

**BILL**

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No.



2015

Sierra Leone

**A BILL ENTITLED**

**The National Commission for Social Action (Amendment) Act, 2015.** Short title.

**Being an Act to amend the National Commission for Social Action Act, 2001.**

[ ] Date of commencement.

ENACTED by the President and Members of Parliament in this present Parliament assembled.

Amendment  
of subsection  
(2) of  
section 4 of  
Act No.13 of  
2001

1. Subsection (2) of section 4 of the National Commission for Social Action Act, 2001 is amended by repealing and replacing that subsection with the following new subsection:-

“4(2)The Board shall consist of a Chairman and the following other members:-

- (a) three persons being senior officials designated as representatives each of such Ministries or departments as the President may determine;
- (b) three persons representing stakeholder groups as the President may determine; and
- (c) the Commissioner.”

Amendment  
of section 11  
of Act No. 13  
of 2001

2. Section 11 of the National Commission for Social Action Act, 2001 is amended by repealing and replacing that section with the following new section:-

Functions of  
Commission

“1. (1) The object for which the Commission is established is to provide and otherwise engage in social relief programmes and to promote community-based demand- driven and sustainable socio-economic development activities leading to the alleviation of poverty, improvement in well-being, creation of employment opportunities and improve-

ment in the speed, quality and impact of development initiatives in cooperation with non governmental organisations, relevant ministries, private sector partners and other interested parties.

(2) Without prejudice to the generality of subsection (1), the Commission shall have responsibility -

- (a) to continue performing, in the event of a nation-wide emergency resulting in widespread displacement and mass movement of people, the functions conferred on the National Commission for Reconstruction, Resettlement and Rehabilitation immediately before the commencement of this Act, including the overall planning, programming, coordination, supervision and monitoring of humanitarian, reintegration, resettlement and reconstruction activities in cooperation with relevant ministries, departments, agencies and partners so as to improve the nation’s capacity to absorb and use both relief and development assistance effectively;
- (b) to source funding for and implement programmes for combating irregular migration in cooperation with related ministries, departments and agencies;

- (c) to handle operational aspects of the protection and assistance to refugees in accordance with the Refugee Protection Act 2007 and to undertake individual refugee status determination of persons seeking recognition as refugees in accordance with that Act;
- (d) for the implementation of war reparations programmes, including the establishment and management of a Trust Fund relating to war reparations and to seek and receive funding thereof;
- (e) for coordinating the activities of all humanitarian organisation engaged in war reparation activities and to provide guidelines for such activities;
- (f) to serve as recipient and manager of funds for the social protection of disadvantaged families and for liaising with the National Social Security and Insurance Trust (NASSIT) for use of the social safety net;
- (g) to source funding for and implement social development and pro-poor growth programmes to complement the activities of local councils;

- (h) to support Chiefdom Councils through capacity building;
- (i) to maintain itself as a sustainable national institution for the purpose of the object stated in subsection (1);
- (j) to ensure appropriate use of resources in a transparent manner;
- (k) to undertake public education campaigns on its purposes and proceedings ; and
- (l) to do all things necessary to attain the objects stated in subsection (1)”

3. Section 14 of the National Commission for Social Action Act, 2001 is amended by inserting the following new subsections immediately after subsection (2). Insertion of new subsections in section 14 of Act No.13 of 2001

(3) The Commissioner and Deputy Commissioner shall each be entitled to a monthly pension at the end of their services.

(4) The monthly pension referred to in subsection (3) shall be determined as follows:-

- (a) after completion of first term of appointment the Commissioner and Deputy Commissioner shall be entitled to a monthly pension based on 40% of their gross salaries; and

(b) after completion of second term of appointment the Commissioner and Deputy Commissioner shall be entitled to a monthly pension based on 80% of their gross salaries.

(5) Subsections (3) and (4) shall be deemed to have come into operation in 2007.

Amendment  
Section 15 of  
Act No. 13 of  
2001.

4. Paragraph (h) of subsection (1) of section 15 of the National Commission for Social Action Act, 2001 is amended by deleting the word “fund” and inserting the word “Commission.

### MEMORANDUM OF OBJECTS AND REASONS

The aim of this Bill is to amend certain sections of the National Commission for Social Action Act, 2001.

The Bill amends subsection (2) of section 4 of the Act by restructuring the Board. It proposes that the Board should consist of the Chairman, three senior officials representing Ministries or departments as the President may determine, three persons representing stakeholder groups as the President may determine and the Commissioner.

The Bill also amends section 11 of the Act which deals with the functions of the Commission by incorporating new functions to promote among other things community-based demand driven socio-economic development activities.

The Bill amends section 14 of the Act which deals with the Commissioner and Deputy Commissioner by proposing that the Commissioner and Deputy Commissioner should be entitled to a monthly pension at the end of their services.

FRANKLYN BAI KARGBO,  
*Attorney-General and Minister of Justice.*

FREETOWN,  
SIERRA LEONE,  
APRIL, 2015.