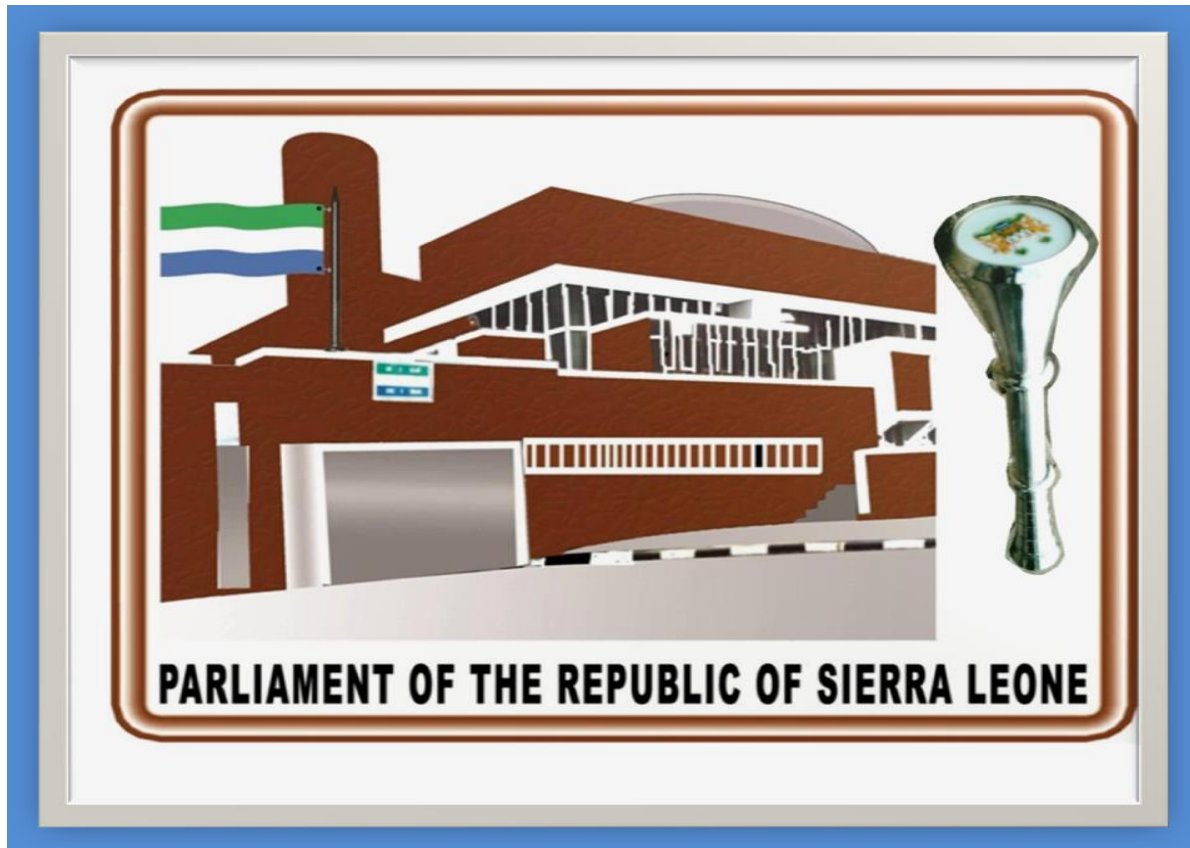


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OAU DRIVE, TOWER HILL, FREETOWN

PARLIAMENTARY DEBATES

[HANSARD]

OFFICIAL HANSARD REPORT

FIFTH SESSION –FIRST MEETING

WEDNESDAY, 10TH AUGUST, 2022

SESSION – 2022/2023



OAU DRIVE, TOWER HILL, FREETOWN

PARLIAMETARY DEBATES

[HANSARD]

OFFICIAL HANSARD REPORT

VOLUME: I

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

Proceedings of the Sitting of the House
Held Wednesday, 10th August, 2022.

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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 FIFTH PARLIAMENT
OF THE SECOND REPUBLIC**

Wednesday, 10th August, 2022.

I. PRAYERS

[The Table Clerk, Edward Sahr Lebbie, Read the Prayers]

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

[The Deputy Speaker, Hon. Segepoh Solomon Thomas in the Chair]

The House was called to Order

Suspension of S. O. 5[2]

COMMUNICATION FROM THE CHAIR

II. CORRECTION OF VOTES AND PROCEEDINGS FOR THE PARLIAMENTARY SITTING HELD ON TUESDAY 9TH AUGUST, 2022

THE SPEAKER: Honourable Members we shall now go through the record of votes and proceedings for the parliamentary sitting held on Tuesday 9th August, 2022. We shall skip pages 1 to 4? Page 5? Page 6? Page 7? Page 8. Can a Member please move for the adoption of the record of votes and proceedings for the parliamentary sitting held on Tuesday 9th August, 2022.

HON JOSEPH WILLIAMS-LAMIN: I so move Mr Speaker.

THE SPEAKER: Any seconder?

HON HABIB K. FABBAH: I so second Mr Speaker.

[Question Proposed, Put And Agreed To]

[Record of votes and proceedings for the parliamentary sitting held on Tuesday 9th August 2022 has been adopted]

III ANNOUNCEMENT BY MR SPEAKER

THE SPEAKER: Yes, since we haven't got the two thirds majority currently, I urge Members of Parliament to use our quorum to do a couple of work on the Political Parties Bill. We would avoid the contentious areas, those areas relating to the Constitution and run through other clauses quickly. Yes Mr Clerk proceed.

HON MATHEW S NYUMA: *[Leader of Government Business]* Mr Speaker.

THE SPEAKER: Yes

HON MATHEW S NYUMA: Mr Speaker, of course so that means because of the quorum of two thirds that has to do with Section 98 we would just amend the order paper Item 4[a] to be removed from the order paper and proceed with item 4[b] which

now becomes [a]. As you said we would only deal with areas that do not have to do with constitutional amendments.

THE SPEAKER: Certainly.

HON MATHEW S NYUMA: So I so move for the amendment of the order paper.

THE SPEAKER: Any seconder?

HON ABDUL S. MARRAY CONTEH: I so second Mr Speaker.

[Question Proposed, Put And Agreed To]

[Motion moved by the Leader of Government Business to amend the order paper has been carried]

HON MATHEW S NYUMA: Mr Speaker, as we agree I was expecting a statement from you, I don't know if you are going to do it now.

THE SPEAKER: Well not now let's proceed

HON MATHEW S NYUMA: Not now

THE SPEAKER: At the end of the sitting.

HON MATHEW S NYUMA: Okay thank you.

HON DANIEL B. KOROMA: Mr Speaker

THE SPEAKER: Yes proceed Honourable Koroma

HON DANIEL B. KOROMA: Mr Speaker, Honourable Members, you will all agree with me that based on our submissions yesterday, in fact at the beginning due to the wrong order paper I had sought your permission to raise a preliminary objection but later it was proven that my document was wrong. But thankfully the opinion I gave and my conclusion based on those opinions after being proven that it was my own document that was wrong you saw what we all did here to ensure that we go ahead, at least you saw that level of sincerity

THE SPEAKER: Yes

HON. DANIEL B. KOROMA: And we agreed that based on Section 108 sub-section [2b] we agreed to start the debate because that debates amount to second reading and then until the question is put it is still second reading. No sooner the question is put and then a resolution is taken by either the ayes or the nays as it was proven yesterday the ayes had it, the second reading was passed. Yesterday we showed our sincerity and it was our common understanding that upon conclusion of the second reading, we cannot continue with the rest in the absence of the constitutional compliance. Unfortunately, we saw it yesterday, if we had got 98 votes yesterday this would have been a done deal. That is why when we are talking there is evidence that it is not out of malice or politics or whatsoever, we are talking as Sierra Leoneans. Had we got the 98 votes yesterday it would have been over but since we did not get the 98 votes we decided to shelve it and then start the Public Elections Bill to which this constitutional amendment relates on to the second reading and you even defined the meaning of second reading yesterday to one Member of Parliament who stood up. You told him you don't know the definition of second reading, until the question is put otherwise second reading is still in place.

Mr Speaker, Honourable Members, and for the Political Parties Act, the question was put yesterday based on the concurrence of all of us with the understanding that today, in fact I even advised that you give orders, that word order was withdrawn because it seems to be demeaning to Members of Parliament of which I also agree but I even guided, I said give your orders for all Members of Parliament to be here today. Okay, but as you can see now there are various reasons that can justify none attendance of Members of Parliament with no fault of theirs but as humans if we are to give a case you know there are justifiable reasons why Members of Parliament cannot be here and Parliament can regulate itself.

Mr Speaker, Honourable Members, based on rumours that I have got we were planning to recess tomorrow but Parliament can regulate itself. So on that note, based on our sincerity exhibited yesterday we have concluded the second reading. To go to Committee stage now in the absence of that constitutional compliance which you

encouraged yesterday and you said if you don't get the attendance you will give your orders. But the noncompliance now, you will agree with human face that it cannot be any fault of any absentee Member of Parliament on both sides. Even over there if you talk about 98 votes, it cannot be achievable contrary to your orders or for your caution yesterday before giving the orders. Even on that side as it is now is beyond your expectation as the Speaker presiding, even Leader of Government Business it is beyond your expectation based on the attendance on that side, you cannot blame them based on what is happening now. So for us to ignore and go ahead I think we cannot, we have concluded the second reading, even that one there are some constitutionality with Section 108 sub-section 2[b] but we concluded based on sincerity for us to proceed to go into committee stage what happened today was unforeseeable. So even on your own side Leader of Government Business, of course you are for all of us, you are leader of Government Business not leader for SLPP side but even the acting Chief Whip for that side you can agree with me that the attendance on that side is beyond your expectation and you cannot blame them because you know the reasons beyond our expectations, against the direction of Mr Speaker.

So my submission is, it is difficult, we cannot continue not out of malice but if we continue we are abrogating the Constitution even all the more. That is my submission sir.

THE SPEAKER: Yes Leader of Government Business.

HON MATHEW S NYUMA: Thank you very much. When we started I moved a motion to amend the order paper which you put into vote and it was voted in favour to amend the order paper, we have done that already. And the understanding I had Mr Speaker, that you are talking about the provision attached to the constitutional amendment, since we have amended the order paper we would not do anything to the constitutional amendment. We cannot touch provisions that are dealing with constitutional amendments and it is in the spirit of the House that we are not going to continue the Bill today. We can differ that one to another date may be tomorrow we can get the two thirds, if we don't get the two-thirds we know what we would do but it

cannot stop us not to look at other clauses that are enshrined in the Bill, it is very clear there are other provisions that we need to discuss that has nothing to do with the two thirds. So that is deliberately why I amended the order paper. Having done so, even provisions in the Bill that talks about two-thirds or that touches the constitution, you cannot go ahead with that one. We will skip just as we did for the Public Elections Bill we have now enacted we said we stick a pin, we use the words of the substantive Speaker, we said we move on and we come back to them.

In your opening statement dealing with your sincerity of purpose of this particular Bill in front of us, I plead with you to understand the amendment I have done and that we as a House cannot touch the provisions in the Bill that has to do with constitutional amendments but other provisions that has to do with perhaps 30% where we have to make amendments that has to do with percentages given to political parties where they have elections where they cannot meet the 2%, those are provisions that has nothing to do with constitutional amendment. So there are few of those clauses we can look at and put at abeyance the constitutional amendments. That is the commitment and we need to move on I presume we would finish tomorrow. Thank you Mr Speaker.

THE SPEAKER: Let me tell you what my position is. As far as I know, this Bill cannot be read and passed into law without first and foremost addressing the constitutional instrument but that cannot stop us from looking at other clauses because we are trying to reduce our workload but we know we cannot pass this particular Bill into law without addressing the constitutional instrument. I think that is trite we can proceed to do whatever stage of this Bill, like I said we can just avoid those dicey or sticky areas that have to do with the Constitution but we know whatever we do, we cannot pass this Bill into law without addressing the constitutional instrument that is how I see it.

HON CHERNOR R. M BAH:*[Leader of Opposition]* Mr Speaker, you make a lot of sense but the challenge here is that, as the Honourable Member from Koinadugu said, definitely we have done it in one or two occasions. As I said, as you rightly mentioned we have done it on one or two occasions.

THE SPEAKER: Any way in the circumstances, don't bore yourself I think we cannot proceed.

HON CHERNOR R. M BAH: Thank you.

THE SPEAKER: Honourable Members, and by extension the public, our primary duty as a Parliament is to make the laws of the land and it is for the respect of such laws that we are here today to carry on our obligation to the state and to demonstrate the supremacy of the laws of the Republic of Sierra Leone. But as it is, we cannot proceed today because we do not have the required two-thirds majority as dictated by the Constitution of Sierra Leone Act No.6 of 1991 and the Standing Orders of the Parliament of Sierra Leone. Many of our Members would have been present but for the present misfortunate situation happening in the country now. We have received several distress calls from some of our Members who have informed us and we do verily believe that their homes have been attacked by protesters who are supposed to be peaceful protesters. Some have called to say that they were attacked on their way to parliamentary sitting. I therefore call on the security forces to do all they can to restore the state to normalcy and I call on peace loving Sierra Leoneans to be calm.

ADJOURNMENT

[The House rose at 11:35 a.m. and was adjourned to Thursday, 11th August, 2022 at 10:00 a.m.]