

OAU DRIVE, TOWER HILL, FREETOWN

PARLIAMENTARY DEBATES

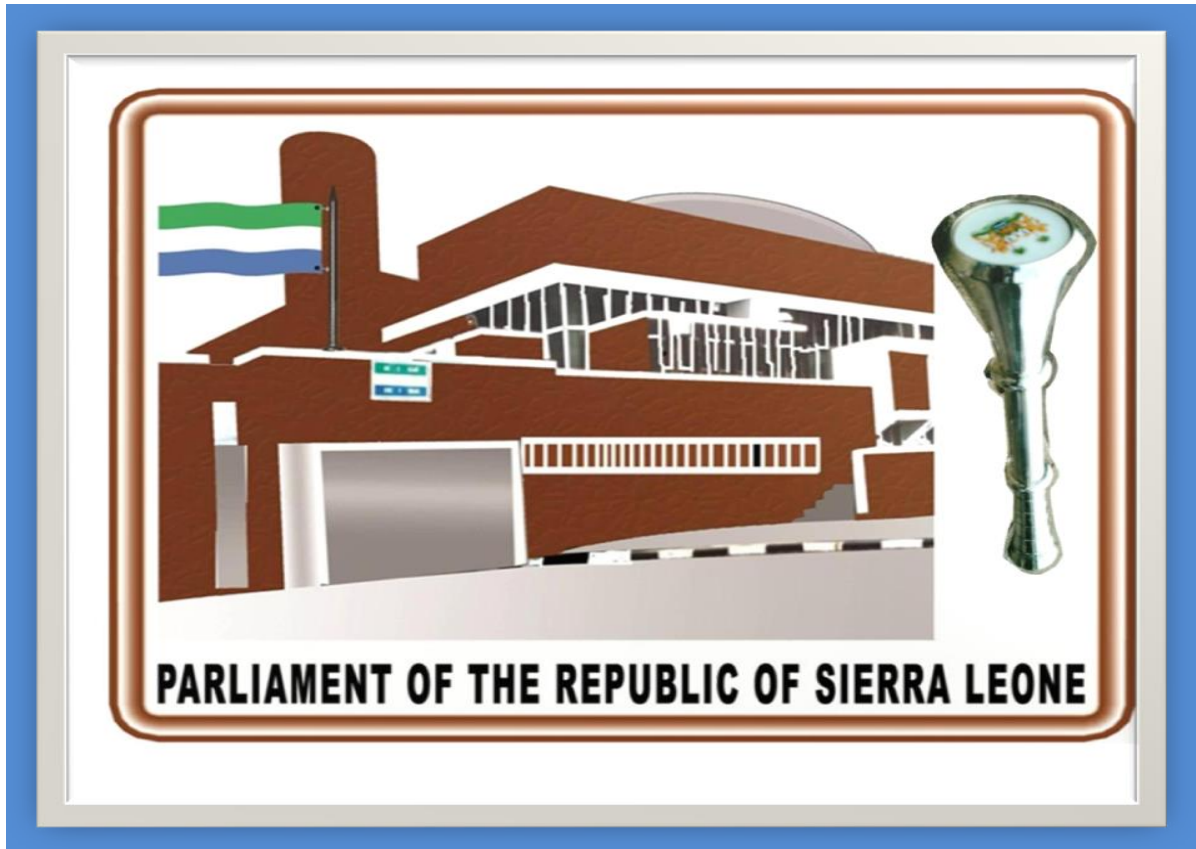
[HANSARD]

OFFICIAL HANSARD REPORT

FIFTH SESSION - FIRST MEETING

TUESDAY, 21ST FEBRUARY, 2017

SESSION – 2016/2017



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PARLIAMENTARY DEBATES

[HANSARD]

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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 on Tuesday, 21st February, 2017.

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THE CHAMBER OF PARLIAMENT OF THE REPUBLIC OF SIERRA LEONE

Official Hansard Report of the Proceedings of the House

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

Tuesday, 21st February, 2017.

I. PRAYERS

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

[The House met at 10:20 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 THURSDAY, 2ND FEBRUARY, 2017

COMMUNICATION FROM THE CHAIR

THE SPEAKER: Honourable Members, we go through the record of Votes and Proceedings for the parliamentary sitting, held on Thursday, 2nd February, 2017. As usual, we go page by page. Page 1? Page 2? Page 3? Page 4? Page 5? And Page 6? There being no correction or amendment, could somebody move for the adoption of the record of Votes and proceedings for the parliamentary sitting, held on Thursday, 2nd February, 2017 as presented?]

HON. BENNEH BUNGURA: Mr Speaker, I so move.

THE SPEAKER: Any seconder?

HON. MOHAMED KAMARA: Mr Speaker, I so second.

[Question Proposed, Put and Agreed to]

[Record of Votes and Proceedings for the parliamentary sitting, held on Thursday, 2nd February, 2017 has been adopted as presented].

THE SPEAKER: Honourable Members, I would like to interrupt the proceedings to recognise the presence of our very good friends from the Republic of the Gambia. They are here to attend the ACP Joint Assembly Conference and they have done us the honour of calling on us before the commencement of the conference. I will like to recognise them by name. We have the Honourable Speaker of the Parliament of the Gambia, Honourable Abdulai Bojan, and Honourable Fabakaray Tambajatte. Honourable Members, if you could recall, I introduced Honourable Fabakaray in this House as my senior at the Pan-African Parliament [PAP]. When I entered the PAP, he was one of those who helped me find my way. I want to recognise him. The Honourable Samba D'jallo was my junior, Honourable Alhaji Sillah, Honourable Mrs Melata N'jai, Honourable Lamin K.T. Janneh was also my junior, Honourable Dadu C.M. Kebe is the Clerk of the National Parliament, Mr Kalifa M. M'bia is the secretary to the delegation, Bacarie Jammeh is the Protocol Officer and Mr Lamin Gbajie oddly

to the Speaker. Honourable Speaker and the rest of the delegates, you are all duly recognised. Thank you very much for coming.

HON. IBRAHIM R. BUNDU: Mr Speaker, Honourable Members, with your leave, I would also like to interrupt the proceeding this morning to make a very important announcement. Mr Speaker, the international Ambassadors of Sierra Leone [AMSL] Pageant Agency was founded in 2013. The organisation's objective is to motivate young Sierra Leonean women to use their beauty for a purpose and to make a difference in their communities. The Agency focuses on building the self-confidence, self-assurance and self-esteem of girl child, using his team of coaching professionals. AMSL has obtained exclusive right to four of the world's top international franchises and coaching young Sierra Leonean women between the ages of 18 and to 26 to promote Sierra Leone Tourism Infrastructure and working with charitable organisations in their communities. The AMSL Pageant Agency has laid special emphasis on their contribution on the post Ebola recovery and rebranding of Sierra Leone in partnership with the Ministry of Tourism and Cultural Affairs and the National Tourism Board. Private sector institutions and four Sierra Leonean beauty queens were selected by impartial team of judges at One Pageant, Four Queens, hosted at the Miata Conference Centre the 30th July, 2016. To date, AMSL Pageant is the only Pageant Agency that has successfully sent four Sierra Leonean contestants to four international Pageants around the world in a single year as follows:

- Mariatu Duckray, Kenema District, represented Sierra Leone in China for the 2016 Miss Tourism Queen International Pageant and was given an award;
- Josephine Kamara, from Portloko District, represented Sierra Leone during the 2016 Miss Pageant in the Philippines; and
- Maseray Swaray, Kenema District and represented Sierra Leone during the 2016 Miss International Pageant in Japan. I am happy to announce that Maseray Swaray was awarded the Miss International Africa Search; and just recently, the whole nation was glued to their media pages to cast their votes for Sierra Leone's first representative at the 65th Miss Universe Pageant in Manila, Philippines, watched by millions of people around the world;

- Hawa Kamara from the Western Area represented Sierra Leone and she carried the Green, White and Blue flag with pride, dignity and class. Hawa Kamara may not have won the crown or made the court as all predictions have indicated, but she won the admiration of millions of viewers around the world. Her exposé during the CNN interview was a classical way of showcasing Sierra Leone's talent. During her interview, Hawa Kamara told the world that Sierra Leone is safe, very welcoming and a peaceful country. AMSL achievement is a clear indication of how well organised pageant can contribute to the development of the girl child and the promotion of Sierra Leone's beauty, culture and heritage.

Mr Speaker, Honourable Members, we want to congratulate the Minister of Tourism and Cultural Affairs and the National Tourist Board for their support. I would also like to recognise the Chief Executive Officer [CEO] of AMSL and the Franchise owner, Mss Natasha Swadu Beckley for their commitment and providing the necessary leadership. Therefore, this Parliament moves without notice that the House recognises the role played by the International Ambassadors of Sierra Leone and AMSL and Natasha Swadu Beckley in the development of the girl child and the promotion of Sierra Leone's beauty culture and heritage.

Secondly, Mr Speaker, Honourable Members, we want to recognise the beauty queens and I would like to state here that they can be true role models who can provide inspiration for their peers. I would also like to congratulate the four beauty queens Hawa Kamara, Josephine Kamara, Maseray Swaray and Mariatu Duckray for representing Sierra Leone so well in the various international beauty pageants. Thank you very much, Mr Speaker.

THE SPEAKER: With the leave of Honourable Members, Mr Majority Leader and Madam Minority Leader, I want to welcome back the Honourable Andrew Lungay. When the Honourable Andrew Lungay called on me this morning, he looks so robust. I am very pleased and I want to welcome him back.

HON. ANDREW LUNGAY: Thank you very much, Mr Speaker. Honestly, when I saw you climbing the steps to your seat, I said to myself that there is hope for this country. Nonetheless, I am back with good health.

THE SPEAKER: And where were you from?

HON. ANDREW LUNGAY: From London, Mr Speaker. Very soon we would be talking about Brexit, instead of London. So, ones Brexit starts, it will be a different matter. In any case, Mr Speaker, I am here and am very delighted to be here this morning. I am very happy for the peace we are enjoying. Thank you very much, Mr Speaker.

III. PAPERS LAID

HON. KOMBA E. KOEDOYOMA

THE DEPUTY CHAIRMAN, PUBLIC ACCOUNTS COMMITTEE [PAC]

HON. KOMBA E. KOEDOYOMA: Mr Speaker, Honourable Members, on behalf of the Chairman, Public Accounts Committee [PAC], I beg to lay on the Table of this House the Report of the Public Accounts Committee on the Report of the Auditor General on the Accounts of Sierra Leone for the Ministries, Departments and Agencies for the Financial Year 2014.

MR IBRAHIM H. KALOKOH [*Deputy Minister of Local Government and Rural Development*]: Mr Speaker, Honourable Members, I beg to lay on the Table of this Honourable House the following documents:

The Provinces Act, [Caps 60]

Statutory Instrument No. 5 of 2017

HON. ABU KOROMA: Thank you very much, Mr Speaker. Mr Speaker, Honourable Members, because of the importance of this Instrument that has just been laid by the Deputy Minister of Local Government and Rural Development, I am therefore requesting that this document be debated.

THE SPEAKER: Honourable Member, you should give notice and you have to do so in the normal parliamentary way.

HON. ABU KOROMA: In that case, Mr Speaker, I am giving notice that the document be debated. I will send the written notice to the Clerk's Office.

IV. BILL

THE MINISTER OF WATER RESOURCES

THE GUMA VALLEY WATER COMPANY ACT, 2017

INTRODUCTION AND FIRST READING

THE MINISTER OF WATER RESOURCES

SECOND READING, COMMITTEE STAGE AND THIRD READING

THE MINISTER OF WATER RESOURCES

MOMODU MALIGI [*Minister of Water Resources*]: Mr Speaker, Honourable Members, I move that the Bill entitled the Guma Valley Water Company Act, 2017 being an Act to provide the continuance existence of the Guma Valley Water Company to provide for the sustainable supply of water for public and private purposes and provide for other related matters be read for the first time.

[Question Proposed, Put and Agreed to]

[The Bill has been read the first time]

MOMODU MALIGI: Mr Speaker, Honourable Members, I move that the Bill entitled the Guma Valley Water Company Act, 2017 be read the second time. Mr Speaker, this Bill, if passed into law, will make the Guma Valley Water Company's existing Act of 1961 more realistic to meet current trends and its main thrust is to create efficient and self-sustaining water utility that will improve access to water supply services in Freetown and the surrounding areas. Guma Valley Water Company is not on Government subvention because its operations are currently funded through revenue raised from water sales. The new law will not change the situation. However, it is expected to assist and improve efficiency and the revenue earning capabilities of the utilities through the provision on performance contract. The inclusion of private sector partnership is enshrined in it. The law is in tandem with the current legal regime, introduction of cost recovery, performance agreement, recognition of the Board and private sector participation to make Guma Valley Water Company Act consistent with the provisions of the National Water Resource Management Agency and the EWSE Act.

Mr Speaker, Honourable Members, having highlighted the importance of this Bill, I move that the Bill be read the second time.

[Question Proposed]

HON. SUALIHO M. KOROMA: Thank you very much, Mr Speaker. Mr Speaker, Honourable Members, we are here this morning to enact into law the recommendations of this Parliament. I believe that the Bill before us this morning is

non-controversial because this is a Bill we have debated. The Committee on Water Resources has gone on a number of oversight visits and it has brought a number of recommendations that were adopted by this Parliament. So, I believe that this Bill is only meant for us to dot the 'Is' and cross 'Ts.'

Mr Speaker, Honourable Members, I believe that this is a government motion because the President has the vision to improve the water services in the country. That was the reason he created the Ministry of Water Resource. In fact, when the President came to deliver his Address in this Parliament, Parliament, he did commend and compliment the efforts of Committee on Water Resources and the Legislative Committee. These two Committees attended a workshop on this same Bill and it was agreed that the said Bill be debated in this Well, so that it could be enacted into a law.

In that light, Mr Speaker, Honourable Members, I would like to call on my colleagues Members of Parliament to quickly do justice to this Bill and passed into law. If enacted into law, it will support the Water Sector and will also help boost the activities of flagship project or programme. This Bill is also going to encourage private sector to come and invest into this country specifically on the Water Sector.

Thank you very much, Mr Speaker.

HON. EDWARD S. JENGO: Thank you, Mr Speaker. Mr Speaker, Honourable Members, I want to join my colleague to support the Bill before us this morning. Having gone through the Bill, I want to state here that this Bill is a panacea for our water problem, not only in Freetown, but the whole country. It is a problem solver because it makes room for private/public sector investment.

Mr Speaker, Honourable Members, you would agree with me that the demand for water in this country cannot be over emphasised. Having read the content of this Bill, I want to inform my colleagues that when this Bill is passed into law, we have to take it to our constituents and educate them on the provisions contained in this Bill. The content of this Bill is very good. You would agree with me that there are tremendous improvements in the Energy Sector because of the Bill on Energy we passed into law in this House.

Therefore, Mr Speaker, Honourable Members, I want to crave the indulgence of this Honourable House to support the ratification of this Bill, so that it becomes law as soon as possible. I thank you very much, Mr Speaker.

HON. JUSUFU B. MANSARAY: Thank you, Mr Speaker. Mr Speaker, Honourable Members, when we talk about water, we are talking about life because water support life. And when we talk about life, we are talking about the existence of living things. If this is true, why are we wasting much of our time in discussing this Bill? This is because Parliament has made so much input into it by attending workshops. We also held pre-legislative hearings on issues relating to water. Everybody has played his or her part and we all know that without water, we cannot exist as human beings. For example, when we had problem in Freetown, we were all crying. Therefore, there is no need for us to spend much of our time on this Bill. This is a government motion which is expected to advance the interest of the Sierra Leoneans. This is motion that will give us hope and to ensure the safety of our health.

Mr Speaker, Honourable Members, I want to crave the indulgence of this House to move to the Committee stage and amend where necessary. The Minister of Water Resources and the Chairman of the Committee on Water Resources have done a lot of work and we need to commend them. Members of Parliament have also played their own part and we are here again to ratify this Bill.

With those few words, Mr Speaker, Honourable Members, I want to thank you very much, Mr Speaker.

HON. ANSUMANA J. KAIKAI: Thank you very much, Mr Speaker. Mr Speaker, Honourable Members, we have before us a Bill that will actually improve on the existing Act; i.e., the Guma Valley Act of 1961 that established the Guma Valley Water Company. When that Act that was enacted and established the Guma Valley Water Company in 1961, it was meant to provide water for 300,000 inhabitants in this city. This Bill is meant to improve on the supply of water to the people of this Freetown who are above one million five hundred people. Therefore, Mr Speaker, I am tempted to believe that since this Bill appears to very good, the services that will be provided under this Bill will give us the result that the people of Freetown want.

Mr Speaker, Honourable Members, looking at this Bill from every aspect, I have a very good feeling that when it becomes law, and if all what is included in this Bill are put into action, the people of Freetown would have the required supply of water. However, I want to state here that this Bill is meant to provide water services to the people and the people are required to reciprocate. That is they are expected to ensure that they comply with the laws that are passed in this House.

Mr Speaker, Honourable Members, when the President was delivering his Address in 2009 in this House, he did mention that the usage of snake robbers as water pipes in this city should be discontinued, but it is still happening. Please, Mr Minister, I want you to take note of that because about **30%** of the water that is supplied to this city is not used by the people of Freetown. They end up being wasted and a good number of people are not paying water rate and that is why they use these snake robbers.

Again, Mr Speaker, Honourable Members, the attitudes of Sierra Leoneans is another issue the Ministry of Water Resources needs to look into. For instance, some citizens are in the habit of cutting water pipes close to their residence and fix snake robber pipes. Some of them are doing this because your Ministry fails to replace damage pipes on time. Mr Minister, I want you to take note of that and make sure that you have adequate resources and manpower to perform your functions. If possible, make use of the Sierra Leone police to avoid any inconveniences.

On that note, Mr Speaker, Honourable Members, there are several other factors that must be considered. I hope that the Minister of Water Resources, who has proven to be very effective since he has taken up office, would ensure that his Ministry, including the Guma Valley Water Company, works effectively. I thank you and I want to support the ratification of this Bill.

HON. CHERNOH R. M. BAH: Thank you very much, Mr Speaker. Mr Speaker, Honourable Members, I want to re-echo what other Members of Parliament have said that the Minister of Water Resources has been doing very well in that Ministry. He has improved on the image of the water sector. Unfortunately, some of us were not present during the pre-legislative hearings, but we have benefited from the Minister's presentation.

Mr Speaker, Honourable Members, I have looked at this Bill and I must say that it is a very good Bill. However, there are certain areas we need to look into very carefully. When the Minister was making his presentation, I was expecting him to tell us more about this Bill because the pre-legislative hearing is usually meant for Members of Parliament; but when it comes to the debate in this Chamber, other people who are not Members of Parliament should also benefit from your presentation.

Mr Speaker, Honourable Members, I have noticed that there are contradictions between this Bill and the NCP Act. I would like to learn from the experiences of those who have been in this House before us, whether we can use this Bill to amend or alter an Act that is separate and distinct from this particular document. The Guma Valley Water Company is one of those entities that is under the NCP Schedule and the NCP has its own mandate. So, if we want to amend that particular Act, I am sure it should be brought to this House.

Mr Speaker, Honourable Members, I also learnt from the Chairman of the Committee on Water Resources that one of the greatest advantages this Bill would bring is to encourage the private sector, but when you go through Article 19.1, it seems to provide monopoly for the Guma Water Company in the water sector. Perhaps, the Minister would want to tell us whether the Guma Valley Water Company would only serve as a regulator of the water sector or they also want to participate in the business. I am saying this because if they do that, Article 19.1 is attempting to bring a kind of monopoly in the sector. If that happens, it would not open up the water sector to the private sector.

Mr Speaker, Honourable Members, these are two points I want to underscore here; viz-viz, open up to the private sector and use this Bill to amending the NCP Act of 2002. I thank you very much, Mr Speaker.

THE SPEAKER: Excuse me, Mr Deputy Speaker, where in this Bill is that point made? Where does the Bill seek to amend the provision of the NCP Act?

HON. CHERNOR R.M. BAH: Mr Speaker, as I said, when we come to the Committee Stage, there are many areas in this Bill where the Commission or Commissioner has been replaced by the Minister.

THE SPEAKER: Honourable Ansumana J. Kaikai, do you like to stand please? Are you very much au fait with the provision of the NCP Act?

HON. ANSUMANA J. KAIKAI: Mr Speaker, I participated in passing that Act into law, but that has been a while. As the Deputy Speaker has mentioned, I would take time to refresh my memory, so that by the time we get to the Committee Stage, I would have adequately acquaint myself with the provisions contained in that Act. However, I want to state here that this Bill may be related to an Act; and for the purpose of its achievements as emulated by the originator of the Bill, both Acts are owned by the Government of Sierra Leone. This is an issue that has to be taken up, maybe with the Office of the Attorney General and Minister of Justice, where the Draughtsmen are.

THE SPEAKER: Okay, that is very important, but when we come to the Committee Stage, we will dwell on that. Well, I would want to openly commend the dynamic Chairman of the parliamentary Committee on Water Resources. He has been doing fantastically well.

HON. DR BERNADETTE LAHAI [*Minority Leader of the House*]: Thank you very much, Mr Speaker. Mr Speaker, Honourable Members, I am contributing to the Bill on the Guma Valley Water Company Act of 2017. I want to start with the very title of the Bill, 'Guma Valley Water Company Act of 2017.' I am saying this because if we look at the documents that have been given to us, I am a little bit confused in the sense that it talks about the continuation of the Guma Valley Water Company; and therefore, the Act that established it. However, it also says that the Act that established it is repelled. We have to look at what has been given to us and what is on the Order Paper. This is a new Bill we have in front of us or as it is on the document, continuation of the Guma Valley Water Company. We have to make some clarifications on that, Mr Speaker. The issue of water is very important not only to Sierra Leone, but also internationally.

Mr Speaker, Honourable Members, water is linked to almost every sector in our lives. We need water on a daily bases for domestic purposes. We also need water for other purposes, i.e. for production and non-production activities. We need water for agricultural purposes; we need water in our institutions. In fact, if water is absent

one day in our health institutions, it is a big problem. We need water for energy. We can no longer talk of renewable energy without talking about water, especially for hydroelectric power. We are talking of geo-thermal and other sources of energy. Again, water is important for our educational system. The sanitation in our educational institutions is greatly dependent on the availability of water. Water is also important for our transportation. The bulk of our imports and exports would not be effective if we do not use water transportation. Air transportation has limitations in transporting goods. Water is also important for the mining industries because most of the mining industries depend on water. In a nutshell, water is indispensable aspect of our lives, be it in the domestic sector or in the industrial sector.

Mr Speaker, Honourable Members, in all the regional and international documents, water occupies a special pillar in our existence. If you look at the SDGs access to safe drinking water, it is an important goal. If you look at the Africa Union Agenda 2063 access to clean safe drinking water, it is linked to health. Therefore, water is everything and that is why water is always topical in Sierra Leone because everybody is linked to it.

Mr Speaker, Honourable Members, we are here talking about Guma Valley Water Company because that Company is charged with the responsibility of providing water for the people of Freetown. As somebody rightly said, when Guma was initially established, the population of Freetown was very small; but today, the population of Freetown has quadrupled and we are still using almost the same system to produce water for its citizens in Freetown. That is why we are discussing this issue today because the initial system can no longer cater for the present population. Apart from domestic use, we also have a lot of industrial outfits that depend on water. Before this time, we did not know any company that was selling water; but today however, there are multiplicities of companies in this country that are trading in water. These companies are taking it from the same source as Guma. This is why the demand for water is very high and the people are suffering from water shortages.

Mr Speaker, Honourable Members, we are also experiencing water shortages because the weather is vague and the rains are not coming as they used to come. We get most of the water sources in Freetown from the rains. Also, if we were just

using the rains and water catchment areas, maybe we would not have had problem. What is happening now is that the catchment areas are being depleted and that has made it very difficult to fill those catchment areas because the vegetation cover has been removed. Man-made activities have destroyed those catchment areas and this is why we are facing some of these problems.

Mr Speaker, Honourable Members, the infrastructure is also another problem. Before this time, people were not responsible to connect water pipes. It was the responsibility of Guma Valley Water Company to do all connections. Today, because of the increase in population, more houses are being built and people are also becoming water engineers, connecting water pipes for themselves. This is why we have a lot of water wastages in the city. These are illegal connections and those who are doing these connections are not engineers. These acts have compounded the problems we are facing today. Again, these problems are further compounded by the slow pace of response to problems. Sometimes when these water pipes get burst, it takes a very long time for the people to report and even if they report on time, it sometimes takes time for the engineers to respond immediately. So, by the time the problem is being fixed, millions and millions of litres of water are already enough and wasted water is no longer available for consumption.

Mr Speaker, Honourable Members, what this Bill seeks to do is to look at the governance water system in Freetown. This Bill poses the following questions: How do we manage the water? Who is supposed to manage the water? What are the resources needed to continuously provide accessible and affordable water to the community? What would be the damages? What would be the punitive measures that we should take against those who damage these pipes? What are the measures we should take against the road constructors? These road constructors are damaging the water pipes during road construction and they leave the Guma Valley Water Company to bear the cost. These are some of the issues that are included in this Bill. Who bears the cost? What about the penalties for deliberately destroying this infrastructure? These are the issues this Bill seeks to address.

As I said earlier, Mr Speaker, Honourable Members, any discussion on water is a good discussion and any investment that would provide safe, regular and reliable

water for the citizens of this country is a good investment. Also, we must make sure that there are defined roles and responsibilities in this Bill. Guma Valley Water Company has its roles and we are expecting them to carry out their roles. In the same vein, the citizens have their roles and responsibilities to perform and we are expecting them to execute those responsibilities diligently. The citizens should act as watchdogs for the water infrastructure and they should take them as their personal property. We should stop saying that these are government property and as a result, they misuse and abuse them. This is because at the end of the day, it may not necessarily be Government that would suffer, but you the citizens. In fact, when we talk about Government, it is the citizens. We are the Government because we put the Government in place. Government property in actual sense is our property and we must not do anything to destroy what belong to us.

Mr Speaker, Honourable Members, I want to remind the Minister that when we were holding the pre-legislative hearing on this Bill, we did state that water is not the preserved of only the public sector, but the preserved of the private sector, the Government and the public sector. It cuts across ministries like Health, Education, Energy, private sector and even civil societies that are the mouth piece of the people. We did raise that issue because when we come to the other three Bills, all of them are so inclusive of almost all the Ministries, Departments and Agencies [MDAs] whose work has dealings with water. The Ministry of Agriculture would know its responsibility when it comes to water. For example, if they say this is a water catchment area, does the Ministry of Agriculture know that this has been labelled as a water catchment area? Does the Ministry of those Lands know that this area has been designated as a catchment area? They should be informed, so that the Ministry of Lands would not go and sell lands meant for that purpose to anybody. The Ministry of Agriculture should be informed, so that they would not give lands to anybody for agricultural purposes. The Ministries of Mines and Housing should also know, so that they would not give lands to anybody for mining or housing purposes.

Therefore, Mr Speaker, Honourable Members, we need to address some of these issues. Sometimes whether there is ignorance of where some of these things are or not, there is unintended violation of these rules. Sometimes they are aware, but

people like to take chances and feel that they would go scot-free. In that regard, we want to ask that notices are sent out through the office of the Clerk of Parliament to these MDAs, especially those who are going to be sitting on these Boards, whether on the SALWACO, Guma Valley or Water Resource Management Board. All of them should be here and take note of what we are saying. They have to be here in order to enable them know their roles and responsibilities. They should work in consultation with other ministries in order to ensure that they crosscheck with those ministries so as to avoid any violation. Did that notice go out? Do we have all Board members of those sectors here? If they are not here, it means we are talking to ourselves and the same issues would keep coming up. These are some of the concerns we need to address.

Mr Speaker, Honourable Members, I don't really know where the Deputy Speaker was coming from when he was talking about the National Commission for Privatisation. Mr Minister, if you have that document, there is a written submission by the NCP on this Bill. If you have that document, please read it. I am sure that is where the Deputy Speaker was coming from. If you don't have it, we can make it available to you, but it is important that you have a copy of it. Considering the position of the Minister in this Bill, a copy of that letter should have been given to him to enable him know your concerns. In fact, even before the Minister came here, a meeting would have been held between the Ministry and the NCP, so that there is consultation and dialogue.

Maybe, Mr Speaker, Honourable Members, a meeting of that nature would have convinced the Minister to make some amendments in this Bill, if he is convinced. I want the Minister to tell this House if he was previewed with the concerns of the NCP and what is his view on those concerns. The Deputy Speaker was asking about the relationship between this Bill and the NCP. According to the NCP, their bone of contention is that if there are elements of privatisation in this new Bill, then they should be consulted. Any privatisation should be in tandem with that institution. The NCP are quoting Section 10[3] of the NCP Act of 2002, which states that any Minister planning to present changes or set policies which may affect the operational reforms or divestiture of any public enterprise, shall before implementing such policy

changes, present them to the Commission for its comments before presenting them to Cabinet for consideration or to Parliament for enactment. I think this is where the Deputy Speaker is coming from.

Again, Mr Speaker, Honourable Members, when we come to the other Bill, there is also another oral presentation by the Water Directorate Staff. They see themselves as having no place in the new Bill if this new Bill is passed into law. What surprises me most is the fact that they were in the pre-legislative hearing and they did not make any presentation. Immediately after that pre-legislative hearing, ten to fifteen of them went to my office with a written submission. I told them that they were all seated there without saying a word. I also asked them why they failed to raise it during the pre-legislative hearing. I said that they could have brought that issue up even before the start of the pre-legislative hearing and that would have been discussed. These are their grave concerns on the SALWACO Bill.

As Members, of Parliament, Mr Speaker, Honourable Members, when citizens make these submissions to us, it is our duty to make them known to the requisite MDAs, so that you can educate us and give us insights as to how that issue relates to other, whether there is a misunderstanding or not. If we fail in our responsibilities, we would be accused of not seeking the interest of the citizens who voted for us to represent them. In that regard, we would like the Minister to clarify some of these doubts in the hearings of all and sundry.

Mr Speaker, Honourable Members, as I stated earlier, water is everything and no development can take place without water. We cannot be seated by the River Nile but we still wash our hands with spittle. There is no investment that is too big or small for water. To us, water should be one of the basic rights of every citizen because we are made up of water in the first place. A greater percentage of what we are is water. That is why we cannot survive without water. We are here to determine how to improve on the governance of the water sector in this country. We have to make sure that water is provided in an efficient, reliable and cost effective manner. Without water, we would never achieve the STGs, the Agenda 2063 or even the Agenda for Prosperity. Water is key in every sector and that is why we should pay much attention to it. When we come to the Committee Stage, we would also

look into the few changes that we are proposing now. The pre-legislative hearing was very succinct because we spent a lot of time on it. We only wish that those written submissions that were sent to us after the pre-legislative hearing, so that we deal with the concerns raised by NCP. We don't want a situation wherein the people of this country see this House as a rubberstamp Parliament that is not considering their welfare.

With those few words, I want to thank you very much and we would like you to elucidate on those issues as and when they come.

HON. IBRAHIM R. BUNDU [*Majority Leader of the House and Leader of Government Business*]: Mr Speaker, Honourable Members, looking at what the Minority Leader and the other speakers have said about this Bill, I now have the leverage to be very brief in my submission.

Mr Speaker, Honourable Members, I was also one of the people that did not benefit from the pre-legislative because I was out for other official engagements. As other speakers have said, I want to go with the adage that says that 'water is life.' You need water on the day you are born you. You also need water when you are dead to clean you up before you are finally buried. The Ministry and other agencies have given so many reasons for the shortage of water in our cities and very few of those reasons are natural, whilst majority of them are artificial. We are all witnesses to this, Mr Speaker.

Mr Speaker, Honourable Members, the people of this country were in the habit of selling water to all the vessels passing through the West Coast. Most Honourable Members could recall that during the Falkland Crisis, all war vessels from Britain used to pass through Sierra Leone to bunker out our water and we were earning money from that. In fact, one of the ways Britain compensated us was to build some very narrow bridges which were not commensurate to the kind of assistance we gave them through water.

Mr Speaker, Honourable Members, this Bill, with its attendance contents, seeks to address all these issues. I am very happy when the Chairman of the Committee on Water Resources said in his opening remarks that this Bill should not generate any controversy. However, some Members of Parliament have raised some legal issues

which we must address. Therefore, this Bill is very good and it is left with us as Members of Parliament to decide. I do not think it will generate any controversy, but we also have to look at the legal aspect of it. As Members of Parliament, it is up to us to do justice to the people of this nation. Thank you very much.

MR MOMODU MALIGIE: Mr Speaker, Honourable Members, I wish to answer to some of the queries raised by Members of this Honourable House. I would like to respond to the first speaker who spoke about rubber pipes and its effects. I wish to state here that it is the policy of Government to do exactly what the Honourable Member has said. In fact, we have secured support from the MCC, through their threshold programme which would invest quite a huge sum of money in addressing some of these anomalies in the water sector.

Again, Mr Speaker, Honourable Members, in His Excellency's post Ebola Recovery Plan, the Government of the United Kingdom would invest a huge sum in rehabilitating the water supply system in Freetown, including four kilometres rehabilitation of the transmission lines and three kilometres of our tertiary distribution in various parts of the city. Therefore, the use of rubber pipes would be discontinued as soon as possible. However, it is important to note here that the existing Act that governs Guma Valley Water Company makes no provision to discourage people from connecting water pipes for themselves. This Bill makes it illegal for people who are in that habit. Therefore, if the existing Act is not repealed, it would continue to pose some problems in the management of the water sector.

Mr Speaker, Honourable Members, somebody talked about using the police. Well, even if we are to use the entire Police Force, the Military and even our parliamentarians to guide those pipes in this city, those people would not be enough to protect the pipes in Freetown. As we do our best to provide and protect those pipes, I believe that we need to be patriotic in dealing with this infrastructure. We are willing to replace those pipes, but the people should also play their own part in terms of being patriotic and responsible.

Mr Speaker, Honourable Members, a question was raised about the NCP. The process of bringing this Bill to this House started in 2011. It was through my leadership that this Ministry was created. I want to report to this House that every

stakeholder was adequately involved in this process, including the NCP. Officials of the NCP were part of several workshops we had in the past. Their names are in our attendance list. They gave their inputs and we were very pleased with their contributions. Honestly, Mr Speaker, I was shocked when a letter came out regarding the position of the NCP in this Bill. The Chairman of the Committee on Water Resources provided me with a copy of the said letter. As we all know, the NCP has a new Chairman and this new Chairman has asked us to meet with them. He sent a text message and the letter in question. The Permanent Secretary in my Ministry told him that we were in the middle of addressing some of these issues. To my dismay, a letter came out, stating their position in this Bill. I think the new Chairman of the NCP was adequately informed about the development of these Bills before he wrote that letter.

Mr Speaker, Honourable Members, somebody spoke about a possible conflict of interest this Bill might cause if passed into law. We all know that the Executive Arm of Government created the NCP and was enacted in this Parliament. These Bills went through the Attorney General's Office and Cabinet which gave its approval for us to bring it here for enactment.

Mr Speaker, Honourable Members, water utility companies are not easily privatised in general. Water is not something you should privatise because it is a huge security risk. All over the world it is the Government that manages the water sector because if that sector is left in the hands of private companies, there is every tendency for those companies to shut down operations in case of crises; and when that happens, we would be faced with more social problems. This Bill is going to ensure efficiency into the sector and even look into the negative attitudes of our people. As it is now, if you are a private individual and you want to connect to Guma Valley Water Company pipes, you would almost have to beg before you are connected. This new Bill provides the opportunity for Guma Valley Water Company to be a sole supplier of water wherein there would be a bulk meter right at the transmission pipe. These are some of the opportunities this Bill seeks to provide that are not in the Parent Act. So, if there is a pipe burst somewhere, you do not have to go and beg for the pipe to be fixed.

Again, Mr Speaker, Honourable Members, this Bill prohibit people form connecting water pipes. It would be illegal for any individual to connect water pipe for him/herself. Somebody spoke about punitive damages that are not in the Parent Act. For instance, if you catch somebody cutting water pipe, there is no provision in the Parent Act that spells out punitive damages. However, provision is made in this Bill against any individual who is caught destroying a water pipe. These measures are not in the Parent Act and that makes it out-dated.

Mr Speaker, Honourable Members, as the Deputy Speaker was saying, Guma Valley Water Company should not be a regulator. This Bill is in tandem with so many other reforms that are happening in service provision. This Honourable House could recall that this House enacted the Electricity Water Regulatory Commission [EWRC]. That Commission is meant to regulate the Energy and the Water Sectors. So, if the Guma Valley Water Company Act is left as it is, the EWRC would not be as result oriented as is meant to be. Therefore, when we talk about regulating the Water Sector, this is why the three Bills are coming at the same time. When we get to the National Water Resource Management Agency, I will explain how the old Guma system actually stands against the progress of Guma. For instance, couple of years ago, the Orogu Dam Project was conceived. In other words, the Project started around 2008. In the Parent Act of the Guma Valley Water Company, the Company is expected to be the service provider, which means that it is the regulator and the Resource Manager.

Mr Speaker, Honourable Members, another disheartening thing that has been affecting the Water Sector is that fact that people are still encroaching on water catchment areas, which has resulted in making it difficult for Guma Valley Water Company to deliver as expected. The Orogu Dam that could have provided water to Freetown is facing similar problems because there was no Resource Management Agency and Guma could not provide security for those catchment areas. In this new Bill, provision is made not only providing security for those catchment areas, it also ensures proper investment planning for those areas. For example, if we provided water to the people of Moyamba District, the capacity of that facility will go for another five to ten years because we are aware that the population of Moyamba District increases by **2.2%** per annum. According to the new Bill, the Agency will be

charged with the responsibility of protecting other areas where people have just settled. In other words, the Agency will be proactive enough to protect that source such that it would not get into a troubleshooting situation. The Agency would not be able to meet its mandate if this Bill is not passed into law. That is in line with the NWRMA and the Management of the Water Sector.

Mr Speaker, Honourable Members, lots of comments about water shortage in Freetown have been raised. I want to promise this House that as a Minister of Water Resources, this particular dry season will be the last season we will have to struggle to provide water for the people in Freetown. The Guma Valley Water Company is grappling with such challenges such as out-dated laws and lack of adequate resources. As the first speaker stated earlier, the Guma Valley Water Company was initially meant to cater for a population of three hundred thousand or a maximum of five hundred thousand people. Today, we are talking about approximately two million people.

Mr Speaker, Honourable Members, the manner in which our laws are made does not encourage the Private Sector to invest. So, if we fail to pass these Bills into law, we will not get any donor funding. The donors have realised the importance of these Bills, and the NCC and the British Government are willing to provide funds if we pass these Bills into laws. If we failed to do this, our investment in this Water Sector will not be sustainable and we would go back to 'square one.' Therefore, this is basically the position we have found ourselves.

Mr Speaker, Honourable Members, I want to believe that these Bills are good for this country. The Minister of Water Resources is mandated to make good laws and to make good policies for the smooth operation of the Water sector. These Bills are good for the people of this country. Therefore, I move that the Bill be read for the second time.

THE SPEAKER: Honourable Members, some concerns were raised by the Minority and Majority Leaders. If you were listening keenly to the responses made by the Minister, it appeared as if some of these fears have been allayed. It may not necessarily be reflective of what other Members of Parliament feel, but that is my thinking.

[Question Proposed, Put and Agreed to]

[The Bill has been read the second time].

HON. IBRAHIM R. BUNDU: Mr Speaker, Honourable Members, having listened to all the issues raised by Honourable Members regarding the perceived controversy between the NCP and other agencies; and giving the fact that we have three inter-related Bills before us, I want to humbly suggest that we deal with the other two Bills up to the Second Reading Stage and commit them to the Legislative Committee for proper scrutiny.

THE SPEAKER: Madam Minority Leader, did you hear what the Majority Leader has said?

HON. DR BERNADETTE LAHAI Mr Speaker, I did raise the issue of the NCP because letters were written to us. The Management team of the NCP was complaining that they were not consulted and they are also in consultation with other International Organisations. The Minister did say that because they now have a new Chairman and that they were not properly briefed. On the other hand, the Minister has said that the NCP was properly briefed and they even made their inputs. In that light, maybe except we do not believe the Minister, but if we do not believe the Minister, even though the Minister had said there was briefing to the effect, I do not know.

THE SPEAKER: Madam Minority Leader, with regards to what the Majority Leader has said, can we proceed with the other Bills? They are all inter-related.

HON. DR BERNADETTE LAHAI: Mr Speaker, we either have to commit the first Bill to the Legislative Committee or we go ahead with the Committee Stage and finish with it before we move to the other Bills. The Bills are inter-related because they are talking about water management, but the import may not be necessary. For example, the import of the Water Resource Management is quite different. We have to be decisive in this matter. We either commit this Bill to the Legislative Committee or we go for the third reading and pass it into law. We cannot continue to hang on this matter.

HON. CHERNOR R. M. BAH: Mr Speaker, Honourable Members, I want to agree with the Minority Leader. We cannot continue to delay the passage of these Bills. We have to come to a conclusion before going to the next stage. I listened carefully when the Minister was making his submission. During my submission, however, I said that Guma Valley Water Company is still under the Schedule of the NCP. This Bill is not amending that particular Schedule. Passing this Bill into law would not take away Guma Valley from the NCP Schedule. We agreed that it has gone through Cabinet conclusion, but the responsibility to make laws rest with this House and not the Executive. We want to do what is right.

Mr Speaker, Honourable Members, the Minister is our friend and he has been doing a good job. However, we cannot use that as a subterfuge to do the wrong thing. If this Bill is taking away Guma Valley from the Schedule of the NCP, so be it, but we have to proceed. If it is still part of the Schedule, I am cautiously advising that we take it to the Legislative Committee where we will harmonise all these issues.

THE SPEAKER: Mr Minister, would you like to say something?

MR MOMODU MALIGIE: Thank you, Mr Speaker. Mr Speaker, Honourable Members, I am not here to take Guma Valley out of the Schedule of the NCP. If the issue is about the NCP and we have come thus far, we can proceed. However, I want to restate here that the British Government has put aside funds meant to invest in the Water Sector. They have also identified and even provided the technical assistance to investigate some of the shortcomings of the laws governing the Water Sector.

Mr Speaker, Honourable Members, with all due respect to this House, there are processes we are forced to follow. The NCP is part of the Executive and we have gone through the Executive, the Attorney-General and even the Cabinet. We have brought this Bill to Parliament, a Bill that has gone through the Executive of which the NCP is a part. So, I believe it would have been appropriate to go back and look at what has transpired. Thank you.

HON. ANSUMANA J. KAIKAI: Mr Speaker, you know I am a buffed when it comes to rules and regulations of the House. Under what Order are we having this procedure? Secondly, the Deputy Speaker is correct, but whatever has to be done

belongs to the Executive. The procedure here is that at this stage, the Mace has been covered, but that was not done. Therefore, I am asking in the interest of parliamentary procedures to proceed to the Committee Stage.

HON. SUAHILO M. KOROMA: Thank you, Mr Speaker. I believe that the Minister has already explained the stages this Bill has gone through. At this stage, I want to kindly request that we go to Committee Stage and look at the Bill clause by clause, so that we expunge any controversial clause. Thank you very much.

HON. ABU B. KOROMA: Thank you, Mr Speaker. Regardless of all what has been said, I want to support the Deputy Speaker's stance. This is Parliament and we take the final decision. The Minister said the British Government has provided huge sums of money to support water projects in this country. That is fine because we need the money, but we cannot do the wrong thing because we are in need.

HON. ALHAJI SERAY DUNBUYA: Thank you, Mr Speaker. What the Honourable Deputy Minority Leader has said is what I want to buttress; i.e., to follow the provision contained in S.O. 51 [1]. As already expressed by other Members, we have to commit this Bill to the Legislative Committee for proper scrutiny. On that note, I want to humbly ask this House to commit the Bill to the Legislative Committee of this House. I thank you.

THE SPEAKER: I hope we understand S.O. 51[1]. You know when ever anything is written in the English Language, I am very much particular. It is not a question of committing it, it is the question of when to commit it to the relevant Committee.

HON. IBRAHIM R. BUNDU: Mr Speaker, I want to yield the concern raised by the the Deputy Minority Leader. I am aware of S.O. 51. Before we start the Committee Stage, I think it will be good if we make that correction now. The other Bills have been brought here with their own problems from even workers of the Ministry. As representatives of the people, I believe we can look at all the pros and cons of these two Bills. The Minister has said he is not here to amend the NCP Bill. That is very good, but if it is done hurriedly, it might also pose some difficulties. That is why the Legislative Committee should look at it and work within the timeframe that the Minister is working to see that this Bill receives the justice it deserves. That is my plea to the Minority Leader and other Members.

THE SPEAKER: Honourable Members, from the point of view of logic, does the enactment of this Bill into law necessarily take it away from the Schedule of the NCP? Certainly not, and the Minister himself has said so. Whether the Minister said it or not, logically speaking, even when this Bill becomes law, it is still on the Schedule for divestiture.

HON. CHARNOR R. M. BAH: With your permission, Mr Speaker, that has been my point; i.e., passing this Bill will not take it out of the NCP and that is where the controversy comes. NCP will still have the Guma Valley Water Company within their Schedule, but this Bill, if enacted into law, will give all powers to the Minister and the Ministry. So, you have two forces pulling themselves apart and it is our responsibility as lawmakers to ensure that whatever law we pass in this House has to be in conformity with what we are supposed to do. You have hit the nail right on the head Mr Speaker *[Applause]*.

THE SPEAKER: Mr Minister, you have not been coming here so frequently, but you seem to be so much at ease and I want to commend you.

MR MOMODU MALIGIE: Thank you, Mr Speaker for that observation. To respond to the Deputy Speaker's concern, I want to state here that in the existing Guma Valley Water Company Act, all what is stated there is Minister. In the NCP Act, it says in the Management of the Guma Valley. In the future, when the Guma Valley Water Company would have been fully privatised or brought back to the Ministry, you do not have to enact another Bill. In the existing Guma Valley Act, all what it says is the Minister because the role of the NCP is not permanent. Enacting it does not take it from the NCP. Therefore, I do not see anything controversial.

HON. IBRAHIM BEN KARGBO: Mr Speaker, these controversies will continue. As Members of Parliament, we should stay clear of being part of the controversies. There are people who believe that the NCP has outlived its usefulness and should allow the Ministries to perform their duties. Unfortunately, the law is the law. According to the NCP Act, the Chairman is the shareholder for all Parastatals as listed for divestiture. I also know that when they were listed as part of the Schedule, the Ministry of Water Resources has not been created; and therefore, there is no way the Ministry of Water Resources will be affected. In that light, if we pass this Bill

now, the Minister will have some powers to perform his duty, but at the same time the Minister may not be able to perform those duties he wanted to perform. He was talking about the British. Few years ago, the British suggested that we improve on the status of Guma Valley Water Company. They reported this through the British Broadcasting Corporation [BBC] that we were selling water to the poor people. The Government was embarrassed. We had to reverse the whole process. The Minister is my son and he is our friend, but the important thing is that we do not want to pass a law that will make the Minister a lame duck in the end. Thank you.

THE SPEAKER: Honourable Ansumana J. Kaikai, where are we?

HON. ANSUMANA J. KAIKAI: This is exactly where we are. The Mace is covered, your wig is off. We can either continue with the Committee Stage or you adjourn Committee Stage for consultation between the Minister and Members on that side.

THE SPEAKER: Honourable Ansumana J. Kaikai, Parliament is one. Irrespective of what number of political parties we have here we are one. Honourable Foday Rado Yokie, with respect to you, even where you do not have any issue, this side of the House cannot take decision without your co-operation.

HON. FODAY RADO YOKIE: I believe we should do it concurrently. That is my position.

HON. ANSUMANA J. KAIKAI: We have agreed to agree.

HON. IBRAHIM R. BUNDU: We have never passed three Bills in one day. We want to do justice to this Bill that was the reason why I came up with the suggestion to look at the three Bills at the same time in order to avoid controversy. I am asking again that at this stage we commit the Bill to the Legislative Committee [*Applause*].

Suspension of S. O. 5[2], being 12:00 noon

THE SPEAKER: Honourable Members, it appears to me that the controversy has still not ended. This is because the Majority Leader of this House is of the view that we treat the three Bills holistically. However, the Minority Leader also has a point which has to do with how these Bills are related. If you read the Bills, there are also areas of distinct differences. In that regard, my own worry is that there are legal

issues we have to deal with. As a Parliament, would it not be prudent to commit this Bill to the Legislative Committee? Honourable Minority Leader, what do you say?

HON. DR BERNADETTE LAHAI: Without being a dictator, you have the last say.

THE SPEAKER: As a Parliament, the Honourable Abu B. Koroma said that we must be seen doing things that are legally correct. Where there is doubt, we have a Committee specifically designed to deal with such issues; i.e., the Legislative Committee.

HON. SUALIHO KOROMA: Mr Speaker, my concern is that I would not want our partners to see Parliament giving lukewarm response to this Bill. It will be very dangerous to the development of the Water Sector. Like what the Minister has said, the processes of these Bills started about three years ago. We have held several workshops on these Bills with the Legislative Committee. The Legislative Committee Chaired one of the workshops we held. In fact, the Legislative Committee also chaired one of the Pre-legislative hearings. The Deputy Chairman of that Committee represented the Chairman.

Mr Speaker, Honourable Members, for the purpose of procedure, the current Bill we are talking about was gazetted on the 2nd February, 2017 without receiving any objection from any member of the public or NCP. The Bill went through the Law Officers Department and Cabinet concurrently.

HON. DR BERNADETTE LAHAI: Mr Speaker, Honourable Members, I speak for this side that we commit this Bill to the Legislative Committee [*Applause*].

THE SPEAKER: Honourable Members, the Minority Leader has spoken and I take it that what she has said is an echo of what the Majority Leader has said. I want to inform Honourable Suahilo M. Koroma that the British are very much particular about this Bill, believe you me they will never sacrifice propriety for haste. All I would want to say is that if this Bill is taken to the Legislative Committee; please let us deal with it speedily.

HON. DR BERNADETTE LAHAI: We are taking it to the Legislative Committee, but we want National Commission for Privatisation to withdraw their letter because what they wrote was not true. Also, Parliament invited stakeholders to a pre-legislative

meeting scheduled on the 15th February, 2017 without inviting the NCP. Whenever we have these issues of such nature, the public is always invited and NCP is part of that public. We do not send special invitation to anybody because we do not want to be held accountable. In that regard, I want to inform the office of the Clerk to send out the usual notice that for next pre-legislative meeting. People are invited to present either oral or written submission on any aspect of this Bill. I think that should be clear and it should be sent out. When the public is invited, it is every body's responsibility to ensure that they honour that invitation. The gazette has been there and these letters have been written on the 16th February, 2017.

THE SPEAKER: Honourable Members, in cognizance of what had transpired so far, and having regard to certain complex issues that have roared our heads, I am going to put the question in respect of what has been prevalent.

[Question Proposed, Put and Agreed to]

[The Bill has been committed to the Legislative Committee]

HON. AJIBOLA MANLEY-SPAIN: Mr Speaker, I decided to stay out of the debate because I suspected that the Bill would be committed to the Legislative Committee and I also wanted to be neutral. However, now that it has been committed to the Legislative Committee, I want to respectfully suggest here that we meet on Thursday for this particular Bill.

THE SPEAKER: Honourable Members, you have been notified that the Legislative Committee meets on Thursday. Please be reminded of that notification. Mr Chairman of the Legislative Committee, at what the time would you like to meet?

HON. AJIBOLA MANLEY-SPAIN: Mr Speaker, if there is no sitting on that day, the time is 11:00 p.m. at Committee Room 1.

THE SPEAKER: I do not think there will be any sitting on that day.

HON. ABU B. KOROMA: In the light of what the Minority Leader has said, I think Parliament should write the NCP, notifying them to be on that meeting.

THE SPEAKER: No, Honourable Member, we do not need to do that at all. The Minority Leader has said it all and I think she said that loud and clear.

BILL

THE MINISTER OF WATER RESOURCES

THE NATIONAL WATER RESOURCES MANAGEMENT ACT, 2017

INTRODUCTION AND FIRST READING

MR MOMODU MALIGIE: Mr Speaker, Honourable Members, I move that the Bill entitled The National Water Resources Management Act, 2017 being an Act to provide for the equitable, beneficial, efficient and sustainable use of the country's water resources, to establish a National Water Resource Management Agency; to provide a Water Basin Management Board and Catchment Water Resources Management Committees for the management of the water resources and for other related matters be read the first time.

[Question Proposed, Put and Agreed to]

[The Bill has been read the first time]

[SECOND READING]

MR MOMODU MALIGIE: Mr Speaker, Honourable Members, I move that the Bill entitled, 'The National Water Resource Management Act, 2017 be read for the second time. The National Water Resources Management Bill entails the establishment of a National Water Resources Management Agency mandated to manage the water resources on behalf of the State to be funded through a charge on the Consolidated Fund. There will be a prudent management and allocation of the country's water resources amongst computing users, such as drinking water supply, water for agriculture, water for energy, water for industrial and mining uses, as well as in reducing national disasters. This Bill, if enacted into law, will assist in reducing the encroachment of people on water catchment areas, which is a great cost to this country and even poses great dangers to the country's water security, particularly around Freetown. Severe penalties for the offences that have been defined should serve as deterrent to anybody who encroaches on water catchment areas.

Mr Speaker, Honourable Members, if this Bill is passed into law, the new Agency that would be created under it will keep a database of our water resources which will greatly aid planning and investment by both public/private sector decision-makers.

This Bill will provide for the institution of minimal levies for water use that recognises that water has a value and this is now a practice adopted worldwide. The proceeds realised from these levies will be used to support the sustainable management of the water resources, including catchment protection, training, research, capacity building and community sensitisation. It is, however, important to note here that the cost of the new Agency which will largely be the staff remuneration and in water resources management activities should be recovered through the levies to be imposed on water users.

Mr Speaker, Honourable Members, having highlighted the importance of this Bill, I move that this Bill be read the second time.

[Question Proposed]

HON. SUAHILO M. KOROMA: Thank you, Mr Speaker. Mr Speaker, Honourable Members, I rise to support the motion before us this morning. The Minister has specifically said that if this Bill is passed into law, it will help us to protect water catchment areas, which are very important in the management of water. As Chairman of the Committee on Water Resources, I want to state here that the Committee on Water Resources has done a lot of research and even presented reports to this House. This House has also adopted a number of recommendations regarding the protection of water catchment areas. Therefore, the Bill before us is merely endorsing majority of our recommendations and this is how laws are generated in every country; i.e., you first do a research, you consult, you present a report, you make policies and legislate your policies. That is what this House has just requested to do.

Mr Speaker, Honourable Members, this Bill is also going to ensure that a Water Management Committee and Water Management Boards are created. I believe it is going to give an opportunity wherein water resources are effectively managed, so that they could not be misused by even people who come around to pollute the

water. I want to ask this Honourable House to quickly go through this Bill and ensure that we enact it into law.

In that light, Mr Speaker, Honourable Members, I want to thank the President and the Ministry of Finance for their willingness to support the Water Sector. In 2015, for example, the Presidential Speech and the Budget made mention of the amount of money they provided prior to this Bill. So, I think it is the wisdom of His Excellency the President for this Bill to be enacted, so that we will be able to manage our catchment areas. I want to call on Members of Parliament because it is only this House that can insert or delete any clause that is not fit for the purpose. Once again I want to call on Members of Parliament to quickly add their voices on this Bill. I thank you very much, Mr Speaker.

HON. ABU JAJUA: Thank you, Mr Speaker. Mr Speaker, Honourable Members, I want to take this opportunity to make my contribution on the Bill before us this morning. I want to thank the Minister of Water Resources for ensuring that this nation joins the 21st Century Approach to water management system. The Minister is trying to ensure that there is sustainable water supply in the country. During the 19th Century, there were lots of funding invested in the infrastructural aspect; but over the years, because of population increase, it was realised that there was not enough water for the future generation. A lot of approaches were, therefore, developed in the 21st Century. The most important approach is that the equation for providing water goes this way; i.e., the infrastructure equals to services. In this 21st Century, we have to look at the equation backwards in terms of the services available. In that regard, the Agency is expected to provide services to the people. I want to inform this House that if we fail to improve on the infrastructure, no matter how much money we spend, we would not be able to provide sustainable water system in the country.

Mr Speaker, Honourable Members, if we explore new approaches in terms of looking at the equation backwards, it will ensure good result for sustainability. In those services, they look at the category of water we have; i.e., for domestic, industrial, agriculture, etc. The Ministry of Water Resources should try to classify the category of water before we have results. If you go to the Western World, you will find out

that they have water for drinking, which is different from the water you use for domestic purposes.

Mr Speaker, Honourable Members, I also want to call on the attention of the Minister and the institutions responsible to provide these services to look at the technical aspect of water usage. When I went to England, for instance, I tried to do some research and I realised that the WCs Flush were using only a cup of water to flush, but in Africa, and Sierra Leone in particular, we use a whole bucket of water to flush. A bucket of water is too much for that purpose.

With those few words, Mr Speaker, Honourable Members, I want to ask this Honourable House to speedily pass this Bill into law. Thank you very much.

HON. PC BAI KURR KANAGBARO SANKA III: Thank you, Mr Speaker. This is a very interesting debate because the future of Sierra Leone must be addressed. The Bill before us is talking about water and water is life supporting element. I am sure the concern of the Minister is not only limited to the water we drink in the cities, but he is also concerned about having enough water for agricultural work, which is lacking in this country. Are we harvesting water for future use? God gives us water to boost agricultural productivity through the rains. In fact, we also have enough good rivers to take the lead in agricultural production.

Mr Speaker, Honourable Members, I want to draw your attention to what is happening in this country. People are in the habit of setting fire on lands, thereby destroying the vegetation cover. In fact, people set fire on the highways from here to Kailahun and from here up to Kambia or Masingbi. If you travel to the provinces during the rains, you will see beauty of the landscape of this country. But this beauty has been destroyed by wildfire. As I was leaving Kunike Chiefdom to Freetown yesterday, I saw fire in the nearby villages and people did not even worry to put off the fire. I am sure that fire must have affected the water table. Today, the world is concerned about climate change, but Sierra Leone is far behind. The Europeans are now taking the lead on issues relating to climate change. To me, when you talk about climate change, you are talking about water and afforestation; but if you look at what is happening presently, you will notice the kind of deforestation that is taking place in Sierra Leone. During the rainy seasons, it has always been difficult to

cruise along Kissy Street because the rains usually bring all the sleet and debris from the mountains. This is a very serious and we must treat it seriously.

Mr Speaker, Honourable Members, in many countries, you cannot build a house without having a water tank. When we talk about water, we have to think about the wildfire and the kind of deforestation taking place in this country. The whole world is now worried about climate change and global warming. As I was listening to the radio last night, the meteorologists said that Freetown, Kenema and Lungi would experience close to 54° Centigrade. I don't know if what was said on the radio was correct, but that tells you the kind of problems we are going to have in this country.

Mr Speaker, Honourable Members, when I was a little boy in 1962, I was brought to Freetown at 4:00 p.m., but the whole of Freetown was dark because of the forests. Today, people are building houses without considering water and even toilet facilities. People are also building houses without access roads. If we are talking about water, I think we must consider the Environmental Protection Agency [EPA] because we have given them certain duties in terms of protecting the environment. We have to consider MDAs like Ministries of Agriculture, Lands, Works, etc.

Mr Speaker, Honourable Members, afforestation and the control of wildfire are very important for the Water Sector. Today, those who would want to plant cassava or potato are finding it very difficult because most of these fertile lands are being destroyed and nobody says anything about the wildfire. If you travel from here to Masingbi, you will see very few plantations; and by the end of March, you will find the whole place being burnt. Therefore, we have to ensure that we protect our water catchment areas. We have to take responsibility as a people, as a community, as individuals and as a nation. Let us take the lead in terms of planting trees and stop joking about it. If a country like Norway is preserving her forests, then we must also do same. Tree planting should be a continuous exercise and we should stop destroying our forests for charcoal or firewood. Therefore, we need energy to protect the environment because if we have enough energy, then we might stop using charcoal or firewood. Are we using solar energy to give us more water in this country?

Again, Mr Speaker, Honourable Members, we should protect our environment by planting more trees and respond swiftly to issues relating to global warming and climate change. I thank you, Mr Speaker.

HON. KARIFALA S. CONTEH: Thank you, Mr Speaker. Mr Speaker, Honourable Members, it will be like I have committed a crime if water related issues are discussed here without my contribution because this Bill describes the area I come from; i.e., Wellington. When you talk about water catchment areas, you are talking about Wellington. In other words, when you talk about equitable distribution of water resources, you are talking about Wellington. However, I want to commend the Minister and staff for taking this bold step in trying to resolve this problem. We have been in this state for a very long time, but we are beginning to see evidence that we are going to move from one point to the other. The water crisis in Freetown has been a perennial problem, but I think the time is drawing closer for that problem to be laid to rest. I want to commend the Minister and team for this initiative.

Mr Speaker, Honourable Members, I want to state here that the only water catchment area in this country is located at Wellington and according to the Guma Officials, the place is known as the 'Blue Water.' Honestly, this is a case of a successful implementation of water catchment area that is benefiting the people of the Eastern part of Freetown, starting from Kissy, Grassfield and Allen Town. This is a gravity water system and there was an Indian Project prior to my election as Member of Parliament. A very huge tank was built and the water has been coming from the hills and trapped in this tank. Interestingly, this has been very much successful.

Mr Speaker, Honourable Members, whosoever gets pipe borne water around Kissy, Grassfield or Allen Town, then you are getting it from the Blue Water. Unfortunately, all of these sources are not being thoroughly utilised. In that light, if we are having, in our midst, a Bill that is meant towards utilising all of these sources, then we will be correct to say that the issue of water problem will be a history before the close of this year. The second aspect I want to look at is very interesting because the General Manager of Guma Valley Water Company comes from an area in Wellington

called 'Kuntoloh.' This area has a water catchment area similar to the one that is being utilised.

Mr Speaker, Honourable Members, the Honourable Paramount Chief said that issues relating to water should not be dealt with in isolation because we need to bring on board other key players like the EPA. What is happening in Kuntoloh is that there is a big water catchment area in that place, but because of the construction going on around that area, it has been closed down and even the tank itself is being purchased by people around that area. This Bill is going to bring us to a point wherein the problems we used to face in the past are going to be minimised.

Again, Mr Speaker, Honourable Members, this Bill is going to put us on a more advantage side. It is going to ensure equitable distribution of water resources and the people of the Eastern end of Freetown are going to stand a better chance to benefit.

On that note, Mr Speaker, Honourable Members, I want to support the passage of this Bill into law. I thank you, Mr Speaker.

HON. DAUDA J. B. KALLON: Thank you very much, Mr Speaker. Mr Speaker, Honourable Members, I am a member of the Committee on Water Resources and we actively involved in identifying the problems created by the shortage of water in the country. We have held a number of workshops and seminars, so that we find ways and means of resolving these problems. In Fact, the Committee on Water Resources summoned a lot of institutions like NGOs and other water users. One of the recommendations of the Committee was to have all the players within the Water Sector, so that we could make an informed decision.

Mr Speaker, Honourable Members, one agency I would like to mention here is the Ministry of Lands. We are seeing buildings being constructed everywhere in the country. I am using names without pointing fingers at anybody, but we have names like Pa Bangura owns twenty thousand hectares of land, Pa Kallon owns sixty thousand hectares of land and Mr Browne owns eighty thousands hectares of land. They owned these lands because their forefathers were farmers, farmers whose produce which some of us never saw. Mr Speaker, maybe by your age and experience, you must have seen some of their produce being displayed in the

markets. But unfortunately, these people are working in consonance with the Ministry of Lands. If they are working in concert with the Ministry of Lands, meaning, for an individual to have built a House, he/she must have gone through some arrangements with the Ministry of Lands to enable him/her to erect that building.

Mr Speaker, Honourable Members, in one of our meetings with the Ministry of Lands, the Director of Lands told the Committee that development had overtaken them. This is because if development is overtaking those who are to plan our development, then we have a very serious problem in this country. The reason why water catchment areas have been threatened right across the country is because people are continuously cutting down trees, which has affected these water catchment areas. And by extension, these catchment areas dried up and the supply of water becomes a problem. Therefore, if there is a Bill that would ensure proper management of the water in this country, it is welcome idea.

Mr Speaker, Honourable Members, this Bill makes provision for the setting up of committees that will be managing these catchment areas. I want to commend the Ministry of Water Resources for this initiative. However, there is also a responsibility on the part of the Ministry of Water Resources; i.e., community involvement in decision making process. This is very important and they must look at that area with all seriousness. This is because the communities are very influential in the day-to-day activities, either because they get their direct living from the very bush or otherwise. The communities are very important because they can better communicate policies, recommendations or regulations to their people.

Mr Speaker, Honourable Members, I want to talk about deforestation and afforestation which the Honourable Paramount Chief was explaining to us earlier. A number of times Government and Government agencies, including civil society organisations have come up with the idea of tree planting. But most times, when these trees are planted, the next day they are being uprooted or cut down. Instead of growing trees, we are seeing buildings coming being erected and we ask ourselves the essence of tree planting. Why are we planting trees in areas where the Ministry does not have control? I am of the opinion that there is a need for greater

partnership if we want to have sustainable water system in this country. In other words, there should be a partnership between the community people and agencies such as the Ministry of lands, EPA, the National Protected Area Authority [NPAA], etc. These are all agencies that should be brought on board, so that when the decision is made at the end of the day, it will cut across.

Mr Speaker, Honourable Members, Members of Parliament have a role to play as far as issues relating to water are concerned. I am saying this because of the bad experience I have had in the past. We represent our people in this Well and we make laws for the smooth running of the state. If this is true, we have a responsibility to ensure that these laws are communicated to them. If Ministries, Department and Agencies [MDAs] are going to our communities and do things without making reference to us or call on us in the eleventh hour, that shows that there is a disconnect between us and officials of those MDAs and there is bound to be problems in the future. I want it to be known by the Ministry and all other players that we cannot continue to work in isolation because we are the representatives of the people. We are the mouth piece of the people because we represent them directly. We also represent the Government as well. If we work in unison, we can get better results that will protect Government's investment and government's development agenda.

On that note, Mr Speaker, Honourable Members, I want to say that this is a welcome idea and we must all join forces together to ensure that we educate our people. I thank you very much for your attention.

HON. DANIEL B. KOROMA: Mr Speaker, Honourable Members, I want to commend the Minister of Water Resources for this very important Bill. I want to say that unlike the Guma Valley Water Company Bill, which is limited to only its operations within the Western Area, this Bill is going to establish an Agency for the whole country. Unlike the Guma Valley Bill, this particular Bill is going to address issues relating to the sources of water and ensure that water is made available in a sustainable manner. If passed into law, this Bill would resolve so many water related issues in this country.

Mr Speaker, Honourable Members, one thing that disturbs me most is that, when the President visited Koinadugu District, he spoke about the division of that District into two. He also spoke about the de-amalgamation of Chieftdoms and the creation of new provinces. The President said that if he failed to do it now, it would be very difficult for other Presidents to do it in the future. As a result, he is determined to start and complete it. In that light, I am sure you will not be the Minister of Water Resources for ever. You may be transferred to another Ministry one day. The problem I have is that a particular Minister may have very good policies he/she would want to implement, but when he/she is being transferred or removed, all those policies will die down. So, I want to encourage you to copy the good example of the President by making sure that you complete these projects before you leave that Ministry. I want to assure you of Parliament's support.

Mr Speaker, Honourable Members, another thing that is disturbing me is that when I first chaired the pre-legislative hearing on these Bills, I got full supports of the Deputy Majority Leader and the Minority Leader. They were present during the hearings and we said that institutions such as the NPAA, the EPA and the Ministry of Lands must be present in this debate because this concerns them. There are certain issues that are not addressed here. For instance, in the event where some areas have been identified as water catchment areas and all of a sudden an individual or a company or a group of individuals brings forward a valid survey plan in respect of that area signed by the Director of lands, the question is who has the final say in this matter. There is no part in this Bill that talks about such issues if they happen in the future. I have gone through this document and that has not been addressed at all, Mr Speaker. A valid survey plans from the Ministry of Lands and a valid survey plan in the name of water catchment areas are brought forward to the court or to the authorities, which one should take precedence over the other? This is not addressed in this Bill. If we are here today, I want this Honourable House to tell them which one of the two should take precedence over the other. We must address this issue before we pass this Bill into law; otherwise there will be conflict and that conflict will continue to defeat the purpose of this Bill.

Mr Speaker, Honourable Members, those are my concerns and I feel so disappointed. As a Parliament, we have to address this issue now or never. I thank you very much.

HON. DR BERNADETTE LAHAI: Mr Speaker, Honourable Members, we have just looked at the Guma Valley Water Company, which is an institution created to provide water and other related services to Freetown. After this Bill, we would look at the Sierra Leone Water Company [SALWACO], which is an institution created to look after the water services outside of Freetown. Therefore, the Guma Valley Water Company and the SALWACO have different roles to perform, but the commodity they seek to offer to the people of this country is water. They deal in water in terms of ensuring that we have water.

Mr Speaker, Honourable Members, what is before us is the Water Resources Management Agency. It has the role to ensure that Guma Valley and SALWACO have the logistics to do their work. We may establish institutions and make very good laws, but you must have the commodity or service you want to provide. So, if Guma and SALWACO Commodity is water, then what the Agency will be doing is to ensure that water is available at all times because whether in the atmosphere or underground water, the Agency is expected to ensure that they preserve, monitor and maintain the water for Guma Valley and SALWACO. I think if we are to put this Bill into its simplest terms, this is how it is going to operate. The Agency is going to ensure that water resources within Sierra Leone are identified, maintained, secured, conserved, and controlled to ensure that we have enough water.

Mr Speaker, Honourable Members, we have what is known as compartmentalising responsibilities. You cannot be the one selling water and looking after the resources at the same time. We have the Energy and Water Regulatory Commission, but we now have the Agency that will be ensuring that water is made available. In a nutshell, we have complete compartmentalisation of roles and responsibilities and it is only when people or institutions concentrate on their roles there will be improvements. In fact, when people are specialised, there would be efficiency and effectiveness. If we do this, Sierra Leoneans would be assured of water for whatever purpose and this is what we are doing here today. This Bill is going to bring together

MDAs whose activities deals either directly with water or water as a conduit to the accomplishment of that activity. That is why, if you look at the Board that is going to be established, you will see that most ministries are going to be represented. It is, however, not enough because the Board members would be in Freetown; and if we want to ensure that special people are going to be responsible for those water catchment areas, this is why the Agency is going to be established. This Agency is going to be composed of people from different institutions. Also, this Bill is going to ensure that those living around water catchment areas form themselves into committees that will help the Agency to maintain, preserve, protect and control the water resources of this country.

Mr Speaker, Honourable Members, this Bill is very important not only for Sierra Leone. If we implement the provisions in this Bill, other countries with similar aims and objectives will come here to understudy our success. What we need to do now or later is to look at the nitty-gritty in-between the lines. We have to ensure that the compositions of the Boards or the Agencies are relevant and appropriate to serve the purposes for which they are meant to serve. We also have to look how their activities are regulated and the kind of capacity they either have or do not have; and how they will be reporting at the micro and macro levels. I think this is what this Bill is all about. We have read it and we adequately asked questions.

Mr Speaker, Honourable Members, I want to reiterate my earlier submission that because many of these MDAs are going to be part of those committees, it would have been better if they are here today. However, if this Bill is going to be committed to the Legislative Committee, then we must ensure that these institutions are present. Let them be informed against Thursday and they should read this Bill, so that they know their roles. We do not want a situation wherein people come here and complain that they are seeing it for the first time. You would have pushed us too far to react. We want to encourage everybody who has roles and responsibilities under SALWACO, Guma Valley Water Company and the Water Resources Management Agency to ensure that they avail themselves during the hearing. In other words, they should be available, so that we can put heads together and ensure that everybody is involved with regards to what they should do or they

should not do. They should know where their roles begin and end because at the end of the day, we would not want a situation wherein they start blaming Parliament or the Ministry of Water Resources after we have passed the Bill into law. We would not be happy with any of those institutions.

In that light, Mr Speaker, Honourable Members, this is a very good Bill for this nation. It is good that if you have a commodity to sell, you must sustain your supply. If you do not have the supply and the demand is high, you would not be able to sell. This Bill is going to ensure that the supply is made available and sustained, so that the customers and the enterprises, i.e., SALWACO and Guma Valley have their business. I thank you very much.

HON. LEONARD S. FOFANAH: Mr Speaker, Honourable Members, those of us who participated in the pre-legislative hearing unanimously agreed that these three Bills before Parliament are non-controversial. The only controversy emanated from the NCP because at that time they neither participated in the pre-legislative hearing nor did we know about their concerns until now. Honourable Members are au fait with the three Bills and they have all spoken very well. Unfortunately, we cannot progress because we have committed the first Bill to the Legislative Committee. Notwithstanding that, they have done justice even to the second Bill and they have spoken about it very well. We all know what is preventing Guma Valley Water Company from supplying water to everybody.

Mr Speaker, Honourable Members, the Minority Leader has concluded that we commit this Bill to the Legislative Committee, so that the concerns raised by the NCP are taken on-board.

Mr Speaker, Honourable Members, I want to thank the contributors for the comments they raised. I hope that we will do justice to these Bills when we come to the Committee Stage. Therefore, I want to urge that we deliberate on this speedily. I thank you very much.

MR MOMODU MALIGIE KOROMA: Mr Speaker, Honourable Members, I want to start by giving an example of what the Minority Leader was talking about. We have the River Rokel; and as long as the sector has been in existence since 1961, there has not been any real monitoring of the water flow and recharge rate of that river.

We always say there is so much water in Sierra Leone without proper monitoring. If you fail to monitor what you have, you will never be able to effectively manage it. We have the Bumbuna Hydro Power Station, for instance, and companies like the African Minerals and ADDAX are getting water from it. Also, people rely on that water for agricultural purposes. This is why the Water Sector is trying very hard to get the water supply from River Rokel and that will be 105,000 cubic meters for Freetown. If you do not have a system to monitor and manage on a daily basis, then we stand the risk for water insecurity in the future. This is exactly what this Agency is all about.

Mr Speaker, Honourable Members, somebody spoke about sector coordination. As I said earlier, these Bills have been in the process for the past four years and we have engaged all the relevant stakeholders. For instance, the EPA, NPAA, Ministry of Lands, the Ministry of Agriculture and the Council of Paramount Chiefs were part of it. These are the various stakeholders that would determine water catchment areas. These institutions are expected to bring the management of the Water Sector to the community level. It is this community level that we refer to as the Catchment Management Committees. These are various communities along a basin and these committees form part of the management of the Board we have been talking about. So, it is meant to bring it back to community level.

Mr Speaker, Honourable Members, these are the structures we are trying to put in place and we need the support of this House. The Honourable Paramount Chief talked about deforestation and encroachment on water catchment areas. We still have issues of encroachment on the catchment areas and people are actively involved in cutting down of trees without replacement. We also have people who go to the former Director of Lands to sign papers. That man has retired four years ago. Structures like these cannot entirely address these issues and this brings me to the sentiment expressed by the Paramount Chief. The Honourable Speaker used to say 'to thyself be true.' I have heard it a couple of times and it has been a guiding principle for me.

Mr Speaker, Honourable Members, my humble experience as Minister of Water Resources has shown me two sides of life I would always want to carry for the rest

of my life. When you provide water to people, it gives you such peace and joy that words cannot express. At the same time, when people suffer for water, it gives you such pain that is difficult to explain. This is why I am trying my best not to play politics with this sector and not to bring sentiment to a very important sector other than what is needed for the people of Sierra Leone. If everybody is true to him/herself, we would not have people who are destroying the water infrastructure. Mr Speaker, I do not see any difference between an ordinary citizen who is cutting water pipes and the Government Official or a business tycoon who signs paper to build houses on water catchment areas. There is no difference between the two categories of people. We also have other category of people who, instead of doing what is right, they tend to block others in the name of having connections to certain people to make sure that they do not succeed. We have to be true to ourselves if we want this nation to progress.

Therefore, Mr Speaker, Honourable members, this Bill is designed to provide the necessary structures to manage the Water Sector in order to ensure that we have safe, affordable and sustainable water supply in the future. For us to get to that peak as a nation, we need a serious national dialogue beyond our personal attitudes. These are some of the problems we are facing and building the necessary infrastructure alone will not prevent somebody from cutting down trees and burning bushes; it will not stop the former Director of Lands to sign papers; and will not stop a lawmaker to block certain important legislations. If you are truthful to thyself, then perhaps we will have a brighter future in this country.

On that note, Mr Speaker, Honourable members, I want to once again move that the Bill be read the second time.

[Question Proposed, Put and Agreed to]

[The Bill has been read the second time]

HON. LEONARD S. FOFANAH: Mr Speaker, Honourable Members, at this point I move that the Bill be committed to the Legislative Committee, since it is related to the original Bill that was also committed earlier.

THE SPEAKER: Any seconder

HON. AMADU M. KANU: I so second, Mr Speaker.

[Question Proposed, Put and Agreed to]

[The Bill has been committed to the Legislative Committee in accordance with Standing Order 51[1].]

BILL

THE SIERRA LEONE WATER COMPANY ACT, 2017

INTRODUCTION AND FIRST READING

MR MOMODU MALIGIE: Mr Speaker, Honourable Members, I move that the Bill entitled, 'the Sierra Leone Water Company Act, 2017, being an Act to provide for a more efficient and effective management of community and rural water supply systems in specified areas to provide for the facilitation of water sanitation and delivery in Sierra Leone and to provide for other related matters be read for the first time.

[Question Proposed, Put and Agreed to]

[The Bill has been read the first time]

[SECOND READING]

MR MOMODU MALIGIE: Mr Speaker, Honourable Members, I move that the Bill entitled the Sierra Leone Water Company act 2017, be read the second time. Mr Speaker, this Bill updates the existing SALWACO Act of 2001. It streamlines the role of the Company in the provision of technical support and facilitation of rural and community water supply and related sanitation services in Sierra Leone. This Bill brings SALWACO's role in line with the Local Government Act, 2004 and the proposed water resources legislation. This is to ensure that Local Councils and communities are put on the driving seat in terms of the delivery of water sanitation and hygiene services with technical and professional support from relevant central Government agencies, such as the Water Directorate.

Mr Speaker, Honourable Members, if this Bill is passed into law, it will improve service delivery in major towns and the SALWACO will provide water supply and sanitation services through a system of accountability. The Bill will also provide performance contract appraisal and develop a tariff strategy that is consistent with

the policies of the EWRC. In fact, the Bill will separate water delivery from water resource management, consistent with the proposed National Water Resource Management Bill. This will not only reduce the direct cost of water supply and sanitation services to the rural and small town population, but will have proxy benefit in terms of improving health outcome and greater productivity, particularly for women and children going to school.

Mr Speaker, Honourable Members, as part of on-going reforms and investment in the water infrastructure, SALWACO is expected to improve revenue collection from the water cells in its operational areas and this should continually reduce the dependence on Government subvention. An extra cost above the current subvention is expected in running the affairs of SALWACO as a result of the technical support they would be providing to District Councils in the operations and management of small towns and rural water supply systems. The central Government will be in charge of this cost on behalf of the Councils because these Councils will not have the financial capacity to pay for the services provided by SAWACO. The Ministry of Finance and Economic Development will work in consonant with the Ministry of Water Resources in order to ensure that our development partners give support as part of project implementation in meeting the cost to be incurred by SALWACO in providing technical support for the programmes and projects that they fund. This should, therefore, reduce its overall dependence on the national budget.

Having highlighted the importance of this Bill, Mr Speaker, Honourable Members, I move that the Bill be read for the second time.

[Question Proposed]

HON. SUALIHO M. KOROMA: Mr Speaker, Honourable Members, I want to congratulate this Parliament for the work we have done today. As the Majority Leader said earlier, it is not easy to deal with three Bills in a day, but because the Bills are so interrelated, we decided to take that advantage. Speaking on the SALWACO Act of 2001, the Act establishes SALWACO to provide water supply services to only Bo, Kenema, Makeni and Lungi. Today, we are having a Bill that is going to give SALWACO the powers and authority to be supplying water to almost all big towns and cities in the provincial areas.

Mr Speaker, Honourable Members, I want to believe this is a very good Bill. As the Minister rightly put it, this Bill is putting the Local Council in the driving seat. We can vividly remember the devolved functions of Local Councils. We are enacting a Bill that is going to give them more powers and opportunities, so that they can handle their rural water management systems and processes.

Mr Speaker, Honourable Members, the Minority Leader raised an issue which was also reported to me earlier. When I looked at the Bill, I did not see any issue that would pose a threat on the Water Directorate. This Bill is going to give more powers, authority and functions to the staff of the Water Directorate, particularly the district engineers. It is going to put the district engineers at that supervision level and they would have to deal with key players in the Water Sector. I believe what they have not been able to understand is the fact that when it was said that SALWACO was going to take operations in all district headquarter towns, they thought that the Water Directorate staff, who by extension are staff of the Ministry of Water Resources, were affected. They thought that SALWACO is going to implement all activities relating to water and they would be left out in terms of the implementation process.

Mr Speaker, Honourable Members, I want to allay their fears that this Bill is going to give them more powers and authorities. You are going to supervise and provide technical support to Local Councils, SALWACO, NGOs and other sectors that operate within the Water Sector in the country. This means that you are going to be a policy maker. At that level, you represent the Minister and by extension, the Ministry of Water Resources. Staff who are worried that if this Bill is passed into law, they would be redundant are getting it wrong. As Members of Parliament, most of us came from the provinces and we represent our people in this House. We are here to make laws that will ensure the welfare of our people and not the other way round. We do not make laws here for ourselves or laws that will bring discord amongst our people. As the Minister rightly said, we have to be true to ourselves.

Mr Speaker, Honourable Members, I have looked at all the concerns they raised and I did not see any contradiction as far as this Bill is concerned. This Bill is not going to redundant or marginalise them or take any authority from them. It is rather going to

give them more authority in representing the Ministry at district level. They will be collaborating with all NGOs, Local Councils and help to supervise SALWACO's activities. They will be responsible to coordinate every activity of the water sector in every district. Therefore, I do not know anything controversial as far as this Bill is concerned. I want them to be rest assured that this Bill is not going to take anything from them and it is going to support and place them in a very strategic position, a position that would enable them to be more effective in the discharge of their duties.

Mr Speaker, Honourable Members, I want to reiterate here that these Bills are not controversial and want to call on Members of Parliament to make their inputs, so that we can commit this Bill and subsequently try to enact it into law. I thank you very much.

HON. IBRAHIM BEN KARGBO: Mr Speaker, Honourable Members, indeed this Bill is not controversial. In fact, it seeks to expand and modernise the activities of SALWACO. When the whole concept of SALWACO was mooted a few years ago, it was with the full realisation that we needed a water establishment system that would also cater for the interest of our people in the rural areas. We should not forget that when the Guma Valley Water Company was established, the emphasis was the Western Area or Freetown to be specific. Later, that thought changed and SALWACO was created for the purposes of establishing a system that will cater for the interest of the people in the provinces. Again, it was thought fit that the provision of water would no longer going to be restricted to few cities like Bo, Makeni, etc. We also thought that places like Shenge, Moyamba etc. should also be included. Therefore, we should congratulate the Minister for coming up with this innovation. If, as a government and as a people, we seek to improve the status of our people, then water becomes very important in that process. I think this is the reason why the Minister is taking this step to make sure that he expands the availability of water throughout the country.

Mr Speaker, Honourable Members, a good number of people are with the notion that we do not have water resources. If you look at the map of Sierra Leone, you will notice that we have eight rivers running parallel to each other from the interior of the country to the Atlantic Ocean. And if we find a way of utilising this water, then of

course every part of this country should be able to have access to water. The cry for water is all over the country because we have not introduced a modernised system of harvesting this water. If you take all these eight rivers from the interior plateau to the coast, then you will discover that we can utilise this for the purposes of improving the water system in this country. I hope, as we expand the availability of water, the Minister will come up with new innovations to make sure that water is being managed efficiently for the benefit of everybody.

Mr Speaker, Honourable Members, we do not need to spend much time on this Bill, but we want to make it very clear that even though this Bill is not controversial, we want to be certain that once it becomes law, we should fully utilise the resources of this people who are knowledgeable in the business of implementing water activities. This is the reason why some members of SALWACO thought that they may not be useful in the future. They will be very useful and I am certain that the Minister would make sure that they are utilised effectively. We now have a Water Distribution body that would cover the whole of the country. In fact, the workers who are bitterly complaining would be more useful now than before. As Members of Parliament, we want to give them the assurance that the Ministry will fully and effectively utilise their knowledge in the business of water distribution. I thank you very much, Mr Speaker.

HON. DR AIAH DABUNDEH: Mr Speaker, Honourable Members, I want to thank the Minister for this Bill. I want to inform this House that water is not only life, as we usually say, but water is also health and health is wealth. Water is very important for our health. I want the Minister to make sure that when implementing the new system, all health sectors should be brought on board as well because without water, the health sectors will not function well. I want to use this opportunity to inform this House that Kono District has got almost all other facilities, except water. Therefore, water is urgently needed in Kono. I want to appeal to the Minister that when they start distributing water projects, they should consider Kono District as their first priority. I have said this before that Kono is a very important district in this country. We should not be crying for water at all, Mr Speaker. The people of Kono District have worked for this country and they have provided revenue to build this

nation. Notwithstanding that, Kono still has the potential and the resources to make this country great. Please, Mr Minister, Kono is urgently in need of water. I want to thank God that the Permanent Secretary in the Ministry of Water Resources is from Kono and he is aware of what I am saying.

Mr Speaker, Honourable Members, I want to repeat by saying that Kono should be your first priority and it should be as soon as possible. I want to thank the President for the good roads and electricity we have in Kono District. However, these facilities will not be complete if water is not provided. I want this new system to start operation in Kono. I am sure the people of this country will compliment you more if the implementation of these Bills starts in Kono. I am saying this because Kono was once the breadbasket of this country. I want you to put it as your number one priority for this new system to start in Kono.

With these few words, I want to thank you for bringing this Bill to this House. It is not controversial because it is very straightforward. We should not waste any more time but to ratify this Bill.

HON. DR BERNADETTE LAHAI: Thank you, Mr Speaker. Well, if Kenema is the headquarter town for the Eastern Region, then I also say Kenema should be first prioritised. We should be characterised by our status. However, the import of this Bill is beautifully captured at the end of the document. We have listened very carefully why SALWACO was established and what it is meant to do. SALWACO is meant to provide water beyond Freetown. I would say that every part in the provinces is as important as Freetown because everywhere beyond Freetown needs water for different purposes. Any unequal distribution or unequal access to water is also leading to unequal development. So, I think every part has right to equitable distribution and access of water. In that case, Mr Speaker, I would not overstress the importance of this Bill.

Mr Speaker, Honourable Members, I did raise an issue which the Chairman of the parliamentary Committee on Water Resources alluded to it; i.e., the issue relating to the staff of the Water Directorate. As I said this morning, they have made written submissions and the Chairman has looked at the issues they raised and he has responded to those issues. However, we would like to hear from the Minister if the

responses he will give are going to be at variance with those given by the Chairman of the Committee on Water Resources. Again, if this Bill is to be committed to the Legislative Committee, we want to see the complainants in attendance because perception is a very powerful tool. When people hold perception about something, their entire mental construct would be led by that perception. So, when this Bill is committed to the Legislative Committee, we should give them the opportunity to tell us exactly their concerns.

Perhaps, Mr Speaker, Honourable Members, they did not put those concerns properly on paper or maybe they did not understand. We will be in a better position to refer them to the requisite article or chapters in the former SALWACO Bill for their edification. By so doing, we might be able to allay their fears. According to them, they do not want a situation that happened in the Ministry of Mines and Mineral Resources, when the National Minerals Agency [NMA] was established. Also, I do not know what happened to the roles of the Mines Monitoring Officers, but they were referenced. They do not want to find themselves in that same situation as in the NMA when it was formed. Therefore, let us look at their concerns during the Legislative Committee meeting and give them chance to air out their views. We want everybody to own this Bill and give them the necessary resources they would need. I want to thank you very much, Mr Speaker.

THE SPEAKER: Honourable Leonard, I understand there has been a delegation of authority.

HON. LEONARD S. FOFANAH: Indeed, Mr Speaker. The Majority Leader of the House is extremely busy, trying to finalise arrangements relating to the Conference. That is what is keeping him extremely busy these days.

Mr Speaker, Honourable Members, we have seen the purport of the final Bill that is before Parliament. We are all witnesses to the growth and development of SALWACO and how they are distributing water. I want to inform this House that transporting water to communities where there are no stand pipes is a herculean task. It is not the dream of any Ministry, Department or Agency in this country to create unemployment. The new stand pipes are being managed by individuals in those communities and that is creating additional employment for those people. You

are taking **25%** of your earnings per day and SALWACO takes **75%**. That is a source of additional employment and that is now the rumour the rounds in Kenema City. This Bill is going to put money into the pockets of people who are unemployed, but are living in those communities.

Mr Speaker, Honourable Members, we would come to the Legislative Committee when the time comes and we would want those employees to come and tell us how they have anticipated that they would be laid off if this Bill is passed into law. SALWACO is not a new institution because it has been in existence before this time. Like what the Minority Leader has suggested, I hope the Legislative Committee would give them the room to tell us about their anticipated fear. Once that issue is resolved, we hope that the matter would be cleared. They are already employed and are currently receiving salaries. I do not anticipate that SALWACO intends to lay them off or to make them underproductive once this Bill is passed into law.

Mr Speaker, Honourable Members, like what the Minority Leader has said, the provincial headquarter towns should be prioritised. Notwithstanding the fact that the Permanent Secretary is from Kono, we are going to make sure that water gets to them after Kenema must have got water.

With those few words, Mr Speaker, Honourable Members, I want to implore this Honourable House to ensure that this Bill is passed into law.

MR MOMODU MALIGIE: Thank you, Mr Speaker. Mr Speaker, Honourable Members, I want to start by thanking Honourable Members for their contributions. Basically, three pertinent issues were raised; i.e., the Engineers in the Water Directorate, and the unavailability of water in Kono and Kenema Districts.

Mr Speaker, Honourable Members, let me give an honest update on the status of the two towns that Members of Parliament have been talking about. I would start with Kenema City. Like Bo and Makeni, Kenema benefited from His Excellency's initial prioritisation of water supply to the provinces in a project called the 'Three Towns Water Supply and Sanitation Project.' The feasibility studies were conducted, but the actual implementation of that project started in the second term of this Government, when the Ministry of Water Resources was created. What happened was that, the designed capacity was for exactly the population that was in existence then and the

minimal intended growth of those three towns. However, the populations in Bo, Kenema and Makeni have grown tremendously over the years and Government saw the need to take remedial action in terms of increasing the capacity of water supply for those three cities. In supporting SALWACO, the Ministry of Water Resources wasted no time in securing funds from development partners to ensure that we respond swiftly to that clarion call. Therefore, Kenema would benefit in the next few months. The facilities are going to cover **100%** of the population in the townships of Kenema, Bo, and Makeni. That is already done and the President has prioritised those areas.

However, Mr Speaker, Honourable Members, unlike other areas, Kenema was faced with some challenges which we have not seen in any other part of Sierra Leone. In the pre-commissioning of the facilities then, it was noted that the community people went out and destroyed some of the pipes and other facilities, especially those in the schools. During my statement to the community, I made it clear to the Mayor that this is not about politics, but development. If you destroy the facilities Government is providing, who are you putting at the disadvantaged position? It is neither the Minister of Water Resources nor the President of this country, but the people that you are supposed to lead and cater for their needs. So, while we are committed to ensuring that we provide water for the people of Kenema, Makeni and Bo, it is also important for the representatives of those places and the leaders to play their part, so that these facilities are protected.

Mr Speaker, Honourable Members, somebody spoke about Kono District. I want to state here that what the Honourable Member said was correct. However, Kono is now prioritised in the water sector. Few weeks ago, I was privileged to travel with the President to Israel. During our deliberations, he spoke about the need for the provision of water for the people of Kono. What we have done to this point is to do some feasibility studies, supported by the Kuwait Fund for Port Loko and Kono. That Project is meant for the people of Port Loko and Kono Districts. I am happy to inform this House that the source of water for Kono will be coming from Tombodu, Kamaya Chiefdom and distributed throughout Koidu City. We have three sources where we are soliciting funds for water supply in Sierra Leone and Kono is prioritised

in all the three sources. We are not neglecting other places like Gbinti or Segbwema, but Kono is at the forefront of what we are trying to do.

Mr Speaker, Honourable Members, let me provide you with a background. Members of Parliament are aware that the Ministry of Water Resources is very new, but the work of providing water has always been there. I am saying this because before the Ministry of Water Resources was created, we used to have the Water Supply Division. The Water Supply Division had become defunct when SALWACO was established because that Division used to manage forty-two [42] Degrimond Stations across the country. Honourable Ibrahim Ben Kargbo said that we have to modernise the provision of water services and that was how SALWACO was established. It was on that note that the role of the engineers of the Water Supply Division was minimised from managing the facilities to a company that would manage those services. That was the first shock to these engineers.

Mr Speaker, Honourable Members, when the Ministry of Water Resources was established, they had to do what we call a change of attitude in terms of entrusting the Ministry with role of providing policy oversight and management of the sector; not necessarily a project implementation process as they had been doing. So, it is not an issue of salary per se. I used to be the one going out there, dealing with the contractors directly or even implementing the projects. That notwithstanding, with the enactment of the Local Government Act of 2004, we have committed ourselves to devolving those functions to Local Councils.

Mr Speaker, Honourable Members, I want to inform this Honourable House that the Engineers of the Water Directorate we are talking about work directly under my leadership. Therefore, it should be in my own personal interest to ensure that I follow suit with what they are saying. As I said earlier, following the famous saying of the Rt Honourable Speaker of this House that says, 'to thyself be true,' we are not trying to make laws that are meant to serve the interest of selected few, but laws that will stand the test of time in doing what is right for Sierra Leone. I want to assure them that they are not going to lose their jobs at all. The Local Councils would take ownership of these facilities and if this Bill is passed into law, SALWACO would provide technical support. This means that Local Councils could decide to

employ the services of an NGO to manage those facilities and even collect revenue on behalf of a Local Councils, but SALWACO is there to provide technical support. Again, the role of the Engineers is to monitor what is happening in their jurisdictions. So, if an NGO is implementing a project within one of the villages, Engineers of the Water Directorate are expected to monitor the implementation of that project.

Mr Speaker, Honourable Members, I want to inform this Honourable House that before the Ministry of Water Resources was created, the sector was free for all. We did not know what to point at? In fact, we did not also know the Engineers who were working where. We did not know which NGO was doing what and where. We have managed to harmonise all of these issues and we have new responsibilities for the Engineers. You cannot be the judge in what is happening in the Water Sector and implementing projects at the same time. The question will be who is judging who? This is the point we are trying to establish, Mr Speaker. They should not be afraid that they are going to lose jobs. We only need a change of attitude in the Water Sector. I have met my Engineers and we have dealt with this issue. Interestingly, the leaders are the old Engineers who were the main players in the Water Supply Division. The direction we want to take is in line with what we have done in the Water Sector. Recently, we took fifty [50] of our young Engineers to go to Uganda and learn how to manage some of these facilities. We have invested money in training even our Directorate personnel. We have to train them on the new roles they would have to perform, so that they know exactly what they should be doing.

Mr Speaker, Honourable Members, we used to have a situation wherein the person who was monitoring and evaluating the viability of projects was also the one implementing and procuring for those projects, and we all know what that means in modern practice. In that regard, we want to ensure sanity in the Water Sector in terms of giving responsibilities to the right people. I believe it is my responsibility to engage my personnel to ensure they accept this change. Change is a difficult thing to accept, but we have to start somewhere. I would prevail on them in a positive way, so that they accept the direction we want to go. A lot of them have reached

the retirement age, but that is for the Human Resource Management Office [HRMO] to decide.

Mr Speaker, Honourable Members, in my last submission, I was making a point about the challenges we are facing and the importance of every one of us. I made several examples and I have just learnt that one of the examples was taken personally by some lawmakers, including the Chairman of the Committee on Water Resources. I want to apologise, if anyone took it personally, when I made the example of lawmakers. I did not necessarily mean lawmakers in this House. I was talking across the spectrum to ensure that all of us have opportunities to do what is right for Sierra Leone. I also want to state here that if we point fingers at somebody, four fingers are also pointing at us. Thank you very much.

THE SPEAKER: I am glad that you have apologised. There have been a few whisperings to that effect that some people did not take kindly to what you said. Perhaps, there was no intention to the insult, but I want to state here that Mr Momodu Maligie has been a very good young man and I do not want you to dent your reputation by anything unconsciously done.

MR MOMODU MALIGIE: Mr Speaker, Honourable Members, I move that the Bill be read the second time.

[Question proposed]

HON. IBRAHIM R. BUNDU: I would not repeat the same mistake again. So, I stand on S.O 51 to ask that this Bill be committed to the Legislative Committee for further scrutiny.

THE SPEAKER: Any seconder?

HON. SUALIHO M. KOROMA: I so second, Mr Speaker.

[Question Proposed, Put and Agreed to]

[The Bill has been read the second time and committed to the Legislative Committee in accordance with Standing Orders 51[1]]

THE SPEAKER: Honourable Members, first and foremost I must commend the Chairman of the Water Resources Committee. I do not know whether there is

something of a partnership. We have an energetic young Minister and a very vibrant young Chairman of the Committee on Water Resources. I commend them and thank all Members of Parliament for their patience. I thank you all for your forbearance.

Honourable members, the Majority Leader of this House did promise that he would monitor the Legislative Committee. I want these Bills to be treated speedily. Thank you very much.

HON. IBRAHIM R. BUNDU: Mr Speaker, Honourable Members, this is an announcement that the 13th Regional Meeting of the ACP-EU Joint Parliamentary Assembly will be hosted by the Parliament of Sierra Leone and the Opening Ceremony will take place tomorrow at 11:00 a.m. at the Radisson Blu Conference Centre. We will encourage all Members of Parliament to kindly attend the opening ceremony. His Excellency the President has graciously agreed to do the opening ceremony. Also, Mr Speaker will be doing the welcoming address. Please endeavour to attend.

THE SPEAKER: Mr Majority Leader, for purposes of clarification for the opening ceremony, are you saying that all Members of Parliament are invited? I am sure they would be invited for official reception in the evening, but for the opening ceremony are all of them invited?

HON. IBRAHIM R. BUNDU: Mr Speaker, invitations have been sent out, but I think the hall would accommodate up to about 200 people. I want to believe that we can grace this wonderful occasion by our attendance. I also want to bring to the notice of Members of Parliament that the World Trade Organisation Facilitation Agreement, which has been with us for a couple of weeks, should be ratified as soon as possible. In other words, it is now mandatory for this Agreement to be ratified. Copies of that Agreement have already been placed in your pigeon holes. Please endeavour to look at it as against the next adjourned date. Thank you very much.

HON. AJIBOLA MANLY-SPAIN: Mr Speaker, Honourable Members, I stand on S.O. 23. My attention was drawn last week on the front page of Standard Times Newspaper with the caption, "**APC Manly-Spain attacked.**" It was alleged that I went to an area in my Constituency and I was beaten and I had to run away. That is not true, Mr Speaker. I just want to allay the concerns of my colleagues who called

me on phone to find out whether that was true. That rumour was completely false and it never happened. I was not even in town. I never bolted because I was not in town. I was not even around the area where this incident was said to have taken. Thank you sir.

THE SPEAKER: Honourable Members, at this point, perhaps belatedly and with apologies, I want to recognise the presence of the Honourable Robin Fallay. We were all here in Parliament from 2002 to 2007 and he now appears to be enjoying himself so much, being the vibrant politicians that he is. I recognise him.

ADJOURNMENT

[The House rose at 2:05 p.m. and was adjourned to Tuesday, 28th February, 2017 at 10:00 a.m.]