

OAU DRIVE, TOWER HILL, FREETOWN

PARLIAMENTARY DEBATES

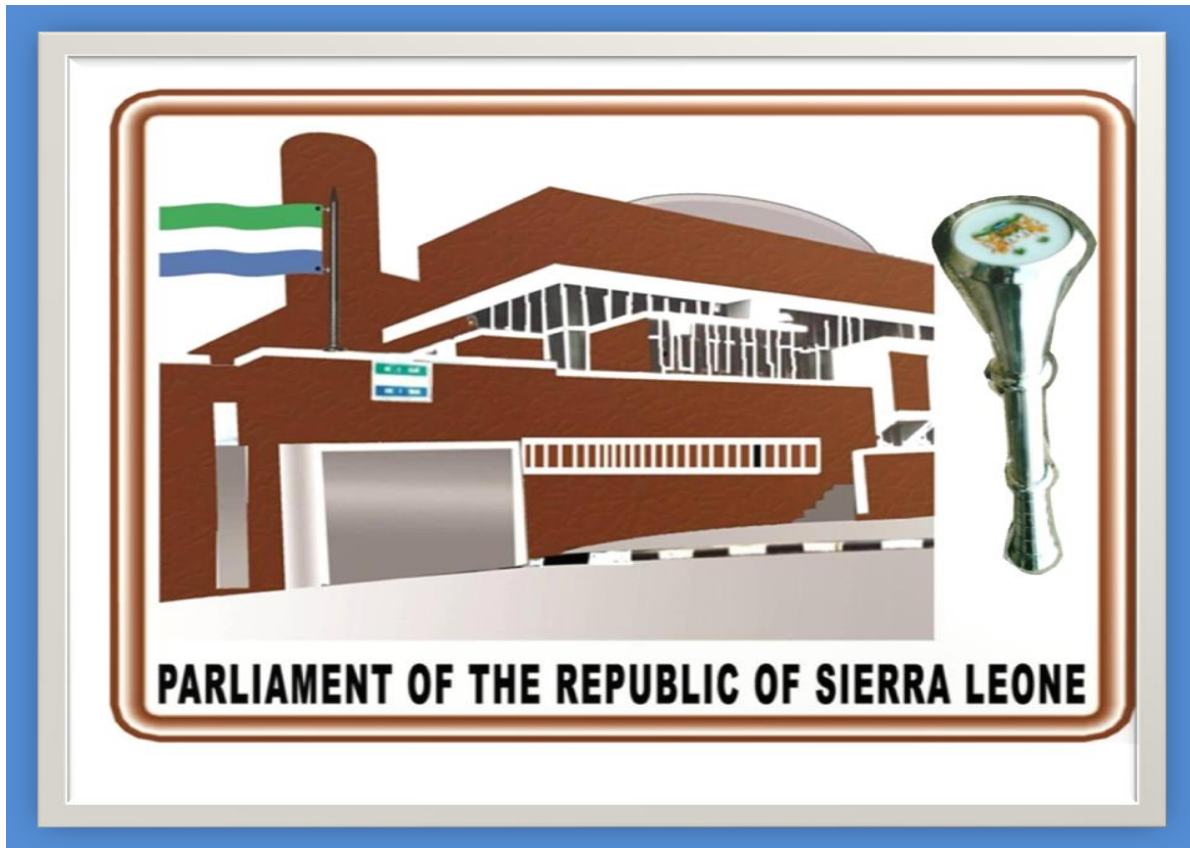
(HANSARD)

OFFICIAL HANSARD REPORT

SECOND SESSION-SECOND MEETING

THURSDAY, 22ND MAY, 2014

SESSION – 2013/2014



OAU DRIVE, TOWER HILL, FREETOWN

PARLIAMENTARY DEBATES

(HANSARD)

OFFICIAL HANSARD REPORT

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

Proceedings of the Sitting of the House
Held on Thursday, 22nd May, 2014.

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PROPOSER: HON. IBRAHIM R. BUNDU

SECONDER: HON. CLAUDE D. M. KAMANDA

Be it resolved:

That the second report of the second session of the Committee on Appointment and the Public Service be adopted by the House and that the recommendations contained therein be approved.

IV. GOVERNMENT MOTION

The Attorney-General and Minister of Justice

Be it resolved:

“That this Honourable House ratify the following Agreement which was laid on the Table of the House on Tuesday, 20th May, 2014: Sierra Leone Petroleum License Agreement, Block 9A-10 and Block 9B-10.”



THE CHAMBER OF PARLIAMENT OF THE REPUBLIC OF SIERRA LEONE

Official Hansard Report of the Proceedings of the House

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

Thursday, 22nd May, 2014.

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

I. PRAYERS

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

[The Speaker, Hon. Sheku B. B Dumbuya, in the Chair].

The House was called to Order

HON. IBRAHIM R. BUNDU (*Leader of the House and Leader of Government Business*): Mr Speaker, Honourable Members, I want to crave your indulgence and the Speaker to amend the Order Paper for today. Item III supposed to be Motion on the Committee on Appointments and the Public Service. But due to some technical difficulties, we cannot present that report this morning. I ask that item III to be deleted. Thank you Sir.

THE SPEAKER: Honourable Members, that is the amendment and I take it that it is accepted by the House. A technical difficulty is quite a valid reason. Therefore, the Report on Appointments and the Public Service cannot be presented. Item III on the Order Paper is therefore accordingly deleted.

II. RECORD OF VOTES AND PROCEEDINGS FOR THE PARLIAMENTARY SITTING HELD ON TUESDAY, 20TH MAY, 2014.

COMMUNICATION FROM THE CHAIR

THE SPEAKER: Honourable Members, we go through the record of Votes and Proceedings page by page. Page 1? Page 2?

HON. AJIBOLA MANLEY-SPAINE: Mr Speaker, page 2, no. 60. My name is spelt wrongly.

THE SPEAKER: Mr Clerk, please take note of that. Honourable Member, how do you want your name to be spelt?

HON. AJIBOLA MANLEY-SPAINE: I will have a word with the Clerk.

THE SPEAKER: Thank you very much. Page 3? Page 4? Page 5? Mr King, please look at Page 5. The Honourable Bashiru Silikie said something and Honourable Ibrahim R. Bundu responded to what he said. You used the word 'reiterated.' Do you think reiterate is the right word to use there? Do you know the meaning of reiterate? You should have said Honourable Ibrahim R. Bundu said, instead of 'reiterate.' Mr King, you

should understand these words. The Honourable Member did not reiterate at all because he did not say what Bashiru had said. There are basically two types of English; the American English and British English. And the rule in writing is consistency. The spelling of defence in the context it is used here is wrong. In the case of American English, the verb form is the same as the noun form. In the case of the British English, the noun and the verb are different in spelling. Mr King, is that clear to you?

MR CYRIL F. KING (*Director of Legislative*): Yes Mr Speaker.

THE SPEAKER: Honourable Members, can somebody move that the record of Votes and Proceedings for Tuesday, 20th May, 2014 be adopted as amended?

HON. FRANK KPOSOWA: I so move Mr Speaker.

THE SPEAKER: Any Seconder

HON. ALIE KALOKOH: I so second Mr Speaker.

THE SPEAKER: It has been moved and seconded that the record of Votes and Proceedings for Tuesday, 20th May, 2014, be adopted as amended.

(Question Proposed, Put and Agreed to)

III. GOVERNMENT MOTION

THE ATTORNEY-GENERAL AND MINISTER OF JUSTICE

THE SPEAKER: Mr Clerk, is the Honourable Bashiru Silikie here? He wanted to know something about the ACBF Fund. Mr Clerk, did you say anything to him or did he meet you?

THE CLERK: We met along the Corridor Sir.

THE SPEAKER: He should have met you in your office. Honourable Members, one of the complaints of Honourable Bashiru Silikie is that Parliament does not have avenues for complaints or redress; and the Clerk of this House did say that if a Member of

Parliament has any issue or concern, he/she must go through the officials. And who are these officials? You have your Leader, the Deputy Leader, the Minority Whip and the Deputy Minority Whip. The same applies to the Government side. The Leader of the House is the Majority Party Leader, but he is also the Leader of the whole House. So, if you have any issue, you can contact him. If you want anything clarified and any question for which you seek an answer, you either ask him or the Chief Whip. They are the Officials of this House.

HON. MUSTAPHA BRAIMA: I just want a clarification on that issue. I have a serious issue of that kind. Could it be allowed to be addressed in the Well of Parliament? The issue brought up by Honourable Silikie is very serious.

THE SPEAKER: Honourable Members, I left out the Clerk's Office as an avenue for such concerns. If the issue that you are talking about is serious, take it to the Clerk's Office. If you are not satisfied after wards, you can go to the Minority Leader and then to the Majority Leader even if you are an SLPP Member of Parliament. But I can assure you that there is no issue relating to Parliament that the Clerk will not be able to address. Honourable Mustapha Braima, the Clerk of this Parliament was a Member of Parliament for eleven years. There is nothing about Parliament that he does not know.

III. GOVERNMENT MOTION

THE DEPUTY ATTORNEY-GENERAL AND MINISTER OF JUSTICE.

SIERRA LEONE PETROLEUM LICENSE AGREEMENT, BLOCK 9A- 10 AND BLOCK 9B -10.

MR ARROW BOCKARIE (*Deputy Attorney-General and Minister of Justice*): Mr Speaker, Honourable Members, I move that the Sierra Leone Petroleum Agreement License Agreement, Block 9A-10 and Block 9B-10, which was laid on the Table of this Honourable House on the 21st May, 2014 be ratified.

Mr Speaker, Honourable Members, all petroleum existing in its natural state belong to or is the property of Sierra Leone and is held in trust by the State and the people of

Sierra Leone who are the beneficiaries. This Agreement, therefore, seeks to grant an exploration license to the Sierra Leone Exploration and Investment Management (GMBH) to exclusively conduct operations in Block 9A-19 and 9B-10. In conducting these operations, the Sierra Leone Exploration and Investment Management (GMBH) is required to comply with good International Petroleum Industry practice and to be subject to the laws and regulations of Sierra Leone. The Petroleum Agent also requires the licensee to conduct the exploration in the proper manner, in accordance with methods and practices of explorations, customarily used in best official practices these include:

- a. prevent the escape of waste of petrol undiscovered in the exploration area;
- b. to conserve the exploration area for production operations; and
- c. to prevent damage to petroleum bearing strata.

Mr Speaker, Honourable Members, Article 27 of the Agreement allows the Licensee to undertake certain social programmes for the benefit of the people of Sierra Leone, including the commitment to spend one million United States Dollars (\$1m) during each of the exploration period on social programmes to advance Health, Education, Sanitation, Agriculture and for smaller medium enterprise development. Provision is also made in the Agreement for the Licensee to work with Petroleum Directorate and identify Communities to design and implement strategic Community Engagement Programmes to advance Health, Education and Sustainable Social Economic Development funds under these programmes and to be used judiciously. Also, the Licensee is obliged to account for all expenditure under the social programmes.

Mr Speaker, Honourable Members, this Agreement contains provisions which are intended to benefit the people of Sierra Leone and the companies which are to be granted licenses to undertake exploration ventures in Sierra Leone. I therefore commend the Petroleum License Agreement 9A-10 and 9B-10 to the House, and move that this Agreement be ratified.

(Question Proposed)

HON. SIDI TUNIS *(Minority Whip, Acting as the Minority Leader o):* Mr Speaker, Honourable Members, I rise to contribute to this debate. This Agreement gives the right to the Sierra Leone Exploration and Investment Management to search, explore, develop and produce petroleum in the license area. The Licensee, as the Minister had said earlier undertakes all exploration work, complying with all international petroleum best practices.

Mr Speaker, Honourable Members, what is more significant in this Agreement is the fact that from the initial exploration period to the second extension period, the Licensee is expected to invest about Forty Million United States Dollars as a minimum amount. With the leave of Mr Speaker, I want to read Article (2)10 of this document. It says: *"the Licensee shall bear alone the financial risk associated with the performance of the petroleum operations. The petroleum costs related thereto shall be recoverable by the licensee in accordance with the Provisions of the terms of the License."* Mr Speaker, this means that whatever expenditure is associated with this particular operation is going to be one hundred percent run by the Licensee, which is the Sierra Leone Explorations Company.

Mr Speaker, Honourable Members, let me refer you again to Article 2(11). It reads: *"In the event that no commercial discovery is made in the license area, or the gross production achieved from the License area is insufficient, fully to be reimbursed, Licensee in accordance with the terms of this license, then the Licensee shall bear its own loss. The Director-General and the State shall have no obligation whatsoever to Licensee in respect of such loss."*

Mr Speaker, Honourable Members, this clearly shows that this Agreement has made enough provisions that safeguards the Government of Sierra Leone and the State. This will ensure that no Company will come up and say we have invested fifty million United States Dollars and the Government should pay us back. It is clearly stated in this

Agreement that they should bear their loss. The Government, the Director-General or Petroleum Directorate will not be responsible.

Mr Speaker, Honourable Members, this means that this Agreement will not bring any financial burden on Government of Sierra Leone. In my opinion, this is a very good Agreement. But Mr Speaker, while the exploration is going on, Government is not just going to sit and wait for the Company to come and report that we have found Oil or we did not find Oil. If there are no discoveries whatsoever, and during the process of the Exploration the Agreement has made it possible for the Companies to also pay certain taxes at least to the Government in addition to the initial \$6.5m that the Company will be paying as future bonus to Government. This is clearly indicated in Article 30(1).

Mr Speaker, Honourable Members, in this Agreement, adequate provision is made for Social responsibility as the Hon Minister was saying. One million United States Dollars (\$1m) will be available in this Agreement for Social Programmes including Healthcare Facilities, Education, Agriculture etc., and Sound Environmental Management practices have also been taken care of in this Agreement. With those few remarks, Honourable Members, I urge this Honourable House to ratify this Agreement. I thank you Mr Speaker.

HON. IBRAHIM R. BUNDU (*Leader of the House and Leader of Government Business*): Thank you very much Mr Speaker. I want to thank the Minority Whip for his contribution, acting on behalf of the Minority Leader who is un-avoidably absent.

Mr Speaker, Honourable Members, I remember that when this document was laid on the Table of this House, I encouraged Honourable Members to read it. And their silence this morning cannot be associated with not reading it; rather I want to say silence means consent. You have read it and you have seen no loopholes to highlight. In this regard, I want to also toe the line of the Minority Whip to support the document before us.

Mr Speaker, Honourable Members, our Parliament is very good in terms of making good laws. If those implementing these laws are monitoring what is provided for in our laws, Sierra Leone would have been fifty-percent developed more than what it is today. Most of the difficulties this country faces is because our laws are not implemented robustly. As a Parliament, we have always been crying for our capacity to be built so that we can do our Oversight functions very robustly. But the circumstance is that the providers of the funds have diverted them to other areas, which I can call a parallel Oversight Committee. Believe you me if this Parliament is given the right tools to implement the laws we pass here, things will have been much better today. We are the Law-makers, we don't want anybody to go against the laws that we make. We need the capacity to monitor for compliance. Therefore, by way of contribution, I want to continue to encourage you to use the little resources we have as parliamentarians to make sure these laws are complied with.

Mr Speaker, Honourable Members, our biggest problem in this country is compliance. Those who are implementing these laws do not want to police themselves because it benefits them. Those of us representing the people of this country are deprived of the requisite tools to do our Oversight work. Fortunately, the Director-General of the Petroleum Directorate is here. We will monitor you despite our little resources. We will ensure that these Companies comply with the law because this is the only way to justify the confidence given to us by our people. You passed through this Parliament as a Director of that entity. Therefore, endeavour to be giving us a lot of information. If you have difficulty, come to Parliament. We will show you the way because we want to take this country forward. Thank you very much Mr Speaker.

THE SPEAKER: Mr Minister, do you want to respond to the issues raised?

MR ARROW BOCKARIE (*Deputy Attorney-General and Minister of Justice*): Mr Speaker, Honourable Members, from the reaction of Honourable Members of this House, it appears that the Republic of Sierra Leone is not going to incur any liability in ratifying this Agreement if so considered by this Honourable House.

Conversely, we stand to benefit a lot. It is a fact that we are endowed with un-tapped natural resources. At the moment, we do not have the capacity to tap these natural resources. Hence, there is the absolute need for us to collaborate with our development partners to help us tap the natural resources for the benefit of this country. I therefore recommend that this ratification be approved. I thank you.

(Question Proposed, Put and Agreed to)

(Government Motion by the Deputy Attorney-General and Minister of Justice has been ratified).

THE SPEAKER: Mr Minister, you can leave. Mr Leader, any announcement?

HON. IBRAHIM R. BUNDU: Honourable Members, I want to inform you that the Minister of Sports will be with us tomorrow. All of us know as a matter of public interest what has been going on between the Ministry of Sports and the Sierra Leone Football Association (SLFA). This is a matter of serious public interest. We have asked the Minister, through Section 107 of the Constitution, which stipulates that any Minister can be summoned at any time to answer to this House on matters of Public Interest. I believe this is a matter of serious public interest because sport is very pertinent to our development in this country, especially to the youths. In that regard, we will be having the Minister of Sports tomorrow at 10:00 a.m. in this Chamber. Please endeavour to be here and on time.

Mr Speaker, Honourable Members, some of you might have received a bulky document entitled, 'Power Purchase Agreement.' I will also encourage you to read this document, especially the one that relates to Committees. I will like to see Committee Members and Committee Chairmen taking the lead in piloting some of these Bills and Agreements. This is because that is the only way we can show that our Committees are on top of things. It is good to go on Oversight but it is also good to express some of the concerns here for the hearing of our people. I thank you very much.

THE SPEAKER: Mr Leader, is there a Pre-Legislative hearing on Intellectual Property Rights?

HON. IBRAHIM R. BUNDU: Yes Mr Speaker. Thank you very much for reminding me. Intellectual Property Rights will be hosting an International Team in Parliament. I will like this team to meet with Members of Parliament to explain to us some of the issues surrounding Intellectual Property Rights. I want to encourage Members of Parliament to be at Committee Room 1 at 2 p.m. Thank you very much Mr Speaker.

THE SPEAKER: Honourable Ajibola Manley-Spaine, I am asking you to please Chair that meeting. Nobody can be more appropriate to Chair that Meeting than you.

HON. AJIBOLA MANLEY-SPAINE: As Mr Speaker pleases.

HON. CLAUDE D. M. KAMANDA: Mr Speaker, Honourable Members, the Special Select Committee on NGOs, CDOs and NSA will start its public hearing tomorrow after sitting. We have had the cooperation of SLANGO and the NGO Desk at the Ministry of Finance. We now have 121 International NGOs and 322 Local NGOs. Among the list on the first batch to face the Committee are:

CAUSE CANADA, FORUT, PACK-SL, CARE, CRS, COOPI, SAVE THE CHILDREN U.K. TEAR FUND and WORLD VISION. I thank you.

HON. IBRAHIM R. BUNDU: Thank you very much Mr Speaker for reminding me. We shall be having a Pre Legislative hearing on the Bill entitled, 'the Sierra Leone Correctional Service Act, 2013' on Monday, 26th May, 2014 at 11:00 a.m. Honourable Members must endeavour to attend.

THE SPEAKER: Mr Leader, that announcement is not clear. Please go over that again.

HON. IBRAHIM R. BUNDU: It is an Act formulated by the Internal Affairs Ministry entitled 'the Correction Bill of 2014.' It used to be Prisons Service Act.

THE SPEAKER: Is it Correction or Correctional Services Bill? Where is the Bill? Mr Leader, let us have the Bill? Send somebody to collect the Bill. Members of Parliament

must always be told the correct information. We will come to that again. Who are the Editors of Debate in this Parliament?

MR CYRIL F. KING (*Director of Legislative Services*): Mr Samuel Songa, Mr Daniel Bockarie, Mr James Kaikai, Musa Foullah... - (*Interruption*).

THE SPEAKER: Mr King, you don't know the names of your staff?

MR CYRIL F. KING: The old staff are Mr Songa and Mr Bockarie.

THE SPEAKER: We also have Sub-editors of Debate. Mr Songa and Mr Bockarie are always in this Chamber. I don't see the others and they are Sub-Editors of Debates. If they are not giving any service related to what they have been employed for, we sack them. Mr King, I want these people queried. Let them explain for the attention of the Speaker why disciplinary action should not be taken against them. No more explanation. You query them for my attention.

HON. IBRAHIM R. BUNDU: Thank you very much Mr Speaker, Honourable Members. The Bill I was referring to is 'The Sierra Leone Correctional Service Act 2014'. Please endeavor to attend the Pre-legislative Meeting on Monday at 11:00 a.m.

HON. NICHOLAS KAMARA: Mr Speaker, Honourable Members, this is very serious. We have reported several times about our mikes for more than a year now and up to this point we don't have mikes. So, I want to draw the attention of Mr Speaker, Mr Clerk and Honourable Members that we are seriously neglected. I thank you.

THE SPEAKER: Mr Clerk, take note of that.

HON DICKSON-ROGERS: Mr Speaker, Honourable Members, I stand on S.O. 23. I want to say thanks to colleagues Members of Parliament who in diverse ways sympathised with my family during the death of my father, Alhaji Amadu Rogers. I also want to admonish the House that the 40th Day Ceremony will take place...- (INTERRUPTION)

THE SPEAKER: Did you say admonish?

HON. DICKSON-ROGERS: Sorry Mr Speaker. I want to inform the House.

THE SPEAKER: 'Inform' is the appropriate word.

HON. DICKSON-ROGERS: I want to inform this House that the 40th Day ceremony will be on 30th November, 2014 in my village, Bumpe Peri, Pujehun District. Thank you very much.

HON. MUSTAPHA BRAIMA: Mr Speaker, Honourable Members, I stand on S.O. 23. This is just an observation for some of us who are trained and qualified teachers. Sometimes the abrupt interruption by way of correction when somebody is in the process of delivering or making a statement distracts that person. He/She will lose sight of exactly what he/she wanted to say. Mr Speaker, there are many ways of correcting somebody. You can even ask the Member speaking to rephrase his/her statement. This will help him/her not to be distracted. Thank you.

THE SPEAKER: Mr Leader, the Committee on Works went on an Oversight. Are they back?

HON. IBRAHIM R. BUNDU: Yes Mr Speaker. They are back.

THE SPEAKER: I am not seeing some of them in Parliament.

HON. ROSALINE SMITH: Mr Speaker, Honourable Members, I am a Member of the Works Committee and I want to inform this Honourable House that we are back. Unfortunately Mr Speaker, the Chairman of the Committee on Works, who should report to this House is sick. He is currently admitted at the Jui Chinese Hospital. He should have been discharged yesterday but I have not spoken to him yet. The Deputy Chair is here.

THE SPEAKER: Honourable Rosaline Smith, I said some Members are still not in Parliament. I have not asked specifically for the Chairman. Perhaps, what you have said about the Chairman is already known to me. I said I don't see some Members of

Parliament and my observation is that some people do not come to Parliament but attend Oversight meetings (*Laughter*).

HON. IBRAHIM R. BUNDU: Mr Speaker, Honourable Members, just in line with what you have said, I want to inform Members of Parliament that 10:00 a.m. is the time scheduled for Parliament to start its proceedings. In that regard, 9:50 a.m. is an appropriate time for all of us to be here to wait for the Speaker, rather than the Speaker waiting for us. Also, I have found out that Honourable Members do have their breakfasts when Mr Speaker is in the Chamber. Please Honourable Members, this Parliament now belongs to us. We should lead this Parliament by example. We will be taking very serious step against any Member who uses the time to be in the Chamber for his breakfast. Thank you very much.

THE SPEAKER: Honourable Mustapha Braima, I suggest that after sitting, you see me in my office. In respect of what you told me, I am a Member of Parliament. As Members of Parliament, we have a duty to maintain the dignity of this Institution. You will like to see what some people write in the newspapers about Members of Parliament with regards to what they say and what they do. We must maintain the dignity of this Parliament. Whatever document that goes out of this place, goes in the name of Parliament. Parliamentarians in some quarters are regarded as very educated people. In this Chamber, we have people from all walks of life. We have people that are very educated. If we say we are educated, let us demonstrate it. Honourable Ajibola Manley-Spaine and Honourable Dauda Kallon, I want to see both of you immediately after sitting.

HON. BASHIRU SILIKIE: Thank you very much Mr Speaker. Mr Speaker, Honourable Members, I stand on S.O. 23. I want to talk about the Security of this Parliament. Three days ago, two girls came to this Chambers and later went to the Canteen. One of them pretended as if she knew somebody here. I am recommending that we fortify the security of this Parliament. This is because Members of Parliament normally have visitors they don't want to see. I thank you Mr Speaker.

THE SPEAKER: Mr Clerk, I hope that is noted. The police have done what I think they should do. The Sierra Leone Police (SLP) is over stretched in terms of man power. They have been trying to supply as many Officers as requested, but they have man power constraints. Mr Clerk, you will agree with me that in this Parliament, we have our own security. When we came in 2002, they were about 10 or more in number, but now they are about two in number. Most of them have retired and some have passed away. Mr Clerk, the PSC has to meet so that we will be able to recruit our own security. Do you want to say anything Mr Clerk?

MR IBRAHIM S. SESAY (*Clerk of Parliament*): I will give you further explanation in your Office.

ADJOURNMENT

(The House rose at 10.50 a.m. and was adjourned until Friday, 23rd May, 2014, at 10.00 a.m.)