

OAU DRIVE, TOWER HILL, FREETOWN

PARLIAMENTARY DEBATES

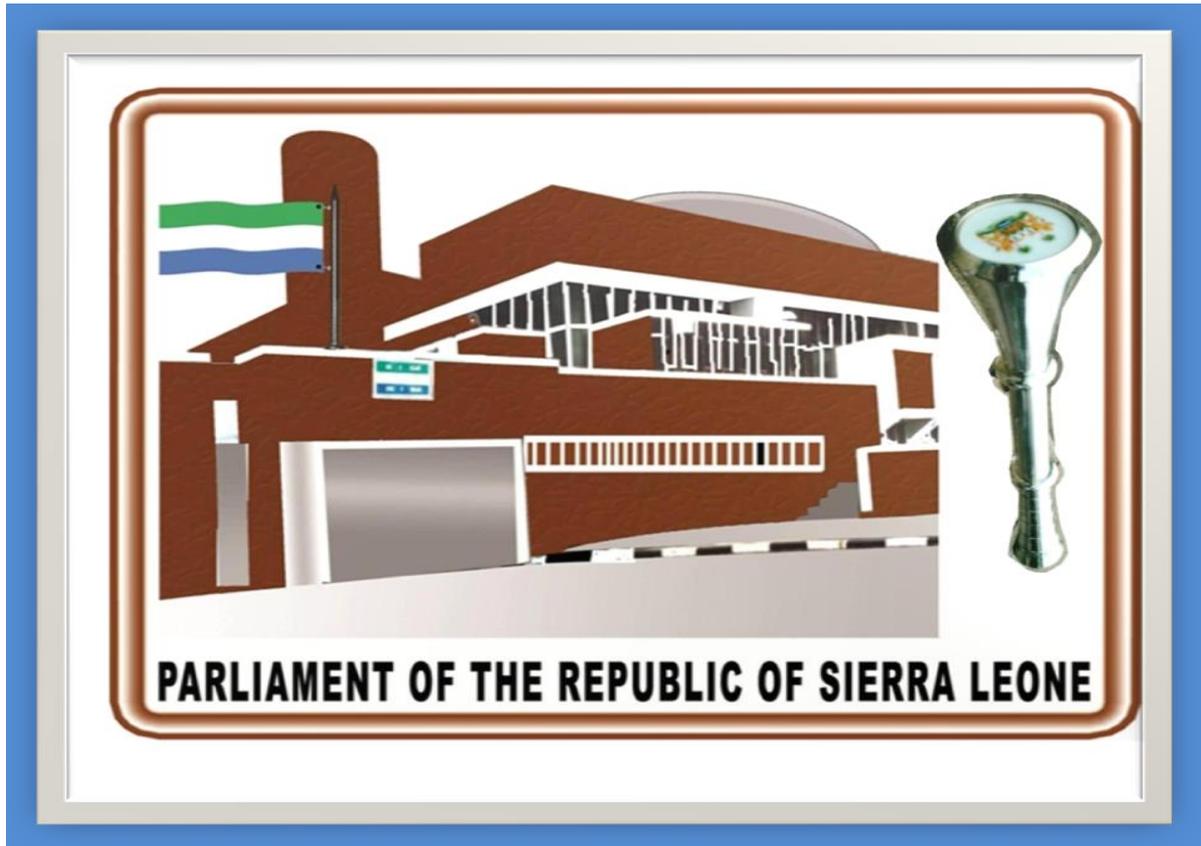
[HANSARD]

OFFICIAL HANSARD REPORT

FIFTH SESSION - FIRST MEETING

THURSDAY, 8TH JUNE, 2017

SESSION – 2016/2017



OAU DRIVE, TOWER HILL, FREETOWN

PARLIAMENTARY DEBATES

[HANSARD]

OFFICIAL HANSARD REPORT

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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 Thursday, 8th June, 2017

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THE MINISTER OF WATER RESOURCES



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**

Thursday, 8th June, 2017

I. PRAYERS

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

[The House met at 10:35 a.m., in Parliament Building, Tower Hill, Freetown]

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

The House was called to Order

II. CORRECTION OF VOTES AND PROCEEDINGS FOR THE PARLIAMENTARY SITTING, HELD ON TUESDAY, 6TH JUNE, 2017.

COMMUNICATION FROM THE CHAIR

THE SPEAKER: Honourable Members, we go through the record of Votes and Proceedings for the parliamentary sitting, held on Tuesday, 6th June, 2017. As usual, we go page by page. Page 1? Page 2? Page 3? Page 4? Page 5? 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 Tuesday, 6th June, 2017 as presented?

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

THE SPEAKER: Any seconder?

HON. PATRICK L. M. KARGBO: I so second, Mr Speaker.

[Question Proposed, Put and Agreed to]

[Record of Votes and Proceedings for the parliamentary sitting, held on Tuesday, 6th June, 2017 has been adopted as presented]

III. BILL

[A] THE CHAIRMAN OF THE LEGISLATIVE COMMITTEE, HON. AJIBOLA E. MANLEY-SPAIN

REPORT OF THE LEGISLATIVE COMMITTEE ON THE BILL ENTITLED, 'THE GUMA VALLEY WATER COMPANY ACT, 2017.'

COMMITTEE STAGE AND THIRD READING

THE HOUSE RESOLVES INTO COMMITTEE

HON. AJIBOLA MANLY-SPAIN *[Chairman, Legislative Committee]:* Mr Chairman, I seek your permission that the report be presented by the Deputy Chairman of the Legislative Committee.

THE CHAIRMAN: Granted, Honourable Member.

HON. DANIEL B. KOROMA: Mr Chairman, I want to thank the substantive Chairman of the Legislative Committee for giving me this mandate to present the report in my capacity as the Deputy Chairman of the Legislative Committee.

THE CHAIRMAN: Honourable Deputy Minority Leader, we need your complete attention this morning.

HON ANSUMANA J. KAIKAI: You will have it, Mr Chairman.

THE CHAIRMAN: Thank you very much.

HON. DANIEL B. KOROMA: Mr Chairman, Honourable Members, this is the Fifth Report of the Legislative Committee, Fifth Session of the Fourth Parliament of Second Republic of Sierra Leone on the Bill entitled, 'The Guma Valley Water Company Act, 2017.

1. Introduction

Mr Chairman, Honourable Members, I rise to present the Fifth Report of the Legislative Committee, Fifth Session of the Fourth Parliament of the Republic of Sierra Leone on the Bill entitled 'The Guma Valley Water Company Act, 2017' being an Act to provide for the continuous in existence of the Guma Valley Water Company to provide for the sustainable supply of water for public and private purposes and to provide for other related matters.

Mr Chairman, Honourable Members, this Bill, having gone through the Second Reading, was committed to the Legislative Committee for scrutiny pursuant to Standing Orders 51[1]. Subsequently, the Committee met on Tuesday, 30th May, 2017 in Committee Room No.1, Parliament Building, with the following objectives:

- to scrutinise the detailed provisions of the legislative proposal after the Second Reading in the House;
- to ascertain the constitutional and legal implications contained therein, and
- to report to Parliament in accordance with the provisions of the Standing Orders of this Honourable House.

Mr Chairman, Honourable Members, in attendance were; the Minister of Water Resources and officials of his Ministry, Representatives from National Commission for

Privatization [NCP], Millennium Challenge Coordinating Unit [MCCU] and Law Officers Department who made meaningful contributions.

2. Recommendations

Mr Chairman, Honourable Members, the Legislative Committee, having scrutinised the Bill line by line and clause by clause, recommended the following amendments to the House for approval.

[1] Part One: Preliminary

[i] Interpretation Clauses - From the definition of the word **"Board"** to the word **"Guma works"** be approved

[ii] In the definition, **'Limits of supply,'** the word **"Minister"** be amended to read **"Commission."**

In that regard, Mr Chairman, Honourable Members, I want this House to take note of this correction. With the exception of Clause 36, Sub-clause 3 and Cause 61, the Committee recommends that apart from the definition of the word **'Minister,'** wherever the words **'Minister and Ministry'** appear in the text should be replaced with **'Commission.'**

There is also another point that was brought to the attention of the Committee, but it was not included. That is to say, the word **'Commission'** be included in the interpretation section to read: **'Commission means the National Commission for Privatisation.'** Let it be included in the interpretation section.

[i] From the definition of the word **'Local Authority'** to the definition of word **'meter'** be approved;

[ii] On the definition of **'Minister,'** the spelling of the word **[c-o-n-s-t-u-e-d'** be amended to read **'construed;'** and

[iii] From the definition of **'premises'** to **'water tariffs and charges'** be approved.

[2] Part Two: Continuation of the Guma Valley Water Company

[i] That Clause 2 be approved

[ii] Clause 3 be amended as follows:

a. Sub-clause 2[a] be amended to read, **'An Ex-officio member appointed by the President on the recommendation of the Commission.'**

b. Sub-clause 2[c] be amended to read **"A Chartered Accountant and an experienced administrator/legal practitioner nominated by the Commission."**

[iii] That Clause 4 be approved

[iv] Clause 5 be amended as follows:

a. Sub-clause [2] be amended by deleting the word **"Minister"** and replacing it with **"President."** On that same Clause 5[2], remove the word **'of'** between **'and,'** and **'you,'** and insert it between **'the'** and **'sub-section.'** If you look at the Bill, you will see it there. Just remove the **'of'** and send it before **'sub-section.'**

b. sub-clause [3] **[g]** be amended again by deleting the word **"Minister"** and replacing it with **"President"**

[v] Clause 6, Sub-clause [1] be amended to read, **'The Board shall meet for the dispatch of its business at least once every quarter at such time as the Chairman may determine at the company's head office.'**

Sorry, Mr Chairman, I have another very important point. With your permission Mr Chairman, I want to make this amendment.

THE CHAIRMAN: Honourable Member, you are disturbing us seriously.

HON. DANIEL B. KOROMA: I want to look at Sub-clause 3[e] of Clause 5. The Committee recommended that in addition to the fraud and dishonesty.

THE CHAIRMAN: Do you have the Bill with you, Honourable Member?

HON. DANIEL B. KOROMA: Yes, Mr Chairman.

THE CHAIRMAN: Please read for the Honourable Members to follow. Tell us what it says and then you proceed with your amendment.

HON. DANIEL B. KOROMA: If somebody is convicted and sentenced for an offence involving fraud and dishonesty, that is what is in the Bill. So, the Committee proposed for the protection of women and girls. The amendment reads: **"If he is convicted and sentenced for an offence involving fraud, dishonesty, sexual and domestic violence."** This is not final because we are merely suggesting for the protection of women and girls.

THE CHAIRMAN: Proceed I am sure you have the protection of the Minority Leader.

HON. ANSUMANA J. KAIKAI: Mr Chairman, I would like to know if the Honourable Member is reporting to us from the Bill that was sent to that Committee. Is he reading from the Bill? I would like to know, Mr Chairman.

HON. DANIEL B. KOROMA: I am reading directly from the Bill.

[vi] Clause 6, Sub-clause [2] be amended by deleting the words **'if present.'**

HON. ANSUMANA J. KAIKAI: Mr Chairman, at least we would like to know from the Bill the direct position in that Bill. Let him refer us to the section of the Bill or the report he is reading from.

THE CHAIRMAN: On what?

HON. ANSUMANA J. KAIKAI: On the issue that is before us right now.

THE CHAIRMAN: I will handle that now. He mentioned Clause 5, Sub-section 3[e] and he is asking based on their report to insert something in this particular Sub-clause. That is what he was saying.

HON. ANSUMANA J. KAIKAI: Okay.

HON. DANIEL B. KOROMA: I will go over that again. That Clause 6, Sub-clause [2] be amended by deleting the words **'if present.'**

[vii] That Clauses 7, 8 and 9 be approved.

[viii] Clause 10 be amended as follows:

[a] 10[1] **"The Chairman and other members of the Board shall be paid such remuneration, fees and allowances as approved by the Commission and shall be reimbursed by the company for expenses incurred in connection with the discharge of their functions"**

THE CHAIRMAN: Mr Chairman, I am worried with the words **'with the.'** When we come back to the Bill itself, **'with the discharge'** it has to be rephrased. However, let us make progress.

HON. DANIEL KOROMA: Thank you.

[b] A new Sub-clause be created as Clause 10, Sub-clause [2], to read as follows: **"Co-opted members of the Board under sub-section [8] of Section 6 shall be paid such remuneration; fees and allowances approved by the Commission and shall be reimbursed by the Company for expenses**

incurred in connection with the discharge of their functions as the Board may determine”

[ix] Clause 11 be amended as follows:

- a. Paragraph ‘a’ of Sub-clause [1] be amended by deleting the number “1” and replacing it with the word ‘one’ and delete the ‘comma’ between the words ‘shall’ and ‘elect.’
- b. Paragraph ‘b’ of Sub-clause 1 be amended to read: **“In the case of a Member, the Chairman shall have another person appointed to the Board, subject to this Act.”**
- c. Clause 11, sub-clause [2] be amended to read: **“Where a person is appointed as Chairman or appointed as member to fill a vacancy, he shall hold office for the remainder of the term of the previous Chairman or member, and shall, subject, to this Act, be eligible for reappointment”**

[3] Part Three: Functions of the Company

[i] Clause 12, sub-clause 3[b][ii] be amended by deleting the words ‘the’ before the words ‘economic’ and ‘government’ respectively

[ii] That Clause 13 be approved.

Part Four: Supply of Water

[i] Clause 14 be amended by deleting the word ‘accident’ and replacing it with ‘circumstance.’

[ii] That Clauses 15 to 17 be approved.

[iii] Clause 18, Sub-clause [2] be amended by inserting the word ‘written’ before the word ‘consent.’

Part Five: Financial Provisions

[i] Clause 19, Sub-clause [3] be amended to read as follows: **“For the purposes of Subsection [1], the Company, after seeking Board and Commission’s approval, may either directly or through a public private partnership undertake.....”**

[ii] That from Clauses 20 to 24 be approved.

Part Six: Administrative Provisions

[i] Clause 25 be amended as follows:

Sub-clause [2] be amended to read **“The Managing Director shall be a person with-**

- a. **formal qualification in any profession relevant or appropriate to the functions of the company; and**
- b. **proven ability in public administration and business or financial management.”**

[ii] A new Sub-clause [3] be created to read **“The Managing Director of the Company, appointed under Sub-section [1] of Section 25 shall hold office for a term of three years on such terms and conditions as shall be specified in his/her letter of appointment and shall be eligible for re-appointment for another term of three years only.”**

[iii] That Clause 26 be approved.

[iv] Clause 27, Sub-clause [1] and [2] be amended as follows:

[a] ‘There shall be an officer of the company to be known as Company Secretary, who shall be appointed by the Board on such terms and conditions as the Board shall determine.

[b] The Company Secretary shall be Secretary to the Board.

[c] There shall be appointed to the Board on such terms and conditions as the Company may determine such other employees as the Company may require for the effective discharge of its functions under this Act.’

[v] That Clauses 28, 29 and 30 be approved.

[vi] Clause 31, Sub-clause [2] be amended to read: **“Without prejudice to the generality of subsection [1], the Company shall establish the following departments or such other departments from time to time as the Board may determine.”**

[vii] That Clauses 32, 33 and 34 be approved.

Part Seven: Financial Provisions

That Clauses 33 and 34 be approved.

[i] Clause 35 be amended by deleting the word **'the'** before the word **'government.'**

[ii] Clause 36, Sub-clause [4] be amended by deleting the word **'stakeholders'** and replacing it with **'shareholders.'**

[ii] That Clauses 37 and 38 be approved.

[iii] Clause 39 be amended by inserting the following phrase at the end of the sentence: **'After seeking the Board's approval'**

[iv] Clause 40 be amended by inserting the following immediately after the word **'the'** to read **recommendation of the Board subject to the'**

[v] That Clause 41 be approved.

[vi] Clause 42[1] be amended by inserting the word **'fund'** immediately after the word **'reserved'** and by also deleting the word **'fund'** on the last line after the word **'Board.'**

Part Eight: Offences

[i] That from Clauses 43 to 46 be approved.

Mr Chairman, Honourable Members, on the issue of offences for use of water in Clauses 47 [4], 48 [2] and 49, the Committee recommends a uniform term of imprisonment not exceeding six months, instead of three months due to the nature of the offences.

Part Nine: Miscellaneous Provisions

[i] That Clause 50 be approved.

[ii] That Clause 52, sub-clause [2] be deleted.

[iii] That Clauses 53 and 54 be approved.

[iv] Clause 55, sub-clause [2][b] be amended by spacing the word **'of persons'** to read **'of persons.'**

[v] That from Clauses 56 to 60 be approved.

[vi] That First and Second Schedules be approved.

3. Conclusion

Mr Chairman, Honourable Members, the Legislative Committee, having scrutinised the Bill entitled, 'The Guma Valley Water Company Act, 2017, recommends these proposals to the House for approval. The Report reflects the consensus view of the Committee. I therefore move that the House pass the Bill entitled, 'the Guma Valley

Water Company Act, 2017' be passed into law. I thank you for your attention.
Signed Honourable Daniel B. Koroma, Deputy Chairman.

[Parts 1, 2, and 3 clauses 1 to 12 proposed].

MR MOMODU MALIGIE [*Minister of Water Resources*]: Mr Chairman, Honourable Members, I move that part 1, 2 and 3 clauses 1 to 12 stand part of the Bill.

[Parts 1, 2 and 3, Clauses 1 to 12 proposed].

THE CHAIRMAN: Page 1? Page 2? Page 3? Page 4? Page 5?

HON. SAHR FATORMA: Mr Chairman, Honourable Members, I am not okay with the offences. Six months imprisonment is too much. The consumers of these products are our electorate. Therefore, instead of six months, I am appealing for three months.

THE CHAIRMAN: Honourable Member, I am not seeing anybody who is willing to second your suggestion. Honourable Sahr Fatorma, do you have a copy of the Bill with you? Do you know what is on Page 5? Honourable Member you are more than out of order. Page 6?

HON. DR BERNADETTE LAHAI: Mr Chairman, it starts on Page 5, which is 3[2][c] and [c] is on Page 6. I want to recommend that one of them shall be a female. We add at the last sentence '**of which one shall be a female.**'

THE CHAIRMAN: I am sure there is no objection to that.

HON. DR BERNADETTE LAHAI: Yes, there is no objection.

THE CHAIRMAN: Honourable Members, I hope we are in agreement. Honourable Majority Leader, if you are in support of that, let us proceed. Anymore on Page 6? Page 7?

HON. SUAHILO M. KOROMA: Mr Chairman, Page 6.

THE CHAIRMAN: Proceed on page 6.

HON. SUAHILO M. KOROMA: Mr Chairman, Clause 3 [2] on Page 6, there is an item 'D.'

THE CHIRMAN: The 'D' talks about the Head, Institute of Engineers.

HON. SUAHILO M. KOROMA: Yes, Mr Chairman. For consistency with other Bills we passed in this House, I want to suggest that we alternate the word 'Head' with 'Representative.'

THE CHAIRMAN: Well I will advise that you add 'Senior Representative.' This is meant to forestall any attempt to send whoever they would want to send.

HON. SUAHILO M. KOROMA: Maybe just for the sake of consistency.

THE CHAIRMAN: I agree with you, but the person must be a 'senior personnel.'

HON. SUAHILO M. KOROMA: No problem, Mr Chairman. I agree with you. In that regard, it should now read, 'Head or Senior Representative.'

THE CHAIRMAN: Page 7?

HON. UMAR PARAN TARAWALLY: Mr Chairman, Clause 5 [3] [e]. In the Report, the Legislative Committee recommended that the offences be extended to include sexual offence and domestic violence. It is my opinion, that domestic violence is so wide that it does not have an end. I want to take sexual offences and forget about domestic violence.

THE CHAIRMAN: That is your proposition. Any seconder to that?

HON. BASHIRU SILIKIE: I second, Mr Chairman.

THE CHAIRMAN: Mr Chairman, are you in agreement? You are not in agreement that domestic violence is ambiguous? He has accepted. Anymore on Page 7? Page 8?, Page 9? Page 10? Page 11? Page 12.

MR MOMODU MALIGIE: Mr Chairman, Honourable Members, I move that Parts 1, 2 and 3 Clauses, 1 to 12 stand part of the Bill as amended.

[Question Proposed, Put and Agreed to]

[Parts 1, 2 and 3, Clauses 1 to 12 form part of the Bill as amended].

[Parts 4 and 5 Clauses 13 to 24 proposed].

MR MOMODU MALIGIE: Mr Chairman, Honourable Members, I move that Parts 4 and 5, Clauses 13 to 24 stand part of the Bill.

[Parts 4 and 5, Clauses 13 to 24 Proposed]

THE CHAIRMAN: Page 1? Page 2? Page 13? Page 14?

HON. DR BERNADETTE LAHAI: Mr Chairman, Part 5 says 'powers of the Company.' In the Report, it says Financial Provision. We need to correct it.

THE CHAIRMAN: Part 4 on the Report just dealt with 'Supply of Water.' Part 5 'Financial Provisions.' Mr Clerk, please take note. Anymore on page 14? Page 15? Page 16? Page 17? Page 18.

MR MOMODU MALIGIE: Mr Chairman, Honourable Members, I move that parts 4 and 5, Clauses 13 to 24 stand part of the Bill as amended.

[Question Proposed, Put and Agreed to]

[Parts 4 and 5, Clauses 13 to 24 form part of the Bill as amended]

[Parts 6 and 5, Clauses 25 to 42 proposed]

MR MOMODU MALIGIE: Mr Chairman, Honourable Members, I move that parts 6 and 7 Clauses 25 to 42 stand part of the Bill.

THE CHAIRMAN: Page 19? Page 20?

HON. BRIMAH CONTEH: Mr Chairman, Page 19. The Legislative Committee was requesting for an addition of a new sub-clause. I was wondering why 'tenure' of office, as proposed here, is not consistent with other appointments of Managing Directors, which is usually five years.

THE CHAIRMAN: The Managing Director? Is that not for the Board?

HON. BRIMAH CONTEH: No, sir. The Managing Director of a Company appointed under Section 25 shall hold office for a term of three years. This is their proposal.

THE CHAIRMAN: I agree with you. Three years normally go for Board appointment and not for CEOs. Honourable Members, what is your take on this issue? Mr Minister, are you in agreement with that? Normally, Board Members are appointed for a period of three years; but for CEOs, it is five years. Five years is the standard.

HON. DANIEL B. KOROMA: I am in agreement, Mr Chairman.

THE CHAIRMAN: Okay, so we take it that it is amended accordingly. Honourable Brimah Conteh, your suggestion is being considered accordingly.

HON. BRIMAH CONTEH: Thank you, Mr Chairman.

THE CHAIRMAN: Any more on Page 19? Page 20?

HON. UMAR PARAN TARAWALLY: Yes, Mr Chairman Page 20, Clause 27[ii] in tandem with the recommendation of the Legislative Committee. In my opinion, Company Secretary, Finance Officers and other Administrative staff are professionals. Therefore, they should not be appointed, but recruited. The word '**appointed**' by the Board should be expunged and replaced with '**recruited**' by the Board. They are professionals and therefore they should not be appointed.

THE CHAIRMAN: Mr Chairman of the Legislative Committee, what is your take?

HON. DANIEL B. KOROMA: It will not do any harm to the Bill.

THE CHAIRMAN: Okay, so we proceed and the word '**appointed**' is changed to read '**recruited**'. Anymore on Page 20? Page 21? Page 22? Page 23? Page 24? Page 25? Mr Chairman of the Legislative Committee, you recommended that we add the suffix; 'd' to the word 'reserve' to read 'reserved.' what is the justification for that? Madam Minority Leader, Mr Leader, do you want to look at 42[i]?

HON. DANIEL B. KOROMA: Yes, that was what we agreed on.

THE CHAIRMAN: 42[i]. The report recommends thus: "**The Company shall continue to maintain a special reserved fund,**" instead of reserve fund. There should be no 'd' there. That is my point and I hope the report will be amended accordingly. Anymore on Page 25? Page 26? Page 25.

MR MOMODU MALIGIE: Mr Chairman, Honourable Members, I move that parts 6 and 7, Clauses 25-42 stand part of the Bill as amended.

[Question Proposed, Put and Agreed to]

[Parts 6 and 7, Clauses 25 to 42 form part of the Bill as amended]

[Parts 8 and 9, including the Schedules, Clauses 43 to 62 proposed]

MR MOMODU MALIGIE: Mr Chairman, Honourable Members, I move that Parts 8 and 9, including the Schedules, Clauses 43 to 62 stand part of the Bill.

THE CHAIRMAN: Page 25?

HON. FRANCIS KOWA: Mr Chairman, Page 25. With the leave of Mr Chairman, Clause 43 I reads: **“Mr Chairman, Honourable Members, on the issue of offences for the use of water in Clauses 47, 48 and 49, the Committee recommends a uniform term of imprisonment not exceeding six months, instead of three months due to the nature of the offence.”** If somebody pollutes water with poisonous substance or pours poisonous substance into a source or reservoir, does this mean that the individual who is attempting a mass murder will go to prison for six months or not exceeding six months?

THE CHAIRMAN: Thank you very much, Honourable Member. Unfortunately, you were not here when we passed the Agency Act.

HON. FRANCIS KOWA: Okay, thank you very much.

THE CHAIRMAN: Thank you very much, Honourable Member. Page 26?

HON. DR BERNADETTE LAHAI [*Minority Leader of the House*]: Mr Chairman, I want us to look at Page 26, Clause 44, under ‘Misuse or Wastage of Water.’ The Bill is recommending for **Le3mln**. Mr Chairman, because of the traffic from British High Commission to Regent Road, I usually use the Babadorie route, then go through Gooding Drive to Regent Road. Mr Chairman, for the past three to four days, the water pipe along that area has been flowing with water. This means that a lot of is continuously wasting. We are talking about millions of litters that would have already been lost, not to talk of the money and time that has been spent to produce that water. This is very disheartening, Mr Chairman.

THE CHAIRMAN: So, what is your point, Honourable Member?

HON. DR BERNADETTE LAHAI: What I did was to call on the Chairman, so that he could call on whoever is responsible to go and stop that leakage. I did not use that way this morning, so I do not know if that has been rectified.

THE CHAIRMAN: That is the key point.

HON. DR BERNADETTE LAHAI: The issue is that the quantum of water lost could not commensurate to the fine being proposed.

THE CHAIRMAN: So, how do we measure the water lost?

HON. DR BERNADETTE LAHAI: You will measure it by the number of days the water has been wasting. I am simply saying here that the **Le3mln** fine is not enough to replenish what has been lost. I am not saying you should support me or you do not support me; but to me, the issues are so serious that people joining pipes for themselves while others are cutting the water pipes.

THE CHAIRMAN: Mr Minister, you wanted to say something.

MR MOMODU MALIGIE: I would like to thank the Honourable Minority Leader for her comments. The amount there is in line because we have several categories of offences. In other words, the proposed amount is in line with the misdemeanour and that is the important part, especially when it comes to issues relating to cutting of water pipes. Usually, these pipes do not have a sensor to tell us that from this point to this point, there is a pipe leakage. What we have is a hot line or a number that we have publicised for people to call GUMA and make their report. We have a rapid response team that would go and fix these pipes. Therefore, I would have loved to know if it was fixed because we are also monitoring some of these issues and report on them.

Mr Chairman, Honourable Members, the rapid response team from GUMA seems to be working very well. It is just a matter of reporting to them because there is no other system we can assure this Honourable House. The only way you can pick up these pipes if they are leaking is if we have sensors on these pipes. That is it is only the sensor that will tell you that this water pipe has been cut and there is a loss of pressure in modern management system for the water. This is what they have on a Control Board. They will tell you that at this intersection and at this coordinate, there is leakage and the team will go there and fix it up. However, the only other way we can do now is for people to call and make their report. I believe the rapid response team at GUMA will be able to sort it out. I thank you very much.

THE CHAIRMAN: The Minister himself is rapid. Madam Minority Leader, are you satisfied with [44] now?

HON. DR BERNADETTE LAHAI: Yes, Mr Chairman.

THE CHAIRMAN: But at least you have brought it to the attention of all of us. All of us should be alert and assist the Ministry and Guma to respond to some of these issues. Page 27? Page 28? Page 29? Page 30? Page 31? Page 32?

HON. UMAR PARAN TARAWALLY: Mr Chairman, Clause 61. In my opinion, this Clause conflicts directly with Section 10[1] of the NCP Act of 2002. We cannot make laws to conflict with existing laws. The object of Section 10[1] is to remove ministerial interference into the work of NCP and to ensure that in the operations and management of its functions, the NCP is not influenced by Ministers or other state institutions. Therefore, if Clause 61 is making a provision which states that the Board may, by Statutory Instrument after consultation with the Minister, it defeats Section 10[1] of the NCP Act of 2002. Therefore, I would want to submit here that we delete the portion relating 'after consultation with the Minister' to read: 'the Board may, by Statutory Instrument, make regulations as and when necessary' etc. That is my humble opinion, Mr Chairman. Probably your trouble is, Statutory Instruments are not only made and laid by Ministers. According to the Constitutional and Statutory Instrument Act of 1999, a Statutory Instrument can be made by a Board, a Council or a Commission and can be laid by them equally. I want you to note.

THE CHAIRMAN: I was taken aback by the Chairman when he was making his report. He added that the exception of Clause 61 because this is something we had agreed upon that the Administration should stay with the Commission. This is something we had agreed upon. That policy should stay with the Ministry, whilst administration stays with the Commission. We have agreed on this, Honourable Members.

HON. DANIEL B. KOROMA: Mr Chairman, I agree that we had agreed on this.

THE CHAIRMAN: Page 33 and then the First, Second and Third Schedules?

MR MOMODU MALIGIE: Mr Chairman, Honourable Members, I move that Parts 8 and 9, Clauses 43 to 62, including the Schedules, stand part of the Bill as amended.

[Question Proposed, Put and Agreed to]

[Parts 8 and 9 including the Schedule Clauses 43 to 62 form part of the Bill as amended]

[THE HOUSE RESUMES]

MR MOMODU MALIGIE: Mr Speaker, Honourable Members, I report that the Bill entitled, 'The Guma Valley Water Company Act, 2017' having gone through the Committee of the whole House with some amendments, I now move that the Bill be read the third time and passed into law.

[Question Proposed, Put and Agreed to]

The Bill entitled, 'The Guma Valley Water Company Act, 2017 being an Act to provide for the continuance in existence of the Guma Valley Water Company to provide for the sustainable supply of water for public and private purposes, and to provide for other related matters, has been read the third time and passed into law

THE SPEAKER: Mr Minister, thank you very much. You are at liberty to leave.

ADJOURNMENT

*[The House rose at 11:35 a.m. and was adjourned to Tuesday, 20th June, 2017
at 10:00 a.m.]*