

NATIONAL ASSEMBLY

NOTICE OF QUESTION

Honourable Mike Kavekatora (**Signature**):.....

12 October 2016

Honourable Speaker

On Thursday, the 13th October 2016, I shall ask the Honorable Speaker of the National Assembly the following questions relating to the appointment of Electoral Commission of Namibia (ECN) commissioners. Honorable Speaker, allow me the indulgence to walk you through the background of my question.

It is recorded that by practice and by convention, the Speaker, appointed in terms of of the Constitution of the Republic of Namibia, tables Vote 28 of the Electoral Commission of Namibia in the National Assembly for consideration, debate and approval.

Similarly, the Office of the Speaker is responsible for the process involving the appointment of the ECN commissioners, be it the occurrence of casual vacancies or expiry of terms of office of the commissioners. The constitutional process of appointing ECN commissioners is clearly set out in detail in Section 6 of the Electoral Act, Act No.: 5 of 2014 as amended. The Act, prescribes the treatment of vacancies, Section 6 (3) and the gazetting of vacancies in at least two daily newspapers. Indeed, the Act further prescribes that the Secretary of the National Assembly must convene a Selection Committee, in terms of Section 6(8), sub-section 5.

The appointment and reappointment of commissioners was bulldozed through this Chamber and in so doing violated the intention of the law makers as expressed in the Act. There was no debate and / or discussion on this matter. We as the lawmakers have been indirectly forced to rubber stamp that process. The questions I have are:

- When was the invitation gazetted for the appointment and or reappointment of ECN commissioners and published as required in terms of Section 6 (3) and (4) of the Electoral Act?
- When was the Selection Committee held, as required by Section 6 (5) of the Electoral Act?
- If it was published at all, in which newspapers was it published?
- What are the names of the interview panel who interviewed the short-listed candidates?
- Did the Secretary of the National Assembly gazette and convene the Selection Committee as prescribed in Section 6 (10) of the Electoral Act?
- What are the names of the shortlisted candidate who applied to be considered as ECN commissioners?
- Did the ECN commissioners, whose term expired, apply for re-appointment and what proof is there that they in fact have applied in terms of Section 10?

- The Electoral Act, Act No.: 5 of 2014 as amended, places limitation on the term of office of the ECN commissioners. Could you explain in what manner the reappointment of some of the ECN commissioners is consistent with the law and not contravening Section 10, sub-Section 2 of the Electoral Act?

I so move

Mike Kavekatora, MP