



*OAU DRIVE, TOWER HILL, FREETOWN*

# **PARLIAMENTARY DEBATES**

**[HANSARD]**

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**OFFICIAL HANSARD REPORT**

**FIFTH SESSION - FIRST MEETING**

**TUESDAY, 3<sup>RD</sup> OCTOBER, 2017**

*SESSION – 2016/2017*



*OAU DRIVE, TOWER HILL, FREETOWN*

# **PARLIAMEN TARY DEBATES**

**[HANSARD]**

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**OFFICIAL HANSARD REPORT**

**VOLUME: I**

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

Proceedings of the Sitting of the House  
Held Tuesday, 3<sup>rd</sup> October, 2017.

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PROPOSER: HON. ANSUMANA JAIA KAIKAI

SECONDER: HON. FREDERICK S. SOURIE

BE IT RESOLVED:

THAT THE STATUTORY INSTRUMENT NO.115 OF 2017 PUBLISHED ON THE 13<sup>TH</sup> JULY 2017 IN THE SUPPLEMENT TO THE SIERRA LEONE GAZETTE VOL. CXLVIII, NO 38 DATED, 13<sup>TH</sup> JULY, 2017 AND LAID ON THE TABLE OF THE HOUSE ON TUESDAY, 19<sup>TH</sup> SEPTEMBER, 2017 BE DEBATED, PURSUANT TO SECTION 170[7][C] OF THE CONSTITUTION OF SIERRA LEONE [ACT NO.6 OF 1991].



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

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

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

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**Tuesday, 3<sup>rd</sup> October, 2017.**

#### **I. PRAYERS**

*[The Clerk of Parliament, Mr 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

*Suspension of S. O. 5[2]*

**HON. LEONARD S. FOFANAH:** Mr Speaker, Honourable Members, I am requesting your indulgence to allow me to amend the Order Paper. I am withdrawing item IV from the Order Paper. That item would be brought again by the Minister of Information and Communications in due course. I would have an announcement to make to the House to this effect when the House is adjourned.

**THE SPEAKER:** The item you are referred to is not item IV.

**HON. LEONARD S. FOFANAH:** Mr Speaker, item IV is on the next page. Mr Speaker, I am absolutely sorry and apologise. I am sorry about that Sir. I think we have two Order Papers that are circulating now. I have now received the correct Order Paper. Therefore, I am withdrawing item III from the Order Paper. That item would be brought again by the Minister of Information and Communications. Thank you very much, Mr Speaker.

**THE SPEAKER:** That is noted. Honourable Members, that is the piece of information we have received. So, we are now left with item IV. So item IV now becomes item III. Is that so, Mr Majority Leader?

**HON. LEONARD S. FOFANAH:** Yes, Mr Speaker.

**THE SPEAKER:** Item IV now becomes item III.

**II. CORRECTION OF VOTES AND PROCEEDINGS FOR THE PARLIAMENTARY SITTING HELD ON THURSDAY, 28<sup>TH</sup> SEPTEMBER, 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, 28<sup>th</sup> September, 2017. Page 1? Page 2? Page 3? Page 4? Page 5, Page 6, Page 7? Page 8? There being no corrections or amendments could somebody move for the adoption of the record of Votes and Proceedings for the parliamentary sitting, held on Thursday, 28<sup>th</sup> September, 2017.

**HON. ALPHA B. LEWALLY:** Mr Speaker, I so move.

**THE SPEAKER:** Any seconder?

**HON. ALIMAMY G. KARGBO:** I so second, Mr Speaker.

*[Question Proposed, Put and Agreed To]*

*[Record of Votes and Proceedings for Thursday 28<sup>th</sup> September, 2017 has been adopted as presented]*

### **III. PARLIAMENTARY MOTION**

PROPOSER: HON ANSUMANA JAIA KAIKAI

SECONDER: HON FREDERICK S. SOURIE

BE IT RESOLVED:

THAT THE STATUTORY INSTRUMENT NO.115 OF 2017 PUBLISHED ON THE 13<sup>TH</sup> JULY 2017 IN THE SUPPLEMENT TO THE SIERRA LEONE GAZETTE VOL. CXLVIII, NO 38 DATED, 13<sup>TH</sup> JULY, 2017 AND LAID ON THE TABLE OF THE HOUSE ON TUESDAY, 19<sup>TH</sup> SEPTEMBER, 2017 BE DEBATED, PURSUANT TO SECTION 170[7]<sup>[C]</sup> OF THE CONSTITUTION OF SIERRA LEONE [ACT NO.6 OF 1991].

[CONTINUED DEBATES]

**HON. ANSUMANA J. KAIKAI:** Mr Speaker, Honourable Members, I have never moved a parliamentary motion in this House and as the issues are concerned, I have effectively informed this House earlier that under Standing Orders 25[2], whatever motion is under my name in this House is not yet matured because it does not carry my signature as stipulated under S.O 25[2]. With your leave, Mr Speaker, I would like to read.

**THE SPEAKER:** No, do not read.

**HON. ANSUMANA J. KAIKAI:** I thank you, Mr Speaker. In that regard, Mr Speaker, Honourable Members, I would like to know under what Standing Orders this parliamentary Motion is being placed. This is because I do not have a Motion legitimately in this House as it reads on the Order Paper.

**THE SPEAKER:** Honourable Ansumana J. Kaikai, you are a very senior Member of Parliament and I am going to say in this circumstance, you are the most senior Member of Parliament here. What I thought you were going to say was that Mr Speaker, I had withdrawn. That was what I expected then. Honourable Ansumana J. Kaikai, all of us were here when this Motion was going to be moved by the Honourable Frederick S. Sourie. What he did was to give notice of a motion that was to come in this Chamber in his name. However, you hurriedly and very excitedly said you were in fact going to move the Motion. That was precisely what transpired and that was why the Majority Leader used the word 'hijacked.' Honourable Jusufu B. Mansaray was saying that the word should not have been used. I said there was nothing un-parliamentary about that word because effectively what Honourable Ansumana J. Kaikai did was to hijack the Motion. Effectively, that was what he did. So, if we are in this situation now and you are saying the Motion was not signed by you. Well, that was not the burden of your argument initially. You said that you were going to withdraw that Motion under S.O 31. You went ahead to withdraw under S. O. 31, perhaps what was unfortunate in your case was that you felt at liberty to quote S. O. 31, not knowing the implications of S. O. 31. You never knew the implications of S. O. 31.

Honourable Ansumana J. Kaikai, some of us had to learn from you in this Parliament when we came, but now some of us perhaps can teach you the Standing Orders. It is true because you never knew what the implication of S.O. 31 was. What does S.O. 31 say, S.O. 31 does give you the power and authority and indeed the liberty to withdraw the Motion, but that does not kill the Motion. You never knew that at all. I am sure you did know that only that on reflection, you regretted. So, the question of you not signing the Motion was not your initial argument. You typed this Motion and took it to the office of the Clerk. Mr Clerk, can you please explain?

**MR. IBRAHIM SULAIMAN SESAY [*Clerk of Parliament*]:** Honourable Members, the Honourable, I would want to beg to say that the Rt Honourable Ansumana J. Kaikai came to my office and there were witnesses, which I will not call their names here for the sake of parliamentary decorum. He came to my office with a typewritten Motion

which he typed. If the Honourable Member is standing before this Honourable House and denied what he did, I am sorry, Mr Speaker.

**THE SPEAKER:** Mr Clerk, the technicality here and that is where the argument of Honourable Ansumana J. Kaikai is anchored. The technicality here is that even if Ansumana J. Kaikai took this notice to you, even if Ansumana J. Kaikai wrote this notice or typed this notice, the technicality here is that he never signed it and one can only claim responsibility for something where his/her signature appears. But Honourable Members, all of us were here in the name of honour, and all of us are Honourable Members. If this man had not signed this Motion or if he never knew that this Motion was to stand in his name, how could he have come to this Chamber and ask for a withdrawal of this Motion?

Therefore, Honourable Members, the whole thing is messy; the whole thing is untidy; and the whole thing is most dishonourable. Honourable Ansumana J. Kaikai, being a very Honourable Member of Parliament and a very senior Member of Parliament, and perhaps the most senior Member of Parliament, I really do not want his name to be dragged in the mud certainly. But for this Motion, he has said that the Motion is not his. He has disclaimed responsibility of this Motion or has disowned this Motion. But the Motion is still with the House. What do you want to say now? What do you want to say, Honourable Ansumana J. Kaikai? I do not want anybody to mess you up.

**HON. ANSUMANA J. KAIKAI:** I appreciate that which the accolade that Mr Speaker had given me. Indeed, I want this House to know that I, Honourable Ansumana J. Kaikai standing here, have made this House my home; and in that stead, I would say this that I would never put this House in disrepute. I appreciate all the adjectives that the Speaker had used on me but also for the sake of... - *[Interruption]*.

**THE SPEAKER:** The adjectives had not been used on you. They had been used in passing.

**HON. ANSUMANA J. KAIKAI:** I thank you, Mr Speaker. I however appreciate those adjectives that you used in passing. Let me now say that this Motion, as it is on the

Order Paper, is a parliamentary Motion. I would now ask the House, with your leave, for this Motion to be delivered to the Majority Leader of this House and have it in his name because he is the Majority Leader of the House. Those are the qualifications that if a parliamentary Motion has to be a parliamentary Motion, it has to be dedicated to him and not me.

**HON. KARIFALA CONTEH:** Thank you very much, Mr Speaker. These are some of the advantages of having people like Honourable Karifala Conteh in this House to eliminate turbulence. Mr Speaker, I am standing on S.O 25[1][a] and I move that the Statutory Instrument No. 115 of 2017 published on the 13<sup>th</sup> July, 2017 in the Supplement of the Sierra Leone Gazette Vol. CXLVIII, No 38 Dated, 13<sup>th</sup> July, 2017 and laid on the Table of the House on Tuesday, 19<sup>th</sup> September, 2017 be debated, pursuant to Section 170[7][C] of the Constitution of Sierra Leone [Act No.6 Of 1991].

**THE SPEAKER:** So, do you now want to own the Motion?

**HON KARIFALA CONTEH:** Yes, Mr Speaker.

**THE SPEAKER:** Honourable Members, if we go to Standing Orders 25 [1][a], since the Motion is with the House and it has been disclaimed by the previous mover, somebody has now opted to own it and he has stood on 25[1][a] It says: **"A motion, unless these Orders otherwise direct, notice shall be given of any motion or amendment which it is proposed to move with the exception of the following:**

**[a] a Motion for the amendment of any Motion."**

Honourable Members, I am not a Lawyer, but whether it is law or not, what I know of the language of law is English. As long as it is not written in German, French, Spanish or Italian English, I can interpret any English. I, Honourable Sheku Badara Dumbuya, I can interpret any English. So, what Honourable Karifala Conteh has done is that he does not need to give notice of this Motion because this is one of the exceptions and he has called for the amendment of the Motion. And the amendment of any Motion as it is

used here, it operates as a noun. However, the verb of amendment is to amend and to amend is to change, alter or adjust. So, it is in place.

So, the seconder of this Motion still stands; i.e., Honourable Frederick S. Sourie. So, we still have this Motion with us.

**HON. ANSUMANA J. KAIKAI:** The Motion is now with another Member of Parliament other than me, which I do appreciate.

**THE SPEAKER:** Honourable Ansumana J. Kaikai, sit down.

**HON. ANSUMANA J. KAIKAI:** Mr Speaker, let me land.

**THE SPEAKER:** Sit down.

**HON ANSUMANA J. KAIKAI:** Okay.

**THE SPEAKER:** Honourable Veronica K. Sesay, would you like to stand. The other day some of you were saying that perhaps Honourable Ansumana J. Kaikai took exception by saying sit down. I did not see anything wrong in that. There is nothing derogatory about telling somebody to sit down, particularly where you persist in standing up when you have been told to sit down. Whether the word please is added there or not, it is not in any way derogatory. I have told my friend, Honourable Ansumana J Kaikai to sit down and I am not going to disown him. We have been friends for over fifty years. In other words, over fifty years we have been friends and he has been my junior and he knows that. If anybody knows Honourable Sheku Badara Basiru Dumbuya in this country, he is one person. Sit down, Honourable Veronica K. Sesay.

**HON. FODAY RADO YOKIE:** Mr Speaker, it is very interesting that we are learning and it is good for the new Members to continue to learn. In as much as some of us will leave Parliament, they now know some of these issues. But you only learn on a particular occasion, no matter how you read you cannot. So, I am standing on 31[2]. With your leave, Mr Speaker, 31[2] says: **"A Motion which has been withdrawn may be proposed again at any time during the session; but no Motion shall be proposed which is the same in substance as any Motion which, during the**

**same session, has been resolved in the affirmative or negative.”** Mr Speaker, I am using 31[2] because we are now withdrawing the Motion of the Honourable Ansumana J. Kaikai and it is going to be owned now by the Honourable Karifala Conteh from Western Urban Area. So, I want to learn giving that particular citation from the Standing Orders.

**THE SPEAKER:** What you have quoted does not help you here. It is not applicable here.

**HON. CHERNOR R.M. BAH:** Mr Speaker, I totally agree with the Honourable Member on 31[2], but fortunately he has answered the question himself. The last part of the S.O. he quoted says: “...**during the same session has been resolved in the affirmative or negative.”** There has been no debate, so the question of resolution does not arise. We should not waste time on this, Mr Speaker.

**HON. UMAR PARAN TARAWALLY:** Mr Speaker, Honourable Members, under Section 25 of the Standing Orders, it is doubtful whether there is any Motion before this House.

**THE SPEAKER:** Sit down, Honourable Umar Paran Tarawally. Honourable Member you were not here and there is still a Motion before the House. Whether the Motion was withdrawn or not, I want you to read S.O. 31. Somebody was calling the name of Honourable Solomon Segepoh Thomas. I have the greatest respect and admiration for Honourable Solomon Segepoh Thomas, but whenever I speak, you please study my words. He wanted to see how Honourable Ansumana J. Kaikai could wriggle himself out of it. He said, “**Mr Speaker, I think the only thing we have to do is to amend the Standing Orders.**” That cannot be done now and as long as that cannot be done, 31 is sacrosanct, 31 is operative, 31 is mandatory and 31 is obligatory.

**HON. ALHASSAN KAMARA:** Thank you, Mr Speaker. Mr Speaker, Honourable Members, I am still trying to get my head around why we are wasting time on this Instrument in the first place because this Instrument has so many anomalies. I would just point out two. First of all, pursuant to our Standing Orders, the Instrument has no

Memorandum of Object to start with. Secondly, the Instrument is not completed because it did not capture... - *[Interruption]*.

**THE SPEAKER:** Honourable Foday Rado Yokie you are saying that we have not yet debated but the Instrument is now before the House. Once this Instrument is before the House anything connected thereto, anything relating to the Instrument can be said now.

**HON. ALHASSAN KAMARA:** Thank you Mr Speaker. Mr Speaker, the Instrument is not complete because it did not capture Paramount Chief Members of Parliament, who are also in the Constitution, mandated to be elected to represent Paramount Chiefs in this House. So, as a result, I want to humbly submit that you revoke Section 94[2], so that this Instrument could be withdrawn out of this House.

**THE SPEAKER:** The Honourable Member has said effectively that the Instrument is not complete.

**HON. ALHASSAN KAMARA:** Absolutely so, Mr Speaker.

**THE SPEAKER:** We have the village Headman, the Councillor, the Mayor, District Chairperson, Parliamentarian, President and we don't have the Paramount Chief.

**HON. FODAY RADO YORKIE:** Mr Speaker, there were no distinction. They said parliamentarians; therefore, that comprised of ordinary parliamentarians and Paramount Chief Members of Parliament. To me, Paramount Chiefs are also captured.

**THE SPEAKER:** My answer is emphatically no. What about the first Instrument? Now we have here another Instrument for the Presidential Candidate, ordinary Members of Parliament, Paramount Chief Member of Parliament and that is the distinction.

**HON. FODAY RADO YORKIE:** We are debating 115. As far as I am concerned, we do not have that before us. I am only debating what is before me. I am debating 115 and that is why we have to read the reference. I am debating 115; and I am not preempting. What is before us is 115 and the Motion in question of 115. So, my object of debate is on 115, Mr Speaker.

**THE SPEAKER:** We are debating 115, but the question is 115 is not comprehensive enough. 115 is lacking in one thing and that is the question.

**HON. JUSUFU B. MANSARAY:** Mr Speaker, you know the Constitution takes precedence over the Standing Orders. As Honourable Foday Rado Yokie said this morning, we are all learning no matter the age, you must continue to learn. I want us to look at the Section 170, Subsection 7[c] of the 1991 Constitution of Sierra Leone that would give us another chance of learning.

**THE SPEAKER:** Don't worry, I would read for you. **"Any orders, rules or regulations made by any person or authority pursuant to a power conferred in that behalf by this Constitution or any other law shall come into force at the expiration of a period of twenty-one days of being so laid unless Parliament, before the expiration of the said period of twenty-one days, annuls any such orders..."** What is the relevance of this?

**HON. JUSUFU B. MANSARAY:** The relevance is simple. I heard my brother just coming up with reasons about the essence of this Instrument that is before us, which he said was not properly laid.

**THE SPEAKER:** Honourable Jusufu B. Mansaray, what you have said with respect is totally irrelevance. The objection raised by Honourable Alhassan Kamara is that this Statutory Instrument we are about to debate is not properly before the House and that is his contention because there is a difference between ordinary Members of Parliament and Paramount Chief Members of Parliament.

**HON. SUAHILO M. KOROMA:** Thank you, Mr Speaker. Mr Speaker, Honourable Members, the point I want to make here is that the Instrument before us, as highlighted by my colleague from the other side of the aisle, is saying that the Instrument did not go in detail by stating ordinary Members of Parliament and Paramount Chief Members of Parliament. I want to believe that the document specifically generalises the cost that should be paid by Parliamentarians.

**THE SPEAKER:** Honourable Suahilo M. Koroma, one thing for which I fear the law is because the law deals with precision and you must be precise. Any lacuna is a disqualification.

**HON. CHERNOR R.M. BAH:** Mr Speaker, I still go back to my earlier statement and also add to the statement made by the Honourable Member from the Western Area. Mr Speaker, you have made the point very clear. You spoke like a Lawyer or a Judge. There is an objection before this House.

**THE SPEAKER:** I am not a Lawyer, but at one time I did recall that Honourable Foday Rado Yokie did say here that somebody was talking about law, and then Honourable Foday Rado Yokie did say very correctly that a Member of Parliament is not a Lawyer, but a lawmaker. So, we are lawmakers. We make the laws that people execute.

**HON. CHERNOR R. M. BAH:** Mr Speaker, I totally agree with you and it is in that vein I am kindly asking that we respect the laws we make. The lawmakers have to respect the laws we make.

Mr Speaker, Honourable Members, the point is very clear that Paramount Chiefs are not ordinary Members of Parliament. I will take you to the Constitution, Mr Speaker. The Constitution made two separate provisions for Paramount Chiefs as against ordinary Members of Parliament. Section 74[1] of the Constitution states: **"Members of Parliament shall comprise one Member of Parliament for each District, who shall subject to the provisions of this Constitution be elected in such manner as may be prescribed by or under any law from among the persons who, under any law are for the time being Paramount Chiefs."** And [b] goes further to say that such Members of Parliament may prescribe who, subject to the provisions of this Constitution, shall be elected in such manner as may be prescribed by or under any law. So, the Constitution is deliberate, but added to that some of us who were here between 2007 and 2012, including the Deputy Minority Leader would attest to the fact that the Instrument which they are attempting to replace clearly separated ordinary Members of Parliament from Paramount Chief Members of Parliament. So, there is no

need to waste time on this issue. They have made a mistake and we must accept that they have made a mistake and the mistake is very visible.

Secondly, Mr Speaker, Honourable Members, taking the queue from Honourable Alhassan Kamara, what he mentioned, but in passing that this document was not accompanied by a memorandum. I want to state here that it is a must. I will tell you something which is very embarrassing. There are two Statutory Instruments that were sent to this House by the very people for it to be laid. One of them that was not laid, which they did not want us to lay that contradicted the first one came with a memorandum, which we also wanted to discuss. I would not mention it because it is not before the House, but the document that is before the House came without a memorandum. Therefore, I think it makes sense that if there is an objection. We are not debating the content of the Instrument, so we should not waste the time of this House. We have to go straight to the point and agree whether it is properly before this House or not. If it is properly before the House, you rule and if it is not, you also have to rule. You have been referred to Section 94[2] of the Constitution, Mr Speaker.

**HON. ANSUMANA J. KAIKAI:** Mr Speaker, Honourable Members, I want to call on the attention of this Honourable House to the point raised by the Deputy Speaker. I have been struggling to stand on Section 74 of the 1991 Constitution of Sierra Leone in its entirety which Mr Deputy Speaker stood on because in essence, it stipulates that the Paramount Chief Members of Parliament in themselves are parliamentarians like us. We sit in the same Chamber and share the same allowances. In essence, therefore, what we have before us is the Statutory Instrument which refers to parliamentarians. They are qualified under the same provision as parliamentarians. On the issue relating to the memorandum, I want to know why the Clerk of this House had this Instrument on the Order Paper without a memorandum.

**THE SPEAKER:** No more arguments, Honourable Members. My ruling is that the Statutory Instrument in question does not have a memorandum; therefore, it is not properly before the House. Secondly, there is nothing wrong in specifying Paramount Chief Members of Parliament. To me, it is a mistake and the reason why Paramount

Chief Members of Parliament were left out only they themselves know. So, the Instrument is not properly before the House. Honourable Ansumana J. Kaikai, the law is the law.

**HON. LEONARD S. FOFANAH:** Mr Speaker, in respect of the Agreement from the Minister of Information and Communications, there would be a Pre-legislative hearing tomorrow at 11:00 a.m. It is important that we discuss the said Agreement before coming to the Well of Parliament on the next adjourned date. Thank you very much.

**HON. BASHIRU SILIKIE:** Thank you very much, Mr Speaker. Mr Speaker I am standing on S.O. 23. Mr Speaker, for some of us coming from the rural communities who have to pass through the toll road, I am bringing this to this Parliament and the general public that the security of this city is risky because of the toll road. There are bypass roads around the toll where people smuggled drugs and other harmful instruments to this city without any police checkpoints from Freetown to Masiaka.

**HON. NAVO KAIKAI:** Thank you very much, Mr Speaker. I just want to call our attention to what the Minister of Finance and Economic Development said in this Well. The Minister of Finance came here to tell us about the economic situation in the country that we were in austerity; and by the end of March, he would have come back to inform us about the present status of the Economy. I would therefore want the Minister to tell us whether we are still in austerity or we have gone to recession or the economy has improved. I want the Minister to come and explain to this House or to the nation.

### **ADJOURNMENT**

*[The House rose at 11:30 a.m. and was adjourned to Thursday, 5<sup>th</sup> October, 2017 at 10:00 a.m.]*