

OAU DRIVE, TOWER HILL, FREETOWN

PARLIAMENTARY DEBATES

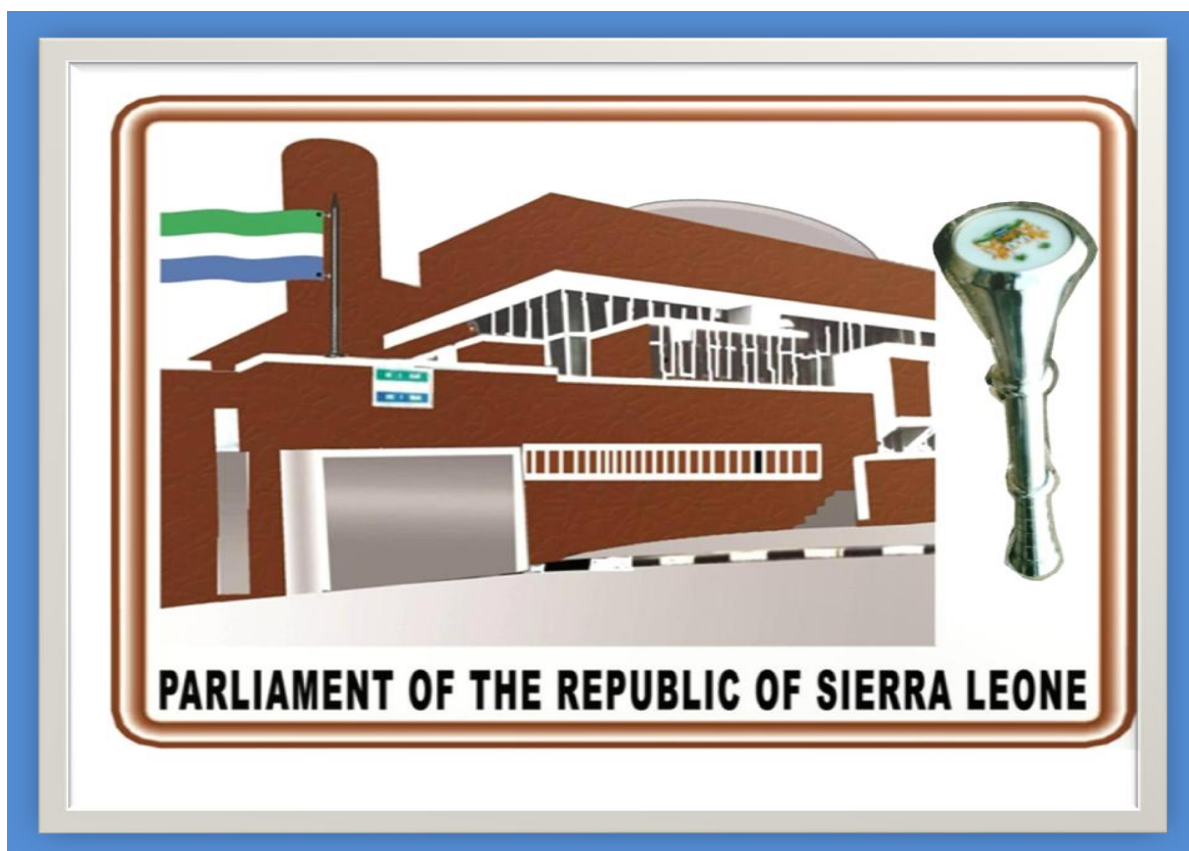
[HANSARD]

OFFICIAL HANSARD REPORT

SECOND SESSION –FIRST MEETING

THURSDAY, 13TH MARCH 2025

SESSION – 2024/2025



OAU DRIVE, TOWER HILL, FREETOWN

PARLIAMENTARY DEBATES

[HANSARD]

OFFICIAL HANSARD REPORT

VOLUME: I

NUMBER: 38

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

Proceedings of the Sitting of the House
held 13th March, 2025

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Official Hansard Report of the Proceedings of the House

SECOND SESSION – FIRST MEETING OF THE SIXTH PARLIAMENT OF THE SECOND REPUBLIC

Thursday, 13th March, 2025

PRAYERS

[The Table Clerk, Mrs Fatmata Bintu Weston read the Prayers]

[The House met at 10:05 A.M. in Parliament Building, Tower Hill, Freetown]

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

The House was called to Order

Suspension of S.O 5[2]

HON. BRIMA MANSARAY: Mr Speaker, Honourable Members, I therefore move that S.O 5[2] be suspended for the business of the House to commence.

THE SPEAKER: Any Seconder?

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

[Question Proposed, Put and Agreed To]

HON. MATHEW S. NYUMA: Mr Speaker, the Bill should be the Sierra Leone Shipping Agency Act, 2025 not 2024. Mr Speaker, I so move that the title be amended to 2025. I thank you.

THE SPEAKER: Any Seconder?

HON. BASHIRU SILIKIE: I so second Mr Speaker.

[Question Proposed Put and Agreed to]

[Motion on the amendment of the Order Paper by the Leader of Government Business has been adopted]

HON. MATHEW S. NYUMA: Mr Speaker, I stand on Section [94] of the Constitution of Sierra Leone Act No. 6 of 1991 to call your attention again to the same item. I am really sorry about it; Mr Speaker, I want to go over the whole title Sir.

THE SPEAKER: Proceed.

HON. MATHEW S. NYUMA: Mr Speaker, I move that Order Paper item 5 be amended as you read.

THE SPEAKER: This is now 5[B]?

HON. MATHEW S. NYUMA: No, it should be National Shipping Agency for A and B.

THE SPEAKER: Any Seconder?

HON. BASHIRU SILIKIE: I so second Mr Speaker.

[Question Proposed Put and Agreed to]

[The Motion moved by the Leader of Government Business has been adopted]

RECORD OF VOTES AND PROCEEDINGS FOR TUESDAY 11TH MARCH, 2025

THE SPEAKER: Honourable Members, as usual we skip pages 1 to 4? Page 5? Page 6? Page 7? Can a Member please move?

HON. MUSA FOFANAH: I so move Mr Speaker.

THE SPEAKER: Any Secunder?

HON. JOSEPH WILLIAMS-LAMIN: I so second.

[Question Proposed Put and Agreed to]

[The record of Votes and Proceedings for Tuesday 11th March 2025 has been adopted]

ANNOUNCEMENT BY MR SPEAKER

THE SPEAKER: Proceed.

PAPER LAID

THE ATTORNEY GENERAL AND MINISTER OF JUSTICE

HON. MATHEW S. NYUMA: Mr Speaker, on behalf of the Attorney General and Minister of Justice I hereby lay on the Table of this House, the Audit Service Regulation 2024 Act No 4 of 2024 and Statutory Instrument No. 15 Of 2024. Mr Speaker, before I move to lay the Instrument I want to state here that, we called for consultative meetings with the relevant Committees so that we can understand exactly what we are doing and thankfully the Deputy Speaker is the Chairman of the PAC and the Chief Whip is the Chairman of the Transparency and Accountability Committee.

THE SPEAKER: The Chief Whip is not the Chairman for the Transparency and Accountability Committee the Chairman is Honourable Ambrose Maada Lebbay.

HON. MATHEW S. NYUMA: Thank you Mr Speaker for the correction. We called the Chairman of Finance Committee and also the Chairman of the Legislative Committee let them explain to us why we need to have the Regulations at this moment because we do not want people to go with the intention that Instruments are very difficult to be rejected in Parliament so we decided to have this consultative meeting so that they can understand properly. I just want to inform the House that, the said consultations can make us understand what is in the document. Mr Speaker, with that being said I want to lay on the Table of this House the Instruments I have read.

HON. DANIEL B. KOROMA: Mr Speaker, before the Instrument is being laid by Mr Leader I want to say something.

THE SPEAKER: Hold on Mr Leader let me hear from him.

HON. DANIEL B. KOROMA: Thank you Mr Speaker. Mr Speaker, I want to use this opportunity to commend the Leadership of this Parliament. We always say here that when Instruments are being laid in the House, it can either be accepted holistically or rejected holistically which is most times very difficult. I really want to use this opportunity to commend the Leadership of Government and I am pleading with the Speakership of this House and the entire Leadership that we continue this type of practice. So I want to continue to plead that we continue this manual practice in Parliament before certain Instruments, Regulations, Agreements are made and relevant Committees should have a second look and then do the necessary corrections before they are laid, I think that would be better for us.

THE SPEAKER: Thank you Acting Leader of the Opposition.

HON. MATHEW S. NYUMA: Mr Speaker, you know Parliament regulates itself. So thank you very much for your commendation and we would continue to strive in that

way so that we can succeed as a Parliament without much ado Mr Speaker, with your leave I want to lay the following documents on the Table of the House.

[1] The Audit Service Regulations 2024

[2] The Audit Service Act 2024 [No. 4 of 2024]

[3] Statutory Instrument No. 15 of 2024

BILL

THE SIERRA LEONE NATIONAL SHIPPING AGENCY ACT, 2025

COMMITTEE STAGE AND THIRD READING

THE MINISTER OF TRANSPORT AND AVIATION

[The House resolves into Committee of the whole]

**REPORT ON THE BILL ENTITLED THE SIERRA LEONE NATIONAL SHIPPING
AGENCY ACT 2025**

HON. ABDUL MARRAY S. CONTEH

CHAIRMAN LEGISLATIVE COMMITTEE

INTRODUCTION

Mr Chairman, Honourable Members, I rise to present the Seventh Report of the Legislative Committee, Second Session of the Sixth Parliament of the Second Republic of Sierra Leone, on the Bill entitled the Sierra Leone National Shipping Agency Act, 2025. "Being an Act to make provision for the establishment of the Sierra Leone National Shipping Agency as the sole national carrier of the Republic of Sierra Leone with the right to perform at its discretion the maritime transportation of 40 percent of the total value of cargo exported out of, and imported into Sierra Leone, whether unitized or in bulk, dry or liquid, including the provision of FPSOs, FSOs, freight clearing and forwarding, transshipments, crew management, cabotage services, haulage and

related logistics services and to provide for other related matters.” Mr Chairman, Honourable Members, the Bill having gone through Second Reading was committed to the Legislative Committee for scrutiny pursuant to Standing Orders 51[1].

Subsequently, the Committee met on Wednesday 5th March, 2025, in Committee Room No.1, Parliament Building, with the following objectives:

- To scrutinize in detail the principles and provisions of the Bill and to make amendments if necessary.
- To ascertain the constitutional and legal implications contained therein.
- To report to Plenary for consideration by the Committee of the Whole House in line with S.O.53. Mr Chairman, Honourable Members, in attendance were, the Deputy Minister of Transport and Aviation, Technical Advisor and Legal person of the Ministry of Transport and Aviation, the Company Secretary, Financial Controller, Managing Director, Deputy Managing Director, Marketing Manager of the Sierra Leone National Shipping Company, the Chairman, Legislative Committee, the Chairman, Transport and Aviation Committee, Members of the Legislative Committee and other Members of Parliament.

RECOMMENDATIONS

Mr Chairman, Honourable Members, the Legislative Committee having scrutinized the Bill line by line, Clause by Clause, recommends the following amendments to the House for approval: Short Title of the Bill be approved and Long Title of the Bill be amended by inserting the phrase ‘to repeal’ and replace The Sierra Leone National Carrier Act, 2012 [Act No. 13 of 2012] after the word ‘Act’ to read being an Act to repeal and replace The Sierra Leone National Carrier Act, 2012 [Act No. 13 of 2012], to make provision for the establishment of the Sierra Leone National Shipping Agency as the sole national carrier of the Republic of Sierra Leone with the right to perform at its discretion the maritime transportation of 40 percent of the total value of cargo exported out of, and imported into Sierra Leone, whether unitised or in bulk, dry or liquid, including the provision of FPSOs, FSOs, freight

clearing and forwarding, transshipments, crew management, cabotage services, haulage and related logistics services and to provide for other related matters.

PART I – PRELIMINARY: Clause 1 - Interpretation – the definition of the word "Cabotage" be inserted to read, Cabotage means a foreign registered ship transporting goods or passengers between two places in the same country. Clause 1 - Interpretation – the definition of the phrase Company Secretary be deleted. Clause 1 - Interpretation – the definition of the word Minister be inserted to read, Minister means the Minister responsible for Transport and Aviation. Clause 1 - Interpretation – the definition of the word Ministry be amended by combining it with the definition of the word Minister to read Ministry shall be construed accordingly.

PART II–THE SIERRA LEONE NATIONAL SHIPPING AGENCY be amended by inserting the phrase 'Establishment of' before the word 'the' to now read, Establishment of the Sierra Leone National Shipping Agency. Side Note of Clause 2 be amended by inserting the phrase "Establishment of the" before "Sierra Leone, to now read, "Establishment of the Sierra Leone National Shipping Agency". Clause 3 Sub Clause 2 – Board of Agency be amended by inserting the "letters "es" to the word "possess", to now read, "possesses" at the second line of the sentence. Clause 3 Sub Clause 2 – Board of Agency – be amended by rearranging the lettering, previous "a" now becomes the new "g", previous "b" now becomes the new "a", previous "c" now becomes the new "b", previous "d" now becomes the "c," previous "e" now becomes the new "d," previous "f" now becomes "e," a new "f" be inserted and previous "g" now becomes "h."

Clause 3 Sub Clause 2 – Board of Agency – the new "f" reads, "the Director of Shipping, Maritime Administration". Clause 3 Sub Clause 2 [h] – Board of Agency be amended by inserting the phrase "who shall serve as Secretary to the Board with no voting rights" after the word "Agency", to now read, "the Director General of the Agency who shall serve as Secretary to the Board with no voting rights." Clause 3 Sub Clause 3 – Board of Agency – be amended by deleting the word "appointed" after the

word "members", deleting the letter "a" after the word "paragraph" and inserting the phrase "[g] of Sub Section [2] of Section 3, after the word "paragraph" to now read "The Chairman and members under paragraph [g] of Sub Section [3] shall be appointed by the President on the recommendation of the Minister subject to the approval of Parliament". Clause 4 Sub Clause 1 – Tenure of members – be amended by replacing the letter "a" with the letter "g" after the word "paragraph" and inserting the phrase "for a further term of 3 years only" after the word "re-appointment" to now read "The Chairman and members appointed under paragraph [g] of Sub Section [2] of Section [3] shall hold office for a term of 3 years and shall be eligible for re- appointment for a further term of 3 years only". Clause 4 Sub Clause 2[d] – Tenure of members – be amended by inserting the phrase "sexual offence" immediately after the word "dishonesty" and moving the word "or" to be placed after the word "dishonesty", to now read, "if he is convicted and sentenced for an offence involving fraud, dishonesty or sexual offence". Clause 5 – Meetings of the Board be approved. Clause 6 – Disclosure of interest be approved. Clause 7 – Immunity of members be approved. Clause 8 – Committees of Board be approved. Clause 9 – Functions of Board be approved. Clause 10 – Remuneration of members be amended by inserting a new Sub Clause 2. Clause 10 Sub Clause 1 – Remuneration of members be amended to read "The Chairman and other members of the Board appointed under paragraph [g] of Sub Section [2] of Section 3 shall be paid such remuneration, sitting fees and allowances approved by the Minister and shall be reimbursed by the Agency for expenses incurred in connection with the discharge of their functions as the Board may, with the approval of the Minister determined". New Clause 10 Sub Clause 2– Remuneration of members be amended to read "Members appointed under paragraph [a], [b], [c], [d], [e], [f] and [h] of Sub Section [2] of Section 3 and persons co-opted by the Board shall be paid sitting fees approved by the Minister and shall be reimbursed by the Agency for expenses incurred in connection with the discharge of their functions as the Board may, with the approval of the Minister, determined". Clause 11 – Filling of vacancies be amended by replacing the phrase "a continuous period exceeding 3 months" with the phrase "three consecutive meetings" and replacing the figure "6" with the figure "9" to

now read "where the Chairman or a member of the Board dies, resigns, is removed from office or is absent for three consecutive meetings or is by reason of illness unable to perform the functions of his office for a continuous period of 9 months, in the case of".

PART III- FUNCTIONS OF AGENCY Clause 12 – Functions of Agency be approved. Clause 13 – Powers of Agency be approved. Clause 14 Sub Clause 3 – Liner Conference Agreement required be amended by inserting the phrase "on conviction" after the word "liable" to now read, "a person who contravenes Sub Section [1], commits an offence and is liable on conviction to a fine equivalent to twice the total revenue loss to the Agency resulting from the non-compliance". PART IV - ADMINISTRATIVE PROVISIONS Clause 15 Sub Clause 1 – Director General be amended by deleting the phrase "and upon such terms and conditions as the Board may, with the approval of the Minister determined" to read, "The Agency shall have a Director General who shall be appointed by the President, on the recommendation of the Minister, subject to the approval of Parliament". Clause 15 Sub Clause 2 – Director General – be amended to read "A person shall not be appointed Director General unless he is a person of high integrity, with practical knowledge and formal qualification from an accredited university in a profession relevant or appropriate to the functions of the Agency, with not less than 10 years' work experience." Clause 15 Sub Clause 3 – Director General be deleted. Clause 16 – Functions of Director General be approved. Clause 17 Sub Clause 2– Deputy Director General be amended to read, "A person shall not be appointed Deputy Director General unless he has a formal qualification from an accredited university in a profession relevant or appropriate to the operations of the Agency, with proven knowledge and experience in the field of shipping including freight clearing and forwarding, haulage and related logistics service". Clause 17 Sub Clause 3– Deputy Director General – The Committee unanimously agreed that Clause 17 Sub Clause 3 be brought to the Plenary for further deliberation by the Committee of the whole House. Clause 18 – Functions of Deputy Director General be approved. Clause 19 – Company Secretary be deleted. Clause 20 – Other staff be amended by renumbering it to become Clause 19. Clause 19

Sub Clause 1 previously Clause 20 Sub Clause 1 - Other staff be amended to read, "The Agency shall have in addition to the Director General and Deputy Director General such other staff, including a Corporate and Legal Affairs Secretary, Finance Officers, Administrative Officers and Technical Managers, as may be required for the efficient performance of the functions of the Agency". Clause 21 – Divisions be amended by renumbering it to become Clause 20.

PART V – FINANCIAL PROVISIONS Clause 22 - Funds of Agency be amended by renumbering it to become Clause 21. Clause 21 Sub Clause 1[b] previously Clause 22 Sub Clause 1[b] – Funds of Agency be amended by deleting the phrase "of 3.8 United States Dollars per ton" and inserting the word "products" after the word "petroleum", to now read, "Sierra Leone Carrier tariff imposed on petroleum products imported into Sierra Leone." Clause 21 Sub Clause 1[c] previously Clause 22 Sub Clause 1[c] – Funds of Agency be amended by inserting the phrase "bank loans" after the word "grant", to now read, "monies given to the Agency by way of gifts, endowments, bequest, grant, bank loans or other contributions by persons and organisations for the purposes of the Agency; or". Clause 21 Sub Clause 1[d] previously Clause 22 Sub Clause 1[d] – Funds of Agency be amended by replacing the word "moneys" with the word "monies", for uniformity. Clause 23 – Accounts and audit be amended by renumbering it to become Clause 22. Clause 24 - Financial year be amended by renumbering it to become Clause 23. Clause 25 – Annual report be amended by renumbering it to become Clause 24.

7 PART VI– MISCELLANEOUS PROVISIONS Clause 26 – Transitional provisions be amended by renumbering it to become Clause 25. Clause 25 previously Clause 26 – Transitional provisions be amended by inserting the phrase "and liabilities" after the word "assets", to now read, "Assets and liabilities, including funds and administrative records which immediately before the commencement of this Act, were vested in." Clause 25 [a] previously Clause 26 [a] – Transitional provisions be amended by inserting the word "National" before the word "Shipping" to now read "The Sierra Leone National Shipping Company Limited; and Clause 27 – Regulations be amended by

renumbering it to become Clause 26. Clause 28 – Repeal be amended by renumbering it to become Clause 27.

CONCLUSION

Mr Chairman, Honourable Members, the Legislative Committee, having scrutinized the Bill entitled: The Sierra Leone National Shipping Agency Act, 2025, hereby recommends these proposals to the House for approval. The Report reflects the consensus of Honourable Members of the Committee. I therefore move that the House pass the Bill entitled: The Sierra Leone National Shipping Agency Act, 2025, through Committee Stage, Third Reading and into Law. I thank you for your attention.

Signed:

Hon. Abdul S. Marray Conteh

Chairman, Legislative Committee

THE HOUSE STOOD DOWN AT 11:35 A.M

THE HOUSE RESUMED AT 11:45 A.M

[Part 1-6 Clauses 1-28 stand part of the Bill]

MR REX BONAPHA: Mr Chairman, Honourable Members, I move that Part 1-6 Clauses 1-28 stand part of the Bill.

[QUESTION PROPOSED]

HON. JOSEPH WILLIAMS-LAMIN: Mr Chairman, I respect the opinion and hard work of the Committee and what they have done to make the provision for the establishment of the Sierra Leone National Shipping Agency as a sole national carrier in the Republic of Sierra Leone with the right to perform. Mr Chairman, I am not comfortable please allow me to make some points.

THE CHAIRMAN: Honourable Member have you read the Report?

HON. JOSEPH WILLIAMS-LAMIN: Yes Mr Chairman.

THE CHAIRMAN: Let me here the Chairman.

HON. ABDUL S. MARRAY CONTEH: Honourable Members, I stand to quickly elaborate why we justified the position that we amended the long title by stating that, we are first going to repeal the Act of 2024 but then it is uncomfortable.

THE CHAIRMAN: Okay Honourable Lamin, can you go further why are you not comfortable?

HON. JOSEPH WILLIAMS-LAMIN: Thank you very much Mr Chairman. If you look at the word discretion it says the freedom to decide what to be done. I am not comfortable with that particular word [discretion] because it is given the caveat there to individual to decide whatever goes wrong by Law is permitted to do so, that is what I am concerned with Mr Chairman.

THE CHAIRMAN: I will not open this to a debate; let me here from Honourable Lebbby briefly.

HON. AMBROSE MAADA LEBBY: Mr Chairman, I want to differ from my Colleague. Mr Chairman, this is a Government Agency and the Government is giving its Agency the sole right to perform this function so I see no reason why we need to fight around this issue.

THE CHAIRMAN: That is omnibus when it comes to do with Agencies.

HON. AMBROSE MAADA LEBBY: Mr Chairman, I am sure the fear here may be using discretion is strategic to abuse of power which I think understandably is not provided for here so again the digression to use here is digression to do the right thing within their mandates so I think there is a safe guide here.

THE CHAIRMAN: Is alright.

HON. JOSEPH WILLIAMS-LAMIN: Mr Chairman, I fully understand what the Chairman is saying here but at the same time when you have the freedom to change what you want to change is good. Why do we have Auditor General's Office? Why is the PAC recovery Billions of Leones from offices where they have operated because people have used their discretion to do what they are doing so therefore as Law Makers we have to be mindful of our words. Mr Chairman, I have been here for the past 7 years reviewing the same document and I want to assure you that I am reading my record correctly Sir.

THE CHAIRMAN: Is alright we will stick a pin there. Page 1? Page 2? Page 3? Page 4? Page 5? Page 6? Page 7? Page 8? Page 9? Page 10?

HON. MATHEW S. NYUMA: Yes with regards to page 10 during the Second Reading there was a Clause we deeply debated.

THE CHAIRMAN: Are you referring to page 10?

HON. MATHEW S. NYUMA: Yes Mr Chairman. On page 10 under the joint venture Agreement during the Committee Stage, the Deputy Speaker was the one who raised that point then we can look at it here and see if the House may agree for it to be incorporated.

THE CHAIRMAN: Which one is that?

HON. IBRAHIM TAWA. CONTEH: Mr Chairman, the joint venture is a business and it will be generating profit and as a result they ascribed 1% to be used as a donations for communities and organisations working around where the joint venture will be operating. So during the course of the Second Reading I raised it and I thought that we should bring it to the House so as to keep that particular Clause for the maintenance of cooperate social responsibilities for organisations working around the operations of the Agency.

THE CHAIRMAN: I think that is clear, Honourable Members do we agree? Now you can do that in a form of a Motion.

HON. IBRAHIM TAWA. CONTEH: Mr Chairman, I move that a new paragraph [C] be added to Clause 13 to read that the Agency shall donate 1% of its audited net profit per annum after taxation resulting from its joint venture activities to related business organizations. I so move Mr Chairman.

THE CHAIRMAN: Any Secunder?

HON. AMBROSE MAADA LEBBY: I so second Mr Chairman.

[Question Proposed Put and Agreed to]

THE CHAIRMAN: This side is extremely quiet and I hope all of you are not embattled in your Constituencies. Mr Chairman, you know we spoke yesterday that is why I took my time to take my notes when the document is finally prepared. I want to see it and go through the entire document before it is taken to the President for his assent. I have said that and let me repeat myself before Honourable Members of Parliament; I want to see the final document from the Government Printing so that I would take my time to go through it line by line, page by page, Clause by Clause. Please I am saying this for good reason and I want to be on record that this document should not leave this Parliament without looking at it.

HON. ABDUL S. MARRAY CONTEH: With that Mr Chairman, I can also submit that one now to you and we have also up to three to four Acts waiting for your attention Sir.

THE CHAIRMAN: Let them be taken to my Chambers, thank you.

THE CHAIRMAN: Honourable Members, there is nothing urgent about law making we have to be really thorough. My first few Sittings as Speaker I raised certain issues relating to some unscrupulous persons tampering with what we do here. We cannot work whole day and you have some unscrupulous persons sitting in the offices doing adjustments. I am going to bring to the notice again to the Chairman of Legislative Committee whenever the President assents to any Act it behooves Mr Chairman of the Legislative Committee to ensure that it is announced in this House.

HON. MATHEW S. NYUMA: Before I proceed Mr Chairman, I would like to discuss with you in the Chamber concerning the Laws that are passed and publication through the Clerk's Office but we would like to discuss that in your Chamber Sir please.

THE CHAIRMAN: Relating to what?

HON. MATHEW S. NYUMA: Pertaining to what you have said.

THE CHAIRMAN: To what I have said? Why do you have to respond to everything I say?

HON. MATHEW S. NYUMA: No I did not respond, I just want to draw your attention Sir.

THE CHAIRMAN: Alright we will go forward.

HON. MATHEW S. NYUMA: We will still discuss with you in your Chamber.

THE CHAIRMAN: Certainly no problem. Page 11?

HON. BASHIRU SILIKIE: Mr Chairman, on page 11 the Committee is recommending that we expunge the Director General's role for a period of five years.

THE CHAIRMAN: Which Clause?

HON. BASHIRU SILIKIE: Page 11 15[3].

THE CHAIRMAN: Those on page 10 are you still with the old document?

HON. DANIEL B. KOROMA: Mr Chairman, we can see where he is coming from for him to make his point.

THE CHAIRMAN: We will not refer to the page again.

HON. BASHIRU SILIKIE: Mr Chairman, the Committee is proposing that we expunge the tenure of the Director General.

THE CHAIRMAN: Can you please read that?

HON. DANIEL B. KOROMA: The Director General shall hold office for a period of five years and shall be eligible for reappointment for another five years. Mr Chairman, this one was a landmark ruling by this House that heads of institutions, heads of administrations that are subjected to Presidential appointments should not be given any time limit.

THE CHAIRMAN: Hold on please.

HON. DANIEL B. KOROMA: We have done that even with three other Bills is a landmark ruling by this House.

HON. BASHIRU SILIKIE: Mr Chairman, political appointments should have timeliness because if you want to have an office that does not have timeliness then you should be recruited and the fact that is a political appointment your tenure should be tied to the person that appointed you but if you want your office to be depoliticized then we can also create a provision that the Board should recruit and when once they are recruited then you are now going to serve for a period until retirement and for political appointment we should not peg it unendingly.

THE CHAIRMAN: If I recall there was a Motion to that effect.

HON. DANIEL B. KOROMA: Mr Chairman, for example if the Anti –Corruption Commissioner is being appointed two years before the end of the President term of office which is five years and then another President comes in, that new President has all the tendency to remove the Anti-Corruption Commissioner even before the end of his or her term. This is what has been happening all over the place because the new President that comes in believes in his or her own team of people because he has political mandate based on his manifesto and he believes in his own team members who can help him to deliver so that at the end of the five years they can be accountable to the electorates based on their manifesto promises. It has never been adhere to so based on that this House made a landmark ruling that for heads of administrations they are the operational heads of His Excellency the President and the President should be allowed to appoint them and then in the event of another Presidency is charged by another individual to appoint his own team. Since this House decided that for substantive heads they should be appointed by the President and we also made another ruling that for deputies they used to be appointed by the President but in this case now they are going to be recruited by Board members and the deputies should have no time limit that is why in page 12 the Committee referred that matter to the House for clarity and we are coming to that. So based on this landmark ruling we decided that for substantive members they should be appointed by the President and their term of office remains to the discretion of the President even if there is a new President. The deputies who used to be appointed by the President also this time round they are now to be recruited by the Board and since they are now recruited by the Board they have no time limit. We will come to that in the next page that is a landmark ruling and we have done about three Bills under this landmark ruling.

HON. MATHEW S. NYUMA: I am wondering why we are trying to be inconsistent when we have argued and agreed on a particular format that every Bill that we are enacting to have this pattern of powers given to the President based on Constitutional provision to hire and fire.

THE CHAIRMAN: At any time.

HON. MATHEW S. NYUMA: Mr Chairman, the Board is three years so that they have time to be reappointed again and serve them.

THE CHAIRMAN: Of course.

HON. MATHEW S. NYUMA: Mr Chairman, in fact the President will have the right to dissolve the Board so for me we have to be very inconsistent with the Law and the Constitutional provisions provided for the President.

THE CHAIRMAN: You are right Mr Leader. The rationale here is that the heads of these MDAs must be appointed and fired based on the heartbeat of the President. You know the luck we have in Sierra Leone is that Sierra Leone is far less litigious country where people do not test the Laws in Court. If you appoint me according to the law I should be there for five years subject to reappointment and you sack me three years into my term I would take you to Court for certain remedies but because we do not want all of these things that is why we are making it now based on the heartbeat of the President so he can hire and fire.

HON. ABDUL KARGBO: Mr Chairman, I agree with the rationale because it makes enormous sense but similarly we should be aware of the fact that there are offices that have security of tenure as stated by the Constitution or the extant Laws.

THE CHAIRMAN: It is understandable.

HON. ABDUL KARGBO: They are exclusive of what we are trying to say here in their own cases before they are dismissed due process should be followed and some other offices they cannot just be separated because they are independent. The Executive should not have total control over them so that is why the Constitution or some other Laws make it very clear that there should be security of tenure so this does not affect those offices that have security of tenure by the Constitution or by their extant Law. I just want to make that clarification Sir.

THE CHAIRMAN: Thank you very much Leader of the Opposition. Page 11? Page 12?

HON. ABDUL S. MARRAY CONTEH: Mr Chairman, if you look at the Report on page 6 the Committee unanimously agreed that Clause 7 Sub Clause 3 be brought to the

Plenary for further deliberation by the Committee of the whole House. It is now agreed that the Deputy Director General should be recruited by the Board.

HON. MATHEW S. NYUMA: Point of Order please. Mr Chairman, we are progressive Parliament and we take into consideration of certain provisions within our Constitution. There are Constitutional provisions which make some offices very strong in the sense that if you want to remove somebody in those offices you should observe the due process of the Law. There are others who came after the enactment of the 1991 Constitution. I am drawing the attention of my Colleagues when it comes to Constitutional provision; let them be mindful that we are guided by the supreme Law of the State which is the 1991 Constitution.

HON. ABDUL KARGBO: Mr Chairman, I want to make it very clear again Sir, the President cannot fire the ACC Boss because he has security of tenure and that is what the Chairman is saying. The President can hire and fire generally but where specifically the President cannot do that, he cannot do that. I think we are all Sierra Leoneans, we have been here and we have seen a number of Anti-Corruption Commissioners appointed and removed whether they were reappointed or redeployed or realigned, the point is a secured tenure position should go on in full circle but in the case of the Chief Justice which I agreed with you and the Director General those two they are in this Constitution. Principally, they are protected and their tenure of offices are protected here where as Section [53] of the 1991 Constitution the exercise of the executive power of the President and Section [61] of the 1991 Constitution the President has power to create offices and to appoint people. We should now consider offices such as the Anti-Corruption Commissioner, the Bank Governor and makes them entrenched or protect them in the Constitution so they are not creature of subsidiary legislation that the Constitution can override in as much as in the spirit of the legislations that created the offices of the Anti-Corruption Commissioner and the Bank Governor. We want to keep them but they cannot override the spirit and intent of the Constitution.

Again, Mr Deputy Speaker with all due respect like I said the Constitution is very clear that the President has the right to hire and fire but that does not apply to every office. There are offices in which the process and procedures are very instructing and very clear. One responsibility of Parliament is to ensure that the Laws we make are not in conflict with the Constitution so if an Act of Parliament protects or gives security to any head then the process of dismissal of that head should be followed and again even when you have security of tenure there is a process under which you lose your office. It does not necessary mean that because you have security of tenure you will not lose your office. If you misbehave or you go against the process you can be removed but there are processes. For example, the ACC Boss his duty is to ensure that he stops

corruption in every office and if somebody who is very closed to the Executive or to the President involves in any corrupt act that ACC Boss must be protected so that when he goes against that person the President will not fire him. Security of tenure is to allow independent of offices.

THE CHAIRMAN: I do not know why we are subjecting this particular subject to debate as far as I know you are all saying the same thing.

HON. IBRAHIM TAWA CONTEH: Mr Chairman, we are protecting the same thing but we are saying it differently.

THE CHAIRMAN: It is the same thing you are all saying. We are trying to protect the same thing but we are saying it in different ways and there is nothing different.

HON. IBRAHIM TAWA CONTEH: Mr Chairman, we are protecting the same thing but we are saying it differently. The Constitution itself makes room for that and that is why the Drafters are so clever they provided for in Sub-Section [15] of [171] that any other Law that conflicts the Constitution is null and void. I agree with you on that for the protection we are on the same page.

THE CHAIRMAN: You are all saying the same thing.

HON. BASHIRU SILIKIE: Mr Chairman, I am still on political appointment. We all know political appointment does not have age limit and equally they do not have time limit. So when we leave these offices at the behest of the President we should also bear in mind that as Law Makers should guide the President.

THE CHAIRMAN: The President is answerable to the people if the nation fails under him, he will be well accountable.

HON. ABDUL S. MARRAY CONTEH: Mr Chairman, people are going through the ranks and when we leave these offices in the mercy of the President and that would motivate others who are in the office because others would try their very best to be at the top through their performances.

THE CHAIRMAN: You might be lucky to have a friend as a President in your old age who would want to appoint you to a particular office.

HON. BASHIRU SILIKIE: We have seen persons who have served as Director General, Managing Directors when they get to the age of 60 or 65 as the Law subscribes we expect them to retire but today we are leaving it open which means if you do not have a political appointee who serves as Director General or Managing Director he would be in that office until 80 years old.

THE CHAIRMAN: Page 10? Page 11? Page 12? Page 13? Page 14? And page 15? Yes Deputy Leader of the Opposition.

HON. DANIEL B. KOROMA: I heard you telling the Chairman of the Legislative Committee about the deputy position that it should be fine.

THE CHAIRMAN: Page 15? Page 16? Page 17?

HON. JOSEPH WILLIAMS-LAMIN: Mr Chairman, Honourable Members, you skipped a page, I do not know why you were disturbing with discretionary behavior, discretionary behavior is always within the conference of the law.

THE CHAIRMAN: Honourable Williams Lamin stop disturbing us.

HON. JOSEPH WILLIAMS-LAMIN: Mr Chairman, discretionary behaviors are always within the conference of the Law.

THE CHAIRMAN: Honourable Williams Lamin thank you very much for that brilliant statement. Mr Minister, over to you please.

MR REX BONAPHA: Mr Chairman, Honourable Members, I move that Parts 1 to 6 Clauses 1 to 28 stand part of the Bill as amended.

[QUESTION PROPOSED PUT AND AGREED TO]

[PARTS 1-6 Clauses 1-28 stand part of the Bill]

**[THE HOUSE RESUMED]
THIRD READING**

MR REX BONAPHA: Mr Speaker, Honourable Members, I report that the Bill entitled the Sierra Leone National Shipping Agency Act 2025 having gone through the Committee of the whole House with some amendments, I now move that the Bill be read for the Third Time and passed in to Law.

THE SPEAKER: Honourable Members, the question is that the Bill entitled the Sierra Leone National Shipping Agency Act 2025 be read the Third Time and passed in to Law.

[QUESTION PROPOSED PUT AND AGREED TO]

[The Bill entitled the Sierra Leone National Shipping Agency Act 2025 being an Act to repeal and replace the Sierra Leone National Career Act 2012 Act No 13 of 2012 to make provision for the establishment of the Sierra Leone National Shipping Agency as

the sole national carrier of the Republic of Sierra Leone with the right to perform at its discretion the maritime transportation of 40% of the total value of cargo exported out of and imported into Sierra Leone whether unitized or in bulk dry or liquid including the provision of EPSO's, FSO's freight clearing and forwarding, trans-shipment, crew management, cabotage services, haulage and related logistics services and to provide for other related matters has been read the Third Time and passed in to Law]

THE SPEAKER: Mr Minister, you may leave us and thank you very much for being a friend of this House.

HON. AARON KOROMA: Mr Speaker, Honourable Members, I rise on S.O 23. Mr Speaker, for the attention of this House a very important issue if this House does not take strong action it will have a very negative effect on all of us that is the River Rokel. Mr Speaker, Honourable Members, if something serious is not done to stop the attack of illegal mining and other activities that are happening along River Rokel, we are risking as a nation to lose the only river that provides the potential to give us the most reliable, and renewable energy. Mr Speaker, I am asking that this House calls to action all relevant MDAs if possible the Minister of Environment to come to this House and provide answers and give us assurances as to what should be the actions of Government as to how we can attack this particular existential threat.

Mr Speaker, I want to bring another issue pertaining to the Ministry of Finance because he said the inflation rate is decreasing but the exchange rate is relatively stable. Mr Speaker, the effect on the prices of goods and services for just this last one month we have seen that the price of a bag of cement has risen about 35%. It was Le160 to date Mr Speaker depending on where you buy your cement like in Freetown a bag of cement costs Le200 and is not even available. It is not available in Freetown how would the people of Kailahun, Kono would be facing and how much would it even be sold? Mr Speaker, this is not a political issue, it is an issue that is affecting our people except if you do not care to fight for your people. I want to ask that we also invite the Minister of Trade to also explain to us because prices of some basic commodities are still on the rise. I thank you very much Mr Speaker.

THE SPEAKER: Honourable Members, the Public Interest Committee we have two meetings on Monday at 12 O'clock noon with the Minister of Environment with the Public Interest Committee and at 2 P.M we have a meeting with the Minister of Trade for this kind of engagement. I am inviting every Member of the Public Interest Committee because this is not a political issue and please Mr Clerk send their letters today. It is the duty of Parliament to draw some of these issues and that is what we are here for as a Parliament. I thank you very much.

HON. TAMBA KELLY: Thank you Mr Speaker. Mr Speaker, there is a segment of the recently constructed Masiaka-Kono Road that is falling into incorrigible disrepair. I have raised this in this Well of Parliament and asked the Works Committee to have a look at it and it is not for me to say whether or not that Committee is in comatose.

THE SPEAKER: Do not say that Honourable Member because that Committee is headed by a Leader.

HON. TAMBA KELLY: Yes I am not in the position.

THE SPEAKER: It is a nice way of saying it but the essence of communication is to understand.

HON. BASHIRU SILIKIE: Mr Speaker, the Member of Parliament is a legal luminary and it is expected that whatever he says he should say it with the spirit of the law and what he is saying is not even protected by S.O. 23. When you read S.O. 23 you would know exactly what S.O. 23 means please guide him. He is a very senior Lawyer and he should be guided by the Laws. I thank you.

HON. MATHEW S. NYUMA: Mr Speaker, there are procedures to channel most of these issues and attacking the Chairman of the Committee by saying the Committee is in comatose is not correct.

THE SPEAKER: Leader do not inflame this thing.

HON. MATHEW S. NYUMA: No, I am not inflaming it; I just want Members to stick to the spirit of S.O. 23. We are trying to become very effective and do proper oversight that is why we are making layers but we will engage and see what we can do, I only hope this Committee can never go into comatose.

THE SPEAKER: Yes Honourable Member are you done?

HON. ABDUL KARGBO: Mr Speaker, just like what the Leader of Government Business says the Honourable Member is very much knowledgeable of the fact that he does not have the right to say a Committee has gone into comatose that was why he said it is not for him to say because he knows it is a crime for him to say it. He used his legal background to advise himself so based on that I want to ask that he continues.

HON. TAMBA KELLIE: Mr Speaker, I think my Honourable Colleagues in this House have similar concerns in relation to road in their areas. Mr Speaker, I think it will be right for us to call the Minister of Works and the Road Maintenance Funds to come to this House is not just the Masiaka-Kono Road because the other day one Honourable Member was making reference to a road in his area.

THE SPEAKER: Honourable Leader and Chair please pay attention.

HON. TAMBA KELLIE: The Road Maintenance Fund they have a lot of money and what is the coordination between them and the Ministry of Works?

HON. BASHIRU SILIKIE: Mr Speaker, let us stick to S.O. 23. He said he has a lot to say and we will deal with those issues at Committee level. Mr Speaker, advise him to speak as a Lawyer. The Honourable Member should not degenerate the law profession because I have told him to read S.O. 23 and he should be guided because he is a seasoned Lawyer. It is expected from him that when other Members of Parliament who do not have background in law are speaking off the record he should be guiding them rather than him being guided.

THE SPEAKER: Is alright Chair.

HON. MATHEW S. NYUMA: Mr Speaker, I want to apologize for the word used by my Deputy. I can understand the situation but it is not really accepted. I have once campaigned to the Honourable Member and you know his lyrics, he is a very solid man, he cannot water down the values of the law profession in this country because he has contributed immensely in making the laws of this country. Mr Speaker, we are going to expunge it from the record. He is going to deal with the matter under the appropriate provision. There are roads that money has been appoved and I was together with the Chairman of the Legislative Committee yesterday we engaged the Ministry of Finance concerning the Murray Town Road and we had very good news about that. I thank you.

THE SPEAKER: By the way Mr Chair have you done personal investigations relating to these roads? Has your Committee investigated matters concerning these roads?

HON. BASHIRU SILIKIE: We have been investigating matters around roads of course there are trunk roads and feeder roads. Mr Speaker, the Committee was reconstituted two weeks ago and we are still trying to reorganize the Committee and to start the Second Session of the Committee so whatever issue he has as a Member of Parliament he should channel those issues through the Committee. I thank you.

HON. IBRAHIM TAWA CONTEH: Mr Speaker, I want to draw the attention of this House particularly so to the Chairman of Defense that the Ministry of Defense particularly the CDS and their legal team yesterday wrote to resident at Juba particularly around the Services School Compound area that the Military is trying to intimidate and to take the Services School Compound. It is something that we are going to resist as ex-pupils and our pupils are going to resist it but I think is an issue of national interest and I should bring it to this House and to the Defense Committee so

that they can accordingly summon the necessary authorities so as to stop them not to interfere in the land at Services Secondary School.

THE SPEAKER: We have another meeting on Monday the Public Interest Committee. I am Chairman of all the Committees you are sitting as representative of Mr Speaker. Mr Clerk, please also invite the Minister of Defense and the CDS and the Chairman of Defense will sit with the Public Interest Committee as in the case of the trade matter the Chairman of Trade Committee will sit with the Public Interest Committee as in the case of the one relating to the environment the Chairman of Environment Committee will sit with the Public Interest Committee. I want these officials to see me chairing so that they would take some of these issues very serious. I have several other meetings already but I want to be present so that we give the necessary directives.

HON. ABDUL KARGBO: Mr Speaker, additionally we should also look at the energy sector. We have seen the revenue generated and it has not been corresponding to the service delivery. There is a constraint in services delivery all over the country especially the capital city. Also, the unregulated voltage supply is causing lot of destruction to our appliances in our homes. You will agree with me that, it has caused serious and enormous challenges so we should question them. We should invite them for questioning because we had lot of allegations including the burning of my entire home by unregulated voltage supply so this should not go unchecked; Parliament has the responsibility to look in to it.

THE SPEAKER: Yes certainly is the Chairman of Energy here? Who is the Deputy? Are you the Deputy?

HON. BILLOH SHAW: In addition to the list that you have just called for the meeting on Monday please add NMA.

THE SPEAKER: Mr Clerk please include NMA.

HON. BILLOH SHAW: Mr Speaker, it will interest you to know that NMA has representatives in all the Districts and with all these illegal mining their officers are there and we would want to know if reports have been made from their District Officers about these illegal mining. There is a river in Falaba District with specific reference to where I am coming from Fathom Mongo we used to fetch water from that river but it is of no use to us anymore.

THE SPEAKER: Yes I totally agree with you.

HON. SARAH FATMATA SOUKINA: Mr Speaker, I want to bring greetings from my Constituency to you because the election was good. Mr Speaker, I have a problem in

my Constituency, one of my transformers has been destroyed. It is about a month now we have no light and it is tormenting us. Mr Speaker, I would like you to help us to fix that transformer. I thank you Mr Speaker.

HON. DR SORIE UNPHA KOROMA: Mr Speaker, I am rising on the issue at the Tacugama Chimpanzee Sanctuary, the demolition of houses and homes and the news have made rounds on social media that we have Sierra Leoneans who also have land document to the effect and I am happy that you mentioned the Public Interest Committee will be sitting. Even though it is not in my Constituency as a substantive Chairman of the Human Rights Committee, I believe it is also bordered on human right issues. First of all in this meeting, I believe we should address the matter relating to Forest Guards as we have over 500 Forest Guards how did they cut down all those trees without any concerns being raised and how did they allow these people to build all these houses over the time? There are many houses with huge structures, we believe it took time for them to build those houses and we have seen this historically in this country where Government or entity demolishes people's houses. I think it is a human right issue and we should pay keen attention to it. I thank you Mr Speaker.

HON. MATHEW S. NYUMA: Mr Speaker, it is not only today President after President has been taken decision on the preservation of the Tacugama Chimpanzee Sanctuary area. Former President Ernest Bai Koroma did the same and now as I speak to you the World Bank that sponsors that program wants to pull out. There are issues but we can deal with it on the appropriate level. There are concerns but you need to know what has come up. There is a very serious issue happening at the reserved forest so it is all over the news please let us treat it appropriately under the appropriate Committee.

HON. JOSEPH WILLIAMS-LAMIN: Thank you very much Honourable Speaker. There is very disturbing video going rounds on social media about 700 black Africans being murdered in Morocco and when I saw that video Honourable Speaker, I was very disturbed and up till now I am still disturbed.

THE SPEAKER: Is it not propaganda?

HON. JOSEPH WILLIAMS-LAMIN: So therefore, I am calling you to use your good office to contact our Colleagues who are in Pan Africa Parliament to do further research on this and to investigate this one. I thank you.

THE SPEAKER: We need to try to know the veracity of that information then our representatives at PAP will pick that up but try to know the veracity sometimes you know you have propaganda all over the place.

HON. MAHMOUD KAMARA: Thank you very much Mr Speaker. I rise on S.O. 23. I want to again bring to the attention of the House regarding the deteriorating health care situation at Lumley Government Hospital. Three days ago I went on a spot visit and I discovered the deployable situation of the hospital.

THE SPEAKER: Which of this hospital?

HON. MAHMOUD KAMARA: The Government Hospital at Lumley. The place is small and some of the medications are packed at the veranda which can be exposed to sun light and the pharmacy at the hospital is a makeshift. Again, the road leading to the hospital is completely in a very bad shape. There are only five beds for women and the children also have five beds so most of their cases are referred to other hospitals. So I am kindly begging your intervention on this issue because I have raised this issue over and again in the Well, I see no reason why the Ministry of Health would not hasten to ensure that they fix that 100 beds hospital where the structure has already been completed just to do one or two things there and get it up and running. So please I request your involvement to ensure that the health care situation at Lumley get fixed.

THE SPEAKER: Thank you very much. I will bring that one to the notice of the Chairman of Health to do the necessary things. To the Leader of Paramount Chiefs Honourable P.C Alie Balan Sama I want to have a meeting with all the Paramount Chiefs in the House on Tuesday immediately after Sitting. I will be grateful if I get the full complement of all the Paramount Chiefs in the House. I want to have a meeting with you because I have met with the Opposition and I have not met with the Paramount Chiefs. So please Tuesday immediately after sitting in the Speaker's Conference Room so that we have a brief meeting at least I owe that to you. I thank you.

HON. QUINTON SALIA KONNEH: Thank you very much Mr Speaker. I am not trying to respond to what the Honourable Member said with regard to the Tacugama Chimpanzee Sanctuary but even though as Honourable Member I know it is our responsibility to represent our people across the length and breadth of this country. We have visited those areas and we have sent notices to those people to quit that place because it is a forest reserved and we have done everything necessarily possible. So, if we just allow people to ravage the natural resources of this country in the name of representing them they will be killing the country slowly so even though it is our responsibility to represent our people it should be our responsibility also to guide them when they do the wrong things. We all know ravaging of land in the Western Area is too rampant because everybody wants to become a land owner. We need the necessary platform to ensure the limited number of land that we have now, we need to

protect them and some of these harsh actions may not sound well but there at times in the interest of development as a country we need to take those strong actions so that it serves as a deterrent for other people who may have the intention. Let us look at the development of the city otherwise if care is not taken in the shortest possible time we will run out of land and even when investors come we will not have land to invest. Let us guide our people because the issue of talking about human right violation is actually making me feel as if the Government has done the wrong thing. There are times we need to investigate some of these actions of these people because of the weak system in the country people take unnecessary advantage over the country. They know they do not have document they still go ahead and do the wrong thing and they expect to be protected. I thank you very much Mr Speaker.

HON. MARIAMA MUNIA ZOMBO: Mr Speaker, Honourable Members, even though I have been ravaged by the lower level elections I am here to speak on S.O. 23 regarding the environmental issues and apart from the River Rokel we have River Moa also which is being threatened by the mining that is happening there particularly in Barri Chiefdom where we have the Tiwai and Gola Forest complex. These are reserves that have almost been elevated to world heritage site status and for any site to be elevated to world heritage status it means that site is a natural or man-made site which is being recognized globally. A structure which is outstanding of national importance and deserving special protection, these are sites that are nominated globally and designated by the World Heritage Convention which is an organization of UNISCO. We are lucky as a country to have been nominated through the Tiwai Island and global forest complex to be on that status of world heritage site. We are going through the process and evaluation is being done by the Ministry of Environment and the Minister of Tourism is leading the process and the Island is being threatened by mining. If the river gets dirty around the Island it will be an eyesore because we expect tourists to come there and enjoy and they have been enjoying the fresh water. I want the Committee of Public Interest to look into this matter. We cannot have a blind eye to this issue because it is getting worst and with that we cannot achieve world heritage site status. I thank you very much Mr Speaker.

THE SPEAKER: Honourable Member, you are invited to be in that meeting on Monday.

ANNOUNCEMENT

[1] Honourable Members are hereby informed that, there will be a pre legislative hearing on the Bill entitled the State Owned Enterprises Act 2024 On Monday 17th march 2025 at 10:00 A.M in Committee Room 1.

[2] Members of the Committee on Mines and Mineral Resources are hereby invited to an inaugural meeting to discuss the Committee Sessional work plan immediately after the Sitting of Parliament. Honourable Members of the Committee are encouraged to attend.

Sign: Honourable Emerson Saa Lamina

Chairman

ADJOURNMENT

THE HOUSE IS ADJOURNED TO TUESDAY 18TH MARCH 2024 AT 10:00 A.M.

THE HOUSE ROSE AT 12:30 P.M.