that we find ourselves in this situation because they will vote that these Standing Orders are fine. What kind of people are these? You should write a letter for Honourable Molale that shows he was here during this time.

**MINISTER OF DEFENCE, JUSTICE AND SECURITY (MR KGATHI):** Thank you Madam Chairperson. The Standing Order as proposed...

**HONOURABLE MEMBERS:** ...(Murmurs)...

**MR KGATHI:** Listen! Do you want a letter? The Standing Order as proposed shows direction towards productivity, we are tired of spending a lot of time repeating the same things. As MPs, we should be role models to many of our young people what we mean by productivity. This thing has been worrying; many members have been standing here repeating the same things that have been said. I have attended the European Parliament Madam Chairperson, and we could have put the Standing Orders along those lines where...

**MR GUMA:** Elucidation. Thank you for yielding Honourable Kgathi. We are talking about Committees of Parliament, not the committee as in the House. The Chairperson of a Committee of Parliament has been

delegated responsibility by the Speaker of the National Assembly. It then happens that the Chairperson of the Committees where they are chairing may face similar situations as in the House, so he needs to be given the same power in case there is a problem in those committees. That is within this context.

**MR KGATHI:** Madam Chairperson, concluding my debate, I was saying Parliament must be productive, whether we are at...

**MR MMOLOTSI:** Point of order. Madam Chairperson, we are not supposed to assume which Committee is being referred to. As far as I am concerned, as we are right now, we are in a committee and you are a Committee Chairperson. We should not assume, how do we know because it is not very clear here which committees we are referring to?

**MADAM CHAIRPERSON:** We are in a Committee now.

**MR MMOLOTSI:** Yes, we are in a Committee.

**MR KGATHI:** I was still giving an example that I have attended the European Parliament. We can still even improve this one by making sure that we limit the time of debate to the barest minimum time which can pressurise MPs to be disciplined when they make presentations, be able to share their opinions and discuss them. We should not behave like Honourable Mmolotsi who has just said he needs a letter that he can present when he gets home. Such things are totally irrelevant. Mr Chairperson, you have done well, let us pass this Standing Order and from now onwards, let us show that we are productive as Members of Parliament.

**MR NTLHAILE (JWANENG-MABUTSANE):** I have a problem because there seems to be a hidden agenda that is being pursued here. If I follow what the Committee Chairperson is saying, he is bringing about confusion on what we mean by committee. I just want to remind him that the Standing Order that we are talking about falls under the heading, “order in the Assembly.” It is very clear. I think the statement that you were making Honourable Member, is not correct. I wanted to propose that we delete the two Standing Orders that we are talking about (60A.1 and 60A.2). I move accordingly Madam Chairperson.

**MR GUMA:** Point of procedure. That cannot be an amendment Madam Chairperson. You cannot move when you have made an amendment, then you say I



move that this amendment be deleted. You cannot move that way, you either say you do not agree, but that is not an amendment, please.

**MADAM CHAIRPERSON:** You have corrected it; the floor is open. Otherwise let us vote.

**MAJ. GEN. MOKGWARE (GABANE -MMANKGODI):** Thank you Madam Chairperson. Some of the laws that we are making here are very difficult. How are you are going to tackle them Madam Chairperson? How did you reach a conclusion that somebody is repeating himself or herself in another member `s speech? How is it going to be? That is why I believe that some of this laws are going to make your job very difficult and then we end up blaming you for not doing the job accordingly. This does not show productivity. I see this as abuse of freedom of speech, freedom of expression by Members of Parliament who will just be afraid every time they have to face the Speaker because he/she will always be controlling how they should present. Madam Chairperson, I hear that you want to pass it, but I do not think it will be very easy for you. I will always ask, what you are going to achieve at the end of the day. You are the same people who will be complaining that this Parliament is not progressing, blaming the Speaker that she or he is not performing and start citing laws that are not implemented. This is totally unfair. Members of Parliament should have freedom of speech, nobody should edit and sensor what they say. The should have the freedom of Speech, just like you are making noise because you are sleepy.

**HONOURABLE MEMBER:**...(Inaudible) ...

**MAJ. GEN. MOKGWARE:** Now what will happen if the Speaker was to take action against you? That is why I am saying I do not think these amendments are relevant. I think they are just here to overburden the Speaker of the National Assembly and I do not agree with them.

**MADAM CHAIRPERSON:** Order! I will come to you sir, Stand and talk Honourable Nkaigwa.

**MR NKAIGWA (GABORONE NORTH):** Thank you Madam Chairperson, the reason why it is like I am not standing up straight and I am like Honourable Kgathi is because what the Chairperson of Standing Order committee is asking for, the amendment to Standing Order 60 or in addition to 60A.1, 60A.2 is not necessary at all. They are already covered under the Order in the Assembly, that is 60.1 and 60.2. The reason why I am

saying this is because when we look at the definitions of Chairperson, it just clarifies what the chairperson is for. Just like the committee that I Chair of Member`s Rights, as a Chairperson, I am still a member of that committee. So these articles still apply to a committee, they do not apply to the Speaker, like the Chairperson of the Standing Orders committee was thinking.

It would be a repetition of what is already there in that Standing Order. If you can allow me Madam Chairperson to quote, the definition of Chairperson reads “in the case of a committee, of the whole assembly means the Speaker (a) acting as a Chairperson in terms of Standing Order No. 64, Speaker to leave chair and in case of Select Committee means the member appointed as or for the time being performing the functions of the Chairperson thereof.” That is why I am saying it would be repetition because they thought committees were not covered, but they are covered by these amendments.

**MR NGAKA (TAKATOKWANE):** Thank you Madam Chairperson. Everywhere there is a committee, there should be a chairperson between Members to ensure that work is being done accordingly. The Chairperson should take all the necessary steps if ever there are challenges. I do not understand how my colleagues that side of the aisle read what is being written. Madam Chairperson, may I read Standing Order 60A. 1? It reads “the Chairperson of a committee after having called the attention of the committee to the conduct of a member”; let me repeat it, “the Chairperson of a committee after having called the attention to the committee” having called the attention to the committee means they are resolving the issue together. You tell others to help you reprimand someone who is out of order. That is how I understand it.

**HONOURABLE MEMBER:** It is just like that.

**MR NGAKA:** Now if a Member of the other Committee or Chairperson of a different committee does not agree as the Chairperson you will tell others to help you asses the matter and from there you can take the decision regarding the issue at hand. Where is the problem there? I do not understand maybe I do not understand English. Anyway, because I do not have demons I do not know how they do not believe this issue.

**HONOURABLE MEMBERS:** ...(Laughter!) ...

**MR NGAKA:** I do not agree with them Madam Chairperson. Thank you.



**MADAM CHAIRPERSON:** Which means we are voting. Order! Order! Honourable Members, the question is that the amendments be agreed to.

Amendments **agreed to.**

Standing Order 60 as amended **agreed to.**

Standing Orders 61 to 77 **agreed to.**

**MADAM CHAIRPERSON:** There is an amendment at Standing Order 78, Chairperson quickly.

#### **Amendment of Standing Order 78**

**CHAIRPERSON OF THE STANDING ORDERS AND REFORMS COMMITTEE (MR GUMA):** Thank you Madam Chairperson, Standing Order 78 is amended by inserting the word “who” between words “members” and “wish” appearing under Standing Order 78.1. I move accordingly Madam Chairperson.

Amendment **agreed to.**

Standing Order 78 as amended **agreed to.**

Standing Orders 79 to 101 **agreed to.**

#### **Amendment of Standing Order 102**

**CHAIRPERSON OF THE STANDING ORDERS AND REFORMS COMMITTEE (MR GUMA):** Madam Chairperson, allow me to breath when I am reading this one. Standing Order 102 is amended by substituting for Standing Order 102.1 the following new Standing Order –

“102.1 There shall be a Standing Committee known as the Business Advisory Committee, consisting of the Speaker as the Chairperson, the Leader of the House, the Leader of the Opposition, the Government Whip and the Opposition Whip.” I move accordingly Madam Chairperson.

**DR P. BUTALE (GABORONE CENTRAL):** Thank you Madam Chairperson. As I made an argument earlier on that, it will be very bad and regressive if the intention of this House is to obliterate, dictate and remove completely the existence of the minority party and its voice in this House. I think it is not right. Therefore, as I have moved in earlier clauses and said that, when you look at Standing Order 9.3.6, which talks about the minority opposition parties and the fact that they shall appoint their leader in the House, and when you look at 10.1.3 which talks party Whips of minority parties in

the opposition, I think the spirit of the Standing Orders is to ensure that we capture the plurality of voices and recognise divergent views in this House. Therefore, I would like to propose an amendment to Standing Order 102.1, so that it read thus Madam Chairperson, “There shall be a Standing Committee known as the Business Advisory Committee, consisting of the Speaker as the Chairperson, the Leader of the House, the Leader of the Opposition, the Government Whip, the Opposition Whip and the minority Whip.” That is the amendment I am putting forward. I want to remind the Chairperson of this Committee that this was discussed in Phakalane and it was agreed on. If he is true to his word, the way he did with the other previous Standing Orders, he should stand up and acknowledge his omission in terms of recording what was agreed in Phakalane. If he stands up and says that it was agreed, then my Committee went, reviewed and overturned the decision of Members of Parliament. I think it is very wrong. It speaks to double standards and malice because it shows that those things that were agreed, which were not agreeable to the Committee and the Committee Chairperson, were taken out and the time spent by Members of Parliament in Phakalane, went to waste. I am moving accordingly Madam Chairperson that the amendment as I have proposed be adopted.

**MADAM CHAIRPERSON:** Order! Order! Honourable Members, the question is that the amendment as proposed by Honourable Dr Butale be agreed to. The floor is open.

**MR GUMA:** Madam Chairperson, I chair this Committee. I called in Members, we had a discussion on this matter and we reflected thoroughly on it. The truth of the matter is; the Business Committee is an important Committee of Parliament. It takes decisions on behalf of this Parliament and it must reflect the composition of Parliament. Simple as that. If you want to take over, go and get the votes outside. You cannot try and sneak in. It is a fact and do not try and impute improper motives on me. If you want to do that, I will do the same thing, but I am not going to stoop so low. I sit and I chair a Committee where we deliberate. The meetings in Phakalane do not by themselves, take away the powers of this House. It was for me, my convenience and convenience of the Committee to come and discuss with you here. We have taken all your views into consideration, but it is not compulsory. Do not make that mistake. I know my job, I have been here long enough. Please, I object to this amendment Madam Chairperson.



**MAJ. GEN. MOKGWARE (GABANE-MMANKGODI):** Thank you Chairperson. I believe that as the Chairperson of the Business Advisory Committee is alleging that it is an important organ and should reflect the representation in this Parliament, indeed, the minority are an important component of this Parliament. We are supposed to be growing and nurturing democracy but some committees do not reflect how this Parliament is. This Committee should reflect what is in this particular House. So, we cannot assume that some are not included because they are the minority. You should know the reason why there are minority parties. It is not necessarily that you will agree with the other Opposition Whip or opposition parties. The spirit in the first Standing Order was quite good. It was showing the reflection of our Parliament. It will be wrong if you exclude the minority Whip. You are killing democracy. The Committee does not actually reflect the representation in this particular Parliament. Am I clear? I think the Chairman of the committee also needs to reflect deeply on this issue; what about other people who are in this House? Mind you, minority does not mean about five, six or seven, you know there will come a time when the complicity of Parliament will change.

We should think of the future when we make laws and we should also avoid making it personal. Let us do what is right; justice and the truth. That is what we should face and should live for.

**MR REATILE (SPECIALLY ELECTED):** Thank you Madam Chairperson. I would like to point out that I reject the Motion that Honourable Butale has tabled in this House. I still maintain the reasons that I said when we were in Phakalane; Madam Chairperson, Batswana who support the opposition believe that we are trying to break it apart and that by having Leader of the Opposition and the Opposition Whip will be a sign that we are not trying to break it but rather trying to build it. Thank you Madam Chairperson.

**MINISTER FOR PRESIDENTIAL AFFAIRS, GOVERNANCE AND PUBLIC ADMINISTRATION (MR MOLALE):** Thank you Madam Chairperson. This House is governed by simple majority therefore it comes as a shock to me that this majority would be defeated by the minority. That is not going to work Honourable Mmolotsi; you are just trying to scuttle a process of governance but we are not going to allow that. As Honourable Reatile has already said, we are trying to build you so that you can also have a

voice in this House. We do not want that Motion and we will never accept it. Thank you Madam Chairperson

**MR MMOLOTSI (FRANCISTOWN SOUTH):** Thank you Madam Chairperson. Honourable Molale just said he is rejecting the Motion; it is shocking because the nation has rejected him twice but he still came here. He came here and he is now rejecting the processes that could help this Parliament move forward. You need to be careful when you say certain things because they could cause a lot of problems for you. My issue is just straight forward; we need to include minority leader as well as minority Whip because we are dealing with different parties in Parliament. We cannot deny the fact that those parties exist in this House and they are different parties. They are opposition parties but they are separate parties. You cannot stand up and tell me that these are parts of the same body. No! Alliance for Progressives (AP) is not part of Umbrella for Democratic Change (UDC). Therefore, you cannot tell me that the views of the UDC are similar to the views of the AP; it is not like that. Botswana Congress Party (BCP) was not part of UDC. Their views were independent and we had our own independent views. You cannot come here and tell us that we are one party. This is why we are suggesting that we include leader of the minority party and minority Whip. When we are at the Business Advisory Committee...

**HONOURABLE MEMBER:** Clarification.

**MR MMOLOTSI:** Being part of the committee means that the Whip who understands the needs of the Members of Parliament in his or her party will represent them better than if they were to be represented by the Whip of the majority party who might not take our views into account. All parties need representation at the Business Advisory Committee to prove that indeed there is democracy. You find it okay to keep on bringing back someone who lost elections twice; one day you will be arrested for this.

**HIS HONOUR THE VICE PRESIDENT (MR MASISI):** Thank you Madam Chairperson. I think this is a very simple straight forward one. It does not make sense on the basis of pure logic that you allow for a situation where the role and the distribution of weighting of power of the Business Advisory Committee is set to yield a particular result and you adulterate it by embellishing the numbers through splintering of the opposition and therefore adjusting the weighting of power, because a Business Advisory Committee as in the



Standing Orders, is a very important weighty committee that actually helps in decision taking. It reviews the rulings of the Speaker and when there is a stalemate, there is a vote. How do you as a minority of minorities come and have equal weighting when it comes to that vote and undo the distribution of power in the House through making decisions? That is a coup in military terms. It is not surprising that it should come from you in the AP because this is part of what you do. That is how you were formed. You have a disagreement, you metamorphose to something else, and you call yourself something else but when you were from the elections, you were the same individuals. What confidence do we have that in the very near future half of you is not going to be another party? So we cannot Madam Chairperson go and splinter, embellish and increase disproportionately the weighting of power of formation of the opposition. So I stand to oppose that suggestion Madam Chairperson.

**MR NKAIGWA (GABORONE NORTH):** Madam Chairperson, I support this Motion of the amendment to include the Leader of the Minority and the Minority Whip. I am saying this because I actually respect the Constitution of Botswana. The Constitution talks about freedom of association. I do not think there is anything wrong, if there was, it would not be the case in Parliament. The Vice President is talking as if people have stolen something that belongs to someone. If it is stealing, I believe there would be many thieves in this Parliament. This situation where people would be elected by a party, and then they cross the floor to another party is not something new. In 2010, Honourable Guma Moyo wanted me to go to the Botswana Movement for Democracy (BMD) when I was still a member of the BDP (Domkrag). After going to BMD, he said I should go back to the BDP (Domkrag), and then I told him that I would not do that. That is why I am saying it was not wrong for Honourable Guma Moyo to take me from the BDP to BMD, because this country promotes freedom of association. That is why I am saying if things have happened the way they have; even though the BDP; actually, when you have been in governance for 50 years it is not surprising to have an offshoot. It is in order because you would have served and your time would be up. That is why I am saying let us accept that we need each other, we are different. You cannot talk about wanting a united opposition, when you know very well that it is not what you want. Just know that the united opposition that you want, will unite indeed. I am telling you His Honour the Vice President, come 2019, power is going to change.

I believe if we had constitutional courts in our country, procedures like the one we are passing would not be passed. It would not stand the test of time in court. It shows that we are unable to appreciate the existence of Parliament totally. There is no Member of Parliament who has been prohibited from leaving the BDP to maybe become an independent candidate or forming their own party because the constitution of the country allows it to be so.

**MR MMOLOTSI:** On a point of order. Madam Chairperson, please awaken Honourable Olopeng and Honourable Ralotsia. Sleeping in the presence of people is not proper.

**MR NTLHAILE (JWANENG-MABUTSANE):** Madam Chairperson, I stand to support the proposal to amend this clause to encompass all parties that are represented in Parliament. It is very embarrassing that in this era, Parliament seems to be regressing; taking decisions that the principle of democracy, of multiplicity of ideas, it seems our colleagues on the other side do not pay attention to that, that democracy needs to be promoted and nurtured. We should not take decisions that will reverse what we have already achieved.

I actually support the way the Honourable Member has presented the amendment, suggesting that the leader of the minority should be included in the relevant committees. I would like to respond to the reasons advanced by the Vice President, trying to show that when people have been voted for out there, they should not change when they come to Parliament. That point Honourable Vice President (VP), if you may pay close attention, the right procedure is that, since we are talking about people who have been voted for, you as the VP could be focusing on the group in Parliament that was not elected. In essence, that alone VP, this is what we call the cue that people have voted, then you sat down and chose yours and brought them to Parliament, because people out there rejected them. In essence, you were trying to dilute what the people did. Right now, we are talking about people who have been voted for by the people; those who are leading this chorus, were rejected by the people, but they are here in Parliament. Right now, we are saying we should grow our democracy to recognise people who were voted for to come to Parliament. We should give them the positions they deserve in the various committees. This is what we are saying.

**MR NGAKA (TAKATOKWANE):** Thank you Madam Chairperson. I am concerned that the minority



party in Parliament, maybe I do not get it; they do not believe that their opposition is something. That is what he is saying. That is, if you talk of opposition parties in Parliament, the minority party is a little something. In other words, what are they saying? When I look at...

**HONOURABLE MEMBER:** ... (Inaudible)...

**MR NGAKA:** It is in order that I am not a Minister. Let me help the pastor, he usually beats about the bush. Many people talk about Jesus, but they never talk about John who baptized him. You will talk about Ministers, but you will not talk about me who enabled them to be where they are. Let me show you that when I look at...

**HONOURABLE MEMBERS:** ... (Murmurs)...

**MR NGAKA:** I beg for your protection Madam Chairperson. I was still saying when we talked about this amendment in Phakalane, we were only with the Umbrella for Democratic Change (UDC), and the Alliance for Progressives (AP) was not in existence, if I may say so. This time around, we have the AP and the UDC, and AP is saying, "The minority is there, and it should be included here." This keeps changing, we agree on it, tomorrow we would be here again in the House, and someone would want to add a little something again. We are afraid the next day people will say, "Since we are a minority party, allow our party to be called Advisory Committee."

**MR REATILE:** On a point of elucidation. Thank you Madam Chairperson. Honourable Member, as you are debating, recall that in this House there was never a day it was proven that there is a minority opposition. When they vote, they do so as a block. There is not a single day when any other party voted with the Botswana Democratic Party (BDP). If anything, the BDP is the one that can vote with the opposition. That alone is a sign that they are one entity.

**MR NGAKA:** I thank you Honourable Colleague. I just want to encourage them to implore the Leader of Opposition to attend Parliament. Do not look for a way of substituting for a minority Whip by all means, just because you are failing to say to him "sir, attend Parliament. Thank you Madam Chairperson.

Amendment **negated**.

Standing Order 102 **agreed to**.

Standing Order 102 as amended **agreed to**.

**MADAM CHAIRPERSON:** someone has been snoring, and I do not want to hear that sound!

**HONOURABLE MEMBERS:** ... (Laughter!) ...

**MADAM CHAIRPERSON:** You are cheating on us; we also want to snore! Order!

Standing Order 103 **agreed to**.

**MADAM CHAIRPERSON:** There is an amendment at Standing Order 104.

**Amendment to Standing Order 104**

**CHAIRPERSON OF THE STANDING ORDERS AND REFORMS COMMITTEE (MR GUMA):** Thank you Madam Chairperson. Standing Order 104 is amended by inserting immediately after Standing Order 104.1 the following new Standing Order:-

"104.2; for the purposes of this Standing Order "Clerk's Assistants" means officers at the level of the Executive cadre." I move accordingly Madam Chairperson.

Amendment **agreed to**.

Standing Order 104 as amended **agreed to**.

**MADAM CHAIRPERSON:** There is an amendment at Standing Order 105.

**Amendment to Standing Order 105**

**CHAIRPERSON OF THE STANDING ORDERS AND REFORMS COMMITTEE (MR GUMA):** Thank you Madam Chairperson. Standing Order 105 is amended by:-

(a) substituting for Standing Order 105.2 the following new Standing Orders:-

"105.2; half of the members including the Chairperson of the committee shall constitute a quorum.

105.2 (A); in the event of the committee having to convene on an urgency in the absence of the Chairperson of the committee, half of the members of the committee shall constitute a quorum which number may include the Chairperson elected by the members from amongst themselves."; and

(b) inserting immediately after Standing Order 105.4 the following new Standing Order:-

"105.4 (A); the committee shall have power to send the Auditor General to audit or clarify any matter that



needs to be clarified.” I move accordingly Madam Chairperson.

**MR MMOLOTSI (FRANCISTOWN SOUTH):** Thank you Madam Chairperson. I do not have a problem with the first amendment 105.2 which talks of half of the Members forming a quorum. I have a problem with 105.2 (A) because some of our committees have their Vice Chairpersons elected beforehand. For example; Commonwealth Parliamentary Association (CPA) has its Chairperson and Vice Chairperson elected beforehand. Therefore, if 105.2 (A) says they will constitute and elect the Chairperson amongst themselves, I had thought that for committees which have the Vice Chairpersons, the Vice Chairperson will automatically take over as the Chairperson. Therefore, I think it is out of order, and therefore we should amend it and propose that for those committees which do not have the Vice Chairpersons to provide that they can constitute themselves and elect a Chairperson.

Moving on to 105.4, I do not have any problem with it because they can send the Auditor General to audit or clarify any matter that needs to be clarified. I do believe that we could have considered this issue dealing with quorum which is formed by half of the Members, this had posed challenges for us because as we all know, members of the Botswana Democratic Party (BDP) constitute many committees, therefore we struggle when it comes to quorum. I was thinking that maybe we could decrease the number of Members to avoid a situation where a Member has to sacrifice a committee sitting for the House to be quorated. That has not worked for us. Therefore, I think we should reduce the number because our Parliament has a challenge in computation of committees. We were supposed to concentrate on the backbench but we ended up concentrating on the Cabinet too. It is a well-known fact that steady countries only use the back bench for computation of committees. Countries like Zambia have that in place, and that is why their committees are effective than ours only because we fail to meet on the basis of quorum resulting from our greediness. Thank you.

**MADAM CHAIRPERSON:** Order! Order! you did not propose an amendment...

**MR MMOLOTSI:** I have proposed.

**MADAM CHAIRPERSON:** You?

**MR MMOLOTSI:** Yes.

**MADAM CHAIRPERSON:** No, you did not move. You did not propose amendment. You were debating.

**MR MMOLOTSI:** The proposal that I want to make is that, in the event of the committee having to convene on urgency in the absence of the Chairperson where there is no Vice Chairperson of the committee, half of the members of the committee shall constitute a quorum which number may include ...

**HONOURABLE MEMBERS:** ... (Murmurs) ...

**MR MMOLOTSI:** Yes, there it is.

**ASSISTANT MINISTER OF HEALTH AND WELLNESS (MR MAKGALEMELE):** Procedure. Thank you Madam Chairperson. I do not think that is what Honourable Mmolotsi was doing, he was debating, he did not propose anything, now you are the one forcing him to propose something.

**MADAM CHAIRPERSON:** You are wrong to say I am forcing him. I was only checking if he ...

**MR MAKGALEMELE:** No, he did not say anything which indicated that he wants to propose.

**MADAM CHAIRPERSON:** I would not force him, why would I?

**MR MAKGALEMELE:** Alright Madam Chairperson, I withdraw that. What I am saying is that he has never proposed anything. Thank you.

**MADAM CHAIRPERSON:** Which means that he was just debating, it is okay.

**HONOURABLE MEMBER:** There is a problem.

**MADAM CHAIRPERSON:** What problem?

**MR MMOLOTSI:** I reprimanded Honourable Makgalemele. It seems he has continued with this irresponsible behaviour where when we are supposed to press for division or whatever, Honourable Makgalemele presses non-stop and also presses for Honourable Molao. I have had a word with him about that and he continues to do it yet he is an adult, I do not understand what his problem is.

**MADAM CHAIRPERSON:** ... (Laughter!) Now you are derailing me.

**MR MAKGALEMELE:** Point of order. Madam Chairperson, I need your protection. Honourable



Member is not telling the truth. If he has failed to press he should not blame me for that.

**MADAM CHAIRPERSON:** Honourable Members, let us not waste time on issues of pressing. Let us continue.

Amendments **agreed to.**

Standing Order 105 as amended **agreed to.**

Standing Order 106 **agreed to.**

#### **Amendment of Standing Order 107**

#### **CHAIRPERSON OF THE STANDING ORDERS AND REFORMS COMMITTEE (MR GUMA):**

Thank you Madam Chairperson. Standing Order 107.4 is amended by substituting for that Standing Order—“107.4. It shall be the duty of the committee to review all aspects of traditions, procedures and practices of the House and recommend necessary and desired reforms”. I move accordingly Madam Chairperson.

**MR MMOLOTSI (FRANCISTOWN SOUTH):** I think this means trouble. Currently and in the past, if an Honourable Member noticed something that needed an amendment in the Standing Orders, he or she was free to submit that idea on how Standing Orders could be amended to the committee. Right now I do not know whether this means that it is the responsibility of the committee to see what can be reviewed, what is out of order. This means that Honourable Members have been removed from having an opportunity to submit what they feel need to be reviewed in the Standing Orders. If that is the case, it means we will be at the mercy of that committee. If it is the same committee, it means we are in deep trouble because this committee has serious issues. Madam Chairperson, that is where my problem is. I thought since Honourable Members are the ones bearing the brunt of these laws, they should also be given an opportunity to propose review of the Constitution.

**MR GUMA:** Madam Chairperson, if you look into the original Standing Order, we have actually removed all aspects of Parliamentary administration. Honourable Mmolotsi, that is the only thing that we have removed and left everything else as it is. In our view, we feel that we are now infringing on other pieces of legislation where we did not have the power to do so. That is the whole purpose, not to take away your rights to bring in issues. If I may read Standing Order 107.4, “it shall be the duty of the Committee to review all aspects of Parliamentary administration”. We had a problem in reviewing that and it is the only thing that we are

removing. The rest remains the same. I thought I should stand up and clarify that.

Amendment **agreed to.**

Standing Order 107 as amended **agreed to.**

Standing Orders 108-109 **agreed to.**

#### **Amendment of Standing Order 110**

#### **EXCHANGE OF SPEAKERSHIP**

**MR GUMA:** Thank you Madam Chairperson and let me recognise Mr Chairperson.

Standing Order 110 is amended – (a) in Standing Order 110.2 by substituting for paragraph (i), the following new paragraph –

“(i) such other accounts, value for money and management performance reports laid before the National Assembly as may be referred to it by the Assembly and report the results of such examination to the Assembly.”; and

(b) by inserting immediately after Standing Order 110.2, the following new Standing Order-

“110.2A In examining the accounts under Standing Order 110.2, the committee shall take into account the report of the Auditor General, executed pursuant to statutory provisions and the audit reports of duly appointed external auditors and management letters.” I move accordingly Mr Chairperson.

**MR MMOLOTSI:** Mr Chairperson, I think this amendment is fine. It is one of those that we can pass without any arguments. Thank you.

Amendments **agreed to.**

Standing Order 110 as amended **agreed to.**

Standing Orders 111 - 112 **agreed to.**

#### **Amendment of Standing Order 113**

**MR GUMA:** Thank you Mr Chairperson. Standing Order 113 is amended by deleting the words “and also in the respect of all Parliamentary Government Assurances” appearing under Standing Order 113. 2. I move Accordingly Mr Chairperson.

**MAJ. GEN. MOKGWARE:** Thank you Mr Chairperson. I do not know the reason why we should actually be deleting Parliamentary Government



Assurances because I think the spirit in the initial amendment was accurate and appropriate and it covers all those Government Assurances. I do not know then who is going to check on them. I do not agree with this. I would like to move that the words “and also in respect of Parliamentary Government Assurances” should not be deleted.

**MR CHAIRPERSON:** Honourable Mokgware.

**MAJ. GEN. MOKGWARE:** Sir.

**MR CHAIRPERSON:** The Committee on Assurances is not being cancelled but they have been separated. When you go to Standing Order 117(G), you will find it there. So do not worry that it is being cancelled.

**MR MMOLOTSI:** Mr Chairperson, I understand and see the separation of the two committees. I think we should do something about the Committee on Justice, Defence and Security because we all suspect that this Committee is not effective and it has never...

**MR CHAIRPERSON:** Which one are you on Honourable Member?

**MR MMOLOTSI:** I am talking about this separation of...

**MR CHAIRPERSON:** NO, focus on the one that we are dealing with.

**MR MMOLOTSI:** 113? Yes, we are on 113. I am looking at the main document because 113 is the Committee on Foreign Affairs, Justice, Defence, Security and Government Assurances. I am saying separation is fine Mr Chairperson but what worries me is that the Committee on Justice, Defence and Security, does not do anything. I do not know how separation will help us. Does this mean they will be more effective? I cannot clap hands for you that you are separating these Committees. In fact, we could be thinking of ways of making these Committees effective after we have found out why they have not been effective. What will make them effective after being separated? That is my concern. Maybe the Chairperson could explain to us why they have not been effective; or you did not want them to work all the time because they could have addressed what we may want to ask. So, what difference will be separating them make?

Amendment **agreed to.**

Standing Order 113 as amended **agreed to.**

Standing Order 114 to 117 (F) **agreed to.**

#### **Insertion of Standing Order 117 (G)**

**CHAIRPERSON OF THE STANDING ORDERS AND REFORMS COMMITTEE (MR GUMA):** The Standing Orders are amended by inserting immediately after Standing Order 117 (F) the following new Standing Order -

“Committee on Government Assurances; 117 G.1 There shall be a portfolio committee known as the Committee on Government Assurances consisting of a Chairperson and seven members.

117 G.2 The Committee shall exercise Parliamentary oversight and scrutiny over assurances made by the Government in Parliament including execution of resolutions made in Parliament.

117 G.3 The Committee shall elect its Chairperson whose tenure shall be for the life of a Parliament or whenever a vacancy arises in respect thereto.

117 G.4 The Committee shall have power to sit after the adjournment of the House.

117 G.5 The Committee shall have the power to sit during the meetings of the House and as best as possible during such times as do not coincide with the sitting of the House to consider urgent matters.

117 G.6 The Committee shall have power to send for papers, persons and records.

117 G.7 The Committee shall conduct its business in private unless the House or the Committee itself determines otherwise. I move accordingly Mr Chairperson.

**MR NKAIGWA (GABORONE NORTH):** Thank you Mr Chairperson. I take it that this one is very straight forward and brief since we once talked about it. I agree with it and that we should pass it just the way it is. I want to remind the Chairperson of Standing Orders Committee that as he amends Standing Orders, he should remember that we left Standing Order 113 without shortening it, we still left Government Assurances as part of it but we have made it a committee on the other hand.

**HONOURABLE MEMBER:** Where were you?

**MR NKAIGWA:** No, understand me, we did not remove the heading; the heading of 113 has got Government Assurance at the end. We were dealing



with an amendment of 113.2 not the one at the top. I know what I am talking about.

**HONOURABLE MEMBER:** ... (Inaudible) ...

**MR NKAIGWA:** That is why I say he should correct it but I believe this one will really help us. Our wish is that as Motions keep on being passed in Parliament, we should see them being implemented by the Executive. I believe that this committee is the one which will help to ensure that indeed something is being done with the Private Members' Business by the Executive. That is why I believe I have to support this one. I fully support it My Honourable Chairperson.

**MS KENEWENDO (SPECIALLY ELECTED):** Thank you Mr Chairperson. I also stand to support the formation of the new Committee on Government Assurances, because previously it was too big and cumbersome, having to deal with Foreign Affairs and Defence, Justice and Security. So I just rise to support this new amendment. Thank you.

**MR MMOLOTSI (FRANCISTOWN SOUTH):** Mr Chairperson I also support this amendment. I did not just want it to be passed without having outlined some of the dangers in it. If you look at 117.3 that explains that "The Committee shall elect its Chairperson whose tenure shall be for the life of a Parliament, or whenever a vacancy arises in respect thereto", the problem here is that sometimes we say these committees have Chairpersons yet in reality they have absent Chairpersons who are just holding the position while there is nothing they are doing. In other words, we could be saying there is a vacancy but it is not there because there is someone there who is just useless. For the life of Parliament, which is five years, the committee will not function only because this useless person (*setshosa*) ... (Interruptions) ...

**LEADER OF THE HOUSE (MR MASISI):** On a point of order. Mr Chairperson, I urge you to be agile in preventing Honourable Mmolotsi from abusing members here. This committee is made of Members of Parliament, there is no member who deserves to be referred to as useless (*setshosa*) in this House. From a senior member of a new party, that is disappointing.

**MR CHAIRPERSON:** Honourable Mmolotsi, what makes you call people useless (*ditshosa*), withdraw those words.

**MR MMOLOTSI:** Yes a useless person (*setshosa*), is someone who is just there but not performing his or her job diligently.

**MR CHAIRPERSON:** Honourable Mmolotsi, I said withdraw the word (*setshosa*)

**MR MMOLOTSI:** I have withdrawn the word (*setshosa*). Let me explain it properly that I mean someone who will be in a position of a Chairperson but always absent whenever the committee meets. If luckily they happen to be in the meeting, they are just blank because they are always absent and that will mean that committee will suffer for five years. Some of the committees that we are in are just like that. Therefore, this is where I have a problem because it means the situation can only be corrected when there is a vacancy and there is no how there can be a vacancy. Then it means that particular Chairperson will be there for five years and the committee will not be functioning because it is said to have a Chairperson. We experience challenges, something you do not experience at the Executive.

The last one Mr Chairperson and Your Honour the Vice President, I believe the time has now come for our committees to conduct their business in public so that the public may know what is happening. This particular one, Committee on Government Assurances, it is clear that the committee shall conduct its business in public so that the public can listen. Thank you Mr Chairperson.

**MAJ. GEN. MOKGWARE (GABANE-MMANKGODI):** Thank you Chairperson. I accept this Committee of Assurances, but my problem is, currently some of the Members of Parliament have their hands full. They are part of so many committees and the committees are not working because of this. I do not know if they are going to manage if we include them? Who are going to be members of this committee? I mean already some members are Chairpersons of three or more committees so I am not sure that if we establish it now, it will be practical.

**ASSISTANT MINISTER OF HEALTH AND WELLNESS (MR MAKGALEMELE):** Procedure. Thank you Mr Chairperson. The two members who were speaking are addressing irrelevant issues. The spirit here is to establish the Committee on Government Assurances and it is not for us to be evaluating the performance of the committees, or the Chairpersons. Could you please guide them Honourable Chairperson?

**MR CHAIRPERSON:** They will get back on track.

**MAJ. GEN. MOKGWARE:** Thank you very much Chairperson. That is a worrying point. I notice that we have not added one clause which is in all the committees



Mr Chairperson, which says, “the Committee shall report the results of its examinations to the National Assembly.” I am not sure if it will just examine, where does it report to? We should not assume that it will examine and will come and give a report. I think somewhere we should include 117 (G).8, where it would say, “the Committee shall report the results of its examinations to the National Assembly at least once every session.” I am moving that this should be included so that it is not ambiguous, it has to be reported back to the National Assembly, to say this is our findings, whether Parliament is performing as other ministries or committees should report. I move without notice.

**MR CHAIRPERSON:** Honourable Mokgware, I did not hear what you said. What are you moving?

**MAJ. GEN. MOKGWARE:** I move that section which says, “the Committee shall report the results of its examinations to the National Assembly” it should be included. It has to be clear like in all other Committees. It is written there and I think the Chairperson will agree that it might be an oversight during the drafting.

**MR CHAIRPERSON:** I understand what insertion Honourable Mokgware is seeking. It is the same as 117 (C).5, 117 (B).3. so it seems like all committees have that provision and 117 (E).5, about where they report. So he is moving that they should be included.

**MR MMOLOTSI:** Point of order Mr Chairperson. Honourable Seretse has been sleeping in another Member’s seat, it will be better if he could sleep in his own seat so that we can see him.

**MR CHAIRPERSON:** You are wasting time Honourable Mmolotsi, we are tired. Order! Honourable Members, the question is that the amendment as proposed by Honourable Mokgware be agreed to.

**MR GUMA:** I support the amendment Mr Chairperson without any deliberation. It is just for compliance.

Amendment **agreed to.**

Standing Order 117 (G) as amended **agreed to.**

Standing Order 117 (G) **agreed to.**

#### **Amendment of Standing Orders**

**MR CHAIRPERSON:** Order! Let us go to amendment of the Standing Orders. There is an amendment of the Standing Orders by the Chairperson of the

Standing Orders and Reforms Committee. Honourable Chairperson, move.

**MR GUMA:** Mr Chairperson, let me withdraw this one here and then allow you to move to the next amendment.

#### **Amendment withdraw**

Standing Orders 118 - 124 **agreed to.**

Question put and **agreed to.**

#### **Amendment of Standing Order 125**

#### **CHAIRPERSON OF THE STANDING ORDERS AND REFORMS COMMITTEE (MR GUMA):**

Thank you Mr Chairperson. Standing Order 125 is amended by substituting for the following new Standing Order; “Premature publication of evidence.” 125.1, “The evidence or documents presented to a committee shall not be published or divulged by a member of the committee or by any other person who appeared before the committee before the report relating to the evidence or documents is presented to the National Assembly.” 125.2, “Section 19 of the National Assembly (Powers and Privileges Act) shall apply to a person under Standing Order 125.1.” I move accordingly Mr Chairperson.

**MR MMOLOTSI (FRANCISTOWN SOUTH):** Mr Speaker, I support the proposal brought forth by the Chairperson. If I am a member of this committee or having appeared before the committee; it could happen that I share information with somebody else who is not a member and then the same information is divulged by the same individual who is not a member of the committee. I think that maybe we should close it by saying that anyone who can divulge it; regardless of whether they are in the committee or not will be taken to task. I think we should not leave it resembling people who are sleeping like Honourable Fidelis and Seretse who seem to come here to sleep.

**MR CHAIRPERSON:** Why don’t you just say your point without provoking others?

#### **MINISTER OF LOCAL GOVERNMENT AND RURAL DEVELOPMENT (MR TSOGWANE):**

Honourable Member I hear your point but it will be very difficult to take people that have got no relationship with the committee to task for divulging information. How are we going to be able to confirm how the information got to them in the first place? I think that one is a mammoth task Mr Chairperson. I think we should just



focus on those that are part of the committee. I thank you.

Amendment **agreed to**.

Standing Order 125 as amended **agreed to**.

Standing Orders 126-127 **agreed to**.

#### **Amendment of Standing Order 128**

**MR GUMA:** Thank you Mr Chairperson. Standing Order 128 is amended by inserting immediately after Standing Order 128.5 the following new Standing Order; 128.6, "Any Member who contravenes a provision of this Standing Order shall be dealt with under Standing Order 60." I move accordingly Mr Chairperson.

**MAJ. GEN. MOKGWARE (GABANE-MMANKGODI):** Thank you Mr Chairperson. Although I agree with the spirit of the amendment, I do not agree with some words which have been used here, which say, "shall be dealt with." I think we should use a better parliamentary phrase than this one. "Dealt with" sounds more like a phrase that could be used by Honourable Batshu in the police force or Honourable Guma when he is angry. We can use a better word where it reads, "subject to Standing Order 60." This sounds much better than "to be dealt with."

**MR MMOLOTSI (FRANCISTOWN SOUTH):** Thank you Mr Chairperson. My first reservation with this particular Standing Order is Standing Order 60, because as far as I am concerned it is undemocratic; it brings oppression to this House. This is why I earlier said that the people in the committee will leak information to other people and those people will have no obligation to keep that information private. We know these things; we could refuse but the members of the media can pass on such information. I think we did not do justice to the previous amendment because it was going to close the gaps that members of the committee can use. I do not think standing order 128.6 will ever work because people are going to leak information privately. Even though people are sleeping Mr Chairperson, I wanted to comment that much.

**MR NGAKA (TAKATOKWANE):** Thank you Mr Chairperson, the intention is to have paperless Parliament. We used to preach this in the Tenth Parliament. This does not mean the use of these electronic gadgets in this House can hinder the progress of procedures in Parliament. It is in order that if someone uses electronic

gadgets in Parliament, and they interrupt, there should be appropriate measures that can be taken against that person, through Standing Order 60. I do not think there is anything wrong with that, it is in order.

Even when we are working in this House, they would help us to go into the internet or wherever to find any piece of information we could use to back up our debate, ensuring that we add more flesh to what we will be debating on. It is appropriate that when one veers off the road, appropriate measures should be taken. Thank you Mr Chairperson.

**HONOURABLE MEMBER:** ... (Inaudible) ...

**MR CHAIRPERSON:** Order! No Honourable Mokgware, he is the one who was addressing the topic at hand, you and Honourable Mmolotsi were just talking generalities.

Amendment **agreed to**.

Standing Order 128 as amended **agreed to**.

Standing Orders 129 - 130 **agreed to**.

**MR CHAIRPERSON:** Order! Honourable Members, there is an amendment at Standing Order 131 by the Chairperson of Standing Orders and Reforms Committee.

#### **Amendment of Standing Order 131**

**CHAIRPERSON OF THE STANDING ORDERS AND REFORMS COMMITTEE (MR GUMA):** Thank you Mr Chairperson. Standing Order 131 is amended by inserting immediately after that Standing Order the following new Standing Order-

"131.2 the Speaker's ruling under this Standing Order shall be final." I move accordingly Mr Chairperson.

**MR CHAIRPERSON:** The question is that the amendment be agreed to.

**MR MMOLOTSI (FRANCISTOWN SOUTH):** Mr Chairperson, I do not understand why in this particular clause we have to show that the Speaker's ruling under this Standing Order shall be final because we know. It is already indicated in the Standing Orders that the Speaker's ruling is final. Therefore, I do not know what its value is because we already know; at the end, the Standing Order has shown that the Speaker's ruling is final. When we get to this point, why do we have to show that? That would mean for each Clause we would have



to add that line. I believe it has already been explained at the beginning that the Speaker's ruling will be final; there is no need to point out that tyranny on others, that on this one we have to fix some people. We know, you do not need to repeat this. The Speaker's ruling is final all the time.

Mr Speaker, let me propose an amendment that we delete this particular Standing Order that says, "The Speaker's ruling under this Standing Order shall be final." I move accordingly Mr Chairperson for the deletion of this particular clause.

**MR CHAIRPERSON:** Order! There is an amendment proposed by Honourable Mmolotsi. The question is that the amendment be agreed to.

**MAJ. GEN. MOKGWARE (GABANE-MMANKGODI):** Thank you Mr Chairperson. Let me also reiterate this point that we already know that the way the Standing Orders are; the Speaker's ruling is final. So, there is no need to actually repeat it, even if it is at the end of the Standing Orders. I am not sure if it was only included here, but I mean we know, it has been overemphasised, we passed it because it is Section 2 at the beginning that the Speaker's ruling as far as these Standing Orders are concerned, is final. So, there is no need to actually repeat it more than twice. So, I support the amendment by Honourable Mmolotsi that it should be deleted.

**MR NGAKA (TAKATOKWANE):** Thank you Mr Chairperson. I differ with the Honourable Members that side. If we are to say, the Speaker's ruling is final, in a doubt ...

**HONOURABLE MEMBER:** He is afraid of going home.

**MR NGAKA:** No, I am not afraid of going home. It reads, "The procedure in case of doubt." Earlier the Speaker made a ruling, ordering a division, whilst at it; we came to a point that says the Speaker's ruling is final. I do not see anything wrong with pointing out where there is a doubt in procedure, Speaker's ruling is final. We are detailing it here. Even if we can repeat it, we are saying yes, we once said it before, wherever there is a doubt in the procedure, then the Speaker's ruling is final. So, I do not see anything wrong with repeating it, or being mentioned here to say wherever there is a doubt.

**MR MMOLOTSI:** Clarification. In this particular

Standing Order, being repetitive has been an offence, and I do not know why we want to be repetitive in the Standing Orders, and yet we have declared in another clause that someone who is repetitive can be deemed to be grossly out of order. We are being repetitive; why do we want to do that? It is against even the publishing procedure to be repetitive.

**MR NGAKA:** Thank you Honourable. I do not buy your saying. Apple and orange are all fruits but they do not taste the same. I am trying to show you that, whatever we mentioned here in this document before, talking about the Speaker's ruling being final...

**MAJ. GEN. MOKGWARE:** Clarification. Thank you Mr Chairperson, thank you Honourable Ngaka. 2.1.1 reads "the ruling of the Speaker under this Standing Order shall be final." It is there, why should we have it again at the end?

**MR NGAKA:** Thank you Honourable. Underline the word "this" in that Standing Order. Read between the lines. Here we are talking about Standing Order 1.3.1 which talks about the procedure in case of a doubt. These are two different things. I thank you Mr Chairperson.

**MR CHAIRPERSON:** Order! Order! Honourable Members.

Question put and **negated**.

**MR CHAIRPERSON:** Honourable Members, let us go back to the amendment by the Chairperson of the Standing Orders and Reforms Committee.

...Silence...

**MR CHAIRPERSON:** Order! Order! Honourable Members.

Standing Order 131 as amended **agreed to**.

**MR CHAIRPERSON:** There is an amendment at Standing Order 132 by the Chairperson of the Standing Orders and Reforms Committee.

#### **Amendment to Standing Order 132**

#### **CHAIRPERSON OF THE STANDING ORDERS AND REFORMS COMMITTEE (MR GUMA):**

Thank you Mr Chairperson. The Standing Orders are amended by inserting immediately after Standing Order 131 the following new Standing Orders:—

#### **SPECIALLY ELECTED MEMBERS OF PARLIAMENT**



132.(1) A candidate nominated by a member to be elected as a Specially Elected Member of Parliament shall give his or her consent to the Speaker in the Form set out in Schedule 2.

(2) The consent under this Standing Order shall be submitted to the Speaker by the member together with the proposal for the nomination of the candidate.

(3) The name of the member who is nominated by the candidate and the name of the candidate shall be announced to the House by the Speaker.” I move accordingly Mr Chairperson.

**MR CHAIRPERSON:** Order! Order! The floor is open.

**MR MMOLOTSI (FRANCISTOWN SOUTH):** Let me bid them farewell Mr Chairperson.

**MR CHAIRPERSON:** Honourable Mmolotsi, focus on the amendment, please do not bid anyone farewell.

**MR MMOLOTSI:** In this amendment, the Clauses that he proposed are okay. Normally when there is a nomination, there is a provision for a seconder, in this particular case, I understand that somebody is nominated and there is no seconder. I think that is an anomaly which we need to correct. Has there ever been any nomination without a seconder?

**HONOURABLE MEMBERS:** ...(Murmurs)...

**MR MMOLOTSI:** If it is like that and it has happened before, it will be my first time to see that, and that is why I said we should look at it as this House and consider revising the Standing Order regarding nomination of candidature. The main issue here is to have someone accepting that nomination and it is not right if there is no such acceptance of candidature. If for argument sake, I nominate Honourable Molale, whom people do not like then there is no seconder to that nomination, it becomes a problem because that nominee has only been endorsed by the person who nominated them only, and there is no one to second that nomination because he has abused the public servants for quite some time. That is why I am calling for an amendment to this and consider including a seconder. Thank you.

**MR CHAIRPERSON:** Order! Honourable Members.

Standing Order 132 **agreed to.**

Standing Order 132 as amended **agreed to.**

**MR MMOLOTSI:** Point of order. at times we take things for granted. But some of the Honourable Members are going to need letters from you, that they were here working, it is clear they are going to need them, by the look of terror on their faces.

**HONOURABLE MEMBERS:** ...(Murmurs)...

**MR CHAIRPERSON:** Order! Order! Honourable Members, let us go to Schedules.

Schedule 1 **agreed to.**

#### Schedule 2

**MR CHAIRPERSON:** Honourable Members, there is a new schedule, Schedule 2 by Honourable Chairperson of Standing Orders and Reforms Committee.

**CHAIRPERSON OF THE STANDING ORDERS AND REFORMS COMMITTEE (MR GUMA):** Thank you Mr Chairperson, I move that Schedule 2 stand part of the Standing Orders. I move accordingly Mr Chairperson.

**MR CHAIRPERSON:** Order! Order! Honourable Members, the question is that Schedule 2 stand part of the Standing Orders. The floor is open. Honourable Mmolotsi you are slow!

**MR MMOLOTSI:** Am I slow?

**MR CHAIRPERSON:** Yes.

**MR MMOLOTSI:** Sorry sir. Mr Chairperson, this is the Schedule I was talking about. In my view, there should be someone who seconds this nomination. That is why I will request an amendment, so that there may be a record of who seconded this particular nomination. I wish that we could have it after D. The proposal that I want to make is ...

**MR CHAIRPERSON:** Wait Honourable Mmolotsi, Schedule 2 is consent by candidate, which is signed by the one who will be nominated.

**MR MMOLOTSI:** Okay, it is fine Mr Chairperson. I withdraw that.

**MR CHAIRPERSON:** Thank you Honourable Mmolotsi.

**MAJ. GEN. MOKGWARE:** Thank you. I think one thing, we have to reconcile these issues. We have to look at the Constitution also, whether the nomination is done here on the floor of Parliament. I am worried by



the Commissioner of Oaths, usually Specially Elected Members of Parliament are nominated immediately after general elections. By then, members would not have been nominated to committees, the committee written here, Chairperson of Standing Orders and Reforms Committee...

**HONOURABLE MEMBERS:** ...(Murmurs)...

**MAJ. GEN. MOKGWARE:** No, I am telling you, wait. No, I am reading here.

**HONOURABLE MEMBERS:** ...(Murmurs)...

**MAJ. GEN. MOKGWARE:** No, I am reading here.

**HONOURABLE MEMBERS:** ...(Murmurs)...

**MR CHAIRPERSON:** Honourable Mokgware, that one is the one who tables the Schedule.

**HONOURABLE MEMBERS:** ...(Murmurs)...

**MR CHAIRPERSON:** Honourable Member, this one is the one who tables an amendment, it is not part of the Schedule. Chairperson is the one who tabled the amendment.

**MAJ. GEN. MOKGWARE:** It is a bit confusing because here it says, thus sworn before me at this and this, then it says, Commissioner of Oaths and then Chairperson of the Standing Orders Committee...

**HONOURABLE MEMBERS:** ...(Murmurs)...

**MR NGAKA:** Thank you Mr Chairperson. I rise to welcome this Schedule 2, the consent of the candidate, especially that when I look at it, I see where an oath is taken which shows the sincerity of that candidate. I applaud that and receive it wholeheartedly and I ask Parliament to ...

**MR MMOLOTSI:** Point of clarification. Yes, I want to ask Honourable Ngaka Ngaka to explain to us how one can fail to take an oath for consent?

**MR NGAKA:** Thank you, sir. It is an indication of the seriousness of the matter. The one who nominated your name ...

**HONOURABLE MEMBER:** ...(Inaudible)...

**MR NGAKA:** Yes, thank you Leader of the House, that is the beauty of having the elders around, they assist, they do not keep quiet the whole 10 hours in Parliament as some do. It is an indication that the one who has been

nominated receives that responsibility with sincerity of heart. It is nothing out of order, you will be confirming that I so and so, accept that my name can be nominated. Thank you Mr Chairperson.

**MR CHAIRPERSON:** Thank you Honourable Ngaka.

Schedule 2 **agreed to.**

**MR SPEAKER:** Order! Order! Honourable Members, I now call upon the Chairperson of the Standing Orders and Reforms Committee to report from Committee.

**MR GUMA:** I beg to report the Draft Standing Orders as amended from Committee. I move accordingly Mr Speaker.

**MR SPEAKER:** Move it again Honourable Chairperson, according to how the Standing Order proposes you should move.

**MR GUMA:** Mr Speaker sir, I beg to report the Draft Amendments to the Standing Orders from Committee with amendments.

**MR SPEAKER:** Order! Order! Honourable Members, the question is that this Honourable House resolves that the Draft Amendments to the Standing Orders be adopted. Honourable Chairperson of the Standing Orders and Reforms Committee, please move.

**MR GUMA:** Mr Chairperson, I move that this Honourable House resolves that the draft amendments to the Standing Orders be adopted.

**MR SPEAKER:** Order! Order! Honourable Members! The question is that this Honourable House resolves that the Draft Amendments to the Standing Orders be adopted. In accordance with Standing Order 62.1 (c). I should order a division, and division is ordered.

Question put and **Division Ordered.**

**MR SPEAKER:** Please ring the bell for two minutes. Order! Honourable Members, I am activating voting. Please vote. Have you voted? I am stopping. Those who voted "yes" are 31; those who voted "no" are 3. No one abstained. The "Ayes" have it.

Question put and **agreed to.**

**HONOURABLE MEMBERS:** ...(Applause!)...

**MOTION**

**ADJOURNMENT**



**LEADER OF THE HOUSE (MR MASISI):** Mr Speaker, I beg to move that this House do now adjourn.

Question put and **agreed to.**

The Assembly accordingly adjourned on Wednesday 6<sup>th</sup> December 2017 at 1:29 a.m. until Wednesday 6<sup>th</sup> December, 2017 at 2:00 p.m.



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