

*OAU DRIVE, TOWER HILL, FREETOWN*

# **PARLIAMENTARY DEBATES**

**[HANSARD]**

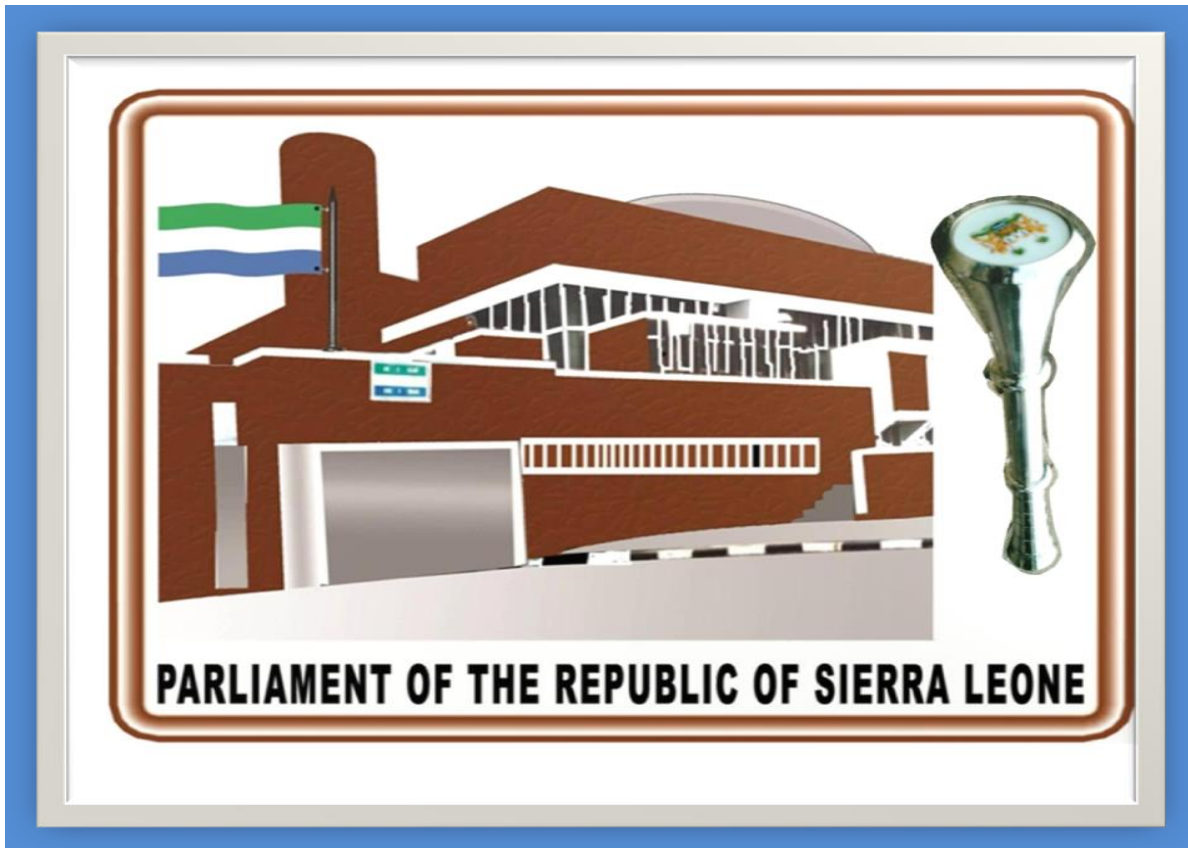
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**OFFICIAL HANSARD REPORT**

**FIRST SESSION - FIRST MEETING**

**THURSDAY, 17<sup>TH</sup> JANUARY, 2019**

*SESSION – 2018/2019*



*OAU DRIVE, TOWER HILL, FREETOWN*

# **PARLIAMENTARY DEBATES**

**[HANSARD]**

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**OFFICIAL HANSARD REPORT**

**VOLUME: II**

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

Proceedings of the Sitting of the House  
Held Thursday, 17<sup>th</sup> January, 2019.

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*THE CHAMBER OF PARLIAMENT OF THE REPUBLIC OF SIERRA LEONE*

## **Official Hansard Report of the Proceedings of the House**

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### **FIRST SESSION – FIRST MEETING OF THE FIFTH PARLIAMENT OF THE SECOND REPUBLIC**

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**Thursday, 17<sup>th</sup> January, 2019.**

#### **I. PRAYERS**

*[The Table Clerk, Mrs Bintu Weston, Read the Prayers]*

*[The House met at 11:35a.m. in Parliament Building, Tower Hill, Freetown]*

*[The Speaker, Hon. Dr Abass Chernor Bundu, in the Chair]*

The House was called to Order

COMMUNICATION FROM THE CHAIR

**II. CORRECTION OF VOTES AND PROCEEDINGS FOR PARLIAMENTARY SITTING HELD ON TUESDAY, 15<sup>TH</sup> JANUARY, 2019**

**THE SPEAKER:** Honourable Members, we go through the record of Votes and Proceedings for the parliamentary sitting held on Tuesday, 15<sup>th</sup> January, 2019. We shall skip pages 1 to 4 and. We will start with Page 5. Page 6? Page 5?

**HON. OSAIO KAMARA:** Mr Speaker, the second to last line, the word "year" is omitted. It should be New Year, the "year" is omitted.

**THE SPEAKER:** Thank you. Page 6? Page 7?

**HON. SAHR CHARLES:** Mr Speaker, the Honourable Abdul Timbo in his submission made mention of institutional representation and positional representation. It was not 'constitutional representation' because all the representations of all institutions are in the Constitution, i.e in the area that has to do with the Inspector General's [IG] inclusion in the National Mineral Advisory Board.

**THE SPEAKER:** Well, I observe that the Honourable Timbo himself is not here. He would have been the best person to guide us in this particular matter.

**HON. DICKSON M. ROGERS [Chief Whip]:** Mr Speaker, Honourable Members, the observation from my Honourable colleague is correct. The word there should be 'institutional representation'. That was exactly what Honourable Timbo said and that was the reason we brought in the Act to prove that, it was an institutional representation. In fact, it was on that basis that you said, the I.G should not even appear in parliament for approval.

**THE SPEAKER:** I do not think he is quarrelling with the word institutional representation,

**HON. DICKSON M. ROGERS [Chief Whip]:** Mr Speaker, what the Honourable Member, Sahr Charles was saying, is that in the Votes and Proceedings it is

constitutional representation rather than institutional representation. It should be institutional representation, not constitutional representation.

**THE SPEAKER:** I do not find that helpful because what is recorded in the Votes and Proceedings here is a distinction between institutional representation and constitutional representation. He is not quarrelling with the word institutional representation. Well, he was trying to make a comparison between two things, but unfortunately, he is not here now to make the clarification. I do not know whether anyone on this side of the aisle can help us! Honourable Mohamed Bangura, you are a neighbour of Honourable Timbo. Can you help!

**HON. MOHAMED BANGURA:** I cannot help at this point in time Sir.

**HON. MATHEW S. NYUMA [Deputy Leader of Government Business]:** Mr Speaker, what we dealt with on that day was institutional representation, not constitutional representation.

**THE SPEAKER:** That is right.

**HON. MATHEW S. NYUMA [Deputy Leader of Government Business]:** So the area of constitutional representation should not be in the Votes and Proceedings, but we should rather have institutional representation. Perhaps, he was just trying to draw a dichotomy between constitutional and institutional representation. But what I heard on that day purely is institutional representation and based on that reason, you ruled that the I.G should go.

**THE SPEAKER:** Honourable Member, you may take your seat. Frankly, I would rather skip this particular one until the maker of the statement himself is in the Chamber. We would come to it at a future date, but I cannot take what you have said. It is almost tantamount to hearsay. Let us wait for the maker to be in the chamber. He was trying to draw a distinction between two things.

**HON. MATHEW S. NYUMA [Deputy Leader of Government Business]:** Mr Speaker, there is a solid record, which is the Hansard. So, let the Clerk check with the Hansard and see if we can get that one clear. They need to just check the Hansard. I

think on that day we were talking about institutional representation, not constitutional representation.

**THE SPEAKER:** Can the Clerk help us? We would skip it for now and proceed. Page 8? Page 9? Page 10? Page 11?

**HON. IBRAHIM T. CONTEH:** Mr Speaker, Page 11, item 4. My name is not 'Brahim', but 'Ibrahim.' The full name is Honourable Ibrahim Tawa Conteh.

**THE SPEAKER:** Noted!

**HON. IBRAHIM T. CONTEH:** Thank you Sir.

**THE SPEAKER:** Page 11? Page 12?

**HON. AHMED S. TURAY:** In response, a space should be between 'to' and 'the'.

**THE SPEAKER:** Okay! Page 12? Page 13? Save for Page 7 whilst we await clarification of the actual statement made by the Honourable Timbo. Can somebody move for the adoption of the Record of Votes and Proceedings for the parliamentary sitting held on Tuesday, 15<sup>th</sup> January, 2019?

**HON. FODAY M. KAMARA:** Mr Speaker, before moving, I am sure you stated that, we should skip pages 1 to 5, but unfortunately, I want to bring us to Page 4 not because of the name but because of the fact that, I was here and have been marked absent. I think it is worthwhile for me to bring this to your notice. Thank you.

**THE SPEAKER:** Clerk, what do you have to say to that? Okay it is confirmed that you were present. Can I have a mover please?

**HON. BRIMA MANSARAY:** I so move Mr Speaker.

**THE SPEAKER:** Any seconder?

**HON. SAHR CHARLES:** I second the motion Mr Speaker.

*[Question Proposed, Put and Agreed to]*

*[Record of Votes and Proceedings for Tuesday 15<sup>th</sup> January, 2019 has been adopted as amended with the exception of Page 7]*

### **III PAPERS LAID**

**HON. MATHEW S. NYUMA** [*Deputy Leader of Government Business*]: Mr Speaker, Honourable Members, I beg to lay on the Table of the House the following:

The Public Elections [Enlargement of the time for the Conduct of Local Council Bye-Election in Kambia District Ward 196] Order 2018.

#### **THE PUBLIC ELECTIONS ACT, 2012 [ACT No.4]**

#### **STATUTORY INSTRUMENT No. 69 OF 2018**

**HON. ALUSINE O. KAMARA:** Mr Speaker, Honourable Members, I stand on S.O 25. I want to move that the motion of the Public Election [Enlargement of the time for the conduct of Local Council Bye-Election in Kambia District Ward 196] be debated.

**THE SPEAKER:** May I assume that what you have just said and proposed is tantamount to giving notice?

**HON. ALUSINE O. KAMARA:** Yes Mr Speaker.

**THE SPEAKER:** You will do the needful later.

**HON. ALUSINE O. KAMARA:** Yes Mr Speaker.

**THE SPEAKER:** Thank you. Honourable Members, oral notice has been given and it will be followed by the proper thing later on, but let it be clearly understood that the counting of the days starts from now.

#### [II] THE CHAIRMAN PARLIAMENTARY FINANCE COMMITTEE

#### SECOND REPORT OF THE PARLIAMENTARY COMMITTEE ON FINANCE

**HON. FRANCIS A. KAISAMBA:** Mr Speaker, Honourable Members, let us look at page 4 of the Report please. Second Report of the Parliamentary Committee on Finance.

Mr Speaker, Honourable Members, the Committee on Finance met on Tuesday, 8<sup>th</sup> January, 2019 to discuss and undertake decisions on the following letters received from the Office of the Secretary to the President through the Clerk of Parliament captioned: *Request for waiver of custom duty and taxes for the procurement of Presidential Staff*



*[The Official Staff of Authority], head of all Chief's Staff, Presidential Lapel Pins and Sierra Leone Flag Lapel Pins from Messrs Clave and Company Limited of the United Kingdom.*

The Committee painstakingly deliberated on the forwarded documents to ascertain that the necessary decisions were taken by the appropriate person as provided by law. Documents examined by the Committee included the following:

1. A State House Memorandum reference as stated of 9<sup>th</sup> December, 2018 and captioned: Request for waiver of custom duty and taxes for the procurement of Presidential Staff [The Official Staff of Authority], Head of all Chief's Staff, Presidential Lapel Pins and Sierra Leone Flag Lapel Pins from Messrs Clave and Company Limited of the United Kingdom.
2. The Profoma Invoice dated 18<sup>th</sup> October, 2018 from Messrs Clave and Company Limited of the United Kingdom indicating the different quantities, descriptions or specifications units price and the total contract value of **\$51,905.25**[Fifty-one Thousand Nine hundred and five pounds, twenty-five pence]
3. The letter from the National Public Procurement Authority [NPPA] dated 2<sup>nd</sup> October, 2018 giving endorsement of the use of sole source procurement of the Presidential Staff and Lapel Pins.
4. The specification of Presidential Staff and Lapel Pins, the quotation of the contractor.

Due reference was made to:

[a] The 1991 Constitution of Sierra Leone Act No.6 of 1991;

[b] Sub-Section 1 of section 3 of the Finance Act, 2006; and

[c] Sub-section 12 of section 51 of the Finance Act, 2013.

### *Recommendation[s]*

At the end of the deliberations, the Committee gave a unanimous approval to the request of waiver of custom duty and taxes for procurement of Presidential Staff [The Official Staff of Authority], Head of all Chief's Staff, Presidential Lapel Pins and Sierra

Leone Flag Lapel Pins from Messrs Clave and Company Limited of the United Kingdom. The Committee was convinced that:

1. The proposed procurement of Presidential Staff [The Official Staff of Authority], Head of all Chief's Staff, Presidential Lapel Pins and Sierra Leone Flag Lapel Pins from Messrs Clave and Company Limited of the United Kingdom qualified for tax waiver as provided for in sub-section 1 & 2 of Section 110 of the 1991 Constitution of Sierra Leone.
2. The planned procurement is in recognition of relentless effort and sacrifices made by deserving personalities.

I therefore move that, the Second Report of the Committee on Finance be adopted by the House and that recommendations contained therein be approved. Thank you so much.

*Suspension of S.O5 [2]*

**THE SPEAKER:** You made a correction; you said it should be the 'Second Report'.

**HON. FRANCIS A. KAISAMBA:** Yes sir.

**THE SPEAKER:** Any seconder to that Motion?

**HON. LAHAI MARAH:** Mr Speaker I so second.

*[Question Proposed, Put and Agreed to]*

*[Resolution for waiver of custom duty and taxes for procurement of Presidential Staff [The Official Staff of Authority], Head of all Chief's Staff, Presidential Lapel Pins and Sierra Leone Flag Lapel Pins from Messrs Clave and Company Limited of the United Kingdom by the Committee on Finance has been approved]*

**THE SPEAKER:** Before we go to the next item, for the sake of completeness, we shall briefly return to the Votes and Proceedings of Tuesday, 15<sup>th</sup> January, 2019, specifically on Page 7. I now have a verbatim recording of what the Honourable Osman Timbo said in his intervention. The distinction that he sought to draw was between institutional representation and positional representation. So let us correct the word constitutional to

positional. That will more accurately reflect the statement that was made here. Thank you!

**HON. DICKSON M. ROGERS [*Chief Whip*]:** Mr Speaker, I want the House to amend the Order Paper for item 5 to become the last item, because the Minister was here on Tuesday for the ratification of a government motion. So let item 5 becomes the last item on the Order paper.

**THE SPEAKER:** Honourable Members, the Motion is that, item 5 on the Order Paper should become the last item, which is item 7. I hope that is understood!

**HON. IBRAHIM B. KARGBO [*Deputy Leader of the Opposition*]:** The exchange in the format of the Order Paper is not very clear as to why we are changing the position of the various items.

**THE SPEAKER:** Mr Clerk.

**HON. UMAR PARAN TARAWALLY [*The Clerk of Parliament*]:** We want to give preference to Government Motion and then we come to the last item, which is the contempt proceeding? Since that could take a while, we want it to be the last item of the day on the Order Paper.

**HON. IBRAHIM BEN KARGBO:** If the Minister is here why should not we do it quickly and get done with it?

**HON. UMAR PARAN TARAWALLY [*The Clerk of Parliament*]:** Mr Speaker, Honourable Members, as we await the arrival of the Permanent Secretary and Officials of the Ministry of Trade and Industry, we may want

Item 5 to be the last item of the day so that they would have arrived before we delve in to that proper.

**THE SPEAKER:** Honourable Ibrahim B. Kargbo, I hope that satisfies you now. Any seconder to the Motion?

**HON. MATHEW S. NYUMA** *[Deputy Leader of Government Business]*: Mr Speaker, I second the Motion.

*[Question Proposed, Put and Agreed to]*

*[Motion to amend the Order Paper has been carried accordingly]*

#### **IV GOVERNMENT MOTION**

##### **THE MINISTER OF LABOUR AND SOCIAL SECURITY**

**MR LANSANA M. DUMBUYA** *[Deputy Minister of Labour and Social Security]*:

Mr Speaker, Honourable Members, be it resolved that this Honourable House ratifies the following conventions which were laid on the Table of the House on Thursday 4<sup>th</sup> December, 2018:

[i] CONVENTION 97 – MIGRATION FOR EMPLOYMENT CONVENTION [REVISED] 1949.

[ii] CONVENTION 143 – MIGRANT WORKERS [SUPPLEMENTARY PROVISIONS] 1975

[iii] CONVENTIONS 155 – OCCUPATIONAL SAFETY AND HEALTH, 1981

[iv] CONVENTION 187 – PROMOTIONAL FRAMEWORK FOR OCCUPATIONAL SAFETY AND HEALTH RECOMMENDATION, 2006

[v] MARITIME LABOUR CONVENTION, 2006

Mr Speaker, Honourable Members, I am pretty sure as law makers, you have all read the Conventions that were laid and fully understand their importance, but please, give me permission to briefly highlight the importance of ratifying these conventions for us as a nation.

Mr Speaker, Honourable Members, we are all aware of the rapid movement of people in and outside Sierra Leone for employment purposes. So the interest here for the ratification of Convention 97 – Migration for employment Conventions [Revised] 1949 and Convention 143 – Migrant Workers is to help protect our employers and employees that are working outside Sierra Leone and also those that are working inside Sierra

Leone as migrant workers. It would also help us as a ministry to develop better policies, regulations and laws that would govern labour migration management, employment conditions and other agreements.

On convention 155- Occupational Safety and Health, 1981 and Convention 187 – Promotional Framework for Occupational Safety and Health Recommendation, 2006, the following would be the significance we would derive as a nation:

[i] ILO Conventions and recommendations on Occupational Safety and Health may serve several purposes. It would act as fundamental principles to guide national and enterprise policies for prevention and management of Occupational Safety and Health including occupational organisational measures and procedures on core occupational safety and health standards. It would also serve as good practices concerning general protection measures such as control of air pollution and vibration in working environment. Protection in specific branches of economy such as agriculture, mining and construction, protection against specific risks, prevention of occupational cancer, radiation protection, safe use of chemicals and prevention of industrial accidents. We are all aware we are supposed to have the people that are in the telecommunication sector, they are putting up masts everywhere we are supposed to have them in ensuring that yes; the workers are not exposed to the hazards in those work conditions. Lastly, on the Convention on Maritime Labour Convention 2006, I would make reference to the following headings:

Mr Speaker, Honourable Members, first, is the minimum requirements for seafarers to work on a ship. This will look at the minimum age, medical certificate, training and qualifications, recruitment and placement.

Secondly it will look at conditions of employment; seafarers employment agreements, the wages, hours of work and hours of rest, entitlement to leave, repatriation, seafarers compensation for the ships lost or found [42:43], career and skills development and opportunities for seafarers.

Lastly, if we ratify these conventions and domesticate them in Sierra Leone, it will help us to access:

- i. The technical assistance that ILO is giving across the world. Currently, we have engaged the regional office to help us as a ministry to do occupational safety and health profiling. So that we would have data base of relevant information that will guide us as a ministry in the formation of rules, regulations and policies that would help us as a nation to create a decent working environment for Sierra Leoneans in and out of the country.
- ii. It would also help to strengthen the legal framework because these are international standards, we have our own domestic laws but by ratifying these it would help us as a ministry to strengthen our own legal framework with the support of this House.

With these presentations, Mr Speaker, Honourable Speaker, be it resolved that this Honourable House ratifies the following Conventions which were laid on the Table of the House on Tuesday, 4<sup>th</sup> December, 2018:

[i] CONVENTION 97 – MIGRATION FOR EMPLOYMENT CONVENTION [REVISED] 1949.

[ii] CONVENTION 143 – MIGRANT WORKERS [SUPPLEMENTARY PROVISIONS] 1975

[iii] CONVENTIONS 155 – OCCUPATIONAL SAFETY AND HEALTH, 1981

[iv] CONVENTION 187 – PROMOTIONAL FRAMEWORK FOR OCCUPATIONAL SAFETY AND HEALTH RECOMMENDATION, 2006 and

[v] MARITIME LABOUR CONVENTION, 2006

Thank you. *[Applause]*

*[Question Proposed]*

**HON. KUSAN SESAY:** Thank you Mr Speaker. Mr Speaker, Honourable Kusan Sesay is my name and also Deputy Chairman of the Labour Committee.

Mr Speaker, Honourable Members, before going deep into this debate, let me say thanks to the Minister and his team for putting all it takes in bringing these conventions

to this House for ratification. Mr Speaker, to be honest enough, the following conventions that are here this morning for approval are not controversial. I would say this, the reason being, the approval of these conventions before us this morning Mr Speaker, would help Sierra Leoneans working overseas. For example, in a country like Kuwait, our brothers and sisters working there are being maltreated. In Libya, when you go to the social media, you would see a lot of Sierra Leoneans that are being maltreated. But with the approval of these conventions that are before us here this morning, Mr Speaker, our people working overseas would definitely be protected.

Mr Speaker, Honourable Members, I have been working for a mining company for far too long and when you go to most mining companies, safety materials are not there to protect our work force, but with the approval of these conventions Mr Speaker, most of the managers that are working within the mining industry would provide the necessary materials for their employees that are working in those mining companies.

Mr Speaker, Honourable Members, as I rightly say, these conventions are not controversial, if approved it would service the nation, especially those that are working in overseas.

Mr Speaker, Honourable Members, before taking my seat, I want to just give a caution or a word of advice to the Minister and his team. Please, as a Member of the Committee, try to ensure that whenever you want to bring such conventions, contact the Committee Clerk, then he will in turn contact the Chairman and we would sit together and ensure that we deliberate on it well before coming with it to the Well of Parliament for debate. That is my advice I want to give. Mr Speaker, Honourable Members, without much ado, I would like colleagues Members of Parliament on both sides of the aisle of the House to join me in ratifying these conventions. I thank you.

*[Applause]*

**THE SPEAKER:** I thank the Honourable Member for his contribution. Honourable Dickson Rogers you have the Floor.

**HON. DICKSON M. ROGERS [Chief Whip]:** Mr Speaker, Honourable Members, like Honourable Kusan have said, the agreements before us this afternoon are non-controversial and for us in those international parliaments, we always have problems when taking the Floor because most of the things we should be talking about or advocating for Sierra Leone they would tell us, those laws have not been domesticated in your country. Therefore, let me join my colleagues on that other side to thank the Minister and the ministry for bringing those documents to this Well for ratification.

Mr Speaker, Honourable Members, quite apart from the fact that our brothers and sisters are struggling outside this country and are being maltreated, even the ones we have within our country, are also being maltreated. Mr Speaker, Honourable Members, most times when you are plying the routes of this country, most of those road contractors are not providing the safety measures to protect our brothers and sisters. Most times, you see our brothers and sisters working on those roads with slippers and without safety gears Mr Speaker. We as law makers in this country should stand up for those young ones out there for their security to be protected. Precisely on Tuesday, a Member from that other end was talking about somebody who fell off from a tower and up till now, they have not compensated the family of that deceased. Mr Speaker, Honourable Members, I am sure if some of those laws were in existence, such things would not happen. The only thing I want to caution the Ministry and we are waiting for those regulations, the laws that will protect those articles when this Parliament domesticates them this afternoon. Let the laws make sure that the average Sierra Leoneans are protected. Most importantly Mr Speaker, Government cannot provide jobs for every youth in this county, but I believe those that will leave here to go to other countries to work must also be protected, not because they are going there to look for greener pasture, but because they are human beings. As a Government and as a country, we should stand by our younger brothers and sisters going out there to look for greener pasture.

Mr Speaker, Honourable Members, the laws we are about to domesticate this afternoon are good ones and I also want to join my colleague to say they are non-controversial



and that we should speedily domesticate these laws. Let me end up by saying that, it is true, Honourable Kusan is 100% right, some Ministry Department and Agencies [MDAs] do not even recognise the Committees that are supervising them [*Applause*] because I cannot see why the Ministry of Labour would be bringing laws to be domesticated and did not go through the Committee that is supervising them. As far as some MDA's are concerned, they do not even know the Committees that are supervising them, until this Parliament start telling these people that those Committees are their supervising Committees and that they should give them the respect they deserve.

On that note Mr Speaker, I want to thank the Minister. I also want to say a very big thank you to Honourable Kusan for bringing out some of those irregularities. I thank you very much.

**THE SPEAKER:** I thank the Honourable Member for his contribution. Before I recognise the next speaker, I just want to draw attention to the fact that, we do have a dress code for this House. It may or may not have been brought to the attention of non-Members of Parliament, so some times we overlook. I crave your indulgence that we overlook this particular transgression and express the hope that in future our dress code would be fully respected. I say no more, I think all of you know what it is.

**HON. DICKSON M. ROGERS [*Chief Whip*]:** Mr Speaker, I think the comments made by the Honourable Mohamed Bangura even though he wants to challenge Honourable I.B Kargbo, but I think it is genuine because you said for visitors and I think they do not know our dress code. So if you do not tell them, next time they would do the same thing and probably Members would not take it lightly. Let me say that when you are wearing coat in this Parliament you make sure you wear a neck tie, otherwise you come in 'Africana.' I think that is what the colleague is saying, but Mr Speaker want to make sure that you are protected. Let it be known that anybody coming to appear before Parliament, you are either in coat and tie or 'Africana' with long sleeves. Thank you.

**THE SPEAKER:** I recognise the Honourable Member at the very back of the well.

**HON. MOHAMED KABIA:** Thank you very much Mr Speaker for catching your eyes. I would make sure that I make use of the opportunity.

**THE SPEAKER:** Honourable Members, ignore that comment.

**HON. MOHAMED KABIA:** Thank you sir.

**THE SPEAKER:** Very soon, you would have a very comfortable sitting arrangement.

**HON. MOHAMED KABIA:** Thank you very much Sir, I highly appreciate that. Mr Speaker, Honourable Members, let me express my gratitude of thanks to the Honourable Deputy Minister of Labour. He is one of the most-hard working ministers in this Government so far that I have already seen, I will attest to that. Mr Speaker, Honourable Members, I have been in that ministry, I have been working there for the past five months for a licence to be granted to one of our companies for the recruitment of Sierra Leoneans abroad. We worked in that ministry, they asked us to present documents, we were referred to the Trans Organised Crime Unit at Hastings. From there, we were referred to the Ministry of Foreign Affairs Consular Section, and from there again, we were referred to the Criminal Investigations Department [CID] Headquarters. It is not an easy task. I really felt very much unhappy at that time whilst they were asking us bit by bit for all sort of documents, but at the end of the day, I recognised that they are trying very hard to protect the interest of Sierra Leoneans who are to work outside the country. So let me thank him very much for the good work that they are doing there.

Mr Speaker, Honourable Members, the Government cannot provide employment for each and every Sierra Leonean, but there are jobs outside there and there are meaningful Sierra Leoneans who really want those jobs. I am really very much happy today Convention 97 – Migration for Employment Convention [Revised] 1949. Convention 143 – Migrant Workers [Supplementary Provisions] 1975 Convention 155 Occupational Safety and Health 1981, Convention 187 Promotional Framework for Occupational Safety and Health Recommendation 2006 and Maritime Labour Convention are laid and debated today for ratification. I think because of the current

rate of unemployment in this country Sierra Leoneans are using the opportunity to travel to Guinea for Guinean passports. They travel abroad illegally. At the end of the day, they are faced with many constraints. I think by ratifying these Conventions, they can easily address those problems. So, I am asking this reputable House to speedily ratify these Conventions, so that, at the end of the day job opportunities would be available within the shores of the country for our brothers to work outside. Therefore, I am asking that colleague Parliamentarians on this side to support the ratification of these Conventions, so that the issue of unemployment can be addressed. I thank you.

**HON. MOHAMED F. LANSANA:** Mr Speaker, Honourable Members, I want to use this opportunity to say thank you to the Deputy Minister of Labour for bringing these Conventions for ratification. I want to zoom in a particular area on Convention 155-Occupational Safety and Health. To narrow down the Convention to the mining companies because I am coming from a Constituency that has got one of the most dangerous mining companies that has been signed that is the Sierra Diamonds Limited. They have signed agreement with the Sierra Diamonds Limited for them to drill for the next forty years and they have to be working in that particular drill. They mine every year until they go down and they have to continuously go down for the next forty years. When they are down their machines have to be moving underneath nobody knows what will happen to our workers. So, the safety of our workers out there is very paramount. When you look at the agreement they have been using the 1981 Convention. Some of us have brought several issues in that particular agreement and thank God you are trying to revise this Convention. We also ensure that we follow up on the ratification and this is not only for the Sierra Diamonds Limited, but we also have other companies out there in Kono that are blasting every now and then. The company workers are not that protected, so I really want to use this opportunity to draw the attention of the Committee on Mines and the Ministry of Mines to make sure that they monitor this Convention. Because it is not just ratifying the Convention but we must ensure that whatever is put in this particular document is followed to the latter. Thank you very much.

**THE SPEAKER:** I thank the Honourable Member for his contribution and also let us note that citizens of this country can only claim the benefits of any Convention if the State of Sierra Leone is a party to that Convention and that is what we are seeking to do by ratifying and domesticating these Conventions today.

**HON. ABUL K. KAMARA:** Thank you very much Mr Speaker. My name is Honourable Abdul Karim Kamara representing the people of Mansobala Munutala and Kambai sections in Kambia District. For me, this is not a controversial check, but this is one I consider very important. Looking at our last rating as a country in terms of employment, we are far below the belt. Our young people are not employed and overseas employments have become one of the alternatives for young people to a point that most of them have lost their lives. Most of them have fallen into the hands of wrong people and looking at the global market today in which body parts are very important and essential and people are doing such trade all over the world. I have some cautions that would not make this document controversial but that needs to open the minds of the Ministry of Labour that has presented this document to us and law enforcing bodies in Sierra Leone to further probe into the things we are going to ratify and how to ensure it benefits the ordinary Sierra Leoneans.

Mr Speaker, the agencies doing this migration out of Sierra Leone are people who are contacted either by the social media by the agent out of Sierra Leone and the registered companies in Sierra Leone without themselves verifying where they are taking fellow Sierra Leoneans to. All that captivates them is the profit they make through the trade. If you take one person out and that person is paid, you make some commission that is one thing that has always propelled local Sierra Leoneans to involve in such transactions. In my own opinion which may not defer from that of the Speaker, we want to see situations in which the Ministry of Labour would do thorough verification. As my brother said, he has gone through one and they were thoroughly screened. Also, we need to know the corresponding parties out there that are connected with our local employees that are sending Sierra Leoneans out there. I am worried, because today, kidney is more important out there in the world that even a

human being would be slaughtered for body parts, I do not want Sierra Leoneans to be victims. When they involve in this illegal transaction, the burden comes back to Government in repatriating Sierra Leoneans. That money could better be used for other facilities rather than using them on people who deliberately carted away our citizens for illegal processes.

Mr Speaker, Honourable Members, when it comes to the area of safety and health, it is no secret that, we have to critically look at our local status. The senior Member of Parliament on the other side was saying that, we have people working on roads with just slippers. It goes beyond that to even our people working in the hospitals. Are they well protected? When you bring these issues up, you are tempted to ask so many questions; do the Ministry of Labour has the required staff to go round the nation to enforce safety and compliance with the laws that protect Sierra Leoneans? These are all the things we need to put in place. They do not even have people who have engineering background to certify some of the safety we are talking about locally. Mr Speaker, I am worried that we do not just ratify these agreements, but also a clarion call for the Ministry of Labour to do more than just present a document to be ratified.

Mr Speaker, Honourable Members, in the Maritime area, there is no document to prevent our brothers and sisters. We have cases in Sierra Leone in which Sierra Leoneans have been thrown out of boats working with the Chinese, the Asians and other nationals come to report to us that their nationals die of out of an accident.

Mr Speaker, the Minister before us should be careful after ratifying these conventions to ensure we have our own local laws that will protect our people going to these Maritime Agencies because majority of these boats are not Sierra Leonean owned. They are owned by foreign nationals and Sierra Leoneans are badly treated to say the least. So ratifying this document should not just be a means of providing them the job but it should also be the responsibility of the Ministry of Labour to also protect Sierra Leoneans.

Mr Speaker, Honourable Members, apart from this, every other thing being equalled, I think this is a good one and it will help us as a nation. Thank you very much.

**THE SPEAKER:** I thank the Honourable Member for his very constructive contribution. I will like to add my own voice to what has just been stated and this goes directly to the Ministry of Labour working in collaboration with the Ministry of Foreign Affairs. I think it is important that the ministry ensures that overseas recruiting agencies should establish agreements with national recruiting counterparts that are credible and are of proven competence in this area. It is not just any Tom, Dick and Harry that should be allowed to be sending our nationals abroad for employment. I think this brings into play the need for the ministry to ensure that Sierra Leonean organisations are established that are credible and have proven competence in this area to whom should be entrusted the task of ensuring that the safety and lives of nationals who go abroad are guaranteed. At least let us have some recourse to our own national organisations here who should have established and registered agreements with the overseas recruiting agencies. It will be an additional protection that would be provided to our own nationals.

**HON. JOSEPH WILLIAMS-LAMIN:** Thank you Mr Speaker. Mr Speaker, Honourable Members, I have followed this issue of migration closely in Sierra Leone. With your leave Mr Speaker, I have a very short audio here I would like to play, because it is quite disturbing. In the background of this audio is migrant workers in Kuwait and how badly they were maltreated by their agencies who did the recruitment.

**THE SPEAKER:** You are at liberty to describe to us what you heard rather than playing the audio.

**HON. JOSEPH WILLIAMS-LAMIN:** Mr Speaker, some of these like my colleagues said that they went through vigorous exercise in order to get the permission to do the employment overseas and the employment for which they were told was quite different when they came to Kuwait. And even the so called our brethren who are living there they maltreated them sexually, physically and so forth as was listened in this audio.

On that note Mr Speaker, Honourable Members, I really crave the indulgence of the Minister that as you have come to this noble House for the ratification of these Conventions, please do not only come to us with Bills to pass into this noble House but also pay very close attention to it because several countries came to the aid of their

citizens but I did not see anything of such from Sierra Leone. I followed it, Nigeria had a chattered flight that they went to Libya and collected their people and they brought them back. They were able to welcome back and to re-capacitate their people, but when it came to Sierra Leone, I never saw anything like that and we still have Sierra Leoneans who are languishing in detention in Libya as I speak to you.

Mr Speaker, Honourable Members, I really ask the Minister that his Ministry and his workers pay a keen attention to that and also the so called agencies that are recruiting in the name of employment. When you migrate, you are not only seeking employment but you are seeking experience. For some people who ran away during the war and went to Guinea when they came back they have different ideas about Sierra Leone and they would know that they would fight for Sierra Leone with their last breathe. These agents should have a Police clearance and that they have no criminal record of whatsoever they are doing. They should not only come because our people are badly in need of job, so therefore they should do whatever they want to do with them. We should have sufficient sensitization on our national media about migration from one place to another.

Mr Speaker, I have listened to many stories whereby people have lost their beloved, their assets, they sold all what they have and went for greener pasture and they ended up with empty pockets. Maybe they give them the fake information or saw it on television and they moved from one country to another and ended in more danger than prosperity.

Mr Speaker, Honourable Members, on that note, I lend my voice to other speakers that we ratify these Conventions and that also the ministry takes full responsibility. We have so many laws that are locked up in the cupboard and people are not implementing the content of those laws. We make these laws available in different languages to our people in Sierra Leone. This is my submission Mr Speaker.

**THE SPEAKER:** I thank the Honourable Member. I think the point that has been made over and over again I think it needs to be further emphasised. When a recruiting agency is outside the jurisdiction of Sierra Leone that agency is not amendable to our

Courts therefore it is always important that they establish counterparts nationally. Counterparts that are credible, counterparts that are proven competent, counterparts that can have recourse to before sending our nationals abroad and obviously those counterparts that are within the jurisdiction would bear the greatest responsibility for whatever may happen to our nationals outside the jurisdiction of this country. But if nationals accept whether by Whatsapp or any other electronic means of employment with overseas agencies then I am afraid those overseas agencies are not amendable to the jurisdiction of our Courts and therefore we ought to be very careful. I hope this is a matter of implementation and this is why I keep emphasising the ministries concern both Labour and Foreign Affairs should work collaboratively to ensure that this is done more effectively.

**HON. ALEX M. ROGERS:** Thank you Mr Speaker for the opportunity given to me to contribute on these important ratifications. The Conventions laid before us are non-controversial and that the ratification and subsequent domestication of those conventions are indeed very much crucial and very much important in our country. With the wealth of experience in mining companies and I being a consultant for some mining companies, I would therefore add my voice to the Conventions.

Mr Speaker, Honourable Members, it is all about compliance in terms of avoidance or minimisation of accident. I am talking about occupational accident and compliance. The mining companies in most cases provide the safety gears for their workers. I must attest to that, but the compliance is not being adhered to in terms of the usage of those safety gears. In this regard, when those conventions are being domesticated, I would urge the Ministry of Labour to collaborate with the EPA particularly in terms of their periodic monitoring of those projects. If you allow the mining companies to have their safety officers, the Ministry of Labour should collaborate with the EPA to recruit safety officers. When that is done, then the avoidance of occupational accident will at least be minimised.

Mr Speaker, Honourable Members, on that note, I urge colleagues to speedily ratify these conventions before us this morning.



**HON. HARIYATU A. BANGURA:** Thank you Mr Speaker. Mr Speaker, Honourable Members, my contribution is going to be very short and precise. I am particularly happy for Conventions 155 and 187, because I have been part of the lobbying, the advocacy in trying to bring these conventions forward. So I am happy that they are here today for ratification. I know very shortly they are going to be ratified. But Mr Speaker, I would like to admonish that the Ministry of Labour ensures that all the Trade Union groups have a clause in their collective bargaining agreement on safety and health, which was health and safety. Now, safety and health is very good and important. Since Government is the biggest employer, it also behoves Government to take this as a very serious and pertinent issue.

Mr Speaker, all of the ministries have their own risks in their own employment. Like for example, Teachers, as education is the flagship programme of the President, I know this issue is going to be taken into consideration. Now the chalk you see how dangerous it is because of my long serving teaching experience, now I used reading glasses. So I believe God being our helper in this country for this flagship programme to succeed, I we should begin to think of having white boards.

Mr Speaker, Honourable Members, the Maritime Labour Conventions is very good and Mr Minister also the private employers, we should do spontaneous checks. You should have your workers to be doing spontaneous checks, so that you would ensure that they actually observe the safety and health conditions of the workers.

Mr Speaker, Honourable Members, for the Maritime, I have a wharf in my Constituency, it is so sad to see workers coming far distances to do fishing without using any jacket. Very shortly, there was an incident in my Constituency where a kid of twelve years with two men got drowned. The Labour Laws should be observed when it comes to marine. You cannot allow a kid to join adult in fishing, it is illegal and so, I want to urge colleagues, to speedily ratify these documents. Thank you very much for your attention.

**HON. EMILIA L. TONGI:** Thank you very much Mr Speaker. I am Honourable Emilia Lolloh Tongi Constituency 001 Kailahun District. Mr Speaker, I would like us all to ratify the documents as earlier as we could, but I have a problem in this country that I would

like to bring to the notice of the Mr Deputy Minister. Sierra Leone is full of fantastic laws, but unfortunately they are not implemented. I believe this time around as we all know is the right and new direction, we would try to implement them.

Mr Speaker, Honourable Members, garbage workers in Sierra Leone are not protected. The whole day they inhale the gas from dirt. So, I want Sierra Leonean to be protected by getting special insurance for these people. They are not insured, they are not protected, they work with bare hands. Mr Speaker, also we have AIDS and drug addiction problem in this country. People are still taking drugs and these needles are deposited in garbage sites. So, I hope you take this into consideration in order to protect our poor people out there.

Mr Speaker, before attacking people outside of Sierra Leone, let us see first what is happening here. I have lived abroad and have seen our workers there. Let us make sure these laws are put into action this time around. I would remember, a year ago, some Sierra Leoneans left here to go and work abroad and unfortunately took up another direction because the company that sent them could not follow up and these girls just got into prostitution at the end of the day. So, one of the girls decided to run away. This was a Sierra Leonean, then His Excellency Aiah Bayoh he is late now was in the Embassy there, so she decided to board a plane and come back to Freetown. Luckily she came across a gentleman that was going to the airport and she joined the man and asked him to take her to the airport. She was so attractive and the man decided to have sex with her, she denied and was stabbed and killed. This was known after they found a vehicle because we have cameras all round. So this was how our people get kill for nothing. A lot of them have been killed for organs like my colleague also narrated. There are pathetic stories about our people working outside Sierra Leone. I hope with time, we would really cover them with our laws there. In doing so, firstly, I am asking you that those that are here. Let us make sure that they are covered with some insurances and medical facilities as well.

Mr Speaker, Honourable Members, on that note I urge my colleagues to speedily ratify these conventions before us. I thank you very much.

**HON. FODAY M. KAMARA:** Mr Speaker, Honourable Members, we at the National Grand Coalition [NGC], believe in Sierra Leone. We always say Sierra Leone first. The point here in adding our number to those that are saying these Conventions are non-controversial is that these conventions are not particularly for Sierra Leone alone, they are conventions that bind us with the outside world.

Mr Speaker, Honourable Members, I want to bring your attention to what one of the Speakers said about recruitment. Some of our colleagues have been talking about Kuwait, Libya and that Sierra Leone did not do anything to its citizens when it comes to repatriation. It was rather unfortunate that Sierra Leone did not even know the number of Sierra Leoneans leaving outside of Sierra Leone. People travel on their own, so when things go wrong, we do not know how to trace them. Even if these conventions shall have been ratified, those clandestine migrants who go on their own will not be covered because they are not documented. For example, there is a case in Sierra Leone, let take the Maritime Convention, let us say there are seafarers who have problems, the first question they ask is, has Sierra Leone ratified Convention 2006? If this is so, then the case will be classified as such. If Sierra Leone has not ratified that convention it means the Sierra Leonean concerned may not benefit from what that convention is trying to do.

Mr Speaker, Honourable Members, as this document is not controversial, we are urging this House to speedily ratify them to enable us be at par with other countries. It will make cases for Sierra Leoneans either at home or abroad. Thank you.

**HON. SAHR CHARLES:** Mr Speaker, Honourable Members, the Conventions we have before this House relating to Labour are indeed very important. The concern I believe most Sierra Leoneans have is not about the absent of these laws, it is about the enforcement of the laws. I will take you to Convention 155 article 9, 1 and 2 talking about the enforcement of these laws being very important. Recently there was a case in Kono the OCTEA Mining Company as we all know they have now gone into underground mining no one knows what happens there except if you have a relative that might have suffered casualties there before you even have an idea of what is

going on. This is a very serious concern for the workers. When you look at it, yes, we are saying these are international protocols or conventions that are expected to be abided by all countries that ratified them. But you will find out that the foreigners working in this country the level of protection accorded them is not in any way accorded to our Sierra Leoneans. This is a serious concern. I am saying this from experience.

Mr Speaker, the Sierra Leoneans working in most of these mining companies their safety is not guaranteed. If for instant, you are working and you happen to have an accident during the course of operation, the time given to you to recover by some of these companies whether you recover or not you are expected to get your recovery within that stipulated time otherwise you lose your job. This is a concern. We are therefore asking the Ministry of Labour to intensify their mechanisms to see that proper supervision or inspection of these mining companies are put in place otherwise we would just be here ratifying these Conventions without yielding any result at the end. How many Sierra Leoneans do we have to look at the interest of their fellow Sierra Leoneans in some of these multi-national companies? This is also another concern I want the ministry to look into this. You talked about national programmes, in these national programmes how involve would the workers themselves be in it? Is also another concern because is not the matter of you just working with the employers and leave out the employees. Their interest is of paramount here so we are asking that the ministry domesticating these Conventions should look into that and when it comes to penalties we want to see that the penalties that are to be meted out to defaulters should be done devoid of prejudice; we are concern about that as well. If these employers are taught bitter lessons I believe they will desist from their acts. We want to see that the penalties that are meant for defaulters of these laws that we are here passing is actualised. So Mr Deputy Minister as Members of Parliament, we would not reject these Conventions, we would ratify them on the ground and assurance that your Ministry would do all what it takes to ensure that these Conventions are not only ratify

but their intended purpose are realised for the benefit of Sierra Leoneans. Thank you very much.

**HON. HASSAN A. SESAY [*Opposition Whip*]:** Thank you very much Mr Speaker. Mr Speaker, Honourable Members, again we have conventions here to ratify and these are not new because the issues that are being brought up in these conventions are issues that we have been dealing with for some time, but thank God now we have conventions to ratify. Some of the problems we were experiencing with those issues are as a result of the fact that these conventions that we signed had been gathering dust in our shelves and have not been ratified in our Parliament. Thank God that the Minister now brought to us four of the Conventions which are very key to migrant labour, seafarers etc.

Mr Speaker, Honourable Members, of course, we are very much aware that people in Sierra Leone normally migrate in search of greener pastures to other countries unknowingly to Government and people who know the desperation of Sierra Leoneans in search of work outside Sierra Leone always give them the bait that S.O 2 'ar go ker u go make u go woke yanda' not knowing what they are entering into. But now that we are ratifying these conventions, the laws in these conventions are what exactly is required by international best practices. So when these conventions are ratified and we domesticate the laws in these Conventions it makes it more difficult for the so called '419ers' that will come in the name of recruiting people by exploiting our Sierra Leoneans to go out there for jobs that they do not have a clue about what to do. So I want to thank the Minister and the ministry for bringing these conventions, because we are all aware of the 'temple runs' and the risk people take just to go abroad. But where there are established conventions, there are practices which we all know. I am talking about safety also; some of my colleagues who have experience in the mining sector have already spoken about how the health and safety conditions of workers in these mining industries are being compromised. But when we ratify these Conventions the advantage is as long as you operate and we are signatories to the Convention you are bound to abide by the international best practices in terms of labour, health and safety

in those institutions. It is indeed one that is working in the interest of Sierra Leoneans and we have said it in this House that laws that are meant to protect and help Sierra Leoneans are laws we would always embrace. So ratifying these Conventions today will give more relevance to international migration for labour because we have already had recordings of people who go to Libya, United Arab Emirate, Kuwait, Saudi Arabia, talking about how they have been mal-treated by people who employ them there all because there are no conventions that are actually binding them. There are no laws that require them to treat Sierra Leonean brothers and sisters with the kind of respect dignified labour. But when we ratify these conventions, it will dignify the labour that is being transported from Sierra Leone with numerous structures well documented and of course our Sierra Leoneans brothers and sisters out there would be more protected. So I think these conventions are non-controversial like my colleague from Koinadugu said. If they are non-controversial and they are helping Sierra Leoneans who are going out securing health and safety for our workers locally and internationally, because when we ratify these conventions even those working within are bound because those companies that are located here are bound by international conventions also. As long as that happens then we can domesticate the laws here and make sure that we can force their hand to make sure they observed health and safety rules which will protect the Sierra Leonean employees. So I just want to call my colleagues to ratify these Conventions and make sure that when they are domesticated the Ministry of Labour must to put robust measures to ensure there is compliance because the laws are there but sometimes compliance is the issue. We would ratify these Conventions and they are domesticated we expect the Ministry of Labour to be on top of situation to ensure that all institutions that are affected by these laws are actually complying with what the laws say. Like I said earlier on we have heard about our sisters and brothers that are mal-treated in Saudi Arabia, Syria, in Lebanon etc. When we ratify these Conventions all of those would be protected and we look forward to having more of these to protect migrant labour, to protect our seafarers and other people who might be affected just because they go out to seek greener pastures in other country.

Mr Speaker, Honourable Members, without much ado, I just want to ask my colleagues that we ratify these conventions and make sure the Ministry of Labour keeps close touch with the Committee in Parliament to ensure that whatever happens should be to the knowledge of the Committee, so that there would be a more coordinating relationship between the Ministry and Parliament. As a result, we would be in the know and whatever you bring forward next time will go through the Committee to ensure that we all are given enough briefing before we come to ratify them. I thank you very much.

**HON. IBRAHIM B. KARGBO** [*Deputy Leader of the Opposition*]: Thank you Mr Speaker. Mr Speaker, Honourable Members, a lot has been said about the importance of these conventions and this further emphasises the point that contrary to the thinking of some people the Ministry of Labour is a very important Ministry. Over the years, some people perceived it as a last post ministry after which you depart from politics, but now we are beginning to see how important it is.

Mr Speaker, we have come to realise that as Sierra Leone is developing quite a number of areas including the industrial areas becomes important for us to recognise the importance of these conventions. A good number of our people as it has been articulated by some of our friends have suffered in the mining areas simply because the rules are not very clear but we now believe that with these Conventions the Ministry of Labour will be properly funded so that it can monitor the activities of various departments and organisations. Now we want to look at one other important thing migration. I was on board a plane with some Ghanaians who were returning from Libya they were very bittered. They migrated from Ghana to Libya for greener pastures as would say. One of them said to me that the method of welcoming you when you get to Libya without proper document is to be subjected to 24 lashes of the cane on your bear back and you would be kept in a cell for as long as it pleases the authorities there. I did not overstate the point that Libya can hardly be described as a stable country now but when our people decide to go to those countries you should also know that these are the problems that they may confront when they get to those countries. But I am merely emphasising the point Mr Speaker, that we should put in place all the structures to

protect our people both within and without Sierra Leone. I hope that the Ministry of Labour should have a system that should educate those people who want to travel out of this country. Tell them the dangers that may befall them if they do not go through the proper processes because it is also important. About two years ago a group of Sierra Leoneans in Sweden telephoned me frantically stating that the Government of that country was asking them out of that country because apparently they have exhausted their stay and that the war in Sierra Leone was over. So there was no justification for them to continue staying there. They had settled there they did not want to come. A good number of them had to flee from Stockholm went to villages to hide and this I can say Mr Speaker is not a dignify way of staying in a foreign country but these are some of the problems. So my conviction Mr Speaker, once we agree to these Conventions that in itself will ease our people. The International Maritime Organisation is a body to which we are a member. They too can help our people. Mr Speaker, you remember when we were young you had Eldred Demster operating here. You had these very famous sea men who would come back with very beautiful clothes and these were people who enjoyed life. One day Eldred Demster came and dumped all of them in Freetown and said the job was over. There were no rules, no agreements etc. I was in Parliament at the time, I was a party to the arrangement to organise their stay properly back to Sierra Leone but the fact is that that was the result of a system that had no rules and regulations and no Conventions so today the business of the sea man no longer exists but Mr Speaker, having stated that can we also talk about other aspects. Agriculture is in the process of expanding and also agriculture has its own difficulty when it comes to protecting the welfare of our people and we know that there are Sierra Leoneans who travel out of this country to go to other countries to undertake agricultural activities. We also think that they will be protected in the process and also like I said earlier the Conventions are most useful and we believe from this side that it is about time that we ratify them.

Mr Speaker, again, it brings us to the point whereby we cannot continue to be an effective participant in global activities if we do not ratify documents which we have



appended our signatures to. This is also another indication that apart from Ministry of Labour there are other Ministries holding on to these documents without ratification and once you do not bring it for ratification and you do not domesticate it in the interest of global activities then of course you cannot benefit from it. We know that the ILO plays a very major role but we also know that the Ministry of Labour is on top of it all. They should know the rules. They should know the regulations. They should understand the reason for us to ratify these Conventions because that makes you an important participant in the global world and to us is important.

So Mr Speaker, without further ado, I want to say that there is no controversy here. We have no difficulty with the conventions; in fact, they are going to continue to help us to protect our citizens. But also, we as a Government must learn to educate our people about the dangers of travelling by road from here to Libya or to Algeria. It is dangerous. We tried our best as a country to discourage people from travelling to places like Kuwait. What they did was to by-pass our immigration system here and travelled straight to Guinea where they were given documents and these documents took them to places like Kuwait. The result is that very soon we heard them over social media shouting about being mal-treated. Yes we also have our own responsibilities to make sure that we educate our people about the dangers of travelling to a foreign country without you being fully prepared.

Mr Speaker, Honourable Members, on that note, I hope that all of us would agree to ratify the document before us.

**THE SPEAKER:** I thank the Honourable Ibrahim Ben Kargbo for a very constructive contribution. Although I agreed with him, the issue of ratification does not arouse any controversy. The fact remains however that there are still very serious gaps with regard the compliance and implementation and this is the areas that have been emphasised by the various speakers and we hope when Mr Deputy Minister you come to give us your perspective about what has been said, you would address those pertinent issues.

**HON. MATHEW S. NYUMA [*Deputy Leader of Government Business*]:** Thank you very much Mr Speaker. Mr Speaker, Honourable Members, I say thanks to all

Honourable Members who have contributed to this ratification of these conventions. We are aware of the gaps as I said, that is the reason as a responsible Government we have brought to this House the various conventions for ratification. It is cleared that Members have raised concerns and they want to emphasise that in as much as people are going in search of greener pastures that does not mean that they cannot be protected in terms of safety. So you have started the internal structures as you said sometimes you have all these laws, but when it comes to compliance and implementation, there lies the problem. If we have got structural mechanisms put in place as mentioned by one of the speakers from Waterloo, Honourable Kabia, that the proper structures must be in place to enforce the implementation of these conventions.

Mr Speaker, Honourable Members, my colleague from NGC stated that you do not need to be a covert migrant worker without going through the proper channel, so Government can get record that you are working in that country. So, in terms of disaster or you are being maltreated, we would ensure that Government is in the picture. Like what we are seeing over the Social Media, it is appalling, but you do not even know how to trace them.

**THE SPEAKER:** Honourable Chief Whip, I see too many empty seats on your side; what is going on? The matter under debate here is very important and I would like to see as many of your Members present as possible. Thank you and carry on

**HON. MATHEW S. NYUMA [*Deputy Leader of Government Business*]:** Mr Speaker, as I said, Members are really concerned and passionate with some of the issues raised; but as I said, my colleague from the NGC said, we can only trace you when we have information from the Ministry of Labour. So if you are involved in some covert operations, for you to go and work outside Sierra Leone, it is difficult for any government to trace you. Such issue, is like you have to take responsibility of your very action in as much as we know it is the right of every human being to move out of his/her jurisdiction to go and look out for a better job so that he or she can change his/her life to a better status.

Mr Speaker, Honourable Members, I want to draw your attention to Article 97, Migrant for Employment Convention Revised 1949, Article 1[b], Mr Speaker with your leave, I read **"Information and special provisions concerning migrants for employment and the conditions of work and livelihood of migrants for employment..."** so those information can be provided by means of legislation if there are gaps. We are looking at their health and safety and Members have mentioned so much about safety gears and protection in the Mining Industries that the laws are there, but our problem in Sierra Leone regarding this issue as you said borders around compliance and enforcement and implementations. Members were not wrong they were trying to give a new face in the New Direction for workers in Sierra Leone. You have to ensure that we enforce the law and we look out for compliance. We cannot say more than what we have already said. It has been re-echoed that these conventions are not controversial, so if they are not controversial, you are on the right track and Members also mentioned very clearly that even there was an accusation. I do not know how true is it, one of the speakers, also mentioned that, even foreign workers are more protected than the indigene workers. I want to take exception to that, there is no government who can allow that because every government will allow the indigenous workers not to be disadvantaged because they voted for you. The government has the primary responsibility to protect the primary workers than even the international workers; ILO they seek to address that, that is the reason for these conventions.

Mr Speaker, Honourable Members, the area of domestication is our concern and if you address the area of domestication, all the challenges will be reduced. So, if you even go to the framework in terms of safety, 187 Promotional Framework for Occupational Safety for Health Convention 2006 No. 187 they are in this revised conventions. So that is in the preamble. Mr Speaker, with your leave, let me just read, **"recalling that the protection of forecast against sickness, diseases and injuries arising out of employment, is among the objectives of international labour organ as set out in its Convention."** Members were virtually trying to bring out the things that they expect you to domesticate. Some of them are there, but the area of implementation are

lacking, so you have to look at a legislation that can reduce some of these issues. In fact, areas of death now people are crossing the Mediterranean Sea in search of greener pastures, Pope Francis referred to that type of movement as very disastrous because we do not have better facilities for our youths. So he mostly referred to the Mediterranean Sea as the water cemetery, because of the number of death that is occurring at the Mediterranean Sea.

Mr Speaker, Honourable Members, I believe Mr Minister, we have given you a lot of support, I say thank you to my colleague Members of Parliament for supporting these conventions. They said the document before us is not controversial at all. You are in charge of policy in your various ministries and the Honourable Deputy Leader from the Opposition said that, there are so many Ministries that have these conventions that do not bring them for ratification and we in the International Parliament for example, the African Pacific Caribbean Parliament, we are presently addressing the migrant workers. This is very important, if you are talking about migrant workers and you have not ratify some of these conventions and domesticated them. So you do not even have control of your people that may want to go and work out and you have to give them the space so that they can go out and work. But they have to do it in more dignified manner so the legislation will protect them. The only way we can have strong combination of safety is that, we have to have our migrant workers, well protected. We need enough information about them, so in case of disaster, in case of accident, or any other thing, we can be able to trace them. We need to domesticate some of these laws we have ratified here.

Mr Speaker, Honourable Members, on that note, I thank you all for your contributions and I hope we are moving in a New Direction. We can help Sierra Leone in taking it to a higher height. I thank you all. *[Applause]*

**THE SPEAKER:** I thank the Honourable Member for his contribution. now Deputy Minister over to you, you may want to answer to some of the concerns and observations made by Members.

**MR LANSANA M. DUMBUYA** [*Deputy Minister of Labour and Social security*]:

Mr Speaker, Honourable Members, on behalf of the Ministry and the Minister of Labour and Social Security, I would like to express our profound gratitude for the contributions that have been made here by the respective speakers on the conventions. A lot of issues have been raised, I will address some of them, I would have to present them to the Honourable Minister and the Administrative staff for us to look at ways of addressing them. I want to start with the presentation made by the Honourable Speaker... [*Interruption*]

**HON. DICKSON M. ROGERS** [*Chief Whip*]: Mr Speaker, point of order! Mr Speaker, I want to know if the Permanent Secretary for the Ministry of Labour is here.

**THE MINISTER:** Yes, he is here.

**HON. DICKSON M. ROGERS** [*Chief Whip*]: Where is he?

**MR LANSANA M. DUMBUYA** [*Deputy Minister of Labour and Social security*]:

He was here... [*Noise*]

**THE SPEAKER:** We are not talking about the past tense.

**HON. DICKSON M. ROGERS** [*Chief Whip*]: Mr Speaker, this is very important and now he has to be here. So can you come down and occupy the space here! Thank you Mr Speaker.

**MR LANSANA M. DUMBUYA** [*Deputy Minister of Labour and Social security*]:

Mr Speaker, Members spoke of the relationship between us and the Committee here in Parliament; they would have to respond to that because most of the communication is being done between them. I am only assigned to come and represent the Ministry on this assignment. The Honourable Speaker stated that, we should allow nationals to be given license when it comes to overseas recruitment. I want to inform this Honourable House that, we have not given license to any foreigner to take migrant workers out of Sierra Leone. What we are doing in the Ministry is that when there is a job offer, we present the job offer to the Ministry of Foreign Affairs and Trans National Organized Crime, for them to do the necessary verification. On their report they will submit to us

as a ministry and we would take the relevant actions. We have put certain guidelines in place. Now when we have job offers, we do not just allow Sierra Leoneans to be recruited to go out of this country; now we have constituted a team that will do a first-hand assessment to the countries we intend to send Sierra Leoneans. The job offers that have been presented to us, are they sincere job offers? Are the jobs available there as specified in the document? Now you have Foreign Affairs, Ministry of Labour, TOCU, we want to even bring on board the Fourth Estate for a clear and distinct process.

Mr Speaker, Honourable Members, for the Australian case, the Honourable Member from Waterloo spoke about, we are even intending to go along with two Honourable Members to be part of the team to ascertain that yes, what has been specified is indeed the right thing [*applause*].

Mr Speaker, on the issue of safety and compliance, it is a two-way process; someone said in the mining companies, safety gears are provided. There is a case in point at King's Production where that accident happened, when we visited the area, the accident was not the fault of the factory, but the fault of the worker. There is a very big tube, I think it is a wind pipe that blows the wind into the machine; it was that place that this individual sat to take his lunch inside the working environment. So we have kick-started the process and I have started discussions with some of the people. I have engaged the Lebanese Community too. I have spoken with Sky-Kay to see how we could come together in bringing out modules or maybe flyers, guidelines that they would use in their industries.

On the issue of the importance of Ministry of Labour as stated by Honourable I.B. Kargbo, this House really need to underscore the significance of this Ministry. It is sad to note that when we took over, we looked at the records, 0.5% was the allocation to the ministry. As I speak, in 2019, it is 0.3% of the national budget that was allocated to the Ministry; there is a very huge challenge in the Ministry. We do not have vehicles; we do not have enough staff in the field. For example, in Kono District, I have about three staff, an inspector and the others, in Kenema, it is about three or four, we only have a staff in Makeni and there is none in Tonkolili. There is none in Port Loko, there is

none in Kambia, none in Koinadugu, none in Falaba neither in Karene District. In our meeting with the Committee on Manpower, we made a presentation that we would want approval of that committee for the recruitment of 38 staff. As I speak, we have not been given the green light to recruit. The Factory Inspectorate is highly challenged, we cannot do proper inspections on machines, and some of the things that are happening in the Mining Industry.

Mr Speaker, So I would want to crave the indulgence of this Honourable House including the Honourable Speaker to please plead on our behalf to underscore the significance of this Honourable House and the importance of the Ministry of Labour and Social Security. On this note, I once again reiterate that: be it resolved that this Honourable House ratify the following conventions which were laid on the Table of the House on Tuesday 4<sup>th</sup> December, 2018:

1. CONVENTION 97, MIGRATION FOR EMPLOYMENT CONVENTION REVISED 1949
2. CONVENTION 143, MIGRANT WORKERS SUPPLEMENTARY PROVISIONS 1975
3. CONVENTION 155, OCCUPATIONAL SAFETY AND HEALTH 1981
4. CONVENTION 187, PROMOTIONAL FRAMEWORK FOR OCCUPATIONAL SAFETY AND HEALTH RECOMMENDATION 2006 AND
5. THE MARITIME LABOUR CONVENTION 2006

Thank you very much.

**THE SPEAKER:** I thank the Honourable Deputy Minister of Labour and Social Security.

*[Question Proposed, Put and Agreed to]*

*[Government Motion by the Deputy Minister of Labour and Social Security has been ratified].*

## **INTRODUCTION OF QUESTION TIME IN PARLIAMENT**

**THE SPEAKER:** Honourable Members, we have an item on the Order Paper: Introduction of Question Time in Parliament, it may sound new but not so new. I do not

know when last this Parliament engaged itself with 'Question Time'. I do not know, I was a Member here for ten years from 1982 to 1992; in those days I am sure the Honourable I B Kargbo will confirm we did have 'Question Time' and it was a very vibrant moment in Parliament, I do not know what has happened subsequently to 1992. Be that as it may, we are now reintroducing 'Question Time' [applause]. And the 'Question Time' that we are going to reintroduce will take two forms, the first we have described as Government's Monthly Question Time' at least once a month; the 3<sup>rd</sup> Thursday of each month that Parliament is sitting. Questions would be addressed to the Presidency. No, the President would not be in attendance nor his Vice President [undertone] but it would fall within his prerogative to designate a Minister of Government to come to this Chambers and answer to any questions that Honourable Members may have [applause]. As I said, this will be on a monthly basis, order! And that specific 'Question Time' will take place on the 3<sup>rd</sup> Thursday of every month so long as Parliament is in session.

The second 'Question Time' we are going to introduce, would be on a weekly basis for Members of Parliament to address questions to Ministers and for those specific questions I would like to draw your attention... I know almost every Member of Parliament is now familiar with S.O 23 because. I invite contributions under S.O 23; Personal Explanations but I cannot vouch whether every Member of Parliament present here is familiar with S.O 19, S.O 20, S.O 21, S.O 22 that deal with questions to ministers and that areas of the Standing Orders is just as important as S.O 23. Let me read out what S.O 19, S.O 20 say on this important matter:

S.O 19; *Nature of Questions*; **"questions may be put to Ministers relating to public affairs for which they are charged with responsibility. Proceedings pending in Parliament or any matter of administration for which such Ministers are responsible."** You will recall two days ago, I mentioned here and I wish to reiterate a fundamental principle that no MDA is immune; no MDA is immune from Parliamentary scrutiny. That is absolutely fundamental. Parliament can inquire into anything at anytime, anywhere that is your right and that is your duty so let it be



clearly understood that this Parliament is not interfering unduly into the work of any MDA but it is the constitutional right of Parliament [*applause*] to enquire into the activities of every MDA and that is why I say no MDA is immune from Parliamentary scrutiny.

I will go on to S.O 20; *Notice of Questions*; ***"A question shall not be asked without notice unless it is of an urgent character and the Member has obtained the leave of Mr Speaker to ask it."*** I repeat; ***"A question shall not be asked without notice unless it is of an urgent character and the Member has obtained the leave of Mr Speaker to ask it."***

S.O 20[2]; ***"Notice of a Question may be handed by a Member to the Clerk when Parliament is sitting or may be sent to or left to the Office of the Clerk at any time during the hours prescribed for the purpose by Mr Speaker. Every such notice must be signed by the Member giving it."***

S.O 20[3]; ***"A member who desires an oral answer to a question shall mark his notice with an asterisk and such a question shall be put down for a day to be arranged by the Clerk of Parliament, being a day not earlier than fourteen clear days after the day on which notice was given. A question not so marked may be put down for the next sitting day of Parliament and the answer when received shall be circulated with the Votes and Proceedings."***

S.O 20[4]; ***"Not more than two questions in the name of the same Member may be placed upon the Order Paper for any one sitting."***

Honourable Member, 2019 is going to be a different year [*applause*] your right to ask questions will be fully utilized [*Applause*]. I will allow Members of Parliament to read S.O 21 which deals with the contents of questions. Take your time to read it so that you will know how to frame your questions and I will ask the Legislative Department of Parliament to assist Members of Parliament in framing your questions so that you do not stray beyond the limits of decency and decorum in framing your questions. S.O 22 deals with the manner of asking and answering questions and again, I will implore all of

you to pay attention to that S.O, so these are the pertinent S.Os that deal with the matter of questions to ministers and let me end by reiterating what I started with at the beginning of my introduction. In England, the principle is 'Parliament is Supreme', in Sierra Leone the principle is 'the Constitution is Supreme', not Parliament. We too are subject to the Constitution but we are answerable to the people of this country; every other MDA is answerable to Parliament *[Applause]* and hence, the principle that nothing is beyond the scrutiny of Parliament *[Applause]*. I want that to clearly understood by every Member of Parliament and by the general public and 2019 is now going to be a year with a watershed *[Applause]*, a year in which questions are going to be asked and the relevant ministries and Ministers would be summoned to Parliament to answer questions raised by Members of Parliament. I hope I have made myself clear on this matter. *[Applause]*

Let me end by saying two types of Question Time; the monthly question time would be for questions to the Presidency and I will be advising the President after this sitting that it is within his prerogative to ask any Minister to come here on his behalf to answer questions addressed to the President.

And the second part is a weekly question time and the Order Paper will indicate on a weekly basis the time for those questions but remember please Members of Parliament, always make sure you prepare your questions in good time and send them to the Office of the Clerk so that they would be properly processed and it would be my responsibility to ensure that the Ministers concerned, appear before this Parliament to answer your question. I thank you for your attention. *[Applause]*

**THE SPEAKER:** Okay hold on. Yes, Leader of Government Business.

**HON. MATHEW S. NYUMA *[Deputy Leader of Government Business]*:** Mr Speaker, thank you very much for taking governance at a higher height. I believe that, we campaigned on a platform of the New Direction *[Applause]*. As I have always said, the New Direction is the right direction. We are aware of the provisions in the Constitution and that of our instrument that regulates us in this House. Mr Speaker, you asked a question to the Honourable Ibrahim Ben Kargbo, that when last did we hear

about Question Time in parliament? That is a question to tell us that there are fundamental things that are lacking in our democracy for the previous years, so kudos to you Mr Speaker *[Applause]*. Again, for the edification of the House, you took your time to go through the Standing Orders so that members are really familiar with S.O 23, but you want them to be also familiar with S.O 19, 20, 21 etc. I am happy with that, but I will register here that, Members should not use this as a malicious way to get our people in governance *[applause]*. Let us use it within the confines of the law and let us use it within the confines of democracy. All what you are doing is geared towards setting the stage for proper democracy within Parliament. We are going to see the challenge it has. It has not been happening in the past, we are fully aware of it .

**THE SPEAKER:** Honourable Members, I hates repeating and maybe for the edification of the general public, I really did not want to go into the nitty gritty of S.O 21, but allow me to do so now. I do not want Question Time to be misunderstood by anyone.

**HON. CHERNOR R.M. BAH *[Leader of the Opposition]*:** I totally agree with you and I was hoping that after your submission of the details which you encouraged Members to look into, I was not expecting a further statement because listening to my brother on the other side and looking at 32[9], I wish we should be advising ourselves Mr Speaker. Thank you

**THE SPEAKER:** Alright, let us come back to the subject under discussion.

**HON. MATHEW S. NYUMA *[Deputy Leader of Government Business]*:** Mr Speaker, you are given the wrong information.

**THE SPEAKER:** No! This should not generate any controversy. Now, please as I said, this is for the general public to understand what is happening here today; I crave the indulgence of all of you; I had left it to all Members of Parliament in their quiet time to read S.O 21 that deals with the contents of questions, but to avoid any misinterpretation or misunderstanding outside of this Chamber, I now wish to take the opportunity to read out what S.O 21 says: 21[1] Questions shall comply with the following rules;

[a] ***"A question may not include the names of persons or statements of fact unless they are necessary to make the question intelligible and can be authenticated, nor contain charges which the Member who asks the question is not prepared to substantiate."***

[b] ***"A question may not contain arguments, expressions of opinion, inferences, imputations epithets, or controversial, inimical or offensive expressions, or be based upon hypothetical cases"*** and if I may add Honourable Members, as a further elaboration on that rule, I as Speaker will ensure that no question that is inimical to the interest of the State particularly the security of the State would be allowed, it is my duty to protect the State in that respect;

[c] ***"No question may be asked which has been answered substantially in the current Session."***

[d] ***"A question may not be asked regarding proceedings in a Committee of the House before the Committee have presented their reports to Parliament"***

[e] ***"A questions may not solicit an expression of opinion, the solution of an abstract legal cause or an answer to a hypothetical proposition"***

[f] ***"A question may not be asked which makes or implies a charge of a personal character which reflects upon character or conduct except of persons in their official or public capacity."***

[g] ***"A question may not be asked reflecting on the character or conduct of any person whose conduct can only be challenged on a substantive motion."***

Honourable Members, bear with me, bear with me that enclave.

[h] ***"A question may not be asked regarding any matter on which a judicial decision is pending..."***“sub judice”...***...or which reflects on the decision of a Court of justice."***

[i] ***"Questions of excessive length may not be asked."*** Brevity, brevity is a great virtue

[j] ***"A question may not be asked seeking for information about any matter which is of its nature secret."*** and this is, let me emphasise again; a question that is inimical to the interest of the nation particularly 'security' will not be tolerated

[k] ***"A question may not be asked seeking for information set forth in accessible documents or ordinary work of reference."***

[2] ***"A question may not be asked as to whether statements in the press or of private individuals or official bodies are accurate."***

[3] ***"If Mr Speaker is of the opinion that any question of which a Member has given notice to the Clerk infringes the provisions of any Standing Order or is in any way an abuse of the right of questioning, he may direct:-***

***a. that a Member concerned be informed that the question is out of order;***

***or***

***b. that the question be entered in the Order Book with such alterations as he may direct."***

So, please! Honourable Members, be guided by S.O 21 as read and I implore all of you to spare time to read carefully those S.Os. Thank you. [02:40:49]

**HON. MATHEW S. NYUMA [Deputy Leader of Government Business]:** Mr Speaker, without much I do, you have answered the area of going beyond what some Members of Parliament think. I hope my Honourable Leader of the Opposition is now comfortable with that, so that was why I brought up the issue of 'malicious questions.' I wanted to input an improper motive into the debate, so Mr Speaker thank you very much for raising about democracy in the Well of Parliament. I said it the day before yesterday that, you are a man of the rule of law. I have worked with you for a very long time before we came to governance, I know you very well we used to rattle with legality when it comes to matters of addressing issues within the inter and intra parties. You are always a man of your words in terms of democracy. For my members here, they were jittery when you talked about Question Time. They were jittery, so I stood up

to ensure that you allay their fears comfortably that there is nothing hidden in the face of democracy. Questions are well guided and that is democracy. Thank you Mr Speaker.

**THE SPEAKER:** I do not know whether the Leader of the Opposition has anything to say in response? Leader of the Opposition, are you consulting before asking? *[In laughter]*

**HON. CHERNOR R.M. BAH *[Leader of the Opposition]*:** The S.Os are not just in my head, but are in my blood *[applause]* that is why when my colleague stood up to talk, I just smile. Mr Speaker, I rest my case for now.

**THE SPEAKER:** I thought everybody is going to applaud the New Direction *[applause]*! Now, with the reintroduction of Question Time, no doubt, the public is going to be very expectant. It would raise public expectation for a very vibrant Parliament in the year 2019 and so it shall be 'In Shaa Allah' *[applause]*. Shall we move on?

## CONTEMPT PROCEEDINGS AGAINST THE EXECUTIVE CHAIRMAN OF THE SIERRA LEONE PRODUCE MONITORING BOARD

**THE SPEAKER:** We started contempt proceedings at our last sitting. Honourable Members, I would refer all of us to the Votes and Proceedings of Tuesday, 15<sup>th</sup> January, 2019, specifically paragraph 23, page 11. I will read what that paragraph says, for Dr Vibbi to properly purge himself of the contempt of Parliament; he should do the following:

1. To write a letter of unreserved apology to Honourable Veronica K. Sesay and to the entire Membership of Parliament with copies issued to all Members of Parliament;
2. To withdraw the letter of complaint that he wrote to the Leader of Government Business with regards Honourable Veronica K. Sesay
3. To reinstate all the officers he has suspended from duty pending proper establishment of the board.

You are required to fulfil the above-mentioned conditions not later than 16<sup>th</sup> of January 2019 at 10:00a.m. I will now invite the Clerk, to bring the House up to speed on the compliance with the conditions that I ordered.

**HON. UMAR PARAN TARAWALLY [Clerk of Parliament]:** Thank you very much Mr Speaker. Mr Speaker, Honourable Members, in line with the compliance of the orders issued by Mr Speaker, Dr Vibbi has written. In my possession are two letters, with your leave Mr Speaker, I would like to read each. The first letter from the Produce Monitoring Board of 16<sup>th</sup> January 2019 is addressed to Honourable Mohamed S. Tunis, Leader of Government Business, Parliament of Sierra Leone.

Dear Sir,

**RE: LETTER OF COMPLAINT**

With reference to the above subject and with proceedings in the Well of Parliament on Tuesday the 15<sup>th</sup> of January 2019, where I was ordered by the Honourable Speaker of Parliament to withdraw my letter of complaint here attached against Honourable Veronica Kadie Sesay dated 27<sup>th</sup> December 2018, I am formally withdrawing this letter.

I am unreservedly and unconditionally withdrawing my letter of complaint against Honourable Veronica Kadie Sesay and I want to as well apologise to Honourable Veronica K. Sesay, the Leadership of our Honourable House of Parliament and all Members of Parliament.

I want to end by reiterating the point made in Parliament yesterday the 15<sup>th</sup> of January 2019 that I highly respect the Honourable House of Parliament and all its Honourable Members and I will not do anything to intentionally disrespect an Honourable Member of Parliament. I hold Parliament in high esteem and it is an important Arm of Government whose independence and open-mindedness foster and facilitate the growth of our democracy. Please accept my unreserved apologies.

Yours sincerely,

James Vibbi [Dr]

Executive Chairman.

And the letter as ordered was copied the Leader of Parliament

The Honourable Speaker of Parliament

Chief Minister

The Minister of Trade & Industry

The Secretary to the President

The Honourable Deputy Leader of Government Business

The Honourable Clerk of Parliament

The Honourable Veronica Kadie Sesay and

The Senior Permanent Secretary, Ministry of Trade & Industry

Shall I go over it? Okay, those copied were:

The Honourable Speaker of Parliament

Chief Minister

The Minister of Trade & Industry

The Secretary to the President

The Honourable Deputy Leader of Government Business

The Honourable Clerk of Parliament

The Honourable Veronica Kadie Sesay and

The Senior Permanent Secretary, Ministry of Trade & Industry

So that is the first letter and that letter Mr Speaker, is in compliance with the instructions to withdraw the letter of complaint. In my possession is a second letter still from the Produce Monitoring Board dated 16<sup>th</sup> of January 2019 addressed to the Honourable Veronica Kadie Sesay, Member of Parliament and Chairperson for the Trade Committee.



Dear Madam,

### **LETTER OF APOLOGY**

With reference to the above subject, and with proceedings in the Well of Parliament on Tuesday 15<sup>th</sup> of January 2019, where I was ordered by the Speaker of Parliament to formerly write a letter of apology to you apologising for the incident that happened in my office on 24<sup>th</sup> December, 2018 and the letter of complaint I sent to the Leader of Government Business in Parliament against you dated 27<sup>th</sup> December, 2018 for which I was summoned to Parliament. I am unreservedly and unconditionally apologising to you and to again reiterate that I respect you as a person, as an Honourable Member of Parliament, as Chairman of the Committee on Trade and above all as a woman. I hold you in high esteem and I will not do anything intentionally to disrespect you. Once again, please accept my sincere and unreserved apologies.

Yours sincerely,

James Vibbi [Dr]

Executive Chairman.

Copied to:

The Honourable Speaker of Parliament

Chief Minister

The Minister of Trade & Industry

The Secretary to the President and

The Deputy Leader of Government Business

These are the two letters in my possession and each one complied to one of the three Orders so for now Mr Speaker, Honourable Members, two of the three Orders namely:

-the Order to withdraw the letter of complaint and

-the Order to apologise to the Honourable Veronica Kadie Sesay have been complied with.

**THE SPEAKER:** Thank you Mr Clerk. Honourable Members, with regard to the two issues contained in the orders; Order 1 and Order 2, namely:

- apology to Honourable Veronica Sesay and
- order 2 the withdrawal of the letter of December.

You have just heard the rendition of the two letters received by the Clerk of the House; what is your say? I will give the Floor to Honourable Veronica Sesay first.

**HON. VERONICA K. SESAY:** Thank you very much Mr Speaker. Mr Speaker, Honourable Members, before I comment, I want first of all to thank right from the bottom of my heart Mr Speaker, *[Applause]* the Leadership of this House and the entire Members of Parliament *[Applause]*. I want to say thank you and it is coming right from the bottom of my heart. That shows the solidarity that we are having in this House irrespective of political parties. I want to thank you very much and I want this to continue in this direction. Yesterday, it was Vero, tomorrow it might be any other MP, but as we have started this and as we are trying to set the records straight, and to show and tell the people out there the importance of Parliament, the importance of the word 'Honourable', be you past or present Honourable is always honoured. I want to say thank you for that.

Mr Speaker, Honourable Members, to forgive is divine, Mr Speaker, Honourable Members, as a mother, as he likely stated this in the letter as a woman, being a wife, and sister, any other person that is called 'woman' you have to give respect and regard to that individual *[Applause]*. Because to state that a woman goes with nine months or more than that, I think it is a big deal and he has stated that in the letter because I am a woman, and also as Members of Parliament and I hope and believe that it is coming right from him. We do not want tomorrow people to say, the press and outsiders are saying maybe he was coerced and somebody asked that this was not from him, and now that it is coming from the bottom of his heart. So with that, on my own part as a

mother, I have forgiven him for this letter [*Applause*] and the rest is left with the House. I thank you very much.

**THE SPEAKER:** I thank the Honourable Veronica Kadie Sesay. I will now want to invite the Leader of Government Business followed by the Leader of the Opposition with regard to the other matter, the other condition.

**HON. MATHEW S. NYUMA [*Deputy Leader of Government Business*]:** Thank you Mr Speaker and thank you to the mother of the House. Mr Speaker, yesterday, I wanted to say that, we are humans and people shouted. Today, we are here in a more dignified manner to apologise to us in writing and we are happy for that. You apologised to us in a more dignified manner now, and I believe such things will not happen again. I hope you continue in that direction, so that you can see your department or institution move to a higher height. I want to thank Honourable Members who cooperated with us in all of this, for showing that we are all together. We do it because it is the interest of Parliament, not in the interest of individuals as cited in section 95 of the Constitution.

On that note Mr Speaker, I say thank you very much and thank you all for what you did on that day to ensure that the dignity is restored to Parliament.

**THE SPEAKER:** I now wish to invite the Leader of the Opposition to address us on the general issue of the affront to the dignity of the House that was entailed.

**HON. CHERNOR R.M. BAH [*Leader of the Opposition*]:** Mr Speaker, Honourable Members, I want to join the queue from the last two speakers and confirmed that even though I was not copied, which is a surprise because this is the House of Parliament. I kept reminding people that Parliament is one House and one family, but when you send a letter to Parliament and I am not copied its gives the impression as if my input is not needed, but in any case, there is no way you would ask me to say something and refuse. In future, not for Dr Vibbi himself, but for all others, we are not used to that in this House. We are one across aisles, because my best friend may be on that side and Honourable Kanneh's best friend may be on this side of the Well, so we are a family. On

that note, I want to join the queue and agree with what has been said by the two previous speakers and encourage those who are not victims today not to allow themselves fall prey in the near future. The message is very clear, it is unfortunate that Dr Vibbi is the one that is now challenged with what is before us, but there had been issues like this before and some have suffered and since the faces are new and the audience is also new, this would seem to look as if it is the first case. It is not and I am sure it would be the last. But we hope that, our relationship between ourselves and other Arms of Government, be it the Judiciary or the Executive will be more cordial and more respectful. It has to be mutual. Most times, when you sound the word Honourable outside this Chamber, you are like an immediate target. Most of us have sacrificed our professions to be here *[Applause]*. I have a colleague on that side, I will not mention his name but he keeps reminding me of what he is losing by not going back to his usual business, but we have agreed to serve, so in the process of serving, we are calling on all of us to ensure that we respect ourselves and let it be mutual.

On that note Mr Speaker, Honourable Members, the two items we have discussed have my nod and would like to say a very big thank you *[Applause]*.

**THE SPEAKER:** I thank both the Acting Leader of Government Business and the Leader of the Opposition for their comments; we will now turn attention to the third Order that this House made on the 15<sup>th</sup> January to the effect that all the officers suspended by Dr Vibbi should be reinstated pending the proper establishment of the Board.

Again for the edification of the general public, my attention has been drawn to certain new developments. Firstly, Dr Vibbi, my attention has been drawn to the fact that there is a Board established by the Produce Monitoring Board Act of 2013 that Board governs the operations of the Produce Monitoring Board and you happened to be the Executive Chairman of that Board. Would you tell this House whether the Board envisaged by this Act, whether the members of the Board have been appointed.

**DR VIBBI *[Executive Chairman of the Produce Marketing Board]*:** Mr Speaker, Honourable Members, the other Board members have not been constituted.

**THE SPEAKER:** How many is the number?

**DR VIBBI:** They are supposed to be nine board members, five from various sister Agencies, and four from the different provinces and I being the Executive Chairman making the board ten.

**THE SPEAKER:** Has there been an amendment to this Act of 2013?

**DR VIBBI [Executive Chairman of the Produce Marketing Board]:** No Mr Speaker.

**THE SPEAKER:** Well, I read something different, unless you can direct me to where it says there are ten members. When I counted here, I see seven. It says, "*the Board shall consist of the following Members, an Executive Chairman who is knowledgeable in matters relating to the function of the Board,*" I am reading section 3 of the Act [b] "*a representative of the Ministry responsible for Finance, [c] a representative of the Ministry responsible for trade, [d] a representative of the Ministry responsible for Agriculture, [e] a representative of the Sierra Leone Investment and Export Promotion Agency nominated by the Board of the Agency, [f] a representative each from the Northern Province, Southern, Eastern and Western area.*" So all put together, they are eleven, because you also have the representative of the Standards Bureau. Is that right?

**DR VIBBI [Executive Chairman of the Produce Marketing Board]:** Correct Sir.

**THE SPEAKER:** What is the quorum of the Board in the Act?

**DR VIBBI [Executive Chairman of the Produce Marketing Board]:** It is not in the Act Mr Speaker.

**THE SPEAKER:** No, there is! It says, a quorum at a meeting of the Board shall be five and it is section 5[6]. I do not know whether you are looking at a different Act, but the one I have tells me that the quorum consists of five members of the Board. Do you agree with that or you have something different?

**DR VIBBI [Executive Chairman of the Produce Marketing Board]:** You are correct Mr Speaker.

**THE SPEAKER:** Thank you. Now, tell this House Dr Vibbi, when you took this decision to suspend and expel and dismiss. Did you act in accordance with the Act establishing your institution, namely the Board?

**DR VIBBI [Executive Chairman of the Produce Marketing Board]:** Yes sir. I was in consultation with the law, which is the Act.

**THE SPEAKER:** Do you have a Board in existence?

**DR VIBBI [Executive Chairman of the Produce Marketing Board]:** I do not have a Board, but it was represented. You can remember Mr Speaker, that one of the presidential proclamations when Boards across institutions were dissolved, the Ministry stands to serve in the capacity for those Boards.

**THE SPEAKER:** No, please answer the specific question first! Is there a Board?

**DR VIBBI [Executive Chairman of the Produce Marketing Board]:** There is no Board as it is by the Act, but there is a standing one.

**THE SPEAKER:** No! In the absence of the Board, there is a supervising Ministry.

**DR VIBBI [Executive Chairman of the Produce Marketing Board]:** Yes Mr Speaker, there is a supervisory ministry and this ministry stands for the Board.

**THE SPEAKER:** What is that ministry?

**DR VIBBI [Executive Chairman of the Produce Marketing Board]:** That is Ministry of Trade.

**THE SPEAKER:** Good. Order! So you agree to us that there is no Board presently in existence.

**DR VIBBI [Executive Chairman of the Produce Marketing Board]:** There is no Board, but there is a functionary body.

**THE SPEAKER:** Hold on! Do not go one step ahead of me please! If you do not mind the specific question, do you agree that there is no Board in existence at the present moment?

**DR VIBBI [*Executive Chairman of the Produce Marketing Board*]:** Yes, the Board as structured in the Act is not in existence.

**THE SPEAKER:** Thank you! Is there a supervising ministry?

**DR VIBBI [*Executive Chairman of the Produce Marketing Board*]:** Yes Mr Speaker.

**THE SPEAKER:** And what is that ministry?

**DR VIBBI [*Executive Chairman of the Produce Marketing Board*]:** Ministry of Trade.

**THE SPEAKER:** Fine! In that case, is the Ministry of Trade represented here Mr Clerk?

**HON. UMAR PARAN TARAWALLY [*Clerk of Parliament*]:** Yes Mr Speaker! The Ministry of Trade is represented by the Senior Permanent Secretary.

**THE SPEAKER:** May we then with the agreement of the House invite the Senior Permanent Secretary to bring us up to speed on this matter, do you agree?

**HON MEMBERS:** Yes

**THE SPEAKER:** fine thank you.

**MR ABDUL R.M. FOFANAH [*Senior Permanent Secretary*]:** Mr Speaker, Honourable Members, Mr Vibbi was appointed as Executive Chairman in October and subsequently he went through the House and was approved. Before his appointment, there was no Executive Chairman, we only had the Executive Director who is in the person of Haja Kabba, who had acted in that capacity for four years without a Board.

Mr Speaker, during the period under reference, she was working in close collaboration with the Ministry of Trade and Industry. We made the recommendation for her confirmation of appointment, but the recommendations were still yet to be responded

to. When Dr Vibbi was appointed, he reported to the Ministry of Trade and Industry and the Minister and his Deputy welcomed him and the entire family welcomed him and we told him that, in the ministry, we work as a family and we work in consultation with one another. So subsequently, the Presidential Proclamation dissolved all boards for restructuring and in that case, all MDAs were informed that any department and agencies that falls under the purview of every ministry will now take instruction from the Minister and the Permanent Secretary of those respective Agencies. Therefore, the Ministry of Trade was no exception to the order of His Excellency the President. So, subsequently, Dr Vibbi came with a complaint to the office that he had discovered certain discrepancies in the Agency and that he wanted to take some actions and we told him to do that in writing. What we received was suspension letter. So, the Acting Executive Secretary presented the letter to us that she has been suspended. Subsequently also, we were informed and he copied us that they had suspended all those officers working within the finance unit as well. The suspended finance officers were subsequently dismissed from the office and so we tried to solved the impasse, but it came to a point where we were not able to get Dr Vibbi to understand that he cannot act in silos because there is no Board. There is no constituted Board and therefore all his actions he has to consult with the ministry so that his actions can be endorsed by the Ministry. He declined and did not comply with the Ministry.

**HON. DICKSON M. ROGERS [*Chief Whip*]:** Mr Speaker, I want to know whether the Ministry of Trade and Industry is the ministry responsible? Can I know if all of those conversations were put in writing for our edification?

**MR ABDUL R.M. FOFANAH [*Senior Permanent Secretary*]:** Well at the initial stage, we held a one on one discussion as a family so that we could sought it out. But we were not able to get Dr Vibbi to comply. He was raising issues that there was fraud etcetera. Then we said to him that, if you are saying there was fraud, there are rules and procedure that will be followed to do the investigations, and because we were not able to have a way out of that impasse, I then under the instruction of the Minister issued a letter to him asking him to rescind his decisions. If the Honourable House can



allow me, I would read the letter which I wrote to him, so that you can know what I did under the instruction of the minister.

**THE SPEAKER:** Certainly yes! I think it will help the proceedings here.

**MR ABDUL R.M. FOFANAH [*Senior Permanent Secretary*]:** On the 8<sup>th</sup> of October 2018,

**THE SPEAKER:** Order! Order! Order! I do not want to call names here, Mr Leader help me.

**MR ABDUL R.M. FOFANAH [*Senior Permanent Secretary*]:** On the 8<sup>th</sup> November 2018, under the instruction of the Minister of Trade and Industry, I addressed this letter to the Executive Chairman, Produce Monitoring Board, Dr Vibbi and with your leave Mr Speaker, the heading of the letter reads "*General Administration of the Produce Monitoring Board [PMB]*". I am directed to refer to the above subject and the appointment by His Excellency the President as Executive Chairman followed by the recent Parliamentary Approval and to express concerns that contrary to the consultative approach of the Ministry. You have recently embarked upon solo operations and decision making without reference to your supervisory ministry. I must draw your kind attention to the provisions of the Produce Monitoring Board Act of 2013, which amongst other things made provision for a Board to be constituted and to be headed by the Executive Chairman and other Board Members to be appointed by the President on the recommendation of the Ministry of Trade and Industry. It is therefore evident, that whilst you carry out some administrative duties in collaboration with the acting Executive Secretary please note that certain decisions that require the consultative work of a constituted Board cannot be single handedly taken by you. In the recent past, the Ministry notes with grave concerns the dismissals and recruitment of key staff without reference to the ministry or a constituted Board.

Furthermore, your attention is here by drawn to an existing moratorium on recruitment by Government through the Human Resource Management Office. Therefore, all recruitment must be cleared with the Director General, Human Resource Management

Office. Your letter to the Financial Secretary for salary payment is contrary to the rules of Government recruitment, and Government cannot be committed to spend funds without due process being followed. Similarly, the Ministry notes the suspension of the acting Executive Secretary without due process and procedures and this has the tendency of recking the institution which to a very large extend has been without a Board for the past four years. You are hereby requested to rescind the suspension with immediate effect until such a time when the Board is set up. In adherence to the provision of the Produce Monitoring Board Act of 2013, you would agree with me that most if not all actions taken so far, are ultra vires and have the tendency to undermine the smooth operations of the Board. As you are aware, the team of internal auditors has been assigned to audit the Board's activities for 2016 to 2018 Financial Years, and that exercise can only be smoothly done with the assistance of those officers that were there during the period under reference. Consequently, you are requested to put mechanisms in place where the dismissed officers can interface with the auditors till the process is completed. Therefore you are hereby instructed to revisit your decisions with a view to operating within the ambits of the Law. I count on your fullest cooperation in this matter, so that together we can make meaningful changes that will stand the test of times.

Yours Sincerely,

Abdul R.M. Fofanah, Senior Permanent Secretary.

Copied: Minister of Trade and Industry,

Minister of Finance,

Chief Minister,

Deputy Minister of Finance,

Deputy Minister of Trade and Industry,

Secretary to the President,

Financial Secretary,

The Chief Director and Professional Head and the acting Executive Director PMB”

Mr Speaker, Honourable Members, after this letter, the exchange of views continued and then he replied, unfortunately I did not come with the letter. In his replied letter, he said he would not decline and would not rescind the decision he took. Subsequently, the later part of last year let me bring you up to speed, the Honourable Speaker and Clerk of Parliament invited the Minister and senior officials of the Ministry to engage Dr Vibbi so that we can see through and settle this matter. Again, in one of the Committee Rooms here, the Speaker was angry when Dr Vibbi was asked to reconsider the decision of suspending the Acting Executive Secretary and then recalling those staff. At that time also, he said he would not rescind his decision and he would not mind losing his job, but he will stand by what he has said.

Mr Speaker, Honourable Members, last week, I also received a copy of a letter in which the Executive Secretary was issued a dismissal letter, but before this letter, the Auditors had completed their exercise and then the report was submitted to us. Normally in every audit situations, you asked for management response. There may be issues in other administrative lapses or systemic failures, so issues were identified. Subsequently, Dr Vibbi submitted the audit report to the Anti-Corruption Commission [ACC] for investigation.

Mr Speaker, Honourable Members, My advice to the Minister was normally after every audit, you give the auditee an opportunity to respond to the quarries in the Audit report, but I can say here although I did not take an oath but opportunity was not given to the Executive Secretary to review or to answer to the quarries raised in the Audit Report. A couple of weeks ago, the suspended Executive Secretary called me that she has been invited by ACC to answer to some of the quarries. I said to her that the situation had gone beyond my control and that I have no control over it again since it had reached the ACC. I have a copy, which I could not give to you because you were not copied. Mr Speaker, so far, she has gone to the ACC but she had not brief me of anything on what she got there and I did not ask her.

Mr Speaker, Honourable Members, it was last week that I was informed by the Honourable Chair Lady of the Committee on Trade, that she had a very unpleasant encounter with Dr Vibbi at his office. I told her we could not do otherwise, but to try and see how we could solve the matter. We have even gone to the Chief Minister to see how this issue could be resolved. But as far as my knowledge tells me, the issue on to this moment is still on.

So Mr Speaker, Honourable Members, that is my submission on this issue. I thank you for the opportunity kind attention given to me *[Applause]*.

**THE SPEAKER:** Order! I would like to thank the Senior Permanent Secretary of the Ministry of Trade and Industry. Order! Mr Permanent Secretary, are you in a position to tender a copy of the letter that you have just read to us?

**MR ABDUL R.M. FOFANAH *[Senior Permanent Secretary]*:** Yes Mr Speaker..

**THE SPEAKER:** So it will form part of our records?

**MR ABDUL R.M. FOFANAH *[Senior Permanent Secretary]*:** Yes Mr Speaker.

**THE SPEAKER:** Honourable Members, this is the briefing that we have received regarding the third Order that was made on the 15<sup>th</sup> January, namely that Dr Vibbi should reinstate the suspended or dismissed officers of the Produce Monitoring Board pending the establishment of the Board.

However, it has become clear that, so far, he acted single handedly by his own admission and also from the letter that has just been read out by the Permanent Secretary. Dr Vibbi, you heard what the Permanent Secretary has said, do you have anything to say, specifically in response to the issue of suspension of the senior members of the Board by your administration?

*Suspension of S.O 5[2]*

**THE SPEAKER:** You have heard what the Permanent Secretary has said; we do not want to open a debate here. We are addressing specific issues, the issue about the apology has been settled, and the issue about the withdrawal of the letter of December

has also been settled. The only outstanding issue before us now is the suspension of the senior members of the Board by you alone without a Board whether before or after, and also you have heard from the Permanent Secretary of the supervising Ministry without their approval. They have even advised you as we have done in our last meeting that those officers should be reinstated.

**DR VIBBI [*Executive Chairman of the Produce Marketing Board*]:** Thank you very much Mr Speaker. Mr Speaker, Honourable Members, I am still apologising and kindly request that you give me time to respond to what the Permanent Secretary have said, and to draw back memories as we have been communicating and working together.

Mr Speaker, Honourable Members, in the first place, I took the decision to suspend the Executive Secretary in conjunction with the Ministry, specifically with the Minister of Trade and Industry. I just want to go briefly to the letter he read which became redundant on the 4<sup>th</sup> December, 2018, when we met at State House with series of reports that were before State House, including the suspension of the acting Executive Secretary and other matters relating to other departments within the Ministry of Trade and Industry. And this was the letter the Senior Permanent Secretary sent to me when we had agreed as a Ministry and State House on the issue. So this latter was sent to me on the 4<sup>th</sup> December 2018 by the Senior Permanent Secretary, Mr Abdul R.M. Fofanah after we had reached an agreement with the Ministry and State House. Mr Speaker, with your leave, it reads:

“The Resolution of Administrative impasse, Sierra Leone Investment and Export  
Promotion Agency [SLIPA] and Produce Monitoring Board [PMB]

I write in reference to the meeting held with the Chief Minister on the above subject. I am directed to inform you, that on the directives of the Chief Minister, a meeting was held with the Heads of the above Agencies in a bid to resolving the administrative impasse between the Agencies and their supervisory ministry.” Mr Speaker, that meeting was held amongst myself, the Permanent Secretary, the Minister, the Deputy Minister, and the Senior Director of Trade and Industry. In that meeting, we agreed

that, firstly, that the suspension of the Acting Executive Secretary for two months stands pending investigation of the matter. The investigation that was taking place at the time was the audit that the Ministry of Finance instructed. So that made the letter redundant right from there. So, the Executive Chairman wrote to the Minister of Trade and Industry confirming the two months suspension. Also, that the financial obligation own to the suspended Acting Executive Secretary be paid by the Executive Chairman. So these were the agreement we had on the 4<sup>th</sup> December, 2018. His letter he wrote instructing me to withdraw my suspension was on the 8<sup>th</sup> of October, so the letter read here by the Senior Permanent Secretary was redundant by that time and we had settled it with the minister and other staff members.

**THE SPEAKER:** Will you please explain what made the letter redundant? We do not quite understand.

**DR VIBBI [*Executive Chairman of the Produce Marketing Board*]:** Mr Speaker, Honourable Members, because there were series of contentions, that is why I really want to get to the background why the suspension so that this House and the general public will understand clearly the reason for the suspension.

**THE SPEAKER:** We do not want to get into all of that. My question to you is that, would you agree with the statement made by the Senior Permanent Secretary that an audit of the Board was authorised and done, and there is an audit report?

Secondly, would you also agree with him that this matter has been referred to the ACC, and is also under investigation? So, matters that are pending and being investigated by the ACC we do not wish to go into them. They are not here for us to deliberate on, so when you said you wanted to go into the background to bring those into our proceedings, I said no. We will not allow that, because, we do not not want to interfere or obstruct in any way the work of those institutions. An audit has been done and submitted, the ACC is dealing with that particular issue. What we are simply addressing here is the question of the reinstatement. And from what you have just said to us, we are yet to understand when you said, the letter that the Ministry had written to you instructing you to reinstate the officers of the Board you had suspended had become

redundant. That is the point you made and that is what we are unable to understand. So please elaborate on that specification.

**DR VIBBI [*Executive Chairman of the Produce Marketing Board*]:** Mr Speaker, Honourable Members, I said so because, we were summoned to a meeting on the 4<sup>th</sup> December, to resolve some of the impasses that were existing between various agencies and the Ministry.

Mr Speaker, on my own side, I sent a query letter which provoked the Minister's attention and he called me, we reasoned together of a Three Hundred and Seventy Seven Million [Le 377,000,000, 00] fraud that was between the PMD and the United Bank of Africa [UBA], and when the issue was related properly to the Minister, we came to conclusion that, the culprit of these people who siphoned government's fund instead of going to the bank went to their private account being terminated.

**THE SPEAKER:** Alleged! They have not been proven guilty yet. Let us be careful, these are mere allegations that are under investigation by the ACC. This is why I do not want us to delve into the nitty gritty of those allegations here. We are not the proper institution to go into the nitty gritty of those allegations. They are already being investigated by the ACC, so let us not sway away from the issue that we are addressing by discussing the merits or demerits of those allegations. They are under investigation by the ACC, so let us leave them there.

**DR VIBBI [*Executive Chairman of the Produce Marketing Board*]:** Thank you Mr Speaker. Mr Speaker, Honourable Members, I could clearly understand what you are saying, but I have to let the House and the public understand, that during the suspension, myself and the Minister, the Deputy Minister were all on the same page until the suspension of the Acting Executive Secretary. After a week, I got a call from the Minister who told me that the Permanent Secretary said that such suspension was illegal, and that was when the problem started.

**THE SPEAKER:** Hold on!

**HON. DICKSON M. ROGERS [Chief Whip]:** Mr Speaker, I am not sure if we can rely on telephone conversations as evidence. In the letter he has just read that was written by the Permanent Secretary, he said inter-earlier that there was an Executive Order that all of those boards were dissolved and that the supervising Ministry should step in to direct the affairs of those Agencies. Now, if it is so, the Ministry of Trade acted in that spirit by writing that letter, that the Executive Secretary should be reinstated and those that were dismissed.

Having said that, Mr Speaker, let me come to the letter that he had just read. The December 4 letter was agreed at State House that the lady in question or the people in question served their suspension, and I believe after serving the suspension, those people should be called back to office. Any actions, you want to take any further, you can take it. Now, my question is, how long was the suspension, if the two months have lapsed? Because, the letter is saying that, the lady should serve a two month period of suspension. So we want to know, if the two months have lapsed and if they have been recalled? I think those were the things we have been here since this morning. Let us do those things fast Mr Speaker and let us answer those few questions, one in adhering to the Executive Order. The Presidential Orders as he has said himself that the supervising ministry takes charge of all of those boards that have not been constituted. It was in that spirit that the Permanent Secretary directed by the Minister wrote the letter that the decision be rescinded. If the two months suspension have elapsed, he has to recall them back to office.

**THE SPEAKER:** Would you please answer?

**DR VIBBI:** I thank the Honourable Chief Whip very much for these questions. Indeed the suspension expired December 31<sup>st</sup> and the Acting Executive Secretary was supposed to resume her duties on the 1<sup>st</sup> of January, but prior to that moment, a lot of things came into play and we found out that an amount of **Le250mln** was collected from workers and the Executive Secretary never paid that money. Another **Le75,750,000mln** was collected as National Social Security and Insurance Trust [NASSIT] and



that money was not paid to NASSIT and above all the Acting Executive Secretary was paying **\$40,000** for a Government building that was not in existence.

**THE SPEAKER:** Dr Vibbi, I am sure all of these matters you are raising here form part and parcel of the basket of allegations that have been investigated by the ACC?

**DR VIBBI [*Executive Chairman of the Produce Marketing Board*]:** Yes Sir that is where I am coming.

**THE SPEAKER:** Dr Vibbi, I will allow you for a minute, but I just want us to be quite clear that, let us stay focus on both the Permanent Secretary and yourself. I have made it clear to this House that there have been certain allegations against the suspended officials of the Board, and that these allegations are presently been investigated by the ACC, so we do not want to go into the merit or demerit of those allegations since they are under investigation by the ACC. Let us leave them with the ACC. We are specifically addressing one issue and that is the issue of reinstating the suspended officials, so let us stay focus.

Honourable Hassan you were first and please do not take us away from what we are discussing here.

**HON. HASSAN A. SESAY:** Mr Speaker, just to further reiterate what you have just said, our issue here is not to talk about the allegations made as they are legal matters. Those issues are being investigated by the ACC, what we are looking at here is the violation of the law or Act. Whenever the ACC concludes its investigation of course if it is related to corruption, we are **100%** in support. Now, what we are saying is that the Permanent Secretary in his letter have just reminded us that he communicated long before the issue came to Parliament that the suspension and dismissal of those officers were wrong. Mr Vibbi did not comply, you as the Speaker of the House of Parliament told Dr Vibbi that these people must be reinstated because the procedure was not right. Dr Vibbi again refused now again Dr Vibbi had an encounter with the Chairman of the Trade Committee again, something came out where Dr Vibbi again refused to comply. Now what we are saying is his refusal to follow due process. Whatever is the

investigation at the ACC, let ACC investigate and report, but let Dr Vibbi do the right thing; reinstate if he refuses to reinstate then we as a Parliament can also take the action that we think is right *[Applause]*. [03:50:04]

**HON. MATHEW S. NYUMA** *[Deputy Leader of Government Business]*: Thank you very much Honourable Member. We have addressed the issue of looking at legal and illegality; I believe the first thing we want to track here is whether Dr Vibbi followed the actual process in suspending the Acting Executive Secretary that he has not established to the House. Firstly, for you fighting corruption we are with you even more than one 100 per cent. We do not even want to question that aspect. We are questioning the legality or illegality of sacking or suspension of the Acting Executive Secretary at that time. Did you follow due process? There is a conflict between you and your supervisory ministry and that is clearly stated. We do not want to talk about a letter that is redundant, we are addressing the process that you took to suspend that particular individual and the team. So Mr Speaker to guide this process, let us first address the process he followed to suspend staff members from that particular institution. And I want to know if he consulted the supervisory ministry when he took the decision to suspend his colleagues from work, because he is supposed to rule them based on the rule of law. He is not doing it as an individual, so if they are found wanting for any crime, there are bodies that he can consult. So I want to know if the action was in consultation with the Board or the supervisory ministry. Mr Speaker, I rest my case.

**THE SPEAKER**: Will you please address that specific question! Did you consult with the supervising ministry?

**DR VIBBI** *[Executive Chairman of the Produce Marketing Board]*: Yes, I think I have repeatedly said in this House that before the suspension there was a query letter which drew the attention or captured the attention of the Minister and the Deputy Minister, and I was called for discussion over this issue and we took a decision that [a] I should dismiss the various people who are concerned with what happened.

**THE SPEAKER**: Who said that?

**DR VIBBI [*Executive Chairman of the Produce Marketing Board*]:** The Minister and the Deputy Minister.

**THE SPEAKER:** That is not borne out by the letter that has been read by the Senior Permanent Secretary.

**DR VIBBI [*Executive Chairman of the Produce Marketing Board*]:** That is why I said after we have taken the decision and suspension has gone a week, it was after that the Minister called me again to say that, the Permanent Secretary... [Interruption]

**HON. MATHEW S. NYUMA [*Deputy Leader of Government Business*]:** Mr Speaker Point of Order! I do not want us to put Dr Vibbi on oath because he is bringing allegations and they are merely allegations, if you have evidence of proof adduce them to us. We are looking for those evidences, we do not want allegations here. The question in front of you sir; did you go through the due process in suspending your colleague members of staff?

**DR VIBBI [*Executive Chairman of the Produce Marketing Board*]:** I have proofs of query letters I wrote. I have proof here from the Ministry of Trade written by the Permanent Secretary agreeing together with the Minister and the Deputy Minister that [a] the suspension of the Acting Executive Secretary for two months stands pending investigation of the matter. This is a proof to show that the matter was not done solely by me, it was between myself and the Ministry of Trade.

**THE SPEAKER:** Okay, hang it there! Yes Leader of the Opposition.

**HON. CHERNOR R.M. BAH [*Leader of the Opposition*]:** Mr Speaker, we are here to work, but not to sleep so we should do our work expeditiously and go back. I am happy that we have narrowed the discussion because even our Standing Orders forbids us talking about what is before the ACC. So had we not entertained it we would have been offending our own very Standing Orders. Coming back to the subject under discussion, the letter he read last dated 4<sup>th</sup> December is very clear, the first point confirms the suspension which according to the letter written by the Permanent Secretary was an agreement they reached at the Ministry of Trade, and the suspension

had a period of two months but we have also confirmed that procedures were not followed for the termination. There is a distinction between the suspension and the termination itself and they are two separate things. So what we should be focusing on now is to confirm what the Permanent Secretary has said. I am sure he is representing his Minister. But most importantly all the letters that have been read are either involving the Minister or he was copied, so whatever we should be entertaining here has to be something in writing. And if there are discrepancies, the Permanent Secretary should be in the position to clarify, but let us narrow our conversations and discussions on the subject under review.

**THE SPEAKER:** Thank you. I do not know the Permanent Secretary is still with us; do you have anything further to say on this matter, Mr Senior Permanent Secretary?

**MR ABDUL R.M. FOFANAH [*Senior Permanent Secretary*]:** Mr Speaker, Honourable Members, on the letter of the 4<sup>th</sup> December that letter is a product of the discussion we held with Chief Minister and then he instructed that we go home and wash our dirty linings. So, in-house we held a meeting involving himself, SLIPA, and other members of the Ministry and it was out of that meeting that it was decided that I write a letter...[interruption]

**THE SPEAKER:** Please, please, please, let us have decorum and let us allow the Permanent Secretary.

**MR ABDUL R.M. FOFANAH [*Senior Permanent Secretary*]:** The first letter I wrote was in October expressing the concerns of the Ministry that he was vying away from procedure. Already, he had suspended the Executive Secretary that was why we wrote that letter to express our concerns again and asked that he reinstate the suspended officers and make sure that he follows procedure, because there is still no constituted Board. Therefore he alone cannot take decision that should be taken by the Board.

**THE SPEAKER:** And that is the letter of the 8<sup>th</sup> November, 2018?

**MR ABDUL R.M. FOFANAH [*Senior Permanent Secretary*]:** Yes, that is the letter of 8<sup>th</sup> November, 2018. Then came this letter of 4<sup>th</sup> December which as I said was a

product of the meeting we held with the Chief Minister and he told us to go and wash our dirty lining and upon an in-house discussion that was the product of this letter. That is the reason, firstly, when you read the letter, it says, we now confirm that the suspension stands because we are trying to get things done in the right way. then the suspension stood for two months and he was even to write a letter confirming that the suspension will expire after the two months and we did not receive that letter. When the suspension was near to expiration, then the audit process was on going, he came to the office and then held discussion with the Minister and said he wanted to extend the suspension and then the Minister said no; we had agreed that the suspension ends in December. So, the Executive Secretary and the other suspended officers could now resume duties on the 1<sup>st</sup> January, 2019. He explained to the Minister that if he allows Haja, the officer to go back to the office, the evidence will be compromised. He spoke to me on that in my office and I told him the Minister has said so, so you go and comply. The following day, we received the letter extending the suspension given reason why he has extended the suspension and the Minister was very furious. As the House has said the issue raised by the auditors has been referred to the ACC and we have no problem with that. Let the ACC go ahead with their investigation, but the Minister said the suspended officer should have to be reinstated. If during the process of the investigation she is found wanting no problem, the law will take its course. But Dr Vibbi insisted that Haja should not be reinstated because of all the reasons he has given. Personally we believe if the matter is before Anti-Corruption Commission, let them go through the investigation and Haja can still be reinstated and then after which, if she is found wanting then the law can follow the course.

**THE SPEAKER:** Thank you Mr Permanent Secretary. Yes, Honourable Member.

**HON. ABDUL K. KAMARA:** Mr Speaker, this is Honourable Abdul Karim Kamara, representing the people of Masumbalah, Munu-Thalia and Kambia Sections. What I see today, is almost an attempt to say it is a crime to be a woman in Sierra Leone and as a

gender advocate, I would have love Dr Vibbi to have accepted the verdict of the Speaker for a second time.

Mr Speaker, according to the Permanent Secretary [PS], this mandate was done secretly and it was not covered by the media and as we stand here now the credibility of this Parliament is on the balance, the respectability of the Speaker, the Office of the Speaker is on the line and it is highly questioned. Because even when you, the Speaker said I pretend not to hear that side, we now know as a Parliament that this is not the first time, but this is the second attempt and from all the proceedings and presentations there are better ways to express the views of Dr Vibbi in other mechanisms rather than what he is pursuing now. But as it stands Mr Speaker, as Members of Parliament, for some of us, it is an opportunity having you as the Speaker and we will stand by you and we will stand to protect the Office of the Speaker at any time like this. We will stand by you and say, if this decision is to be compromised now, we are putting the credibility of this Parliament to test. We will stand to say the credibility of this Parliament should not be put to test by a single individual from the Executive, I mean an appointee from the Executive. Therefore, Mr Speaker, as we stand now in this Well, I just want to tell Members of Parliament that this issue is not an issue of just Dr Vibbi and the person being asked out of job, but it has drawn the integrity of Parliament into it. I seized and wait for other deliberations.

**HON. MUSTAPHA M.SELLU:** Mr Speaker, Honourable Members, I want to thank you very much for the practice you have introduced into the democratic system of this country. It has shown clearly the democratic tendency this Parliament has in this 21<sup>st</sup> Century. However, Dr Vibbi here is a member of the PMD and was appointed by no less a person but His Excellency. I have listened keenly to the discussion between himself and the Senior Permanent Secretary of the Supervising Ministry. In the first instance, the Permanent Secretary's submission did make mention of the fact that in the absence of the Board the Supervising Ministry acts in that capacity and there has been correspondences between himself, the Ministry, he [Dr Vibbi] is in a very critical situation as we speak. Because being at the helm of affairs of that particular agency, he

has given a kind of authority and this authority is now being questioned by both the Supervising Ministry and the Head of this institution of Parliament.

Mr Speaker, Honourable Members, we are all here to ensure that things are done the right way. At this point, since this has become issue of national concern and I know it is carried live on television and radio, we must be careful of our deliberations over this issue.

**THE SPEAKER:** Order!

**HON. MUSTAPHA M. SELLU:** We are not going to politicise this, this has never happened!

**THE SPEAKER:** Allowed him please!

**HON. MUSTAPHA M. SELLU:** You just want Mr Speaker to get rid of this man. That is what you probably want. Mr Speaker, at this point I want you and the Leaders of this House to take a critical look, if possible out of this Well in other to lay it to rest. Thank you Mr Speaker.

**HON. MOHAMED BANGURA:** Thank you Mr Speaker. Two days ago, the Honourable Speaker ordered Dr Vibbi to come here today with a letter to reinstate the dismissed workers. I was expecting that as he stands there. Mr Speaker, Honourable Members, the integrity of this House is on test. If we leave this Well today without taking a firm decision on him, definitely in the future, we will find it difficult to hold other people responsible for their actions *[Applause]*. I will call upon you who might want to see this from a political lens not to see it that way. This is not about Honourable Veronica anymore, it is about the laws of this country, it is about the laws of this Well. So, Mr Speaker, Honourable Members, I would like you to address the issue of Contempt of Parliament only and leave the rest *[Applause]*.

**HON. MATHEW S. NYUMA *[Deputy Leader of Government Business]*:** Mr Speaker, I question the Honourable Member, with all due respect, we are talking about legality and illegality and from all sides we have established that the suspension of the lady Haja was not based on due process. I hold the Permanent Secretary squarely

responsible for encouraging illegality to circumvent; to allow the suspension to stand *[Applause]*. There is no way you can circumvent the law, when the process is not correct it is not. But now Mr Speaker, we have the Act, the Produce Marketing Board Act 2013. Dr Vibbi, you are saying here you did the suspension because you query, but can you direct us in this Act that gives you the authority to suspend the Acting Executive Secretary.

**DR VIBBI:** Yes, I do have the authority.

**HON. MATHEW S. NYUMA *[Deputy Leader of Government Business]*:** Alone?

**DR VIBBI *[Executive Chairman of the Produce Marketing Board]*:** I do, yes.

**HON. MATHEW S. NYUMA *[Deputy Leader of Government Business]*:** Can you give us the Provisions, or the Section?

**DR VIBBI *[Executive Chairman of the Produce Marketing Board]*:** Mr Acting Leader, I want to remind you that in that institution, I am not only heading the Board of Directors as Chairman, I am also the Chief Executive Officer in that institution.

**HON. MATHEW S. NYUMA *[Deputy Leader of Government Business]*:** No, you are not answering my question! Show me the provision in the Act that tells you that you have the right, the soul responsibility as Chief Executive Officer to suspend your colleague member or staff alone?

**DR VIBBI *[Executive Chairman of the Produce Marketing Board]*:** Yes, it might not be in the Act, but even the position as Executive Secretary is not in that Act. The Position of Executive Secretary is not in that Act. I have acted as Head of that Institution and saw things going wrong and want to remedy it. So, in that whole Act there is nothing like Executive Secretary.

**THE SPEAKER:** Dr Vibbi

**DR VIBBI *[Executive Chairman of the Produce Marketing Board]*:** Yes, Mr Speaker.



**THE SPEAKER:** Order! Nobody is questioning your position as a Chief Executive Chairman of that body. What Honourable Members are asking you is whether the decision you took was within your competence to take? You have no Board; all you have is a Supervising Ministry in the absence of the Board. The supervising Ministry has advised you to follow this path and not that path and you went to put yourself above the Supervising Ministry. Do you think that is proper?

**DR VIBBI [*Executive Chairman of the Produce Marketing Board*]:** No, Mr Speaker, that is not so, the decision I took was in consonant with the Ministry. It was with the Minister, Deputy Minister and also other Directors.

**THE SPEAKER:** I can very well understand where the Ministry was coming from to try and find a middle ground, to try and find some accommodation between the two conflicting positions. So it was agreed that the suspension would up to the end of two months. Those two months have since lapsed.

**DR VIBBI [*Executive Chairman of the Produce Marketing Board*]:** Yes Mr Speaker.

**THE SPEAKER:** And you have not received from the Ministry any authorisation to extend that suspension, have you?

**DR VIBBI [*Executive Chairman of the Produce Marketing Board*]:** We discuss it with the Minister.

**THE SPEAKER:** Have you?

**DR VIBBI [*Executive Chairman of the Produce Marketing Board*]:** Yes and Mr Speaker let me tell you, on the 28<sup>th</sup> December, 2018, I took the matter to the Anti-Corruption Commission, it was the Ministry that sent me [*Interruption*]

**THE SPEAKER:** Hold on, the Permanent Secretary has informed this House that the suspension they agreed lapsed on the 31<sup>st</sup> of December, 2018. Has there been any correspondence between you and the Ministry to extend it beyond that time?

**DR VIBBI [Executive Chairman of the Produce Marketing Board]:** Mr Speaker...[interruption]

**THE SPEAKER:** Has there been any correspondence to that effect?

**DR VIBBI [Executive Chairman of the Produce Marketing Board]:** No. I sent correspondence to them.

**THE SPEAKER:** You sent to them?

**DR VIBBI [Executive Chairman of the Produce Marketing Board]:** Yes Sir.

**THE SPEAKER:** Did they approve?

**DR VIBBI [Executive Chairman of the Produce Marketing Board]:** Yes. We agreed in principle and Mr Speaker let me inform you Sir *[Interruption]*

**THE SPEAKER:** No! I think this manner of behaviour cannot be tolerated here. I will allow two or three more speakers and then we conclude this matter.

**HON. ABDUL KARGBO:** Mr Speaker, Honourable Members, I could remember when I was in my final year at Fourah Bay College, my grandmother was admitted at 34 Hospital, we went there and she was about to die. So she said something I could hardly forget, she said; "*Abdul, you are a young boy, do not make promises when you are happy, do not take hasty decisions when you are sad.*" Mr Speaker to me, it is not needful that we even have to summoned the Permanent Secretary, it is not even needful that we even have to ask for more explanation on this matter, because we had already taken a decision three days ago that Dr Vibbi should reversed his decision. We had every opportunity to have looked at all what we are looking now before we took the decision, but once we have taken the decision, there should not be any potential investigation or potential probing that should reverse the decision this House has taken. So for the mere fact that you have told him unreservedly to reverse the decision and in our presence, under the hearing of all of us, he did say here that he will not do it and indeed he did not do it. Mr Speaker, let me ask you this question, with your leave Sir, if you are not pleased with the explanation of the Permanent Secretary or any other

person, would you give him the right for not reversing the decision you have told him to do? Would that vindicate him from this indictment? We are playing with the credibility of this House. This House should be ready and potent enough to take responsibility for whatever maybe fall Dr Vibbi for failing to do what this House have told him to do. So for me calling people, we are just protracting issues, but if anybody gives an explanation that has the tendency for this House to reverse our decision, it means we are slapping ourselves on the face. I thank you Mr Speaker.

**THE SPEAKER:** Thank you very much. Any more comment especially from those who are yet to speak.

**HON. ALPHA BAH:** Thank you so much Mr Speaker. Mr Speaker, Honourable Members, clearly prior to this moment, there had been issues which led to this moment and the issues leading to this moment had been clearly explained to this House by the Permanent Secretary. We realise clearly that what Dr Vibbi did was not in line with what he was instructed to do and besides he went beyond what in fact, was instructed to do Mr Speaker.

Quite apart from that, he was summoned to appear before this House, he was giving orders from this Honourable House. In the face of this House, he categorically rejected or denied carrying out those orders. Here again today, he was given an opportunity Mr Speaker, Honourable Members, to make amends and comply or execute the orders that were given to him and yet Dr Vibbi is proving intransigent. Clearly as the Honourable Member stated, it is not the matter of investigating what transpired leading up to what he did, the issue before this House Mr Speaker, Honourable Members, is requiring him to do what you ordered him to do.

Mr Speaker, Honourable Members, also apart from that, this issue should not been taken as a cross party issues, it goes beyond that. It affects the House as a whole and therefore we must look at it from a national lens giving credence to the credibility and respect this Honourable House deserves. So if you have already ordered Dr Vibbi to withdraw his decision, I see no reason why we should continue to go into investigating

the issues leading up to this. So Mr Speaker, Honourable Members, I believe Dr Vibbi is actually testing the powers and authority of this House. I thank you so much.

**HON. EMILIA L. TONGI:** Thank you Mr Speaker. Few hours ago there was the Deputy Minister here and I was complaining about the laws we have in this country that are not respected. And this is a real good example; rules and regulations have existed in this country before ever he was born and there is a gentleman calling himself a Doctor, kicking left and right these regulations as if people did not suffered to put these regulations. He said it clearly that "I do not give a monkey about my job, I could go away." So why are we wasting our time? He had said it out. Mr Speaker, I believe these are the kind of people that are giving bad repetition to our parties and to our President *[Applause]*.

**THE SPEAKER:** Order! Order! Order!

**HON. EMILIA L. TONGI:** Let me call it a slip of tongue.

**THE SPEAKER:** No! No! Order! Order! Order! I have a question for all of you. Who will say that His Excellency Maada Bio is not his or her President? So you are perfectly in order my dear *[Laughter]*.

**HON. EMILIA L. TONGI:** Okay.

**THE SPEAKER:** The President is President of all of us. Go ahead my dear.

**HON. EMILIA L. TONGI:** Alright, I will do that. Mr Speaker, Honourable Members, I think we have to take this very seriously, it is a challenge against us and we want to make it clear to all of them behind this camera that we are also responsible people that need to be listen to. He is here in front of us and he has heard every one of us here and all what is actually burning in his head is to let you take a decision, he does not care about that. The ball is in our court, let us play it well and trust me we will win it. Thank you *[Applause]*.

**THE SPEAKER:** Honourable Timbo and after that Honourable Kargbo. You also want to take the Floor? You will be the last.

**HON. OSMAN A. TIMBO:** Mr Speaker, Honourable Members, I want to make my contribution from a different stand point and maybe not all Members of Parliament will like what I want to say, but forgive me. I want to understand and reason with Dr Vibbi. Dr Vibbi is the head of the Board, he was appointed there to deliver. On his own or through investigations, he found out that things were not going right or he suspects that things were not going right. He consulted in the absence of a Board and he was given specific directives 'two months', but after words, there was no extension. So he acted outside his powers, but at the same time, I want to understand with him. If he is still of the suspicion that the people he suspended or terminated did the wrong thing how safe is he to reinstate these same people to those offices? *[Applause]*. All I think he did wrong was he acted arrogantly. He has not shown respect for his superiors, the Ministry, this House, and the Head of this House of Parliament and this attitude is wrong. You might have tried to explain, no one man has monopoly of ideas, you were not in the system before, maybe your superior or even the Head of Parliament has been at the helm of affairs of this country for many years, so if all these people have advised you and you still refused, your arrogance is out of this world *[Laughter]* and for this reason Mr Speaker, Honourable Members, while I understand that you might be scared of reinstating these people or you might think your powers or your authority has been watered-down, but at the same time the people who employed you or the superiors, your superiors in this country have ordered you and you have blatantly disregarded them. This ego, S.O 2 "e go kill you" *[Laughter]* and for this reason Mr Speaker, Honourable Members, I think it is best for him to be reprimanded *[applause]* and if this even means suspending him from his position for insubordination, Mr Speaker, Honourable Members, well his liberty is something *[Interruption]*

**THE SPEAKER:** No. Let me correct that Honourable Member. I do not want us to stray beyond the limit of our powers. It is not within our remits to hire and fire, that belongs to the prerogative of the President.

**HON. OSMAN A. TIMBO:** I take the queue Mr Speaker.

**THE SPEAKER:** Hold on, we cannot say he is fired or suspended. It will be ultra vires our powers to say that. But before he was appointed by Mr President, he was first nominated to this House and we were asked to approve or disapprove that nomination. So let us circumscribe our area of competence. Our competence is to approve or not to approve or if we have approved, it is still within our competence to advise that we are withdrawing that approval *[applause]*.

**HON. OSMAN A. TIMBO:** Mr Speaker, Honourable Members, taking the queue from you Mr Speaker, I leave it to your discretion as to the necessary action to be taken against him for insubordination to his superiors and this Honourable House of Parliament. Thank you.

**THE SPEAKER:** Thank you Honourable Member. Honourable Roland Kargbo I noticed you wanted to catch my eye earlier.

**HON. DR ROLAND F. KARGBO:** Thank you Mr Speaker. This is just a short one. I think we have spent quite a long time on this matter, but unlike other speakers, I will not say we wasted time. I think somebody said some of the things we are saying now should have been said in the first instance before coming to the ultimatum. Having heard all sides at this time, we have relatively balanced understanding of the issues and we can understand. Some of us have been heads of institutions at various levels and we know what it means when you are faced with a situation like this, there is the tendency to show that you have power and to display it, there is the tendency to feel you have been molested by somebody who is a subordinate and you want to show your authority and all of these are interplaying in situations like this. There is the tendency also to think that if this person whom I have suspended is reinstated then that person will be a problem for me in the future. But all of these thoughts should have come before taken the action. And we must say that Dr Vibbi's action was a bit hasty. As other speakers have said, I think all sides of this matter have tried and put in their efforts to make things easier for Dr Vibbi. We are where we are I think he can blame himself, but we need to reduce this whole thing to what the Leader of the Opposition said earlier on this issue, we need to narrow down the possible actions available to us.

Look at the issues that are after the lapse of the two months suspension why didn't you reinstate or come up with something? You went ahead and secondly the contempt of Parliament, these are the two issues I think and as Mr Speaker rightly said, Dr Vibbi was recommended to this Parliament by the Executive and we can only recommend to the Executive that we feel indifferent. So, I know how much we are hurt by the lack of respect for this Parliament, this noble House, but we also must show maturity to take actions on this matter. I thank you.

**THE SPEAKER:** I thank you very much. I think frankly we have deliberated enough on this matter, what is before us is a question of contempt of Parliament and that contempt is to be found in section 95 of the 1991 Constitution. We have faced with an affront to the dignity of Parliament; forget about me as Mr Speaker, I am only the presiding officer of this noble Institution. Before I conclude, I will finally put a question again to Dr Vibbi. Dr Vibbi, on the 15<sup>th</sup> January, 2019, when we met we ordered you to do three things, we observed you fulfilled two out of the three. The third was that you reinstate the suspended officers pending the establishment of the Board of which you are Executive Chairman. We have heard from the Permanent Secretary that an attempt was made to reconcile the competing interest for you not to lose face, it was agreed that the suspension should last for two months and that suspension ended on the 31<sup>st</sup> of December 2018 and the suspended officers were due to resume on the 1<sup>st</sup> January 2019. In consonance with that agreement with your supervising Ministry and consistence with the decision, the orders we have made the last time on the 15<sup>th</sup> January 2019, are you prepared to carry out the order of this House that you reinstate the suspended Executive Secretary of the Board pending the establishment of the Board?

**DR VIBBI [*Executive Chairman of the Produce Marketing Board*]:** Thank you Mr Speaker. I think I have to say thank you for all the deliberations from different sides of the House. Mr Speaker, others are judging me as being arrogant, but by the Grace of God I am not an arrogant person. Mr Speaker, as I was telling you on the 28<sup>th</sup> December 2018, I was called by the Anti-Corruption Commission informing me about a

case or a matter before them and in our meeting with the Anti-Corruption Commission, they told me that the Commission only have the right to stop the worker when indictment has happen, but I as head of institution and administration, I have the responsibility to stop suspected candidate from tampering with witnesses and evidence, so upon that *[Interruption]*

**HON. MATHEW S. NYUMA *[Deputy Leader of Government Business]*:** Mr Speaker Point of Order! We are guided by the law and there are two phases of suspension we have, if you are suspended by the ACC, we do not have problem with that and we could have supported you with your ACC drive. We do not have problem with that and we are not going to interfere with that process. 32[9] in our Standing Orders is clear about that, the question is simple Dr Vibbi. You have no authority handed established by law to single handedly suspend your colleague member of staff which you have done. Now we have put the question to you as Acting Leader of the Government Business and Deputy Leader of Government Business, are you ready to reinstate the staff members you sacked from the institution irrespective of the first decision you took? The Permanent Secretary accepted the two months suspension and you went to the Chief Minister to extend to the 31<sup>st</sup> December 2018. You were supposed to reinstate them on the 1<sup>st</sup> January, 2019. Are you ready to stand by that decision?

**DR VIBBI *[Executive Chairman of the Produce Marketing Board]*:** Thank you Deputy Leader of Government Business. Yes or No is not a question of this nature. I am talking here that *[Interruption]*

**HON. MATHEW S. NYUMA *[Deputy Leader of Government Business]*:** Mr Speaker Point of Order! Mr Speaker, we are not kids in this House. Can we ask for a Motion? You said in your presentation we are working within the remit of our powers and Dr Vibbi was appointed by His Excellency the President of this Republic and let me tell you Dr Vibbi, there is no way you are going to bring conflict between the Legislative Arm and the Executive. So we are very conscious of our act and we are very supportive of this Government. You have seen our contributions from both sides of the aisle. In



your approval, go back to the Hansard if you have chance, you were supported by both sides of the aisle. We supported you and lavished praises on you here, so you cannot bring conflict between the Executive and the Legislative. Mr Speaker, as Acting Leader of the House, I am asking for this House to move a Motion if we are in place today for us to withdraw our approval. I ask for your leave Sir *[applause]*. Thank you and I rest my case.

**THE SPEAKER:** Thank you Acting Leader of Government Business. Before we come to that, I will pose the question again for the last time Dr Vibbi; are you prepared to comply with the orders of this House supported by the instructions given to you by your Supervising Ministry that you reinstate the suspended officers whose suspension came to an end on the 31<sup>st</sup> December 2018?

**DR VIBBI *[Executive Chairman of the Produce Marketing Board]*:** Thank you Mr Speaker. Mr Speaker, I have a responsibility here to respect this House that has the strongest powers in this country *[Undertones]*. I also have the responsibility to stand behind the truth which has the outmost power and because of that Mr Speaker, I am not in any way disrespecting you or the House. I am constrained to withdraw the letter of the officer my suspension *[Applause]*.

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

**THE SPEAKER:** Order!

**HON. MATHEW S. NYUMA *[Deputy Leader of Government Business]*:** Mr Speaker with your leave.

**THE SPEAKER:** Clerk!

**HON. MATHEW S. NYUMA *[Deputy Leader of Government Business]*:** Mr Speaker, with your leave, Honourable Members you cited Section 95 of the Constitution, but I want you again to look at section 96 of 1991 Constitution, Act No. 6 of 1991 before you give your ruling. Mr Speaker and I would want to move a Motion. Having respected section 95 and looking at section 96, I want to move a Motion. I proposed

Honourable Mathew Sahr Nyuma of Constituency 19, Acting Leader of Government Business and Deputy Leader of Government Business from "Bokakajamabolamayama" in the city of Kenema District, be it resolved that the Executive Secretary of the Produce Marketing Board having violated the Produce Monitoring Board Act of 2013 and expressly refused to effect an order of Parliament consistent with the orders of the Supervisory Ministry contained in 8<sup>th</sup> November 2018, correspondence signed by the Permanent Secretary of the Ministry of Trade and Industry, I move that Parliament hereby withdraws its approval of Dr James Vibbi as Executive Chairman of the Produce Monitoring Board *[Applause]*. To make my Motion sacrosanct, I enforced. I am the Deputy Chairman of the Appointment Committee and in that capacity we presented you in this House, so I move my Motion Mr Speaker. Thank you very much for your audience *[Applause]*.

**THE SPEAKER:** Honourable Members, before I put the Motion or ask for a seconder of the Motion, it is very clear to me and to the entire House that by your conduct, Dr Vibbi we find prima facie evidence of contempt of Parliament *[Applause]*. We have found you by your conduct guilty at least of a prima facie contempt of this Parliament. Order! Dr Vibbi, we found you guilty of contempt of this Parliament as I indicated earlier. There is a Motion before the House, any seconder to that Motion?

**HON. HASSAN A. SESAY:** I so second Mr Speaker.

**THE SPEAKER:** This House will deliberate on that Motion tomorrow. I will put the question to the House for a final decision tomorrow. In the meantime we have found you guilty of contempt and we will detain you over night until 10 o'clock tomorrow morning. That is the decision of this House. Dr Vibbi will remain in the custody of this House until the next adjourned date.

### ***ADJOURNMENT***

*[The House rose at: 4:40 p.m. and was adjourned to Tuesday, 22<sup>nd</sup> January, 2019, at 10:00a.m.]*

