

BILL

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THE PARLIAMENT ACT, 2023

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No.



2023

Sierra Leone

A BILL ENTITLED

THE PARLIAMENT ACT, 2023

Short title.

Being an Act to provide for the establishment of Parliamentary Commission, to provide for the leadership and governance structure of Parliament, to provide for the establishment of the Parliamentary Service, to provide for salaries and other benefits of Members of Parliament and other staff and to provide for other related matters.

[

] Date of commencement.

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

PART I—PRELIMINARY

Interpretation.

1. In this Act, unless the context otherwise requires-

"Chief Whip" means a member of the governing party in Parliament appointed from among members of his party whose role is to ensure that members of his party are disciplined in Parliament;

"Clerk of Parliament" means the Clerk of Parliament appointed under section 82 of the Constitution of Sierra Leone, 1991;

"Commission" means the Parliamentary Commission established by section 2;

"Deputy Chief Whip" means a Member of Parliament whose role is to deputise the Chief Whip;

"Deputy Leader of Government Business" means the Leader in Parliament whose role is to deputise the Leader of Government Business;

"Deputy Leader of Opposition" means the Leader in Parliament whose role is to deputise the Leader of Opposition;

"Financial year" means a period of one year ending on the 31st day of December;

"Governing Party" means the party in Parliament whose Government is in power;

"Leader of Government Business" means the Leader in Parliament whose party is in Government;

"Leader of Opposition" means the Leader in Parliament whose role is to lead the business of the opposition in Parliament;

"Opposition Party" means the party in Parliament other than the Governing Party with the most seats in Parliament after presidential and parliamentary elections;

"Opposition Whip" means a member of Parliament appointed by the Opposition whose role is to ensure that members of his party are disciplined in Parliament;

"Other Parties" mean other parties represented in Parliament other than the governing or the opposition parties;

"Paramount Chief Members of Parliament" means paramount chiefs elected to represent the fourteen political districts in parliament in accordance with section 74(1)a of the Constitution of Sierra Leone Act No. 6 of 1991.

"Parliamentary Service" means the Parliamentary Service established under subsection (1) of section 21;

"President Female Caucus" means the Leader of all females in Parliament that meet to pursue common legislative objectives;

"Speaker" means the Speaker of Parliament elected under section 79 of the Constitution of Sierra Leone, Act No. 6 of 1991.

PART II - ESTABLISHMENT OF PARLIAMENTARY
COMMISSION

Establishment of Parliamentary Commission. 2. (1) There is hereby established a Commission to be known as the Parliamentary Commission which shall consist of the Speaker, as Chairman and the following other members-

- (a) The Deputy Speaker;
- (b) The Leaders of all Political Parties represented in Parliament;
- (c) The Governing Party Chief Whip;
- (d) The Opposition Party Whip;
- (e) The President of the Female Caucus;
- (f) a Representative of Members of Parliament who have been elected as Independent Candidates;
- (g) 6 other elected Members of Parliament, nominated by Members of Parliament, reflecting as nearly as possible the numerical strength of the Political Parties in Parliament and shall include gender and disability balance;

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- (h) Chairman of the Paramount Chiefs in Parliament; and
 - (i) The Clerk of Parliament who shall be Secretary and principal adviser to the Commission.

(2) In any case a new commission shall be constituted in not later than two week from the election of a new Speaker.

(3) (a) The Clerk of Parliament as Secretary to the Commission and Principal adviser to the Chairman shall be responsible for:

- (i) preparing, planning and facilitating the meetings of the Commission and its committees;
- (ii) causing to be kept records of the proceedings and minutes of the meetings of the Commission and such other records as the Commission may direct;
- (iii) communicating the decisions of the Commission for execution by the Management Board; and
- (iv) performing such other duties as may be assigned by the Commission.

Tenure of
members.

3. (1) The Chairman and other members shall hold office for the duration of the life of the Parliament in which they are elected:

Provided that the Chairman and other members shall continue in office until a new Speaker is elected and in the case of the Commissioners until a new Commission is constituted.

(2) A person shall cease to be a member of the Commission on any of the following grounds-

- (a) inability to perform the functions of his office by reason of infirmity of mind or body;
- (b) for proven misconduct;
- (c) if he becomes bankrupt or insolvent;
- (d) if he is convicted and sentenced for an offence involving fraud or dishonesty;
- (e) if he fails to attend three consecutive meetings of the Commission without reasonable excuse;
- (f) if he resigns his office by written notice to the Chairman of the Commission.
- (g) shall cease to hold office on vacating his seat in accordance with section 77 of the Constitution of Sierra Leone, Act No. 6 of 1991.

(3) The Chairman of the commission shall cease to hold office when he vacates his office in accordance with subsection 4 of section 79 of the Constitution of Sierra Leone Act No. 6 of 1991.

(4) Where a commissioner vacates his seat, dies or become incapacitated, a new member shall be appointed to hold office for the remaining term of his predecessor.

4. (1) The Commission shall have supervisory, directory and disciplinary authority over Members of Parliament and the Parliamentary Service. Function of Commission.

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

- (a) direct the Whips, the Ethics and Privileges Committee and the Parliamentary Service to give effect to the provisions of subsection (1);
- (b) appoint persons, other than the Clerk of Parliament, to hold or act in office as members of the Parliamentary Service and exercise disciplinary control over such persons, including suspending or removing such persons;
- (c) determine the conditions of service including the grading, promotion and training of the members of the Parliamentary Service;
- (d) approve the policy of the Parliamentary Service and in particular the administrative, human resource and operational procedures of the Service;