

OAU DRIVE, TOWER HILL, FREETOWN

PARLIAMENTARY DEBATES

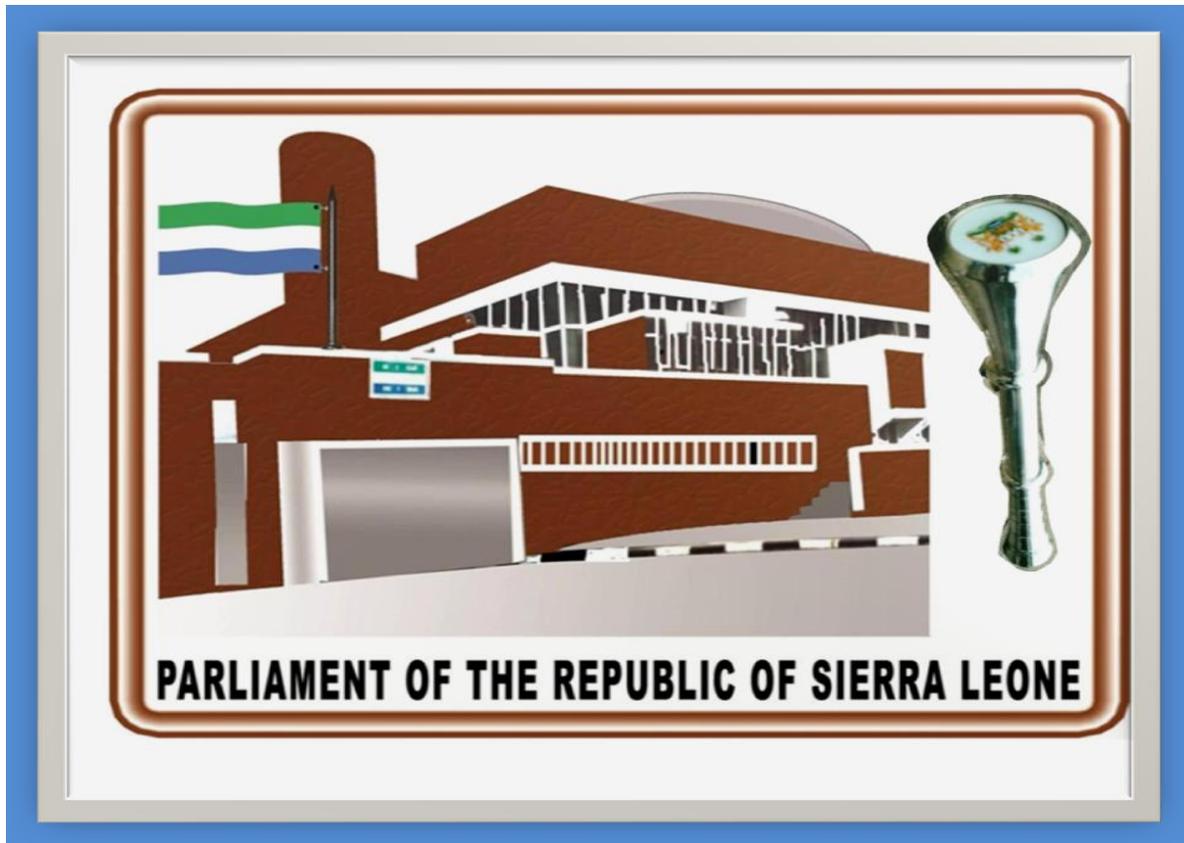
(HANSARD)

OFFICIAL HANSARD REPORT

FIRST SESSION-FIRST MEETING

THURSDAY, 13TH SEPTEMBER, 2013

SESSION – 2012/2013



OAU DRIVE, TOWER HILL, FREETOWN

PARLIAMENTARY DEBATES

(HANSARD)

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

Proceedings of the Sitting of the House
Held on Thursday, 13th September, 2013.

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THE MINISTER OF TRADE AND INDUSTRY



THE CHAMBER OF PARLIAMENT OF THE REPUBLIC OF SIERRA LEONE

Official Hansard Report of the Proceedings of the House

FIRST SESSION-FIRST MEETING OF THE FOURTH PARLIAMENT OF THE SECOND REPUBLIC

Thursday, 13th September, 2013.

The House met at 10:00 a.m. in Parliament Building, Tower Hill, Freetown.

I. PRAYERS

[The Clerk of Parliament, Hon. Ibrahim Sulaiman Sesay, Read the Prayers].

[The Deputy Speaker, Hon. Chernor R. M Bah, in the Chair].

The House was called to Order

Suspension of S. O. 5(2)

II. CORRECTION OF VOTES AND PROCEEDINGS FOR THURSDAY, 12TH SEPTEMBER, 2013.

COMMUNICATION FROM THE CHAIR

THE SPEAKER: Honourable Members, we go through the record of Votes and Proceedings for Thursday, 12th September, 2013. Page 1? Page 2?

HON. LAHAI MARAH: Mr Speaker, Page 2, No. 53. I was present yesterday and my name is not mentioned on pages 1 and 2.

THE SPEAKER: What are you saying Honourable Member?

HON. LAHAI MARAH: Mr Speaker, my name should be under Honourable Members who were present. I was present yesterday Sir.

THE SPEAKER: Have you gone through the Votes and Proceedings to see whether your name is written somewhere else?

HON. LAHAI MARAH: My name is not written anywhere.

THE SPEAKER: Your name is not in the Votes and Proceedings?

HON. LAHAI MARAH: Yes Mr Speaker.

THE SPEAKER: Noted Honourable Member. Page 2?

HON. KOMBA E. KOEDOYOMA: Mr Speaker, the Clerk's Office seems to be confused about the spelling of my name. I am referring to Page 2, no. 39. The correct spelling is K-o-e-d-o-y-o-m-a and not K-o-e-d-o-y-e-m-a. I want the necessary correction to be made?

THE SPEAKER: Noted Honourable Member.

HON. LAHAI MARAH: Mr Speaker, I also have the same concern. I have made this correction before, but the Clerk's Office still continues to make the same mistake. The correct spelling of my surname is M-a-r-a-h and not M-a-r-r-a-h.

THE SPEAKER: Mr Clerk, please take note of that. Page 3? Page 4?

HON. KOMBA E. KOEDOYOMA: Mr Speaker, I want to refer you to Page 3, under the caption: "*the following Honourable Members of Parliament were absent.*" It has to do with the same correction I made earlier.

THE SPEAKER: Mr Clerk, please take note of that. Page 4? Page 5? Can somebody move that the record of Votes and Proceedings for Thursday, 12th September, 2013 be adopted as amended?

HON. DR BUBUAKEI JABBI: Mr Speaker, Page 2, no. 17. My name is spelt as B-u-b-u-a-k-e-i and not B-u-b-u-a-k-i-e.

THE SPEAKER: Mr Clerk, please take note of no. 17. Can somebody move that the record of Votes and Proceedings for Thursday, 12th September, 2013 be adopted as amended?

HON. ALHASSAN JERO KAMARA: Mr Speaker, I so move.

THE SPEAKER: Any seconder?

HON. JUSUFU B. MANSARAY: I so second Mr Speaker.

THE SPEAKER: Any counter motion?

(Question Proposed, Put and Agreed to)

(Record of Votes and Proceedings for Thursday, 12 September, 2013 was unanimously adopted as amended)

III. PAPER LAID

THE CHAIRMAN, COMMITTEE ON WORKS, HOUSING AND INFRASTRUCTURE,
REPORT ON THE INSPECTION OF THE KONO/KABALA TOWNSHIP ROADS

HON. KOMBOR KAMARA: Mr Speaker, Honourable Members, this report is presented to this House in accordance with Section 73(3) of the Standing Order of the Sierra Leone Parliament. The Report is an enquiry into the Status of the Koidu City and Kabala Township Road under construction by an indigenous construction company called 'The Well Group Limited.'

Mr Speaker, Honourable Members, in early July, 2013, the Committee on Works, Housing and Infrastructure summoned the leadership of the Sierra Leone Road Authority (SLRA) and all the Road Contractors to Parliament in order to know the status of the roads construction in the country. This Report presents one of the actions taken by the Committee to address the concerns of the people of Koidu City and Kabala Township. At this juncture, I will humbly request that on behalf of the Members of the Committee on Works, Housing and Infrastructure to lay on the Table of Parliament the Site Report titled 'An Inspection of the Township Roads of Koidu and Kabala Town.'

Presented by the Chairman of the Committee on Works, Housing and Infrastructure
(Applause)

IV. THE PRODUCE MONITORING BOARD ACT, 2013

INTRODUCTION AND FIRST READING

THE MINISTER OF TRADE AND INDUSTRY

SECOND READING, COMMITTEE STAGE AND THIRD READING

THE MINISTER OF TRADE AND INDUSTRY

MR ALIE BADARA MANSARAY (*Deputy Minister of Trade and Industry*): Mr Speaker, Honourable Members, I move that the Bill entitled 'The Produce Monitoring Act, 2013' be read the first time.

(Question Proposed, Put and Agreed to)

The Bill has been read the first time

SECOND READING

MR ALIE BADARA MANSARAY: Mr Speaker, Honourable Members. I move that the Bill entitled 'The Produce Monitoring Board Act, 2013, be read the second time.

Mr Speaker, Honourable Members, I move that the Bill *entitled "The Produce Monitoring Board Act, 2013"* be read the second time. The Sierra Leone Produce Marketing Board was established by the Sierra Leone Produce Marketing Act Cap.220 to regulate and control the marketing and export of Sierra Leone Produce. The Board was also to buy produce, store, transport, process, dispose of and export any produce bought by them. It was also to secure the most favourable arrangements for the purchase, export and marketing of Sierra Leone Produce.

Honourable Members could recalled that in 1993 with the advent of the NPRC Regime, the Sierra Leone Produce Marketing Board was relinquished and closed. Due to pressures from the International Monetary Fund (IMF) subject to the conditionalities then, that Trade Liberalization should be encouraged in every country. Unfortunately, the closure of the SLPMB was affected without a proper regulatory mechanism put in place to regulate and supervise the trade in terms of the quality of Produce exported and price paid to farmers. This un-planned liberalization of the trade created a vacuum in the Produce Trade which resulted in the deterioration of the quality of the Produce exported with the resultant loss in revenue to the Producers and Government. It also

culminated in the loss of membership of Sierra Leone to all Commodity Organizations which were keys to the success of Sierra Leone's participation in international Produce Trade.

Mr Speaker, Honourable Members, as a result of this, the country started losing money to the tune of 4 million pounds Sterling annually in terms of quality claim levied on our exports. The value of our exports was almost 50% of their free liberalization value. The balance of Payment was also affected in no small way as Produce exported was contributing about 70 million pounds to our export figures.

Apart from the Regulation Role which was removed by this un-planned liberalization, the marketing of Produce was also left in the hands of Private Companies which exist up till today some of which were not only new in the trade, but were mere there to make profit. Some of them would even send their profit away without Sierra Leone benefitting and as a result the country lost revenue. Sierra Leone also lost its Membership to all the International Commodity Organizations including but not limited to the International Cocoa Organization (ICCO), the International Coffee Organization (ICO) and the Inter-African Organization to name just a few. This membership was important to our participation in the International Community. In effect, Sierra Leone was left in the dark for more than a decade.

Mr Speaker, Honourable Members, recognising that this was not a very pleasant situation for the country, the Government, in 2002 set up an Ad hoc Committee which was later replaced in 2009 by the Commodity Market Monitoring Unit (CMMU). When this was done, steps were then taken to improve the quality of produce, ensure fair pricing to farmers, and reestablish relations with International Commodities Organisations. Government has also instituted the Sierra Leone Produce Marketing Company Limited in 2010, which was to take over the functions of marketing of Produce.

Mr Speaker, Honourable Members, the importance of this Bill should therefore be seen as a corrective measure of the unplanned liberalisation we went through. It will also strengthen the hands of the new Board to carry out its functions effectively.

The functions of the Produce Monitoring Board will include:

- a. Regulating and improving the marketing of produce in order to optimise the export earnings of produce of the farmers;
- b. Encouraging the production of quality produce which meet international standards;
- c. Facilitating and encouraging scientific research.
- d. Cooperating with Bodies mandated to do the functions that will make the Board efficient.

Mr Speaker, Honourable Members, the Produce Monitoring Board Bill 2013 will therefore correct the lapses or failings to set up a proper mechanism to supervise and oversee the produce trade. Our relationship with International Commodity Bodies will also be strengthened and more importantly farmers will continue to enjoy fair prices which we believe will enhance their income and improve the economic status of the country. The Bill will also give the Board the additional mandate to carry out the compulsory functions of market information system, encourage the production of good quality produce and cooperate with National Revenue Authority (NRA) to minimize or eliminate smuggling. I therefore thank all of you for listening.

Therefore Mr Speaker, Honourable Members, I move that the Bill entitled 'The Produce Marketing Board Act 2013', be read the second time.

(Question Proposed)

HON. MUSTAPHA M. BRAIMA: Mr Speaker, Honourable Members, I really want to lend my voice to this important Bill for many reasons. The foremost of these reasons is the fact that when you talk about plantation in this country, my constituents depend on cocoa, coffee and oil palm plantations. Therefore, if there is any progress, any improvement, and any fear that is taken over those concerns, I will not allow myself to

be stranded on the sea of progress, because I am part of it. I have always been part of it. I am a cocoa farmer. I must establish that fact here. Therefore, I am happy to stand and give my support to this Bill. I will go further to explain why.

Mr Speaker, Honourable Members, this Bill is timely because we have had in the past the proliferation of marketers that have disturbed the farmers, especially in the Kailahun District. We have heard Marketers who tell farmers that they can mortgage their plantations for fifteen (15) years and they will pay them the money. But after they have harvested the crops, they disappeared. It has happened in Kailahun District and in my constituency. So, this Bill is timely. There has been lot of losses on the part of farmers.

Mr Speaker, Honourable Members, I want to commend the Minister of Trade and Industry for bringing up a Bill of this nature that is bordering on the lives of Sierra Leoneans. Apart from this Ministry, I want this noble House to note that there are lots of activities going on in the agricultural sector, especially the donor projects within the Ministry of Agriculture and Food Security.

Mr Speaker, Honourable Member, amongst the many projects, I will just mention few activities that will enhance the effective operations of this Board that is about to be established. One that has been associated with for a couple of years is IFAD. These donor Organisations, especially IFAD have engaged in the most recent past in trying to reengineer agricultural activities, particularly those based on production and post-harvest activities, including marketing. If you visit my constituency, Pendembu has the greatest beneficiary of this strategy. What is happening, especially for our plantation is the establishment of a very big garden? Within the Clonal Garden, there is a high level of mechanised irrigation system. Various seed crops are nursed in that place with modern technology. The place is also a training ground for farmers in clinical maintenance like pruning. I am building my argument to justify my position. Because of these activities these Organisations are undertaking in the Agricultural Sector, there is going to be a boost and a positive upsurge in the production and processing of our

agricultural produce, especially cocoa and coffee for which I am very much familiar with. So, the description in this Bill is in line with the aspirations of our people. I therefore describe this Bill as a mere perfect and that will ensure that the lives of our farmers are improved.

Mr Speaker, Honourable Members, I have listened to many discussions. Somebody had queried that the penalty for smuggling is too small. When I read this Bill properly, there is a two-front approach. The fine of ten million Leones (10, 000, 000) or forfeit your produce. This means in fact that with the ten million Leones, you can never value the fine equal to what is being sent out. But if what is sent out is being forfeited and you are paying ten million Leones at the same time, then, this is a very mere perfect Bill. It is a step in the right direction. This penalty is in Part 4 (1 & 2).

Mr Speaker, Honourable Members, the Board in this Bill has to be managed effectively. Having supported the Bill, I have few concerns. One of these concerns is in Part 5, Paragraph 15, Section 1. This Paragraph is telling us about the establishment of an Export Development Fund (EDF). But Sub-section 2 is saying that the fund is going to be used for the purpose of assisting those Institutions that would be engaged in the Produce Production. I want to add something here Mr Speaker. If we are focusing on those institutions that will be assisting the farmers, we should also bear in mind that we should also assist the farmers with the same fund. I therefore suggest here that while we are thinking about Export Development Fund, we should think about Price Stabilisation Fund as well. The Price Stabilisation Fund is meant to guide the farmers from the shock-waves of price fluctuation in the International Market, especially the downward fluctuation. So when we have Price Stabilisation Fund, the farmers cannot be shocked by any downward fluctuation of the prices of the produce.

Mr Speaker, Honourable Members, I am saying this because we have experienced this in this country, especially in Kailahun District. When the prices were falling, there was disincentive. People did not even bother to go and underbrush their Cocoa farms. S. O 2 Mr Speaker, 'bobeteh pay nɔ de. Mi a nɔ de yagba. Ade go mek fam na mi

plantashon.' So, it creates some disincentives. But when we establish a Price Stabilisation Fund as against the Export Development Fund, we are catering for the traders and the farmers. Therefore, you will be protected from the shock waves from the downward fluctuation of the commodity prices in the World Market.

Mr Speaker, Honourable Members, the second concern is that, the appointment of members of this Board is very crucial. If the appointment of members of this Board is patterned on professionalism, skills and experience in Agricultural Science and other related disciplines, devoid of political considerations, then, I will conclude by saying that this is a perfect Bill. Therefore, I will encourage all of us to support this Bill. Thank you Mr Speaker (*Applause*).

HON. PATRICK L. M. KARGBO: Thank you Mr Speaker. Mr Speaker, Honourable Members, I rise to support this Bill before us this morning, relating to farming activities, referenced to agricultural produce. Mr Speaker, for those who are beneficiaries of agricultural produce in this country, we want to state here that the SLPMB Assets are being handed over to the SLPMC correctly. When I was serving in the Sierra Leone Police Force diligently and with some amount of honesty, we had assets that are included in this Document. I am worried that I don't see one very important asset that has not been handed over to the SLPMC.

THE SPEAKER: Honourable Member, what you are saying is not for this debate. Please advise yourself accordingly. Let us deal with the Bill before us. We know you are a Policeman but please let us deal with the Bill before us.

HON. PATRICK L. M. KARGBO: Thank you for the correction Mr Speaker. As I was saying, even though we are talking about the Produce Monitoring Board of 2013, we also want to remind Members of this Board to also go in search of the assets of SLPMC. We believe SLPMC will effectively do their work at least to encourage agricultural farmers, possibly for our people in the provinces who rely solely on agricultural produce. Some of us were educated from the agricultural proceeds our parents realised. Therefore, having this Monitoring Board to oversee the activities and other things going

on in this country is very important. We must be reminded of the fact that it is something done that can help to encourage the farmers of this country to have sufficient agricultural produce in the country. I want to encourage those who would be fortunate to be Members of the Board to think carefully and work effectively for the wellbeing of the people of this country. We want to believe that the Ministry of Trade and Industry and the Ministry of Agriculture, Forestry and Food Security will work hand in glove to see that the people of this country benefit. With that Mr Speaker, I ask all Members of Parliament to support and approve this Bill. Thank you Mr Speaker.

THE SPEAKER: Mr Chairman, I am very sorry.

HON. FREDERICK S. SOURIE: Mr Speaker, Honourable Members, I want to lend my voice to this important Bill. I want to start by saying that I support this Bill in its entirety. And I want to give reasons why I am supporting this Bill. In terms of producing crops like coffee and cocoa, there are certain characteristics of liberalisation. When you legalise this industry, there are certain things that are common across the board. I will mention few of these characteristics. I will proceed to show you how this Bill stands to correct these characteristics. This Bill will ensure that this country benefits from the Industry under discussion.

Mr Speaker, Honourable Members, liberalisation simply means to allow every competent and interested business people to invest into the industry. For you to understand this, the Produce Market is what known is in Economics as a Perfect Competitive Market, where there is little or no differentiation in terms of trade. So, the cocoa produced from Kenema and Kono Districts is identical or the same with the ones produced in Pendembu. The only difference will be the technicality in terms of the quality of the product. And for you to assess the quality of the product, you have to go through some scientific research. You must know that it is a Perfectly Competitive Industry. Because of the liberalisation, there will be an increase in what the buyers actually want. The buyers are also the exporters.

Mr Speaker, Honourable Members, there will also be an increase in terms of the buyers trying to out-compete each other. And in most of these countries for example, you have Cameroon, Nigeria, Ivory Coast and Ghana. They experienced over the years that the quality was traded for quantity. The reason for that in most of these countries or all of them is because the buyers go to the extent of giving additional incentives to the producers. They will pay for your Cocoa plantation for some years before they are mature for harvest. Once they have done that, whether there is quality yield or not, you are going to sell.

Mr Speaker, Honourable Members, liberalisation means also means when prices fluctuate at the International Markets, the business people are definitely going to adjust their own prices they pay to the farmers because their aim is to maximise profit.

Mr Speaker, Honourable Members, for Sierra Leone, when we started this liberalisation in the early 90s, during the NPRC regime, we let loose the number of buyers in the Industry. For example, if you go to Farina, which is in my constituency, the road leading to Farina is very rough. The buyers use their four ton or ten ton trucks to go and meet the farmers there. The farmers had nothing to do but to sell to them at the price determined by the buyers. So, it is like a win/lose situation. The Government is now saying that this mistake has been going on and we now want to correct it. In doing so, we now have a Board to correct that mistake.

Mr Speaker, Honourable Members, in the late 1990s to the early 2000, Ivory Coast experienced the effects of International Price Fluctuation. They established a sort of Stabilisation Board that was not able to cope with the International Price Fluctuation. We all know the reason for that. In 1999, Ivory Coast had some disturbances in their governance system. Ivory Coast is the world's highest producer of Cocoa. We experienced some problems with them and that problem was solved by the farmers, when they asked the Government to help them minimise the effect of the fluctuating trend of the prices of their commodities. Mr Speaker, we are fortunate that our Board has taken into consideration that effect and they now have a certain system to help

cushion prices should there be a downward trend in the prices at the International Markets.

Mr Speaker, Honourable Members, Part 3 of this Bill tells us the roles of the Board. The Board is not really going to look at the property of SLPMB transferred to SLP MC. They are not going to look into that at all. They are going to look at the production and the processing of produce in order to bring modern technologies into the Produce Market.

Mr Speaker, Honourable Members, you will agree with me that the Board will stand the test of time. This Bill before us is adequate enough to position Sierra Leone in a way that the problems Nigeria, Cameroon and Ghana faced will not be repeated here. In fact, Ghana is still not 100% liberalised. The quality aspects have been handled by the Cocoa Board. The problems faced by Ivory Coast will not be repeated in Sierra Leone. For those of us who are laymen, I want to give an example of this Board. This Board resembles that of NATCOM. The only difference is that this Board 'Produce Monitoring Board.' This is going to be better than NATCOM because we have seen how NATCOM works.

Mr Speaker, Honourable Members, I call on all the Honourable Members present to support this Bill and to give it a speedy passage. But I just want to remind the Minister about the comments made by the Minority Leader yesterday, with regards to the membership of the Board. You will agree with me that we will need people from the Njala University. This is because that is the only university that trains people on agriculture.

THE SPEAKER: Honourable Member, I want to tell you that that will be discussed in detail during the Committee Stage.

HON. FREDERICK S. SOURIE: In that regard, I want to call on all Members of Parliament to support this Bill and to give it an easy passage. I thank you very much.

HON. J. B. MANSARAY: Thank you Mr Speaker. Mr Speaker, Honourable Members, I rise to lend my voice to this Bill. I want us to look at the word monitoring. We are

looking at this because every success in every department depends on the kind of monitoring it takes and the quality of monitoring. Today, we are here to look at the produce in Sierra Leone and the dividends it gives to Sierra Leoneans. I think the issue of monitoring is very important. It should not be political at any level. Let us look at areas where the produces are coming from. Let us look at areas where people can get the courage to put more effort in the production of what this country want. From that point, you can see real evidence existing as a way of cushioning the economy of Sierra Leone. We are looking at people who will definitely regulate and monitor whatever produce farmers have produce before they are exported. Are we only going to look at people who are party members? Are we going to look at people who are coming from diamond mining areas to take over these produce?

THE SPEAKER: Honourable Member, have we appointed the Board already?

HON. J. B. MANSARAY: Not yet Mr Speaker. I am just giving a caution. I want to say here that it has already been made. If you look at Part 3, under the functions of the Board, you will realise that if only we go by the dictates of what is being written here, definitely we shall be coming up with a very clean and decent Monitoring Board. Thus, if you look at Paragraph 7, the second sentence says: *"without prejudice the Board shall regulate, promote and improve the marketing of products in order to optimise the export earnings of farmers."* We want earning to be added this time. During the Sierra Leone Produce Marketing Board (SLPMB), some of you that were here will attest to the fact that school fees were paid from the products of what their mothers and fathers worked for. The dividends they realised from their farming products were those dividends that they took to pay the school fees of their children.

THE SPEAKER: Allow the Honourable Member to make his contribution.

HON. J. B. MANSARAY: The Dividends they realised from their farming products were those dividends that they took to pay our school fees. I am a beneficiary of that Mr Speaker. I am always proud of it.

Mr Speaker, Honourable Members, the Honourable Member from Kailahun District spoke about Cocoa. I am coming from the Southern Region, where we produce Palm Oil, Palm Kernel, and Piassava. If we have a very good monitoring system in the production of those produce, and if better prices are paid for them, every little child will gain something to cushion the economy of his/her family.

Mr Speaker, Honourable Members, I want to emphasize on the monitoring system, which is the topic of the day. I want Honourable Members to know that this Bill is all about monitoring. It is not a Bill about how the produce is grown. It is a Bill that focuses how we are going to monitor and ensure that what is meant for the people gets to them. This Bill is going to ensure that what is meant for the people of this country will not go to Liberia or to Guinea. In this vein, let us have people that are credible who have the sense of nationalism. These are the people we have to put on this Board. The President can appoint or nominate them; but it is going to be the responsibility of this Parliament to approve those Board Members. In the approval of those Board Members, I want to kindly plead with each and every one of us here to make sure that they are properly vetted. It will help all of us if we perform that sacred function properly. We have to tell the nominees what it means to be a Board Member in area like Agriculture. That has to be our assignment as Honourable Members. At Committee Stage, we are going to make some corrections/amendments. But I want every parliamentarian to make sure that when those Board Members appear before us, we put all familiarities and politics aside. I am saying this because we are going to monitor the effort and the labour of our people. Let us make sure that we scrutinise them to the best of our ability. Mr Speaker, I thank you very much.

HON. AJIBOLA MANLEY-SPAINE: Thank you Mr Speaker. Mr Speaker, Honourable Members, I had the privilege of conducting the pre-legislative hearing of this Bill. I was impressed by the contribution made by Members of Parliament, particularly the contribution of the Minority Leader and also the contribution from the Honourable Member from Constituency 06. We are here today to ensure that we pass this Bill into law. I want to look at it from a slightly different angle. For me, the question is not

whether this Bill before us is a good Bill or not. My position is that, having listened to the descriptions ascribed to this Bill, starting from yesterday to today, the Honourable Member from Constituency 06, Kailahun District did say that this Bill is not controversial. Another Honourable Member from Kailahun District described the Bill as timely. He concluded that this Bill is perfect.

Mr Speaker, Honourable Members, we should take the queue. Let us proceed to the Committee Stage and make some amendments where necessary. We do not need to commit this Bill to the Legislative Committee. It is a very small Bill both in content and size. I think it has only twelve pages. We can make the necessary amendments and come out with something very good. I don't want us to commit this Bill to the Legislative Committee. I think more Honourable Members in this Well will be in a better position to make more meaningful contributions than when we are enclosed in a Legislative Committee. The Honourable Member from Bo spoke about the Membership of the Board. He can express his wishes for amendment, alterations etc.

Mr Speaker, Honourable Members, I urge all of us to support this Bill. Thank you.

THE SPEAKER: I think we need to have a woman now before I ask the Leaders to wrap up the debate.

HON. PATRICIA BROWN: Thank you Mr Speaker for giving me this opportunity to make my contribution to this important Bill in front of us.

THE SPEAKER: Honourable Member, please stop intimidating the lady.

HON. PATRICIA BROWN: Mr Speaker, Honourable Members, I can categorically say that this is one of the most important Bills that has ever come to this House during my time. I am not saying it is the only one; but it is one of them. It is very important for most of us coming from the Provinces which are predominantly rice producing areas. This Bill is very important for my people in the Province and the country as a whole. At one time in this country, everybody knows that Kambia District is a District that produces enough rice to feed this country and to export to other neighbouring

countries. With a Bill like this in front of us, it is very important for us to pay attention to it and for us to give the optimum support we can give. It is going to benefit the farmers of this country.

Mr Speaker, Honourable Members, I get excited whenever something comes up in this House that is going to benefit the people of this country. And a Bill like this is going to be one of those Bills that will benefit the farmers of this country. Mr Speaker, when the old Marketing Board was in existence, everybody knows that there was enough rice to eat in this country and to even export to other countries. If a similar Board is going to be established to monitor the production, marketing and pricing, there is going to be enough for us to consume and to export. This Bill is going to support the Agenda for Prosperity if we support it. For me, the most important thing is the fact that our constituents are presently producing 'Wara R&s' in this country. And Mr Speaker, I must say that 'Wara R&s' is healthier for consumption. You don't compare 'Wara R&s' to the imported rice coming into this country. The Wala R&s is being exported illegally to neighbouring countries like Guinea and the others. But with a Bill like this, once passed into law, it will be able to monitor the movements of our valuable commodities which like rice. Our staple food in Sierra Leone is rice. We depend on rice entirely. So, rice is one of the most important commodities in this Bill. Therefore, a Monitoring Board like the one that is being set up now is very important for this country. As Members of Parliament, we have the responsibility to support this Bill. And I urge all of us to support it. Thank you very much.

HON. SIDI TUNIS: Mr Speaker, Honourable Members, I rise to support this Bill before us. There was a pre-legislative hearing yesterday on this Bill, even though I was not around.

THE SPEAKER: The Chairman of the Committee on Trade and Industry was not around?

HON. SIDI TUNIS: Yes Mr Speaker. But even though I was not around, the Honourable Minister of Trade and Industry and his team were able to clarify most of the

concerns of the Honourable Members regarding this Bill. I am particularly happy because they were able to address the issue of Export Development Fund (EDF). This is because in most cases, this is where the problem will always come from; the management of the funds and the issue of Price Stabilisation. I believe these issues have been adequately addressed by the Honourable Minister of Trade and Industry. He referred Honourable Members to part five of the Bill, which calls for the establishment of an Export Development Fund.

Mr Speaker, Honourable Members, the Commodity Market Monitoring Unit which is formed is like what they called the 'Produce Price Review Committee,' which announces the price at the start of each season based on the World Bank exchange rate and prices in our neighbouring countries like Guinea and Liberia. For me, this is very important because if our farmers, who have suffered for so long and at this point we create a Board that is going to cater for them by offering them fair prices for their produce and stability in prices for their produce, it is very important.

Mr Speaker, Honourable Members, I honestly want to support and go along with the last Speaker who said that this is one of the most important Bills. This is one of the most important Bills Mr Speaker. I am not talking as Chairman of the Committee on Trade or as Member of Parliament, but I am talking as a Sierra Leonean. This Bill is going to affect most of our people who are in the Agricultural sector. We all know that the bulk of the population of this country depends on Agriculture. These people have been exploited for so long. I believe that this Bill is going to help them greatly.

Mr Speaker, Honourable Members, this Bill seeks to establish a Regulatory Board to regulate and supervise trade in terms of quality of produce and price paid to farmers. It also seeks to facilitate scientific research which is very important. That is why I am sure the Minority Leader was concerned about this yesterday. Njala University, as an institution should be a member of the Board. This is definitely a non-controversial Bill. I therefore support it and I am calling on all of my colleagues to support it.

Mr Speaker, Honourable Members, I also want to support what the Honourable Member of Parliament from the Western Area said. We have to go directly to Committee Stage instead of committing this Bill to the Legislative Committee. Let us proceed to the Committee Stage. Whatever corrections that we need to do, we shall do them in the Committee Stage. I support this Bill and I want us to speedily enact it into law. Thank you.

HON. S. B. B. DUMBUYA: Mr Speaker, support for the Bill has been unanimous. I should not waste time really in dilating on it again.

THE SPEAKER: Including the Speaker?

HON. S. B. B. DUMBUYA: Mr Speaker, whenever we have Bills before us, after having gone through the Bill in detail, one area that all of us will avert our minds to is the Memorandum of Object and Reasons. In all Memoranda of Object and Reasons there is the synopsis of the Bill... - *(Interruption)*.

THE SPEAKER: Mr Leader, you have promised to bring some dictionaries to this House. You are yet to fulfill that promise.

HON. S. B. B. DUMBUYA: I will try to do so Mr Speaker. This is a learning forum Mr Speaker. The plural for memorandum is memoranda. If you go through the synopsis of the Bill, believe in me Mr Speaker you will have very little to say. I am impressed by the presentation of the Minister. He has said everything by way of giving the benefits of this Bill. And Mr Speaker, following the footsteps of the other Honourable Members who have spoken, especially the Chairman of the Committee on Trade (who stood on behalf of the Minority Leader), I would ask the whole House to support this Bill without any reservation and proceed to the Committee Stage. Thank you.

MR ALIE BADARA MANSARAY: Mr Speaker, Honourable Members, I am deeply gratified. On behalf of the Minister and the team of the Ministry of Trade and Industry I would like to express my sincere thanks for the unanimous support this Bill seems to

have received in this House. I want to respond quickly to some of the issues being raised.

Mr Speaker, Honourable Members, I will start with the issues raised by Honourable Mustapha Braima. I am happy and I want to thank him for supporting this Bill. He made special emphasis on the many projects, particularly in the Ministry of Agriculture which incidentally I was also a part of that team in supporting the Produce Marketing in this country. He dilated on a number of very key issues. He noted the penalty for smuggling as appropriate. But he raised a few concerns as well. For the Export Development Fund (EDF), he would have urged us as a Ministry and as a Government to ensure that we do not only concentrate on supporting the institutions but we look at the farmers themselves. I think we take that in good faith. That is a very important suggestion and we are going to take that on board, particularly in the area of ensuring that we stabilise the prices.

Mr Speaker, Honourable Members, the appointment of Board Members also came up. We deliberated on that yesterday. We said that we have to minimise political interference into the Board. I used the word minimise because it is difficult to avoid it completely. I am trying to be honest here. We minimise it as much as possible so that we have people of credible nature on those Boards. We accepted yesterday that Parliament will be involved in the selection and the final ratification of the Board.

Mr Speaker, Honourable Members, the other issue that came up is the issue of Liberalisation. We got a very nice lecture from an Honourable Member who spoke about Liberalisation. Today, I have learnt a few more things about Liberalisation. I want to thank the Honourable for that. One important issue that has been reemphasized is the issue of monitoring. It was said that monitoring is a very important tool to combat misappropriation of funds. In fact, as Government officials, if we fail to monitor adequately, then, we will be losing huge sums of money. I take that in good faith that the issue of monitoring is given extra emphasis. This is going to be one of the functions

of the Board. It is a Monitoring Board; therefore, it is going to monitor every step taken so that our farmers benefit from their labour.

Mr Speaker, Honourable Members, the issue of the appointment of the Board came up again. An Honourable Member said that appointment to the Board should not base on political appointment. We will try to do that. I want to say here that if we do not have credible people in the Board, then, we better not have this Bill passed into law.

Mr Speaker, Honourable Members, Honourable Agibola Manley Spaine supported the Bill in good faith. He chaired the session yesterday and I want to thank him for urging the Honourable Members to move this Bill beyond this stage so that it becomes a law.

Mr Speaker, Honourable Members, an Honourable Member from Kambia emphasised the value of the "Wara Rice" which some of us have benefitted from in the past. I worked in Mambolo for a number of years and I know the value of "Wara Rice." As a Seed Production Assistant, I know the quality it has and I see the point she was raising. For her, this Bill is very important. If it becomes law, we will begin to export our rice again to other countries.

Mr Speaker, Honourable Members, Honourable Sidi Tunis supported the Bill like the Chairman of the Committee on Trade. I want to thank him very much. He reemphasised issues around the EDF and price stabilisation which I think, we will look at very closely, particularly the EDF borrowing. The EDF should be all embracing. It is not just a matter of supporting the institutions around the Produce Marketing, but the farmers themselves. I think we have to look into that. He also mentioned the issue of exploiting farmers for too long. I agree with him completely. I am an advocate of fair play, particularly grassroot People. As long as I stay in that Ministry and in the Government, I will continue to ensure that we have fair play for our farmers.

Mr Speaker, Honourable Members, Honourable S. B. B. Dumbuya summarised everything. I am happy that as the Majority Leader in this Honourable House, he has given his endorsement to this Bill. I once again thank all of you for this support.

Mr Speaker, Honourable Members, I move that the Bill entitled: "*The Produce Monitoring Board Act, 2013*", be read the second time.

(Question Proposed, Put and Agreed to)
(The Bill has been read the second time).
The House reverts itself into Committee.

Parts 1, 2, and 3 Proposed

MR ALIE BADARA MANSARAY: Mr Chairman, Honourable Members, I move that parts 1, 2 and 3 stand part of the Bill, with some minor amendments that were agreed earlier on.

MR CHAIRMAN: Mr Clerk, I want to suggest that the Minister reads the relevant amendments he is referring to. What particular areas are you referring to Mr Minister?

MR ALIE BADARA MANSARAY: Mr Chairman, Honourable Members, Section 3(1a) should read an Executive Chairman who is knowledgeable in matters relating to the functions of the Board. In Section 3 (2), we have to delete the word Executive to read: 'the Director shall act as secretary to the Board.' Section 3(1a) should read an Executive Chairman who is knowledgeable in matters relating to the functions of the Board. Section 3(3-6, 4, 1-2, 5, 2 and 5-7) should all read as Executive Chairman. Thank you.

MR CHAIRMAN: Section 8.

MR ALIE BADARA MANSARAY: In Section 8, Licensing of Export Produce should be deleted.

MR CHAIRMAN: Mr Minister, are we to delete the whole of Section 8? Section 8 has Sub-sections 1 to 6.

MR ALIE BADARA MANSARAY: Section 8 page 7. What I have here is Licensing of Export Produce.

MR CHAIRMAN: That is the side note you are referring to. We are talking about the Bill itself. Section 8 has Sub-sections 1-6. What are you asking the House to do?

MR ALIE BADARA MANSARAY: The Amendment is to delete that whole Section Mr Chairman.

MR CHAIRMAN: The whole of Section 8? Honourable Members, I hope we are all following what the Minister is saying to this House.

MR ALIE BADARA MANSARAY: Can I continue Sir?

MR CHAIRMAN: In effect Mr Minister, you want us to be informed that there will be no responsibility of the Board to license or export produces?

MR ALIE BADARA MANSARAY: Yes Mr Chairman.

MR CHAIRMAN: Is that what you are saying?

MR ALIE BADARA MANSARAY: Yes Mr Chairman.

MR CHAIRMAN: Thank you very much. We have to be properly guided. Mr Leader, are you with us?

MR ALIE BADARA MANSARAY: Mr Chairman, the whole section should be expunged because this should be the function within the Ministry, and not the Monitoring Board.

MR CHAIRMAN: You are saying that the whole of Section 8 should be expunged?

MR ALIE BADARA MANSARAY: Exactly Mr Chairman

MR CHAIRMAN: Based on the relevant amendment, we now have Executive Chairman; and where there is Executive Director, the word Executive should be deleted. Am I correct?

MR ALIE BADARA MANSARAY: Yes Sir.

MR CHAIRMAN: Honourable Members, I hope we are all together.

HON. S. B. B. DUMBUYA: Mr Chairman, the Minister has made his own amendments. This is without prejudice to Members.

MR CHAIRMAN: Mr Leader, I just wanted to make sure that what the Minister is saying is exactly what he wants.

HON. S. B. B. DUMBUYA: Noted Mr Chairman.

THE CHAIRMAN: Honourable Members, we are dealing with Parts 1, 2, and 3, Sections 1-8. That is what was moved. Mr Minister, you may resume your seat. We start with Part 1. I assume that there are no amendments in Part 1. We go to Part 2.

HON. S. B. B. DUMBUYA: Page 2 Mr Chairman.

THE CHAIRMAN: Mr Leader, Part 2 starts from Page 2. Honourable Members should ensure that they are familiar with these Parts, Sections and Sub-sections, or Clauses and Sub-clauses. We must be abreast with what we do or say. We should take cognizance of the amendment already suggested by the Minister whilst we bring in ours.

HON. S. B. B. DUMBUYA: And I suggest that we do this page by page.

MR CHAIRMAN: Exactly Mr Leader. Some of these parts or Sub-sections spill over to the next page. But part 1 is in page 2 and it just has one section. There has been no amendment to that. We move to Part 2 on the same page.

HON. HASSAN B. SHERIFF: Mr Chairman, I want to refer you to Page 2, Section 2, Sub-sections 3. We have to expunge the word 'Executive.'

MR CHAIRMAN: That has been moved by the Minister. The Minister has asked that wherever the word Executive appears before Director, the word 'Executive' should be expunged; and wherever we have the word Chairman, it should read Executive Chairman. That is what the Minister said. Page 3?

HON. SULAIMAN SISAY: Mr Chairman Page 3.

MR CHAIRMAN: Honourable Member, any time you want to speak, you have to rise up.

HON. SULAIMAN SISAY: Page 3 Mr Chairman. I want an insertion to include the Njala University to be a Member of this Board.

MR CHAIRMAN: What do you want Honourable Member?

HON. SULAIMAN SISAY: After 'g,' I want 'h' to be inserted.

THE CHAIRMAN: Mr Minister, are you averse to this suggestion?

MR ALIE BADARA MANSARAY: No Mr Chairman.

THE CHAIRMAN: Honourable Members, the question is that we insert 'h' under subsection 3(1) on Page 3 to include Njala University College as Member of the Board.

(Question Proposed, Put and Agreed to)

(It was unanimously agreed that Njala University becomes a Member of the Board)

MR CHAIRMAN: That will be done by the experts. The experts will add to the representatives' list. I heard somebody said nay. Before I put the question, I asked whether there are dissenting views to the suggestions made but nobody stood up. I am surprised that people will want to say something but they keep sitting down without letting their voices be heard. Page 3?

HON. HELEN KUYEMBEH: We add Executive to wherever the word Chairman appears. In Section 3 (1a), I want it to read an Executive Chairman.

THE CHAIRMAN Thank you very much Honourable Member.

HON. DR BUBUAKEI JABBI: Mr Chairman, I want to refer you to the question about the Membership of the Board. It is found under Section 3(1f). It says that a representative from the Northern Province, Southern Province, Eastern Province and

Western Area. Section 3, Sub-sections 3 says: *"the Chairman and Members of the Board referred to in Paragraph f shall be appointed by the President on the recommendations of the Minister."* Mr Chairman, I will suggest that Sub-section 3 be deleted. This is because we already have in Sub-section 3 (1b, c and d) representatives of the Ministry. Therefore, I will suggest that there is for enough representation of Government on that Board. To have the other representatives appointed by the President, I think it is a bit unnecessary. I am saying this because there will a lot of political inference and influence into the position. So, I will suggest that Sub-section 3(1f) be not subject to Sub-section 3(3). Sub-section 3(3) should be expunged; and the mode of representation in Sub-section f is otherwise qualified.

MR CHAIRMAN: What are you saying Honourable Member? What are you suggesting?

HON. DR BUBUAKEI JABBI: My first suggestion was that, Sub-section 3(1f) should not be subject to Sub-section 3(3). That is to say, the appointment under Sub-section 3(1f) should not be done by the President. There should be another mode of selection (*Undertone*).

MR CHAIRMAN: Honourable Members please allow the Honourable Member to speak.

HON. DR BUBUAKEI JABBI: Mr Chairman I am saying that appointment should not be made by the President. I will leave it now to the Committee to consider how it should be done. I am only concerned that it should not be done by the President.

MR CHAIRMAN: Thank you very much Honourable Member.

HON. S. B. B. DUMBUYA: Mr Chairman, I want Honourable Dr Bubuakei Jabbi to know that it has been the pattern for all Bills. It does not necessarily mean that because it has been the pattern, therefore that is the right thing. It does not necessarily mean that at all. We philosophers don't argue like that. But when I say it has been the pattern, in drafting these Bills, there has to be certain patterns. And one of those is being followed here. And to allay the fear of anybody for political interference being introduced into this Bill that is why there is going to be qualification. And the

qualification is that even where these appointments are made by the President, they have to be subject to the approval of Parliament. And if he listened intently to the contribution made by the Honourable J.B. Mansaray, he called for proper and effective scrutiny of these people when they come before Parliament. And as Chairman of the Committee on Appointment and the Public Service, I can guarantee that they are going to be fully scrutinised.

THE CHAIRMAN: Thank you very much Honourable Dr Bubuakei Jabbi.

HON. DR BUBUAKEI JABBI: My pleasure Mr Chairman.

MR CHAIRMAN: Is your position still the same?

HON. DR BUBUAKEI JABBI: Mr Chairman, I would want to see where the insertion for approval by Parliament has been done.

MR CHAIRMAN: No, it is not there. That is the motion which is going to be moved. You want to read Section 3, Sub-section 3. After the word Minister, you add the words subject to the approval of Parliament.

HON. DR BUBUAKEI JABBI: I still maintain my view Mr Chairman.

MR CHAIRMAN: You still maintain your view? If that is the case, please move a motion in that regard.

HON. DR BUBUAKEI JABBI: Mr Chairman Sir, we have not considered how the appointment under Section 3(1f) is going to be done.

MR CHAIRMAN: Honourable Dr Bubuakei Jabbi.

HON. DR BUBUAKEI JABBI: Yes Mr Chairman.

MR CHAIRMAN: We want to learn from your ideas. Will you like to move a motion and tell us exactly what you want so that the House can debate on it?

HON. S. B. B. DUMBUYA: Mr Chairman, what Dr Jabbi is saying here that, because a mode of appointment has not been thought of, and it is normally done by the President. Without it, then, how are these people going to be appointed? That mode has not yet been conceived. And if it has not been conceived, therefore, it has to remain as it is.

MR CHAIRMAN: Mr Leader, I take your point but I beg to disagree with you. I do understand exactly what Dr Jabbi is saying. I have asked him to move a motion with regard to what he was suggesting.

HON. DR BUBUAKEI JABBI: Mr Chairman, Honourable Members, I move that... - *(Interruption)*.

MR CHAIRMAN: Order!

HON. DR BUBUAKEI JABBI: Mr Chairman, Honourable Members, I move that Section 3, Sub-section 3 be expunged and that, all the appointments mentioned under Sub-section 3(1) shall be subject to the approval of Parliament.

MR CHAIRMAN: Honourable Members, any seconder to that Motion? Honourable Members, let us please listen. Honourable Dr Jabbi, your motion has been recorded by the Clerk and I am now asking for a seconder to your Motion. Honourable Members, any seconder?

HON. SIDIKI BASHIRU: Mr Chairman, I second the Motion.

MR CHAIRMAN: Honourable Members, there is a Motion before this House. Any counter motion?

HON. P. C. BAI KURR KANAGBARO SANKA III: Mr Chairman, it is very interesting when we were listening to the learned lawyer *(Interruption)*.

MR CHAIRMAN: Honourable Paramount Chief, are you coming up with a counter motion or not?

HON. SANKA III P.C. BAI KURR KANAGBARO: Mr Chairman, I want us to leave it as is written in this Bill. It is just a matter of indicating that the appointees be approved by Parliament as earlier mentioned.

MR CHAIRMAN: Any seconder to that Motion?

HON. FREDERICK SOURIE: I second the Motion Mr Chairman.

MR CHAIRMAN: Honourable Members, we have two Motions before us. The one has been proposed by the Honourable Dr Bubuakei Jabbi as was read earlier by myself and there is a counter motion from the Honourable Paramount Chief. I put the first question and I want us to listen attentively. The first question says Sub section 3 of section 3 be deleted and Sub section 3(1) should have an addition which should read subject to the approval of Parliament with no source of appointment.

(Question Proposed, Put and Disagreed to)

MR CHAIRMAN: We go to the second Motion, proposed by the Honourable Paramount Chief. I will first of all read the question before I finally put it to the Floor of the House. It says that Section 3, Sub-sections 1, 2 and 3 stay as they are, but we add 'subject to the approval of Parliament to section 3 sub section 3.'

(Question Proposed, Put and Agreed to)

HON. DR BUBUAKEI JABBI: Mr Chairman, Honourable Members, under the Membership of the Board, there are groups that should be considered for representation which is not included in this Bill. In view of that, I would like to refer you to Section 7, Sub-section 2(g, h and I). Mr Speaker, there are some interests areas which should be included under the Membership of the Board in Sections 3 and 4, Sub section 1. This is not included and I want to refer to section 7, Sub section 2, Paragraph g, h and i, Page 7. Paragraph g refers to other Stakeholders. That is to say, they should

cooperate with other stakeholders to institute measures to eliminate the smuggling of produce. Mr Chairman, h refers to exporters of produce. And h is talking about assistance to the exporters of produce to find markets and provide other relevant information and assistance to facilitate export. And 'i' refers to farmers of produce. That is to say, they should ensure that farmers of produce are paid fair prices by periodically announcing the indicative prices.

Mr Chairman, Honourable Members, we do not have the representation of any of those categories like the farmers of produce, the exporters of produce or other stakeholders. My suggestion is that, there should be some representation by those categories on the Board.

MR CHAIRMAN: Honourable Manley Spaine, I am seeing you standing up.

HON. AJIBOLA MANLEY SPAINE: Mr Chairman, I think we should look at clause 3(1) again. The clauses Dr Jabbi is advocating for may be considered under 'f.' And when you look at Page 7, one of the things that the Board would do is to cooperate with other stakeholders. But that does not mean the other stakeholders should be Members of the Board. If they are members, where does the cooperation come from?

MR CHAIRMAN: Mr Minister, do you want to say something on this?

MR ALIE BADARA MANSARAY: Yes Mr Chairman. Mr Chairman, Honourable Members, I want to thank the Honourable Dr Bubuakei Jabbi for his decisive comments. But what I want to say is that, if you look at the composition of the Board, it already has a representative of the Ministry of Finance. And I assumed that would be a technical person in the area of ensuring that relevant information to facilitate export would be addressed. We also have SLIEPA, which is an entity that promotes export on the board. Therefore, that would address the issue of facilitating export. On the issue of farmers giving a fair price, I would assume that the members from the various regions would not just be picked from the streets, but these would be people who are possibly buyers and who would look at their own interest. That is my own view Mr Chairman.

HON. P. C. BAI KURR KANAGBARO SANKA III: Mr Chairman, this Bill is very important. Mr Chairman, if you look at 3(1 B, C, D and E), you will find out that there are representatives of the Ministry of Finance and that of the Ministry of Trade. There are always inconsistencies because when meetings are being called or conveyed, they sometimes send a junior officer. Sometimes, they attend the meeting themselves. Sometimes, they send another different person... - *(Interruption)*.

MR CHAIRMAN: Honourable Paramount Chief that is a new point you are trying to raise. We are currently dealing with the one that has been proposed by Dr Bubuakei Jabbi.

HON. P.C. BAI KURR KANAGBARO SANKA III: I want to support Dr Jabbi Mr Chairman.

MR CHAIRMAN: Well, support him by making the point straight.

HON. P.C. BAI KURR KANAGBARO SANKA III: We should have specific Farmers' Associations and permanent stakeholders like master farmers who would be there always. I am saying this because when you send young people as representatives, they will come today and the next meeting another person will be sent. These are people who cannot even understand the issues that have been debated earlier. So, let us have people appointed by the President as the Honourable Dr Jabbi said. I support him on that Mr Chairman. I will even recommend to this Committee of the Whole House for Paramount Chiefs in the farming areas to be included. Farmers should be included in this Board as well.

MR CHAIRMAN: Honourable Paramount Chief, that is a challenge to Kono because they are very good in farming and it is a diamondiferous area.

HON. P. C BAI KURR KANAGBARO SANKA III: Mr Chairman Sir, you have seven or eight Chiefdoms that are not diamondiferous.

HON. S. B. B. DUMBUYA: Mr Chairman, my own concern here is that, we have to be very careful not to make the Board untidy by having many people. That does not mean that I did not subscribe to the wisdom contained in the suggestion by Dr Bubuakei Jabbi. Mr Chairman, as you are a Lawyer, for all I know, Lawyers are very much concern about precision. Therefore, if representative from the Northern, Southern, Eastern Provinces and the Western Area, if these are to include Farmers, then, let that be specified. But if we want to leave it as loose as it is, then, we have to accommodate the suggestion of Honourable Dr Jabbi.

MR CHAIRMAN: Mr Leader, Do you want to accede to Honourable Dr Jabbi who is an expert to say something on that?

HON. DR BUBUAKEI JABBI: Mr Chairman, I think it has to be a separate sub-heading regarding those other categories as distinct from a representative from each of the regions. Why can't we create a separate sub-heading like a representative of Farmers, not as part of F?

MR CHAIRMAN: Honourable Dr Jabbi, the Board rooms normally are not as large as this Well.

HON. DR BUBUAKEI JABBI: Therefore, let us eliminate 'F' and put that suggestion there.

HON. SIDI TUNIS: Mr Chairman, I would suggest that we have a representative of Farmer Association from each of the four regions. That is my proposal.

THE CHAIRMAN: Thank you very much. But Honourable Tunis, you might want to use the word 'want' somewhere to be specific. But the Lawyers will do that Sir.

HON. P. C. BAI KURR KANAGBARO SANKA III: I stand to second the motion. That is to say, 'F' should include representatives of the farmers from the Northern, Southern, Eastern and Western Area.

MR CHAIRMAN: Are you saying that we should have one representative from each of the Farmers Association from all the four regions? The expert is here. I am not an expert so also Honourable Dr Jabbi. Honourable Members, so is it a motion or a consensus?

HON. MEMBERS: A consensus Mr Chairman.

MR CHAIRMAN: Honourable Dr Jabbi, is it a consensus or a motion?

HON. DR BUBUAKEI JABBI: But let be clear about the consensus. Are we saying that 'F' should now read as one representative each of Farmers Associations from the four different regions?

MR CHAIRMAN: Yes Honourable Member. Is that accepted by you?

HON. DR BUBUAKEI JABBI: I will accept is as a consensus.

MR CHAIRMAN: Thank you very much. Honourable Members, we move to Page 4.

HON. S. B. B. DUMBUYA: Mr Chairman, it will appear as if Honourable Dr Jabbi has been known to be more technical. He is reputed for controversies.

MR CHAIRMAN: Well, he has refused to comment on that. Honourable Members, let us look at Page 4, Section 3, Sub-sections 4 and ends with sub-section 2.

HON. ALHASSAN JERO KAMARA: Mr Chairman, Page 4 number 6 says: "*the Chairman and other Members of the Board shall be entitled to such allowances as may be determined by the Board after consultation with the Minister responsible for Trade.*" I am not comfortable with the word 'consultation.' This is because it can mean just to inform the Minister without being agreed or approved or disapproved.

MR CHAIRMAN: Honourable Member, I disagree with you. Consultation is consultation. Is there any amendment or observation on page 4?

HON. P. C. BAI KURR KANAGBARO SANKA III: Mr Chairman Page 4, Sub-section 5... – *(Interruption)*.

MR CHAIRMAN: Honourable Paramount Chief, Page 4 ends with Sub-section 4(2). Section 5 is on Page 5.

HON. BUNDU H. SONGOWA: Mr Chairman, it is now midday and I move that S.O 5(2) be suspended so that the business of the House may continue.

MR CHAIRMAN: Any seconder?

HON. ALHAJI DUMBUYA: I second the motion Mr Chairman.

MR CHAIRMAN: Any counter motion?

(Question Proposed, Put and Agreed to)

HON. P.C BAI KURR KANAGBARO SANKA III: Mr Chairman, I didn't get you clear. I was referring to Sub-section 5 on Page 4.

MR CHAIRMAN: That should have been Sub-section 5 of Section 3.

HON. P.C. BAI KURR KANAGBARO SANKA III: Here you say the representatives from Ministries refer to in Paragraph B, C and D of Sub section 1 shall not be below the rank of Directors. But in a case where you don't have a Director, what will happen? Sometimes the Directors don't go to attend meetings. They send their representatives. That is what they do, even where there is provision for the Financial Secretary, the Accountant General, the Director General they will send in their own representatives.

THE CHAIRMAN: Honourable Paramount Chief, with all due respect to you, in a situation where they ask for the representative of the Financial Secretary, it is a separate issue and distinct from what we are talking. The person has to be of the rank of a Director. They have their cadre in the Civil Service in a way they determine these offices. That is, individual of that rank who is below the rank should not be attending that meeting because this is specific.

HON. P.C. BAI KURR KANAGBARO SANKA III: I agree with what you are saying Sir. But incase the Director is not around, they will send a very junior officer. Therefore,

I move that Sub-section 5 of Section 3 be amended to read, 'no person below the rank of Director shall attend any of the meetings.'

THE CHAIRMAN: Any seconder to that motion? Honourable Members, we go to Page 5.

HON. DICKSON ROGERS: Mr Chairman, I want to know if Page 4 Sub-section 6 is applicable to Sub-section 3 and 5. What I am saying Mr Chairman is that, the Board has got the right to co-opt Member as an Adviser. The question is that, if the Adviser is also entitled to remuneration.

MR CHAIRMAN: Mr Minister, what is your take on that?

MR ALIE BADARA MANSARAY: I think certain clauses are very clear. Whatever allowances would be subject to consultation with the Minister and the Board would come up with a final decision.

HON. S. B. B. DUMBUYA: Mr Chairman, what does the word co-opt mean? If you are co-opted you are a de facto Member.

MR CHAIRMAN: Mr Leader, it is also the practice in many Boards that when they need expert advice, they get people from outside to come in and assist. That is the usual practice. So, your question has been answered that the Board will determine and consult with the Minister and you would not be co-opted for free.

HON. DICKSON ROGERS: Mr Chairman, even when the co-opted Member has got no role to play? If you read the section Mr Chairman, it will help the Board at any meeting to co-opt a person to act as an Adviser; but the co-opted person shall not vote on any matter.

MR CHAIRMAN: Thank you very much Honourable Member. The person is not a Member of the Board and therefore, he is not entitled to vote. You are only called to advice.

HON. BUBUAKEI JABBI: Mr Chairman, I have a few suggestions on Section 5, Sub-sections 4, 6, 7 and 8. Sub-section 4 Mr Chairman says, "the person shall not take part in any deliberation or decision of the Board relating to that matter." That is to say, if a Member of the Board has an interest on an issue, he has to declare that interest or disclose it; but he should not take part in any deliberation or decision of the Board. Mr Chairman, I think that is too extreme and perhaps... - *(Interruption)*.

MR CHAIRMAN: Honourable Dr Jabbi that is the standard legal practice. When you have an interest, you have to disclose and excuse.

HON. DRBUBUAKEI JABBI: I know that is the standard legal practice. But it is also subject to consideration and reexamination.

MR CHAIRMAN: What is your suggestion?

HON. DR BUBUAKEI JABBI: Mr Chairman, I believe the only restriction that should be done here is that, such a person shall not vote on the issue; but it is quite possible to gain a lot in a way of contribution or discussion from such a person, notwithstanding his interest in the matter which he has declared. If he can help to clarify certain situations on the Board, then, that may be helpful but if he cannot vote, it takes care of what we are concern within Sub-section 4. I think the only restriction there should be, the person shall not vote on that issue but if he has opinion to express, he has information from certain sources, he can give it to the Board. It might be of use to the Board in considering the issue. The person has to be restricted from voting.

HON. DICKSON ROGERS: I am not sure whether we have passed 6 and 7.

MR CHAIRMAN: Honourable Member, why are you interfering with Honourable Dr Jabbi's contribution? Do you want to obstruct his ideas?

HON. KOMBA E. KOEDOYOMA: Mr Chairman, I do not seem to agree with Honourable Dr Jabbi on these very clauses he is referring to. This is because if he/she takes part in the discussion, he/she will be influencing other people. So, I think that if

he/she had shown an interest in that matter, he/she should dissociate himself/herself completely from it. In fact, I will say that the person leaves the hall in the course of the discussion so that he/she will not unduly influence others.

MR CHAIRMAN: Honourable Dr Jabbi, what is your next point?

HON. DR BUBUAKEI JABBI: The next issue is in Sub-section 6 of section 5. My concern here is the quorum. It says, the quorum of the meeting of the Board shall be five. But when we consider the number of Members on the Board, five may be very small. For example, it is possible with Sub-section 6 to have the Executive Chairman under Sub-section A and the representatives under Sub-section 1(f) for only those who would be present at a meeting and take any decision that they may want to take. There would be five of them and that is the quorum.

MR CHAIRMAN: Honourable Member, what is the total number of the membership of the Board?

HON. DR BUBUAKEI JABBI: It is now eleven.

MR CHAIRMAN: Usually, the quorum is one-third. That is what we have in this Parliament.

HON. DR BUBUAKEI JABBI: As Mr Chairman pleases. But because of this very important issue, Mr Chairman I was just considering that because of the importance of the issues that have to be decided here, a higher quorum would be necessary.

MR CHAIRMAN: It is a view. Let us make progress Honourable Member. What do you have under Section 7?

HON. DR BUBUAKEI JABBI: It is very simple. I am suggesting that the word simple be inserted before majority in Sub-section 7. I want it to read: '*Decision of the Board shall be made by a simple majority.*' The last suggestion is under Sub-section 8. I want a word to be inserted before the word 'place' so that the proposal is first placed before a meeting of the Board.

THE CHAIRMAN: Where are you reading from Honourable Member?

HON. DR BUBUAKEI JABBI: Sub-section 8 of section 5 is on Page 5. Let us look at the penultimate lines. That is, the proposal by somebody who does accept a certain circular on some decision to be taken. It merely says it should be blamed before the meeting or before a decision is taken. So, I will suggest that we add the word 'first.' If that word is added, it is going to be *'first placed before a meeting of the Board.'*

MR CHAIRMAN: Mr Minister, the Honourable Member is talking about indefinite article here. He does not want the word to be placed after the meeting but to be placed before the meeting.

MR ALIE BADARA MANSARAY: Mr Chairman, I don't know if Sections 6 and 7 have been accepted by the House.

MR CHAIRMAN: We now go to Page 6.

HON. DR BUBUAKEI JABBI: Mr Chairman, for clarity and certainty I have a few points to suggest under Section 6. Sub-section 1 of Section 6 talks about appointing Committees to perform any function of the Board; and Sub-section 2 says a Committee. I want to suggest that we reduce the plurality in sub-section 6(1) so that it reads to appoint a Committee to perform any function.

MR CHAIRMAN: Honourable Dr Bubuakei Jabbi, your point is noted but the Board might appoint several Committees at the same time.

HON. DR BUBUAKEI JABBI: That is true but for a particular purpose at a given period of time. I know that the Interpretation Act has a provision that suggests that singularity may be interpreted as plural and plurality interpreted as singular; but for this purpose and because of that, it may be better if we use 'appoint a Committee to perform any function. Mr Chairman, that does not in any way affect the appointment of more than one Committee. But if you put it the other way, the suggestion is that you

must appoint more than one Committee. Mr Chairman to appoint a Committee to perform any function will seem to me more appropriate.

HON. S. B. B. DUMBUYA: Mr Chairman if Honourable Dr Jabbi is saying that to appoint a Committee to perform any function I agree with him.

MR CHAIRMAN: The two English students have agreed. Any more on page 6?

HON. S. B. B. DUMBUYA: Mr Chairman, he is the senior I must say it here.

MR CHAIRMAN: Mr Minister, do you want to say something in that regard?

MR ALIE BADARA MANSARAY: Thank you Mr Chairman. Incidentally, Honourable Dr Bubuakei Jabbi does not know this but he was my English teacher at Njala and I respect him for this. I think I will support that suggestion. I will rather use the word Committee and put 's' in bracket in order for us to proceed.

MR CHAIRMAN: Any more on page 6?

HON. AGIBOLA MANLEY SPAINE: Mr Chairman, I believe that the matter of training came up yesterday and I would want to suggest if the Minister agrees under clause 7(2d) to add the words '*the training of farmers.*'

HON. DR BUBUAKEI JABBI: With reference to the Committee in question, I would suggest that we insert after a Committee, appointed under Sub-section 1. Therefore, it will read: '*a Committee appointed under Sub-section 1 shall*'... and not just a Committee.

MR CHAIRMAN: I am sure there is no objection to that. Honourable Manley Spaine was referring to Section 7.

HON. AJIBOLA MANLEYS PAINE: Yes Mr Chairman. I was saying that the matter of training came up. I just want to suggest that if the Minister approves, under 7(2d), we add the following words after facilitate: '*the training of farmers.*'

MR CHAIRMAN: Why not just training? Why do you want to limit it to training of farmers?

HON. AJIBOLA MANLEY SPAINE: Mr Chairman, it could be training of somebody or some people. If we say we facilitate training and encourage scientific research, being a way to improve the quality of produce sounds vague. It depends on the approval of the Minister it is just a suggestion.

MR CHAIRMAN: Mr Minister that is a suggestion.

MR ALIE BADARA MANSARAY: I agree that the issue of training be included. How would it fits into the sentence, I don't know. But training cannot just be for farmers. It could be for even the Board Members or any other person. So let us don't be too specific.

MR CHAIRMAN: Honourable Members, this is a suggestion that the word 'training' be added immediately after the word facilitates in Section 7, Sub-sections 2 (d). I am sure we have the consensus of Members. Any more on page 6?

HON. DR BUBUAKEI JABBI: Mr Chairman, I want us to look at Sub-section 7(2C) where it says 'initiate and encourage the processing of produce.' I think initiate is irrelevant if they merely encourage the processing of produce. This is because the process is going on all the time.

MR CHAIRMAN: I agree with you; but encouragement is a continuous process. But it must be initiated. Except you say otherwise but I think we should leave it as it is.

HON. DR BUBUAKEI JABBI: That has to initiate the process.

MR CHAIRMAN: Encouragement is continuous.

HON. DR BUBUAKEI JABBI: I know that Mr Chairman. What I am saying is the increase in 'c.' At the moment, it initiates the processing before it encourages it.

THE CHAIRMAN: That is correct. That is the intention because for now, everything is dormant. So, the process has to be initiated. This is a new idea. There has never been a Monitoring Board. This is totally new. Therefore, they have to initiate it before they continue the encouragement. We move to Page 7.

HON. DICKSON ROGERS: Mr Chairman, I want to refer you to Page 7.

MR CHAIRMAN: Honourable Member, you have used the word "yeah" for four times today. If you want to contribute, you have to rise up. And if you are fortunate, I will indicate to you to do so. That is what I said earlier. I want to remind you that we have a procedure in this House.

HON. DICKSON ROGERS: Thank you Mr Chairman. Mr Chairman, Section 8(1A) says: "person shall ... - *(Interruption)*.

MR CHAIRMAN: Honourable Member I thank you very much. Section 8 has been dealt with entirely. We referred you to the proposed amendments which were adopted by this House as suggested by the Minister. Section 8 has been deleted in its entirety.

HON. AJIBOLA MANLEY SPAINE: Mr Chairman, having deleted 8, I am just asking whether clause 7(2h) is relevant. We have been told that the matter of licensing of exporters with that of the Ministry... - *(Interruption)*.

MR CHAIRMAN: It is not tied to Section 8 Sir.

HON. AJIBOLA MANLEY SPAINE: It is not. It was only a question Sir.

MR CHAIRMAN: Thank you very much Sir. So Mr Minister, do you want to move again?

MR ALIE BADARA MANSARAY: Mr Chairman, Honourable Members, I move that Parts 1, 2, and 3 as amended stand part of the Bill.

(Question Proposed, Put and Agreed to)
(Parts 1, 2 and 3 as amended stand part of the Bill).

Parts 4, 5 and 6 to stand part of the Bill.

MR ALIE BADARA MANSARAY: Mr Chairman, Honourable Members, I move that: Parts 4, 5 and 6 stand part of the Bill.

(Question Proposed)

HON. S. B. B. DUMBUYA: Mr Chairman, the Minister has not said anything with regards to amendments.

MR CHAIRMAN: I was just going to call his attention to the suggested amendments, under item 6 which deals with Section 15, Sub-sections 2 and 3.

MR ALIE BADARA MANSARAY: Mr Chairman, I agree with all proposed amendments.

MR CHAIRMAN: No, we are talking about Section 15, Sub-sections 2 and 3. We have to add the word 'Export' to read, *'the Export Development Fund.'*

MR ALIE BADARA MANSARAY: Mr Chairman, Section 9, Sub-sections 1 to 4 suggests we delete the word 'Executive.' And Section 15, Sub-sections 2 to 3 to add the Exports to read *(the 'Export Development Fund).'*

(Question Proposed)

MR CHAIRMAN: We start with Page 8 part 4. Page 8? Page 9?

HON. DR BUBUAKEI JABBI: Mr Chairman, let us look at Section 12(A) on Page 9. This goes along with Section 1. It talks about the definition of the abbreviation 'F.O.B.' It means Free On Board. Mr Chairman, why don't we insert Free On Board in Section 12, Sub-section (a) and FOB in bracket if it has to be there?

MR CHAIRMAN: It has been defined already. I overrule that suggestion. It stays as it is. It has been defined on Page 10?

MR ALIE BADARA MANSARAY: Mr Chairman... - *(Interruption)*.

MR CHAIRMAN: Sorry Mr Minister. Let us hear from the Chairman of the Legislative Committee. Nobody stood up when I asked.

HON. AJIBOLA MANLEY-SPAINE: I did stand up Sir.

MR CHAIRMAN: Well, you have to stand up straight.

HON. AJIBOLA MANLEY-SPAINE: As the Chairman pleases. Mr Chairman, we have started training earlier. And I am sure there will be funding for training. Therefore, I am referring to Clause 15(2) on Page 10. It says: "*a development fund shall be used by the Board to assist institutions involved in promoting the development of produce.*" I will want to suggest that Institutions be involved in training and promoting in the development of produce.

MR CHAIRMAN: Thank you very much. Mr Minister, you heard the suggestion made by the Chairman of the Legislative Committee. You are not bound to agree if you do not. If you do not agree, you have to give us reasons why.

MR ALIE BADARA MANSARAY: I think I agree with him because training as we said earlier on is a very big... - *(Interruption)*.

MR CHAIRMAN: Thank you very much.

MR ALIE BADARA MANSARAY: Mr Chairman, Honourable Members, I move that parts 4, 5 and 6 stand part of the Bill as amended.

(Question Proposed, Put and Agreed to)

(Parts 4, 5 and 6 as amended form part of the Bill).

The House resumes.

MR ALIE BADARA MANSARAY: Mr Speaker, Honourable Members of Parliament, I am to report that the Bill Entitled the "Produce Monitoring Board Act, 2013 having gone

through the Committee of the Whole House with some amendments be read the third time and passed into Law.

(Question Proposed, Put and Agreed to)

(The Produce Monitoring Board Act, 2013, being an Act to establish the Produce Monitoring Board to monitor the production, processing and marketing of produce and provide for other related matters has been read the third time and passed into Law).

ADJOURNMENT

(The House rose at 12.35 a.m. and was adjourned until Tuesday, 24th September, 2013, at 10.00 a.m.)