

Ziyambi ,
Zwizwai M.

In attendance in terms of section 138(2) and (3) and section 104(3) of the Constitution

Hon. July Moyo
Hon. Ncube Mthuli

Absent with Leave

Hon. Tsvangirai J.V.; Hon. Mpame; Hon. Simbanegavi;

ORDERS OF THE DAY AND NOTICES OF MOTIONS

1. The Speaker informed that House that on 15 May 2019, Parliament had received a petition from Mr. Mutuso Dhliwayo from the Zimbabwe Environmental Lawyers Association, beseeching Parliament to push for a review and alignment of the mining laws to the Constitution. He advised the House that the petition had been referred to the Portfolio Committee on Mines and Mining Development.
2. The Minister of Energy and Power Development made a Ministerial Statement on the State of the Energy Sector in Zimbabwe.
3. The Minister of Justice, Legal and Parliamentary Affairs, moved: That Orders of the Day Nos. 1 and 2 for today, stand over, until Order of the Day No. 3 has been disposed of.

Motion put and agreed to.

4. COMMITTEE: *Microfinance Bill*, (H.B. 11, 2018) -***The Minister of Finance and Economic Development.***

(House in Committee)

Clause 1, put and agreed to.

On Clause 2, The Minister of Finance and Economic Development, moved:

To include the following definition in Section 2 (Interpretations) of the Act "**minimum capital** " means capital representing a permanent commitment of funds by the shareholders of the deposit-taking microfinance institution (**net** of any loans and advances given to an insider and borrowed capital) which is available to meet losses incurred without imposing a fixed unavoidable charge on the institution's earnings, and includes such of the following elements as are available to the institution after making any required deductions—

- (a) issued and fully paid up ordinary shares or common stock;
- (b) paid up non-cumulative irredeemable preference shares;

- (c) reserves consisting of —
- (i) non-repayable share premiums;
 - (ii) disclosed reserves created by a charge to net income in the financial year immediately preceding the current one;
 - (iii) published retained earnings for the current year, including interim earnings, where these have been verified by external auditors; and
 - (i) such other elements as may be prescribed from time to time;

Amendment put and agreed to.

Clause 2, as amended, put and agreed to.

Clause 3, put and agreed to.

New Clause 4; The Minister of Finance and Economic Development, moved:

Section 5 Exercise of functions by the Registrar

Amend section 5 of the Act by adding subsections (3) and (4) that read as follows:

“(3) The Registrar, on reasonable written notice to deposit taking microfinance institutions and controlling companies concerned, may adopt such sound prudential supervisory and regulatory practices that are considered appropriate for the purpose of monitoring and supervising the activities of banking institutions and controlling companies.

(4) The Registrar shall ensure that the standards and practices adopted in terms of subsection (1) are made known to the deposit taking microfinance institutions and controlling companies”.

Amendment put and agreed to.

New Clause 4, as amended, put and agreed to.

On Clause 4, The Minister of Finance and Economic Development, moved:

Section 5A (1) (a) of the Bill is amended to read-

5A Microfinance Advisory Council

“(1) There is hereby established a council, to be known as the Microfinance Council, consisting of –

(a) the Registrar whose office shall be the Secretariat,

Section 5A (5) of the Bill to be amended to read

Section (5) The procedure of the Microfinance Advisory Council, including the rotation of the Chairperson, shall be as prescribed or as fixed from time to time by the Council.”

Amendment put and agreed to.

Clause 4, as amended, put and agreed to.

Clause 5 and 6, put and agreed to.

On Clause 7, The Minister of Finance and Economic Development, moved,

To delete section 10 (1) and amend section 10 (2) of the Bill to read-

- (1) The registration of microfinance institutions shall remain in force until it is cancelled in terms of this Act.
- (2) Every registered microfinance institution shall pay the Registrar each year an annual fee of the prescribed amount.
- (3) The annual fee referred to in [subsection \(2\)](#) shall be paid by such date and in such manner as may be prescribed.

To delete Section 10A of the Bill.

Amendment put and agreed to.

Clause 7, as amended, put and agreed to.

Clauses 8 to 13 put and agreed to.

On Clause 14, The Minister of Finance and Economic Development, moved,

A new statement to be added to section 20 of the Act, which reads as follows:

(7) The Chairperson of the Board of Directors of a deposit taking microfinance Institution must be a non-executive and independent.

Amendment put and agreed to.

Clause 14, as amended, put and agreed to.

Clauses 15 to 23 put and agreed to.

Clause 24, The Minister of Finance and Economic Development, moved:

Add new section to Section 34 of the Act to read as follows:

(7) Shareholders of the microfinance institution are to be fit and proper persons.

Amendment put and agreed to.

Clause 24, as amended, put and agreed to.

Clauses 25 to 27 put and agreed to.

On Clause 28, The Minister of Finance and Economic Development, moved:

Amend Section 41 of the Act by adding subsection (3) as follows:

(3) The Registrar may recover the expenses of the investigation from monetary penalties imposed on Microfinance institutions in terms of section 37 of the Act.

Amendment put and agreed to.

Clause 28, as amended, put and agreed to.

New Clauses 29 to 33 and schedule put and agreed to.

Bill to be reported with amendments

(House resumed)

Bill reported with amendments – Referred to the Parliamentary Legal Committee.

The Minister of Justice, Legal and Parliamentary Affairs, moved: That the House reverts to Order of the Day No. 2.

Motion put and agreed to.

5. COMMITTEE: *Consumer Protection Bill*, (H.B. 10, 2018) –***The Minister of Industry and Commerce.***

(House in Committee)