

*OAU DRIVE, TOWER HILL, FREETOWN*

# **PARLIAMENTARY DEBATES**

**[HANSARD]**

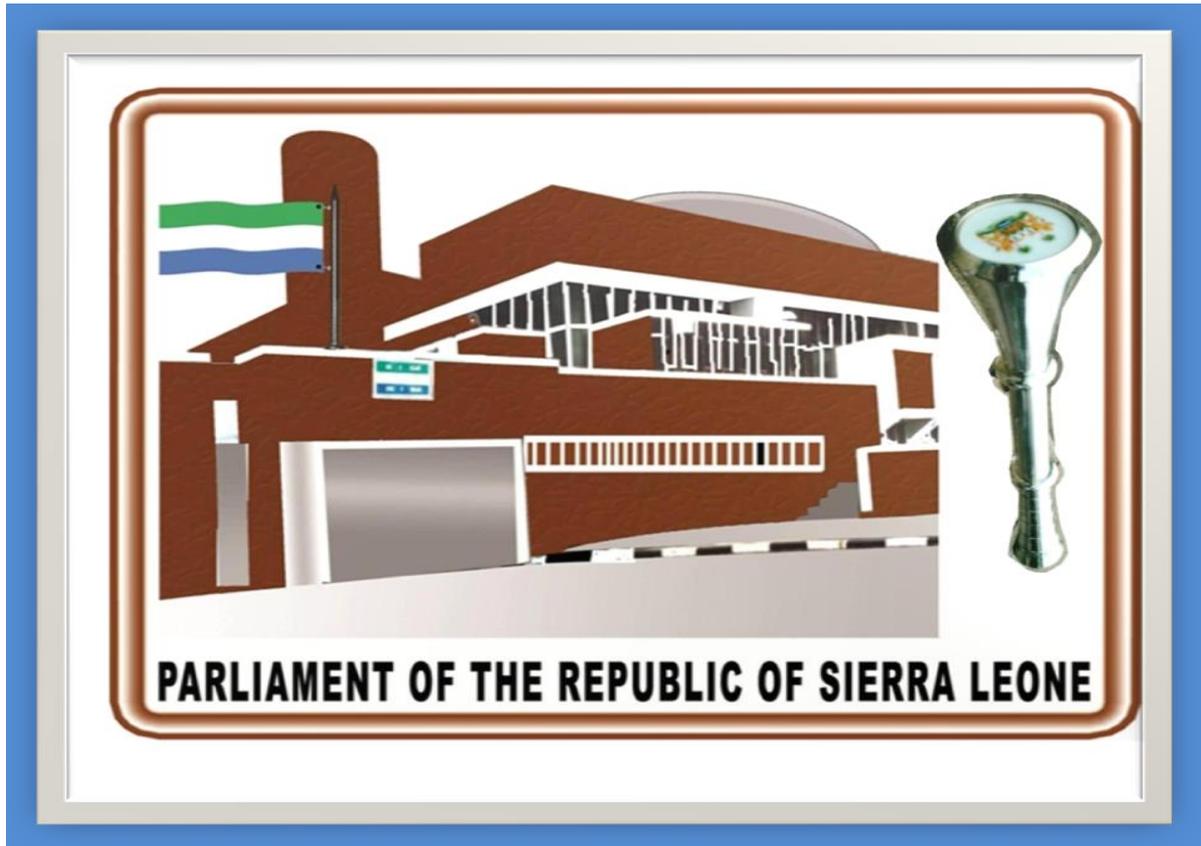
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**OFFICIAL HANSARD REPORT**

**FIFTH SESSION - FIRST MEETING**

**THURSDAY, 13<sup>TH</sup> JULY, 2017**

*SESSION – 2016/2017*



*OAU DRIVE, TOWER HILL, FREETOWN*

# **PARLIAMENTARY DEBATES**

**[HANSARD]**

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**VOLUME: I**

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First Meeting of the Fifth Session of the Fourth Parliament  
of the Second Republic of Sierra Leone.

Proceedings of the Sitting of the House  
Held Thursday, 13<sup>th</sup> July, 2017.

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NATIONAL MEDICAL SUPPLIES AGENCY ACT, 2017

THE MINISTER OF HEALTH AND SANITATION



*THE CHAMBER OF PARLIAMENT OF THE REPUBLIC OF SIERRA LEONE*

## **Official Hansard Report of the Proceedings of the House**

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### **FIFTH SESSION – FIRST MEETING OF THE FOURTH PARLIAMENT OF THE SECOND REPUBLIC**

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**Thursday, 13<sup>th</sup> July, 2017.**

#### **I. PRAYERS**

*[The Clerk of Parliament, Mr Ibrahim S. Sesay, Read the Prayers].*

*[The House met at 10:30 a.m. in Parliament Building, Tower Hill, Freetown].*

*[The Speaker, Hon. Sheku Badara Basiru Dumbuya, in the Chair].*

The House was called to Order

**II. CORRECTION OF VOTES AND PROCEEDINGS FOR THE PARLIAMENTARY SITTING HELD ON WEDNESDAY, 5<sup>TH</sup> JULY, 2017**

COMMUNICATION FROM THE CHAIR

**THE SPEAKER:** Honourable Members, we go through the record of Votes and Proceedings for the parliamentary sitting, held on Wednesday, 5<sup>th</sup> July, 2017. Page 1? Page 2? Page 3? Page 4? Page 5? Page 6? Page 7? Page 8? There being no corrections or amendments would somebody move for the adoption of the record of Votes and Proceedings for the parliamentary sitting held on Wednesday, 5<sup>th</sup> July, 2017 as presented?

**HON. LAHAI MARAH:** Mr Speaker, I so move.

**THE SPEAKER:** Any seconder?

**HON. HASSAN A. SESAY:** I so second, Mr Speaker.

*[Question proposed, Put and Agreed to]*

*[Record of Votes and Proceedings for the parliamentary sitting, held on Wednesday, 5<sup>th</sup> July, 2017 has been adopted as presented].*

**III. BILL**

THE NATIONAL MEDICAL SUPPLIES AGENCY ACT, 2017

THE MINISTER OF HEALTH AND SANITATION

INTRODUCTION AND FIRST READING

**DR ABUBAKARR FOFANAH [Minister of Health and Sanitation]:** Mr Speaker, Honourable Members, I move that the Bill entitled, 'The National Medical Supplies Agency Act, 2017 be read the first time.

*[Question Proposed, Put and agreed to]*

*[The Bill entitled, 'The National Medical Supplies Agency Act, 2017 has been read the first time]*

[SECOND READING]

**DR ABUBAKARR FOFANAH:** Mr Speaker, Honourable Members, I move that the Bill entitled, 'The National Medical Supplies Agency Act, 2017 be read the second time.

Mr Speaker, Honourable Members of Parliament, Members of the Fourth Estate.

**THE SPEAKER:** Mr Minister, you are addressing Parliament and we have certain procedures that are only peculiar to us. Please take note of that.

**DR ABUBAKARR FOFANAH:** Noted, Mr Speaker.

**THE SPEAKER:** Please proceed.

**DR ABUBAKARR FOFANAH:** Thank you very much, Mr Speaker. Mr Speaker, Honourable Members, let me start by thanking the leadership of this House, through the Speaker and the entire membership of the House for giving me this privilege to present to this House this very important Bill. Before 2012, the procurement, storage and distribution of drugs and medical supplies to all public health facilities under the supervision of the Ministry of Health and Sanitation were done by the Directorate of Drugs and Medical Supplies within the Ministry. However, with the passage of time, it became apparent that the whole issue of drugs and medical supplies, procurement storage and distribution has become such an enormous task that there is a need to detach these functions away from the Ministry through the establishment of a dedicated structure that will be better staffed and resourced for the task. This thinking led to the passage into law by this Honourable House, the National Pharmaceutical Procurement Unit [NPPU] Act of 2012.

Mr Speaker, Honourable Members, since the establishment of the NPPU, the institution faced a number of challenges ranging from governance to funding and to operational issues. All these factors conspired to render the institution ineffective. As a result, the very issues for which the institution was set up to address remain largely unaddressed as of today. For example:

[a] Parallel procurement of drugs and medical supplies continue, as donors continue to channel resources through multiple agencies due to lack of confidence in the institution.

[b] Stock out of life saving commodities persist in our health facilities nationwide.

[c] The age old push system where drugs are supplied to facilities not on the basis of what the facilities need and when they need them but on the basis of what is available and when we have it.

[d] Wastages persist because of this same push system that I have mentioned.

[e] Pilferage of drugs persists because of failure of the institution to implement the accountability metrics that were developed with partners to ensure that drugs get to these centres.

Mr Speaker, Honourable Members, after several consultations at State House, His Excellency the President, Dr Ernest Bai Koroma, in his wisdom, came to the conclusion that the institution was not fit for the purpose and decided on a complete restructuring of the Unit. This State House decision was contained in a press release dated around March of last year and the release mandated the Ministry of Health and Sanitation to work with partners to restructure the Unit, including the development of a new Act. Mr Speaker, what I am here to present to this Honourable House is the end point of months of deep and extensive consultations, including Cabinet Ministers, His Excellency the President, Dr Ernest Bai Koroma, the Law Office and the Ministry of Finance and other stakeholders.

Mr Speaker, Honourable Members, this Bill is developed from lessons learnt from the defunct NPPU as well as best practice borrowed from elsewhere. If passed into law, this Bill will promote transparency in the procurement and handling of drugs and medical supplies to our facilities. It will restore donor confidence in the pharmaceutical supply chain system of the country and will also eliminate parallel procurement mechanisms that currently characterised the drugs procurement and supply in the country. In fact, there will be more predictability of drugs supply in the country through the use of improved forecasting methods. Also, wastages will be avoided through better quantification and there will be a timely delivery of essential medicines to our facilities through the use of better distribution system.

On that note, Mr Speaker, Honourable Members, I move that the Bill entitled, 'The National Medical Supplies Agency Act, 2017' be read the second time.

*[Question Proposed]*

**HON. ALHASSAN KAMARA:** Thank you, Mr Speaker. Mr Speaker, Honourable Members, the Bill in front of this House came at the right time. As stated by the Minister, the Bill is brought to this House because the NPPU Act never fulfilled the promise it was enacted for; and soon after its enactment, serious problems during its implementation started surfacing. As a result, the Government of Sierra Leone thought it fit that there should be a total overhaul of the NPPU and thus introduce another Bill to replace the parent Act. As stated by the Minister, several efforts and consultations were made before this Bill we are now discussing came to this House. I want to believe that it is the role of this Parliament to produce a Bill that would stand the test of time. In that regard, I would want to make comments on some aspect of the Bill.

Mr Speaker, Honourable Members, I want to start with Part 2, which talks about the composition of Board. According to that provision, the Permanent Secretary of Ministry of Health and Sanitation, who is a key stakeholder in that Ministry, should be part of the Board. You have other members of the Board drawn from the Medical and Dental Association, under clause 'e'. It says: the following members appointed by the Minister through a consultative selection process. I just want to bring to the notice of the Minister that that has not been the practice of this House and that has never happened with any Bill that has been legislated in this House. All Board members must be appointed by the President and approved by Parliament. However, the Minister can, in consultation with other relevant entities, recommend to President for the appointment of Board members. Again, four is a very large number and that is not the usual practice. I would refer the House to Page 5 on the reasons for terminating the Board members. Clause 'e' says that if a Board Member fails to attend... - *[Interruption]*

**THE SPEAKER:** If you are referring us to Page 5, where precisely, Honourable Member?

**HON. ALHASSAN KAMARA:** Page 6, Mr Speaker.

**THE SPEAKER:** You have to be specific in citing your references.

**HON. ALHASSAN KAMARA:** Mr Speaker, if you have a copy of this Bill, you will agree with me that it is very difficult to make specific reference because the numbering of the Bill is also problematic. We would have to correct the numbering at the Committee Stage. Clause 'e' on Page 6 states that 'if a Board member fails to attend two consecutive meetings of the Board without reasonable excuse, his membership as a Board member can be terminated. This is saying that failing to attend Board meetings for two consecutive times without reasonable excuse is too harsh. I would recommend here that consistent with other Bills that we have passed in this House some Bills say three months, whilst others are saying three appearances. we would want to continue in that trend.

Mr Speaker, Honourable Members, the object of the Bill is a very good and I want to applaud the Minister for taking the bold step for bringing this Bill to this House at this time. This Bill is geared towards reducing wastages as a result of the push system that the medical supplies system has been experiencing. It is also no doubt that this would have a significant reduction on the cost of drugs in this country. Members of the Committee on Health and Sanitation would want to see that this Bill is passed successfully in this House. Therefore, we would want to see a very good Bill that will stand the test of time. Again, we would want to see a Bill that will not come back to this House or an agency that will not face difficulty as the NPPU.

Therefore, Mr Speaker, Honourable Members, I would like to ask this Honourable House to support this Bill. In doing so, I would faithfully ask my colleagues for us to do a proper scrutiny of this Bill. This is because at the end of the day, if it did achieve its intended purpose, Parliament will have to take the blame because we are the law makers for this country. In other words, before we enact any legislation, we need to see that the Bill stands the test of time and a thorough consultation is done. We have to ensure that issues bothering on the implementation of this Bill are flagged up.

With those few words, Mr Speaker, Honourable members, I want to thank you very much for giving me this opportunity.

**HON. RTD CAP. FREDERICK SANDY SOURIE:** Mr Speaker, Honourable Members, I want to support what the Honourable from the Western Area has said. I have the Bill with me here and I used blue ink pen to edit it.

Mr Speaker, Honourable Members, one of the reasons for the blue ink is to make the Act consistent with other Acts. For instance, on Page 3, Clause 3 [1], which is the clause referring to the governing body, it has been the practice that such Bills should make provision for a Chairman with proven track records. We have to capture that when we shall be looking at this Bill at the Committee Stage. It is clear that this Bill makes provision for a governing body of the Agency, which is the Board.

Mr Speaker, Honourable Members, this Bill talks about the qualifications of the Chairman, which I think has not been the case for Bills of such nature we have passed in this House. Therefore, this particular provision is inconsistent with the other Bills we have ratified here. There has never been a specific qualification for Chairman, other than having proven experience in the area covered by the Bill. I have never seen a Bill that says the Chairman should have a degree and other qualifications. In consistence with what we have been doing, it is but befitting that the qualifications for the Chairman follow that tradition.

Mr Speaker, Honourable Members, if you look at the Bill, you will see the words 'Managing Director.' This is going to be a Government Sub vented Agency; and by so doing, it is going to be different from what they are currently doing. When you have a Managing Director, according to my small knowledge in corporate governance, you are talking about organisations that are doing business. Those organisations levy fees for their services. That is basically not what this Agency will be doing if this Bill is passed into law. This and many other reasons give substance why this Bill has to go through the Committee Stage, so that the Bill is fine-tuned based on what has been the practice.

On that note, Mr Speaker, Honourable Members, I want to subscribe to the view that we send it to the Legislative Committee, so that more scrutiny is done on the Bill. I thank you very much, Mr Speaker.

**HON. JUSUFU B. MANSARAY:** Thank you very, Mr Speaker. Mr Speaker, Honourable Members, it is always good for us to look at Sierra Leone in whatever

thing we are doing, especially when we are representing people who cannot talk here, but expect us to do their work. We are talking about the National Medical Supplies Agency. I want to state here that most of the problems we are facing in this country are due to the entry of fake drugs into this country. People want to make money from selling counterfeit drugs. We are now going to have an Agency that will make sure that whatever drugs that are coming into this country are good to cure diseases they are meant to cure. If that is the case, we look at the subtitle which says, 'To Repeal and Replace the National Pharmaceutical Procurement Unit Act, 2012, to establish the National Supplies Agency as public service Agency responsible for procurement, warehousing and distribution and medical supplies in a transparent and cost effective manner.' The subtitle tells us that the Ministry is ready to ensure that most of the health challenges this country is facing are overcome. If that is the case, I would want to suggest here that when we go to the Committee Stage, we have to make sure that we scrutinise this Bill before it is passed into law. That is the most important thing to do because there are issues that we have to resolve.

Finally, Mr Speaker, Honourable Members, what I would want to emphasise here is the fact that if we want to talk about Boards, we should not forget the foot soldiers; i.e., the Pharmaceutical Society which deals with the people on the street. The Pharmaceutical Society should be involved in the management of this Agency. I thank you, Mr Speaker.

**HON. BASHIRU SILIKIE:** Mr Speaker, Honourable Members, I do not know the reason for the rush because there was a pre-legislative hearing few days ago and lots of concerns on this Bill were raised. The Pharmaceutical Society and the Ministry were with us and there were concerns which were raised for the attention of the Ministry. The Leadership of this House advised them to go and compare notes and come back. Today, we are here to pass this Bill into law.

Mr Speaker, Honourable Members, having gone through this Bill, I noticed a lot of lacunas and this Bill is going to replace the NPPU Act. For instance, this Bill gives lots of power even in the selection of the Board. According to the Bill, if it is passed into law, the Minister will be appointing people to the Board, a responsibility that has

been carried out by the President of this nation. We all know that Ministers should recommend to the President and the President has the veto power to appoint people as Board members and Parliament approves. In the case of this Bill, the Minister appoints and there is no provision parliamentary for approval. The only parliamentary approval is the Chairman of the Board.

Mr Speaker, Honourable Members, the Pharmaceutical Society raised an important concern. The Pharmaceutical Society noted that the absence of a Human Resource Department. There were lots of concerns raised by the Pharmaceutical Society. As stated by Majority Leader of this House, this Parliament is not a fanfare where we come and pass Bills with the intention of bringing them again within very short time for amendment. When we are passing Bills into law in this Parliament, we are expecting that whatever Bill that is been passed stands the test of time. As the Deputy Chairman of the Health Committee said, I will take his footsteps to state here that we commit this Bill to the Legislative Committee for thorough scrutiny. I thank you very much.

**HON. HASSAN B. SHERIFF:** Mr Speaker, Honourable Members, the Bill before us is a very important Bill. The medical supplies, in my opinion, will be responsible for the procurement of drugs, warehousing and distribution of drugs. My colleague on the other side talked about the Minister's intention to be appointing members of the Board. I think the standard practice here is that Minister should recommend members for the Board. This is not done by the Minister of Health before us alone...  
- *[Interruptions]*.

**THE SPEAKER:** This appears to be a sore point. Honourable Ansumana J. Kaikai, why do you think there is this departure from the tradition?

**HON. ANSUMANA J. KAIKAI:** Mr Speaker, Honourable Members, different strokes for different folks. In this instance, it is the wish of the Minister that it is done that way. So, it is left with Parliament to agree or disagree.

**THE SPEAKER:** Honourable Ansumana J, Kaikai that is very good.

**HON. HASSAN B. SHERIFF:** Thank you very much and I hope we will continue with the tradition here. Again, my concern here has to do with the procurement and

distribution of drugs. From past observation, drugs that come into this country have very little life time, particularly the expiration date. So, when you are procuring drugs that are to be distributed to the various health centres and hospitals, we should do so with the intention to ensure that drugs take more than a year before they expire. These drugs are used by human beings to cure diseases. When you have drugs that expire within the period of six months, they perform little in terms of the wellbeing of the people of this country and it is a waste of resources. So, I want to suggest to the Medical Supplies Unit or Board to look into this issue very seriously.

Mr Speaker, Honourable Members, it is important to have a warehousing facility to store the drugs. The drugs should be stored in conducive places. This is because if these drugs are kept in hot places, they will not provide the required results in terms of consumption. I want to believe that the warehouses must be improved in all the health facilities in this country. The storage of these drugs determines how long they will take to expire. If the drugs are stored in safe places, the drugs will be usable for a very long time.

Mr Speaker, Honourable Members, I want to state here that distribution is the key in the drugs supply chain. I am a member of the Public Accounts Committee [PAC] and when we usually go through the reports of the Auditor General, we always detect shortage in the supply of drugs. Drugs usually leave Freetown to their ultimate destinations, but those drugs were never delivered. In most cases, empty papers are delivered to these clinics in the provinces. Therefore, the drugs are in short supply or not made available to those health centres. We have detected this anomaly as a Committee and we usually conduct inspection tours to those health centres. The PAC usually go to Makeni, Bo, Kenema and other major head quarter towns. The Committee faced difficulties and disappointments in terms of drugs in Makeni, in particular. Port Loko is a safe haven for drugs because we made sure that we receive them as package from the Western Region. We also make sure that they get to their destinations. I must admit here that drugs are in short supply in most of the health centres in this country.

Mr Speaker, Honourable Members, I believe the chain of supply must be improved upon and there must be a system wherein drugs are delivered to their right destinations. We must be able to trace any supplied drugs in order to avoid unnecessary waste of resources. If we fail to do this, people will continue to ask the whereabouts of the drugs. We must make sure that these drugs are delivered to those who need them. If this is not done, in my opinion, is a waste of resources and energy. As Members of Parliament, we also have a role to ensure that things are properly done.

Finally, Mr Speaker, Honourable Members, I want to talk about the Board. I want to state here that we will structure the Board according to what used to happen. We will follow that tradition and make sure that we do the right thing. I want to believe that issues relating to offences and penalties are properly addressed in this Bill. This is not a controversial Bill. We should amend where necessary and approve this Bill as quickly as possible. Thank you very much.

**HON. PATRICIA U. D. BANGURA:** Thank you very much, Mr Speaker. Mr Speaker, Honourable Members, the Bill before us is timely and it is a very important Bill for the health of our people in this country. A medical supplies is a very sensitive issue. And as the Deputy Majority Leader mentioned, storage and warehousing is another important component. The departments mentioned on Page 12 are very few. There are other departments that are not included on Page 12 and those departments are very important for the storage and warehousing of drugs. Again, distribution is also another important department that is not mentioned here. We should also include Monitoring and Evaluation Department, which is very important. People should be deployed to monitor the distribution exercise. Those are the people who will ensure that patient get the required supply. These important departments are missing in this Bill and we have to look at that area and make sure that they are included.

Mr Speaker, Honourable Members, the storage and warehousing is so critical that if these drugs are not stored in a proper and conducive environment, they will go bad even before their expiration period. Some medicines need air-condition, some need enough space and they should not be bungle together. There are so many issues

that are not adequate addressed in this Bill. I think that department needs a qualified person to oversee the storage and warehousing of drugs.

Mr Speaker, Honourable Members, in terms of appointing Board members on Page 4, I think the previous speakers have elaborated on that area. Therefore, I am not going to talk about the area that has to do with the appointment of Board members by the Minister, but to throw light on the ten year work experience. I think that is a bit too much because that criterion is tantamount to depriving qualified young people to get the job. I would recommend five years work experience or a little over five years work experience in related field.

On that note, Mr Speaker, Honourable Members, I want to thank you very much.

**HON. DR ABDULAI SESAY:** Thank you, Mr Speaker. Mr Speaker, Honourable Members, the Bill before us is very important because you cannot talk about an effective health delivery service without proper medical supply chain management. It is unfortunate that over the years, drugs procured for our people end up in other places. Therefore, it is very important to establish a unit that will take into consideration some of the loopholes that have taken place over the years. We have lost a huge chunk of money.

Recently, Mr Speaker, Honourable Members, we had report about drugs being impounded at the Kambia Checkpoint. As we speak, we have not been able to get any report and we have not been able to find out those who were involved. We also had a report about drugs being impounded in Kailahun and we have not been able to get any report on that issue. If we are talking about establishing a Unit, I think we also need to set up a structure wherein these challenges will be taken care of. It is so important that if this is not properly managed, no matter the amount of money Government spends on health, people will continue to say much is not done. Anytime a patient goes to hospital, he/she expects quality drug and treatment. People expect to receive medicines even in remote areas.

In that regard, Mr Speaker, Honourable Members, I want to support the motion that a Monitoring and Evaluation Unit be set up. We have quality drugs that are imported into this country and we have to ensure that those drugs are taken care of to reach the consumers. When you dispatch those drugs from the central medical stores to

the district medical stores, you have a particular quantity of drugs to be supplied. And when these drugs are distributed to the Peripheral Health Units [PHU] and to the hospitals, there should be a drug consumption sheets wherein the consumption of those drugs is properly monitored. If we do not have a unit to monitor such movement of drugs and to give proper accountability on how these are being utilised, then we will still have a problem.

Mr Speaker, Honourable Members, I strongly believe that we have the Medical and Dental Association as members of the proposed Board. I believe that the Pharmaceutical Society of Sierra Leone should be part of this Board because they have the required manpower to be represented on the Board. As a Ministry and as a new Agency, I strongly believe that what we are looking for is to have an effective and efficient institution that will provide good services for the people of Sierra Leone.

Contingent upon the above, Mr Speaker, Honourable Members, I want to strongly recommend that the Pharmaceutical Society of Sierra Leone be represented on this Board. The Medical and Dental Associations be adequately represented on the Board, I believe the Pharmaceutical Association of Sierra Leone should also be represented.

Mr Speaker, Honourable Members, provision is made on Page 5 for the appointment of the Chairman by the Minister of Health and Sanitation. One of the qualifications for that position is that the Chairman should possess a degree from a reputable institution, somebody of high repute. I would want to strongly add that the person should have a post graduate degree in Pharmacology, so that he/she will be able to handle such a Unit. I am saying this because we want efficiency and efficacy in the management of such department.

Mr Speaker, Honourable Members, looking at all the concerns raised, I therefore stand on S.O. 51[1], for this Bill to be committed to the Legislative Committee *for* further scrutiny.

**THE SPEAKER:** No. Honourable Member, you cannot say that at all.

**HON. DR ABDULAI SESAY:** I withdraw, Mr Speaker.

**HON. ANSUMANA J. KAIKAI** [*Acting Minority Leader of the House*]: Thank you, Mr Speaker. Mr Speaker, Honourable Members, we have before us a replacement Bill that will replace Act No 8 of 2012. The Bill before us is the National Medical Supplies Agency Act, 2017. Let us look at things properly and with the outmost simplicity. The question is, do you think this Agency is going to do better than the Act that it is about to replace? I posed this question because as far as I am concerned and the people of this country are concerned, when the parent Act that is about to be replaced was passed into law, the Government Medical Stores and its supporting agencies have been functioning effectively. What is absent, as far as the people are concerned, is the fact that the drugs that are supposed to arrive at their destinations ones they leave Freetown, probably some of them use to run into problems. They are not made available at their destinations and that has been posing serious challenges. The question again is, will this Bill correct that anomaly? When you talk of wastages, you are talking about implementation. Wastages do not necessarily mean that the supplies are available but they are not even there. It could also mean that they are not sufficient. We signed the Abuja Declaration and according to that Declaration, we are expected to spend **15%** of our available resources on health issues. We are not doing that and health issues keep posing serious challenges in this country.

Therefore, Mr Speaker, Honourable Members, we are still not up to the task as far as resolving health issues is concerned. Will this Bill make sure that those who are working very hard in these institutions are not unnecessarily blamed for these shortcomings? If the answer is no, then we have to be very careful because what we are doing now is exposing those people and even this House. This is because when you replace an Act of Parliament on the basis of ineffectiveness of the parent Act, but after two or three years the purposes for which the amendments were made are not achieved, then we are going to nowhere. Who do you blame? Should you come with another Bill to replace the parent Act? This 2012 Act is about five years old, and we are here to replace it today. We will definitely replace it because I am seeing that mood on the faces of Members of Parliament.

Mr Speaker, Honourable Members, this Bill will become law, but some of my colleagues have raised very important issues that need our attention. We will have a new Act, but will that be more effective than the parent Act? We have to look at that area critically, Mr Speaker. I am made to understand that this Bill is the initiative of His Excellency, the President... - *[Interruption]*.

**THE SPEAKER:** Did the Minister say so or how did you know, Honourable Member?

**HON. ANSUMANA J. KAIKAI:** The Minister has commented that this Bill came about as one of the Government priorities and as a result of the orders from State House for the suspension of Management team. I was not saying that it was a bad move, but we must be very careful on how we do things. This Bill is a good Bill and if carefully and effectively implemented, it will provide the required supports it deserves.

Mr Speaker, Honourable Members, the other day, a cousin of mine got ill and I sent her to the Pujehun Government Hospital. We have a very good Doctor at that hospital. My cousin came back with the prescriptions and we were referred to a private clinic to purchase those drugs. I asked myself why those drugs could not be procured from a Government hospital. Well, I was told that those prescribed drugs were not available there. Again, will this Bill correct such anomaly? It is not about what we do, but what happens as the end result. I want to appeal to all and sundry to stop this blame game and focus on ensuring effective administrative measures. We are required to spend **15%** of our national budget on health issues, but that has not been done. I would want to support this Bill because it is a good Bill. However, I would like to caution this House that when this Bill becomes law, the blame game should stop. I thank you very much, Mr Speaker.

**HON. LEONARD S. FOFANAH *[Majority Leader of the House and Leader of Government Business]*:** Mr Speaker, Honourable Members, all Members of Parliament are desirous in having a very good Bill passed into an Act of Parliament, so that the health system of this country is improved. That is the goal and intention of the Bill before us. I want to assure the Acting Minority Leader to have faith in our system and to have faith in the Government of Dr Ernest Bai Koroma that what we are doing here today is for the benefit of this country and nothing more. We want a

comprehensive Bill to be passed and every Member of Parliament and all those who have spoken on this Bill have expressed their willingness to support this Bill. We want to ensure that we provide a system that is effective ... - *[Interruption]*.

**HON. ANSUMANA J. KAIKAI:** Mr Speaker, I rise on S.O 32[9]. I did not say that I do not have confidence or faith in this Government. That is not my motive and I would want the Majority Leader to correct himself.

**THE SPEAKER:** But at the same time Honourable Ansumana J. Kaikai, according to S.O. 32[9], no Member shall impute improper motives. Considering what the Honourable Member has said, he has not imputed any improper motive. The Honourable Member said that he wanted to 'assure you that the President has everything good for this country and you must have faith in him.' Assuring somebody is not an insult.

**HON. ANSUMANA J. KAIKAI:** I did not say that he has insulted me. I am saying that that was not my motive. I did not say so and that it should not be part of the records of this House at all.

**HON. LEONARD S. FOFANAH:** Mr Speaker, I wonder why the Acting Minority Leader is so vociferous about this issue. In English language, you do not need to say so much. You said the implementation of this Bill is the issue and I am assuring you, Honourable Member from Pujehun, that that would be done. This Bill will be effectively implemented and that is the intention of this Bill. I am merely giving you that assurance, Honourable Member.

Mr Speaker, Honourable Members, some Honourable Members spoke about having a comprehensive Bill, so that will not go back to where we were. I want to inform you that two days ago, we had a pre-legislative meeting on this Bill and it was agreed amongst Members of Parliament, the Minister and other Ministry officials that this Bill should go for further scrutiny to the Legislative Committee. Those concerns should be incorporated for effective implementation. If what we have agreed upon is not factored in this Bill, it will be more prudent to commit this Bill to the Legislative Committee.

**THE SPEAKER:** The Honourable Alhassan Kamara said that we need an Act that will stand the test of time.

**HON. LEONARD S. FOFANAH:** Indeed, Mr Speaker, we need an Act that will stand the test of time, so that there will be no reason for it to come here again for some other amendments in less than two or three months. So, when we come to that stage, I would move a motion for this Bill to be committed the Legislative Committee so that we would give it some fine tuning. We have all seen the necessity to repeal the NPPU Act, but we have to make sure that we have a comprehensive Bill. The NPPU Act failed us hopelessly and we have no apology for that because if it was not working, then it has to be repealed and replaced. We are going to replace it hopefully with a far more effective Bill when it becomes an Act of Parliament, so that the necessity of working together and the implementation of the Bill will be for the health benefit of our people.

Mr Speaker, Honourable Members, I want to thank the Honourable Members for all the concerns they have raised. We agreed on most of those concerns and I hope that the Legislative Committee, once this Bill is committed to it, we will be able to take those concerns on board, so that we will come up with an effective and comprehensive Bill. I thank you very much, Honourable Members.

**THE SPEAKER:** Mr Minister, please take note, so that you take into consideration the various concerns that have been raised. You are expected to reply to some of those concerns.

**DR ABUBAKARR FOFANAH [Minister of Health and Sanitation]:** Thank you very much, Mr Speaker. Mr Speaker, Honourable Members, the first speaker said that Board members must be approved by this House. We felt that the Chairman of the Board is the most important person with a very critical position on the Board. So, we felt that if this Honourable House vets the Chairman who is going to stair the affairs of the Board, we thought it to be enough. But if it is the wish of this Honourable House that... - *[Interruption]*.

**THE SPEAKER:** Mr Minister, at this point let me ask you on behalf of Members of Parliament and being a Member of Parliament myself, this Bill was drafted by the

Ministry in conjunction with the Law Officer's Department. Did you intend to give yourself additional powers?

**DR ABUBAKARR FOFANAH:** I will come to that, Mr Speaker.

**THE SPEAKER:** This House would like to know the reason for the departure from the tradition? I wonder if the Legal Draftsman is here.

**HON. CHERNOR R. M. BAH [*Deputy Speaker of the House*]:** Maybe the Draftsman in this case is the Minister.

**THE SPEAKER:** I am not blaming him at all. Is the Legal Draftsman here?

**HON. IBRAHIM BEN KARGBO:** Mr Speaker, Honourable Members, I want to make a small clarification. Mr Minister, for the benefit of us all here, it should not be forgotten that the President of the Republic is Minister in charge of Establishment and Public Affairs. Therefore, matters of this nature should pass through him. He must nominate somebody who must come to Parliament for approval. The possibility that he may consult the Minister also exists, but I agree with the Speaker that we should not be seen to be deviating from normal practice. Thank you very much.

**DR ABUBAKARR FOFANAH:** Thank you, Mr Speaker. I think the Act is very clear that the Chairman of the Board will be appointed by the President on the recommendation of the Minister, subject to the approval by this House. It is clear that it is His Excellency that will nominate on the recommendation of the Minister.

Mr Speaker, Honourable Members, the other concern of the first speaker was the issue that has to do with the condition that if a Board member absents himself or herself for two consecutive meetings, the proposed punishment is too harsh. However, I want to remind this Honourable House that the Board does not meet every day. Board members could meet once every three months. So, two consecutive meetings mean that you have absent yourself for six months, which is half of the year.

Mr Speaker, Honourable Members, the second speaker talked about the qualification of the Board, especially the use of the acronym MD [Managing Director]. I would want to state here that the institution is not going to be a sub-vented agency. This is a business model and they have to be doing business in the sense that they procure

drugs on behalf of Ministries, Departments, Agencies, Private Sector. In the process, they would have to charge a fee for that. It is a Government institution, but it is a business model institution. That is the reason for the use of the word.

**THE SPEAKER:** Mr Minister, Honourable Bashiru Silikie is asking a very pertinent question whether it is a private institution.

**DR ABUBAKARR FOFANAH:** No, Mr Speaker. It is not a private body, but a public institution.

**HON. ALHASSAN KAMARA:** Mr Speaker, I just want to make the clarification. The Minister just said that this is not a sub-vented agency. Looking at its financial provision, it states that the activities of the agency shall be financed by funds consisting of moneys appropriated from time to time by Parliament for the purpose of the agency. This means that it is a sub-vented agency.

**DR ABUBAKARR FOFANAH:** Thank you very much, Mr Speaker. I would want to respond to the third speaker. I want to state here that the greatest disservice any public servant could do to his or her country is to make a law that centres on him/her. That is the greatest disservice that any public servant could do to his or her country and the worst public figure is one who makes a law around himself/herself. Unlike all of you seated here, Ministers are selected by the President. Therefore, why should I make a law for my selfish interest? Maybe by the time I go through this door, an announcement will come out that I am no longer there. It does not make sense.

Mr Speaker, Honourable Members, I want to state here that I do not make laws for myself and I do not abrogate undue powers for my selfish interest. If you look at the composition of Board members, there are two categories of Board members. We have the institutional members of the Board. We have people on the Board by virtue of the institutions they represent. For example, the Bill says that the Permanent Secretary of the Ministry. I have no control over that all I do is at the end of the day to write the Ministry to send the appropriate nominee to the Board. The second category of Board members has to do with none institutional members. If you like these are members of the public. Maybe a member of the public could have what it takes to contribute to the Board and somebody has to nominate him/her. The

question is who is best placed to nominate that person after due consideration other than the Minister. This is where the nomination by the Minister comes in. However, if it is the wish... - *[Interruption]*.

**THE SPEAKER:** Honourable Suahilo M. Koroma, some people are talking about recommendation whilst others are talking about nomination. Nomination and recommendation are almost the same because when you nominate, you are recommending and when you recommend you do not have the last saying. Recommendation by definition could be rejected or accepted. So, when you nominate, the word nominate really comes from the Latin word 'nominatus,' meaning I am naming you to be. So, it is recommendation.

**DR ABUBAKARR FOFANAH:** Thank you very much, Mr Speaker. Having recommended or nominated members, if it is the wish of this House that these nominees are approved by this House, so be it.

Mr Speaker, Honourable Members, I want to thank Honourable Hassan B. Sheriff for his positive contribution to this Bill. Thank you very much. I would also like to thank Honourable Patricia Dankay Bangura for her contribution. He raised two concerns. The first concern is the absence of Monitoring and Evaluation [M&E] Department. That is very correct, but the Act makes provision for the establishment of other departments if deemed fit to do so. I want believe it is one of the departments they will create. Also, she said that the proposed year experience is too much. I think they are just trying to balance academic qualification and experience in the job. When you advertise for a job, they will say 'Applicant must have a first degree or a second degree and five years or equivalent. You do not say five year or equivalent because experience has no equivalent. You really have to earn it. I think that is where they are coming from.

Mr Speaker, Honourable Members, the Chairman of the parliamentary Committee on Health was talking about the Pharmaceutical Society of Sierra Leone. I just want to make the point that if you are talking about the Pharmaceutical Society of Sierra Leone, then it is just one of several pressure groups in the Pharmaceutical Industry. You have the Pharmacy Board, the Pharmaceutical Society of Sierra Leone and Pharmaceutical Business Association of Sierra Leone. These are all pressure groups

in the area of drugs and medical supplies. The Pharmaceutical Society is an Association that members join on a voluntary basis. So, it cannot be the sole repository of knowledge in the pharmaceutical industry. The Act makes provisions for a pharmacist to be on the Board. It is already there and he/she does not necessarily have to come from the Pharmaceutical Society of Sierra Leone. That is the issue I want to clarify.

With those few clarifications, Mr Speaker, Honourable Members, I move again that the Bill entitled, 'The National Medical Supplies Agency, 2017' be read the second time.

*[Question Proposed, Put and Agreed to]*

*[The Bill entitled, 'the National Medical Supplies Agency Act, 2017' being an Act to repeal and replace 'the National Medical Supplies Agency Act, 2012' to establish the National Medical Supply Agency as a Public Service Agency responsible for the Procurement, Warehousing and Distribution of drugs and medical supplies in a transparent and cost-effective manner for and on behalf of all public institutions throughout Sierra Leone has been read the second time].*

**HON. LEONARD S. FOFANAH:** Mr Speaker, Honourable Members, I believe we have all seen the necessity why this Bill should be sent to the Legislative Committee. I think the Honourable Minister himself has seen the reasons. I want to believe you will duly support the motion that this Bill be committed to the Legislative Committee. On that note, Mr Speaker, Honourable Members, I move that S.O. 51[1] that this Bill be committed to the Legislative Committee for further scrutiny.

**THE SPEAKER:** Any seconder?

**HON. DR ABDULAI SESAY:** Mr Speaker, I so second.

*[Question, Proposed, Put and Agreed to]*

*[The Bill has been committed to the Legislative Committee].*

**THE SPEAKER:** Honourable Members, I am very happy that the Honourable Daniel B. Koroma is here. In the absence of your Chairman of the Legislative Committee, he should be in a better position to discern from the contributions that this Bill has so many deficiencies. According to Honourable Bashiru Silikie, **"The Bill has many**

**lacunas.”** Therefore, I would want to ask the Deputy Chairman of the Legislative Committee to look at this Bill very carefully.

On the question of the qualification of the Chairman, the Chairman of the Health Committee even suggested that he should have a post-graduate degree in Pharmacology. I do not know, but I would have thought that a degree is enough. Well, it is only now, but when we went to school in the 60s, a single degree suffices for everything.

Honourable Members, the Minister said something which I want to support very strongly. Experience is very important. This is something that you acquire or earn. The only time somebody surpasses you in experience is when you die. Ten year experience is not too much. It is not too much at all. That is where I want to support the Minister. Experience is not anything that you can buy, but you have to earn it. People use words very loosely in this country. When you talk about expertise, believe you me that can only be acquired with experience, and that you have already got the basic academic qualification. Expertise can never be acquired in one day. It is over time and that is where experience comes in too.

**HON. LEONARD S. FOFANAH:** Mr Speaker, Honourable Members, I want to crave your indulgence for the Order Paper to accommodate me to lay a very urgent Agreement on the Table of Parliament. I have received communication from the Honourable Minister of Finance who is out of the country and I wanted to lay it on behalf of Government in my capacity as Majority Leader of the House and Leader of Government Business.

**THE SPEAKER:** Honourable Members, the Leader has asked for some amendments which I would like to accommodate because these financial agreements are very important. I think he could have done that amendment earlier. Nonetheless, I will accommodate it.

**HON. ANSUMANA J. KAIKAI:** Mr Speaker, the Majority Leader did not mention the relevant provision in the Standing Orders he stood on to lay that document.

**HON. CHERNOR R. M. BAH:** Mr Speaker, with your permission, the Acting Minority Leader is being mischievous in this House today. Mr Speaker the moment that you

have ruled the presumption is that everything is in place and you have ruled already. So he should not take us back.

**HON. ANSUMANA J. KAIKAI:** I have not been mischievous, Mr Speaker.

**THE SPEAKER:** Honourable Deputy Speaker, I want you to know that I know Honourable Ansumana J. Kaikai better than anybody in this Parliament.

**HON. LEONARD S. FOFANAH:** Mr Speaker, Honourable Members, I want to lay on the Table of the House the document entitled, 'Financing Agreement Productivity and Transparency Support Credit, between the Republic of Sierra Leone and the International Development Association dated 7<sup>th</sup> July, 2017. Credit No. 6112SL. Grant No. D218SL.'

**MR IBRAHIM SULAIMAN SESAY [Clerk of Parliament]:** Please Honourable Members this Announcement is for all of us. National Electoral Commission [NEC] has distributed a lot of statutory instruments which would need your attention to scrutinise; to look at properly. On that note therefore, it has been proposed that the statutory instrument be discussed on the boundary delimitation to be discussed on Monday, 17<sup>th</sup> July, 2017 at 11 a.m.

These instruments have to do with the delimitation of Wards and Constituencies. Therefore, it is very important for us to discuss them, so that by the time we lay them, we would have seen all the mistakes if there are any. That is why we call for a pre-legislative meeting between NEC and Parliament. Thank you.

### **ADJOURNMENT**

*[The House rose at 12:00 noon, and was adjourned to Tuesday, 18<sup>th</sup> July, 2017 at 10 a.m.]*