



OAU DRIVE, TOWER HILL, FREETOWN

PARLIAMENTARY DEBATES

[HANSARD]

OFFICIAL HANSARD REPORT

SECOND SESSION -THIRD MEETING

WEDNESDAY, 18TH DECEMBER, 2019

SESSION – 2019/2020



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PARLIAMETARY DEBATES

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OFFICIAL HANSARD REPORT

VOLUME: II

NUMBER: 32

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

Proceedings of the Sitting of the House
Held Wednesday, 18th December, 2019.

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THE APPROPRIATION ACT, 2020

Being an Act to authorise expenditure from the consolidated Fund for the services of Sierra Leone for the year 2020 and for other related matters.

[THIRD ALLOTTED DAY]



THE CHAMBER OF PARLIAMENT OF THE REPUBLIC OF SIERRA LEONE

Official Hansard Report of the Proceedings of the House

SECOND SESSION – SECOND MEETING OF THE FIFTH PARLIAMENT OF THE SECOND REPUBLIC

Wednesday, 18th December, 2019.

I. PRAYERS

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

[The House met at 11:40 a.m. in Parliament Building, Tower Hill, Freetown]

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

The House was called to Order

Suspension of S. O. 5[2]

COMMUNICATION FROM THE CHAIR

THE SPEAKER: Honourable Members just a general announcement to avoid being disruptive of our proceedings, all mobile phones should be put on silence please.

II. CORRECTION OF VOTES AND PROCEEDINGS FOR PARLIAMENTARY SITTING HELD ON TUESDAY 17TH DECEMBER, 2019.

THE SPEAKER: Thank you. Honourable Members, let us go through the Votes and Proceedings as quickly as we can, Votes and Proceedings of the 31st Sitting Tuesday, the 17th of December, 2019. We shall skip pages 1 through to 4 and you start making your observations and amendments from page 5. Page 5? Page 6? Page 7? Page 8? Page 9? Page 10? Page 11 and page 12? Can someone please move for the adoption of the record of Votes and Proceedings for the Parliamentary Sitting held on Tuesday 17th December, 2019?

HON. MOSES B. JORKIE I so move Mr Speaker.

THE SPEAKER: Can I have a Seconder please?

HON. JOSEPHINE MAKIEU: I so second Mr Speaker.

[Question Proposed, Put and Agreed To]

[Record of Votes and Proceedings for the Parliamentary Sitting held on Tuesday 17th December, 2019 has been adopted.]

III. BILL

COMMITTEE OF SUPPLY

THE APPROPRIATION ACT, 2020

THE SPEAKER: Honourable Members, I understand that the report of sub-committee No 5 is not yet ready so we shall proceed and deal with 6 and 7 and then return back when we finish those two to 5.

Honourable Members, you will have seen the Order Paper for today, it has only 4 items but I would like to foreshadow the possibility of another item being included before we rise. I have just conferred with the Leader of Government Business about that and I will await information to reach me through him, but just in case you notice later on that there is an amendment to the Order Paper please do not be surprised. I am foreshadowing it now. Thank you, let us proceed.

[The House resolves into Committee of Supply]

COMMITTEE OF SUPPLY 6

Votes: 110 12, 113 04, 125 00, 127 00, 131 00, 139 00, 145 00, 300 04, 305 00, 311 00, 312 00, 409 00, 409 02, 405 00, 417 00, 705 01, 706 01, 718 01 to stand part of the Schedule.

DR. PATRICIA N. LAVERLY *[Deputy Minister of Finance]*: Mr Chairman, Honourable Members, I move that the following Votes stand part of the Schedule.

Votes:

110 12 - Law Reform Commission	-	LE 869,597,900.00
113 04 - Outreach Coordination	-	LE 535,959,400.00
125 00 - Local Courts	-	LE 425,336,600.00
127 00 – Ministry of Planning and Economic Development	-	LE 43,481,771,800.00
131 00 – Revenue Appellate Board	-	LE 802,537,200.00
139 00 - National Commission for Privatisation [NCP]	-	LE 2,056,595,300.00
145 00 - Right to Access Information Commission	-	LE 977,184,600.00
300 04 - Tertiary Education Commission [TEC]	-	LE 1,700,414,100.00
305 00 - Ministry of Social Welfare	-	LE 17,298,903,100.00

311 00 - Health Service Commission	-	1,034,500,800.00
312 00 - The Teaching Service Commission	-	2,287,411,500.00
409 00 - Ministry of Trade and Industry	-	3,723,915,400.00
409 02 - Sierra Leone Import and Export Promotion Agency [SLIEPA]	-	5,033,194,300.00
405 00 - National Tourist Board	-	4,226,381,300.00
405 02 - National Railway and Museums	-	1,246,782,500.00
417 00 - Nuclear Safety and Radiation Protection Authority-		1,954,731,400.00
705 01 - Kono New Sebenhun Council	-	2,492,084,962.00
706 01 - Kono District Council	-	1,489,159,131.00
718 01 - Pujehun District Council	-	3,157,853,827.00

Mr Chairman, Honourable Members, I move that these Votes stand part of the Schedule.

THE CHAIRMAN: I thank the Honourable Minister. Who is the Chairman? Honourable Lahai Marah, Would you please move that the report of your sub-Committee No.6, be laid on the Table of the House?

HON. LAHAI MARAH: Mr Chairman, before I move I just want to raise certain things to the hearing of the House if I am permitted.

Mr Chairman, Honourable Members, on page 10, I will start with Ministries Departments and Agencies [MDAs] arrears. The Committee was shocked to discover that many MDAs owe huge sums of money for services provided to them by other MDAs such as the Electricity Distribution and Supply Authority [EDSA], Guma Valley Water Company, Sierra Leone Water Company [SALWACO] and the National Telecommunication Commission [NATCOM]. Interestingly, monies to meet budget lines for these services are annually budgeted for Mr Chairman. In this regard, the Committee recommends that the MDAs involved immediately meet their debt obligation. Furthermore, the

Committee recommends the installation of pre-paid meters to MDAs intending to utilise such services. The Committee also recommends that Parliamentary Committee on Water Resources takes the necessary action. Let me read the next one and that would be the last: Flouting of Section 10[3] of the NCP Act 2002, the supervision of Rokel Commercial Bank and Sierra Leone Commercial Bank by the Ministry of Finance and influence of Politically Exposed Persons. The Committee observed, Section 10[3] of the NCP Act 2002 was flouted by the Ministry of Finance in its quest to take control of Rokel Commercial Bank and the Sierra Leone Commercial Bank. This, to the Committee has the tendency to not only weaken the National Commission for Privatization [NCP], but would also expose these Banks to serious risk.

Mr Chairman, Honourable Members, furthermore, the Committee observed that the banks are under pressure from Politically Exposed Persons who are using their Political influence to access loan without following due processes. The Committee strongly recommends that, Parliament in its efforts to positively project the interest of citizens considered with immediate effect retuning these banks to the supervision of NCP, the Committee further recommends that, loans given to Politically Exposed Persons are well scrutinised intern dem with policies of the banks in terms of loans. Thank you, Mr Chairman.

Mr Chairman, Honourable Members, on that note, on behalf of sub-committee 6, I beg to lay on the Table of the House, our sub appropriation Committee 6 report on recurrent and development expenditure estimate 2020 *[Applause]*.

[Question Proposed, Put and Agreed To]

*[The various Vote Heads as contained in the report and pronounced by the Minister
Form part of the Schedule]*

Sub appropriation Committee 7, Votes: 20800, 40501, 12401, 11007, 40903, 14100, 20300, 41400, 30200, 42200, 30000, 12400, 30503, 31500, 41600, 40700, 72301, 71001, 71101, to stand part of Schedule.

THE CHAIRMAN: Madam Minister, you have the Floor.

DR. PATRICIA N. LAVERLY [*Deputy Minister of Finance*]: Mr Chairman, Honourable Members, I move that the following Votes stand part of the Schedule.

Votes:

20800 - National Fire Authority	LE 3. 428. 934. 200. 00
40501 - Ministry of Tourism and Cultural Affairs, Monuments and Relics Commission-	LE 2. 245. 265. 100
12401 - Administrator and Registrar General	LE 2. 622. 046. 800
11007 - Anti- Corruption Commission [ACC]	LE 8. 037. 230. 600
40903 - Department of Cooperatives	LE 963. 634. 700
14100- Government Printing	LE 2. 080. 327. 000. 00
20300 - National Civil Registration Authority	LE 1. 505. 628. 300
41400 - Ministry of Water Resources	LE 11. 312. 151. 900
30200 - Ministry of Sports	LE 11. 611. 273. 100
42200 - Sierra Leone Meteorological Agency	LE 1. 408. 793. 700
30000 - Ministry of Technical and Higher Education	LE 38. 065. 705. 500
12400 - Office of the Solicitor General	LE 8. 923. 499. 400
30503 - National Commission for Persons with Disability	LE 2. 058. 189. 000
31500 - Teaching Hospital Complex Administration	LE 1. 648. 687. 700
Vote 41600 - Civil Aviation Authority	LE 43. 238. 250. 000
Vote 40700 - Ministry of Labour and Social Security	LE 4. 432. 358. 600. 00
Vote 42301- Falaba District Council	LE 1. 172. 880. 082
Vote 71001 - Koinadugu District Council	LE 2. 580. 165. 724

Mr Chairman, Honourable Members, I move that, these Votes form part of the Schedule.

THE CHAIRMAN: Who is the Chairman for sub-committee 7? Would you please move to lay the report of your Committee on the Table?

HON. BASHIRU SILIKIE: Thank you Mr Chairman. Mr Chairman, Honourable Members, I beg to lay on the Table the report of the sub-committee 7 on the Appropriation Bill of 2020 *[Applause]*.

[Question proposed, Put and Agreed To]

[The various Vote Heads as contained in the report and pronounced by the Minister Form part of the Schedule]

THE CHAIRMAN: Now, we are still waiting for the report of sub-committee 5, but I understand there are certain logistical problems. So, with your indulgence, since there is only one copy of that report of the labour, I would like to invite the Chairman of that sub-committee to present his report and lay it on the Table. Hopefully, before we rise, whatever technical, logistical problems there are, would have been resolved for Honourable Members to have copies of the report. I see no objection to that, but that would be the last report that we shall be dealing with. So, again, before we get there, yesterday we withheld the Vote for the Ministry of Local Government. I do not know whether there is now a representative from that Ministry in the Well. I know you are the Chairman of the Select Committee on Local Government; do you have anything to say?

HON. ALUSINE KANNEH: Yes Mr Chairman. Mr Chairman, on the sub-appropriation Committee

THE CHAIRMAN: What?

HON. ALUSINE KANNEH: The Sub-Appropriation Committee which the Local Government was part of. There is a question from Mr Chairman and I am aware of one or two things I want to say.

THE CHAIRMAN: Were you here yesterday afternoon?

HON. ALUSINE KANNEH: Of course, I laid the Paper; I laid the Report Mr Chairman.

THE CHAIRMAN: Where is the Chairman of Local Government Committee?

HON. ALUSINE KANNEH: Mr Chairman, Let me just throw light on it.

THE CHAIRMAN: No, no, no, let me get the answer to that question first.

HON. LAHAI MARAH: Mr Chairman, the Secunder of the Motion is here. I seconded the Motion Mr Chairman.

THE CHAIRMAN: I asked for the Mover.

HON. BRIMA MANSARAY: Mr Chairman, the Chairman has gone to Kono, but I am part of that Committee. No, that is not what I am saying, he alone is not a Member of that Committee, the Committee is a collection of Members [*Undertone*]. He is not here Sir.

THE CHAIRMAN: But he is your Leader.

HON. BRIMA MANSARAY: Yes Sir and I am fully aware of it.

THE CHAIRMAN: Can you speak his mind?

HON. BRIMA MANSARAY: No, I cannot speak his mind, but I am fully aware of what transpired between the Committee and the Ministry. No, that is the point; I am not speaking his mind.

THE CHAIRMAN: Okay! Okay! No, no, no, we have not reached that stage yet. Yesterday, before we retired, we arrived at a very definite conclusion here and that conclusion was that, the Vote of that Ministry would be withheld until we hear from a representative of that Ministry at the highest possible level. We are aware that the

Minister and the Deputy Minister are both out of Freetown but I was expecting the Vote Controller the Permanent Secretary to be with us this morning.

HON. ALUSINE KANNEH: Mr Chairman, Can I say something?

THE CHAIRMAN: Before I ask any other person to speak, I will recognise for this particular purpose the Leader of Government Business to respond to that matter.

HON. SIDIE M. TUNIS: Mr Chairman, Honourable Members, as you rightly said, the Minister and the Deputy are not in town but normally what obtain in this House, do not forget, I have been here for over twelve years, is that when once we Pass the Appropriation Bill itself into Law and then withhold a particular Vote, once we have the normal clarifications from the highest level of the Ministry and the Honourable Members are satisfied with their explanations, we would then move a Motion in the House to release the Vote, that is the normal procedure. So, I believe that should happen in this particular case for the Ministry of Local Government, we would hold their budget for now, once we have all the clarifications made, we would then come in with the Motion that will be sometimes in January when we resume, but for now we will pass the Law
[Applause].

THE CHAIRMAN: So, wait a minute, let us be clear about what we are been asked to do. Let us be clear about what the Leader of Government Business is proposing and compare it with the situation yesterday. Let me start with the situation yesterday, we decided by Motion to withhold the Vote of that Ministry pending the arrival of either the Minister, Deputy Minister, the Permanent Secretary today to clarify certain issues. So, it was a temporary withholding. What you are now saying is, let us go ahead and Pass the Vote but then Pass another resolution that would be binding on the Ministry of Finance not to release a single cent to that Ministry until their outstanding issues are properly resolved *[Applause]* because their conduct as you know borders on contempt of Parliament and we cannot allow the dignity of Parliament to be impugned by anyone in the manner that they have done without consequences. Fine, if that is the consensus around the House, may I have a Motion to that effect? So, it is clearly recorded in our records. Honourable Lahai Marah, you have the Floor.

HON. LAHAI MARAH: Mr Chairman, I move a Motion in that effect that we put a hold on the budget of the Ministry of Local Government.

THE CHAIRMAN: No, no, no, that is not the Motion now. The Motion should be that we go ahead and pass the Vote on the understanding that not one cent of that Vote would be expended without reference back to Parliament.

HON. LAHAI MARAH: I therefore move a Motion based on what you have exactly stated *[Laughter]*.

THE CHAIRMAN: Any Secunder to that Motion?

HON. BRIMA MANSARAY: I so second Mr Chairman.

THE CHAIRMAN: How many seconders? Quite a number thank you. I think frankly, we need to send a message considering the fact that, the dignity of the House is in question. We need to send a message that is more resounding than I have heard.

[Question Proposed, Put and Agreed To.]

[The Motion for not a cent of the Vote of the Ministry Local Government and Rural Development be expended without reference back to Parliament has been carried]

THE CHAIRMAN: So, we shall now revert to that particular matter and I need a Motion for the approval of their Vote before we continue with the last one.

HON.: I so move, Mr Chairman.

THE CHAIRMAN: Any Secunder?

HON.: I so second.

[Question Proposed, Put and Agreed To]

[The Motion for the approval of the Vote of the Ministry of Local Government and Rural Development has been carried]

THE CHAIRMAN: Is the last Sub-Committee Report ready now? Paramount Chief I know you are very passionate about this Local Government Business.

HON. P.C. BAI KURR KANAGBARO SANKA III: Yes! May I say something Sir? The Motion has been carried and I am fully in support of it.

THE CHAIRMAN: Paramount Chief Member?

HON. P.C. BAI KURR KANAGBARO SANKA III: The Motion has been carried but I would suggest that we specifically give notice to the Ministry Finance and the Ministry Local Government and Rural Development.

THE CHAIRMAN: Order! Order! What notice is more eloquent than the one we have just given?

HON. P.C. BAI KURR KANAGBARO SANKA III: No, no, no, I agree but I just want so that the Minister will notice and accept that this is what we want.

THE CHAIRMAN: Would you care to write a letter on behalf of the House.

HON. P.C. BAI KURR KANAGBARO SANKA III: I do not mind, I can do that.

THE CHAIRMAN: No! If you think the message we have sent out is not loud enough or clear enough *[Interrupted]*.

HON. PC BAI KURR KANAGBARO SANKA III: It is loud enough but we need to specifically point it out to those who are signing the cheques, the Accountant General and the Financial Secretary.

THE CHAIRMAN: With the greatest respect Paramount Chief, a word for the wise is more than sufficient in this case.

HON. PC BAI KURR KANAGBARO SANKA III: Yes, but we would give our Orders.

THE CHAIRMAN: I Would allow the Honourable Minister to say a word or two.

DR. PATRICIA N. LERVELY *[Deputy Minister of Finance]*: Yes indeed! I heard the Motion but just to buttress the need for us to withhold the funds; we would request that this Honourable House formally notifies the Ministry of Finance that we withhold the budget of next year. *[Undertones]* That way, the instruction is clear; we note, but

formal written communication to the Ministry of Finance is what we are requesting as well to buttress the point.

THE CHAIRMAN: Very well, thank you! Clerk, take note! Clerk, take note! The Clerk should take note.

HON. BASHIRU SILIKIE: Thank you very much Mr Chairman. Mr Chairman, what we are doing is part of the Budget process. Whatever is done here today; becomes a Law. That is why we are doing our report, the Ministries here before now; this has been the normal practice. When budgets are withheld here because MDAs do not come to face these Committees when Motions are passed and when the Minister is here or when any of the Ministers are here it becomes a Law, there is no need.

THE CHAIRMAN: Of course it becomes a Law.

HON. BASHIRU SILIKIE: So, there is no need for Parliament again to write the Ministry of Finance.

THE CHAIRMAN: No, it would just serve as a reminder.

HON. BASHIRU SILIKIE: Okay, thank you.

THE CHAIRMAN: And the letter will contain nothing more than the resolution that has been Passed, the content of the resolution will be either one that would be conveyed to the Ministry. Yes, Honourable Member, you have the Floor.

HON. AJIBOLA E. MANLY-SPAIN: Mr Chairman, I think these proceedings are guided by standing order **66**

THE CHAIRMAN: Thank you.

HON. AJIBOLA E. MANLY-SPAIN: My contribution is; are we obliged to write and inform, this is the first time in my time in Parliament when such a resolution is passed that there is a request for us to write again, the best person to be informed is here with us.

THE CHAIRMAN: It is just to make assurance doubly sure, if I may use that phrase.

HON. AJIBOLA E. MANLY-SPAIN: As you please Mr Chairman.

THE CHAIRMAN: I have already directed that the Clerk should take note and do the needful at the appropriate time. So, with that, let us proceed.

COMMITTEE OF SUPPLY 5

Votes: 42000, 30700, 20100, 20100, 40901, 11014, 42300, 41000, 40100, 31600, 20700, 11001, 11017, 41800, 12407, 40800, 13400, 12300, 71901, 71301, 71401, to stand part of the Schedule.

DR. PATRICIA N. LARVELY [*Deputy Minister of Finance*]: Mr Chairman, Honourable Members, I move that the following Votes stand part of the Schedule,

Votes

420 00 - Sierra Leone Environment Protection Agency -	LE 28.501.600.000
307 00 - National Medical Supplies Agency -	LE 51.304.491.07.00
201 00 - Ministry of Defence -	LE 70.756.109.03.00
409 01 - Sierra Leones Standards Bureau -	LE 3.724.233.09.00
110 14 - Local Government Service Commission -	LE 942.198.04.00
Sierra Leone Roads Authority -	LE 177.000.000.000
423 00, Sierra Leone Petroleum Regulatory Agency -	LE 10.219.703.09.00
410 00 - National Protected Area Agency -	LE 1.516.769.06.00
40100 - Ministry of Agriculture Forestry and Food Security -	LE 38.925.720.07.00
31600 - Civil Service Training College -	LE 588.338.02.00
Sierra Leone Water Company [SALWACO] -	LE 8.410.000.000
207 00 - Sierra Leone Correctional Services -	LE 43.807.375.000
110 01 - National Assets and Government Property Commission -	LE 1.291.304.00
110 17 - Public Sector Reform Unit -	- LE 1.221.796.04.00

418 00 - Sierra Leone Agricultural Research Institute [SLARI] –	LE 3.717.406.06.00
Guma Valley Water Company -	LE 44.02.000.000
124 07 - Legal Aid Board -	LE 6.241.055.000
408 00 - Ministry of Works and Public Assets -	LE 10.904.939.08.00
134 00 - National Electoral Commission [NEC] -	LE 18.09.000.000
123 00 - Public Service Commission -	LE 2.408.793.08.00
719 01 - Western Area Rural Council Ward [C] -	LE1.618.889.552.00
71301 - Bo City Council -	LE 876.909.130.00
71401 - Bo District Council –	LE 1.817.735.758.00

Mr Chairman, Honourable Members I move that these Votes stand part of the Schedule.

THE CHAIRMAN: Thank you, Deputy Minister of Finance. Is the Chairman here? Will you now please move to lay the report of Sub Committee 5 on the Table of the House?

HON. SALLIEU O. SESAY: Thank you Mr Chairman. Mr Chairman, Honourable Members, I beg to lay on the Table, Sub Committee 5 of Supply report on the Appropriation Bill of 2020.

HON. MAADA K. HAFIJU: Yes, Mr Chairman.

THE CHAIRMAN: Hold on, wait for him to lay the report.

HON. MAADA K. HAFIJU: Yes, Mr Chairman.

THE CHAIRMAN: What are you standing on? Wait a minute; do you want to stop the laying of the report on the Table?

HON. MAADA K. HAFIJU: Mr Chairman, not really but I have a concern about that report.

THE CHAIRMAN: Then wait, let us finish that.

[Question Proposed, Put and Agreed To]

THE CHAIRMAN: I will listen to you now after the vote.

HON. MAADA K. HAFIJU: Mr Chairman, it has been Passed but I have very important issue in that document to take up with the Minister, it is nothing but the allocation to the Ministry of Defence. The allocation to the Ministry of Defence initially was **LE70Bln**, One Hundred and Seventy Four Billion was presented during the Budget hearing at Miata Conference Centre, One Hundred and Ten Billion Leones was presented to the Executive and only Seventy Billion Leones was brought to Parliament.

Mr Chairman, Honourable Members, the Ministry of Defence, nobody is asking to buy Alpha Jet for them, we are not at war but if we talk about their fuel on monthly bases which is **LE2.9Bln**, the rice, the drugs, the reagents, in just six months is Seventy Two Billion. So, allocating **LE70Bln** to Ministry of Defence is nothing. So, I am recommending to the Minister for a Supplementary Budget allocation to that particular Ministry [*Applause*].

HON. SALLIEU O. SESAY: Mr Chairman, that recommendation is already captured in that report. Just go through the report you will see it.

HON. LAHAI MARRAH: Mr Chairman, I stand on **S.O 66[4]**. Mr Chairman, **S.O 66[4]** calls for such report to be debated.

THE CHAIRMAN: No, hold on a minute, we have not finished.

HON. LAHAI MARRAH: **S.O 66 [4]**, Mr Chairman.

THE CHAIRMAN: Yes!

HON. LAHAI MARRAH: Do you want me to read Mr Chairman **S.O 66[4]**? It is very long.

THE CHAIRMAN: Summarise it for us.

HON. LAHAI MARRAH: Thank you very much Mr Chairman. If you turn the back of **S.O 66[4]** that is on page 96, the first sentence there "**next succeeding order**" a Debate may take place on the question and this is in line with what my Honourable Leader from Freetown is asking a question about whether we are following procedures. There are

certain important issues in this report, if we fail to debate them, we would not know, I just laid a report of Sub Committee 6 wherein a budget for Local Courts was withheld but I failed to bring it to the notice of the public. So, how can I know that the Local Courts budget will be withheld and the reasons I explained within my report? So, maybe, not this one Mr Chairman but going forward, we should be in a position to debate this document.

THE CHAIRMAN: And you would do the needful?

HON. LAHAI MARAH: Definitely, Mr Chairman.

THE CHAIRMAN: If you are so minded?

HON. LAHAI MARAH: Definitely, Mr Chairman.

THE CHAIRMAN: Very well, but we shall proceed for now. Let us try and complete this thing now.

Vote heads: 12807 to 12821, Embassies and High Commissions including all the various heads stand part of the Schedule.

DR. PATRICIA N. LARVELY [Deputy Minister of Finance]: Mr Chairman, Honourable Members, I move that Votes heads 12807 to 12821 including all the various Embassies and all High Commissions stand part of the Schedule.

[Question Proposed, Put and Agreed To]

[Vote heads: 12807 to 12821 Embassies and High Commissions including all the various heads form part of the schedule]

Clauses 1 to 5 stand part of the Bill.

DR. PATRICIA N. LARVELY [Deputy Minister of Finance]: Mr Chairman, Honourable Members, I move that Clauses 1 to 5 stand part of the Bill.

THE CHAIRMAN: Honourable Members, we are now shifting away from the Sub Committee to the Committee of Supply. Therefore, I am referring all of you once again

to the Appropriation Bill itself, Clauses 1 through to 5 of the Appropriation Bill. Yes, I know, I hope you all have it.

[Question Proposed, Put and Agreed To]

[Clauses 1 to 5 form part of the Bill]

HON. FRANCIS A. KAISAMBA: Mr Chairman, Honourable Members, I have a Motion that I would want to move but before that I want to make some clarifications. We could recall that on the 16th Monday 2019, this House commenced the consideration of the Sub Appropriation reports from the Committees on Supply, there were about seven Committees, on reading the report of the 4th Committee, we realised that the various Committees reports were never adopted by the Members as it was manifested most importantly, that the report for Committee 1 was incomplete and inconclusive. So, the Chairman summoned a consultation with the Leadership of the House, we agreed and we stood Parliament down for that day for the various Committees to retire to their various Committee rooms so that the various reports can be adopted. In the process, myself, the Leader of Government Business went round to ensure that those reports were adopted by all the membership of those various Committees particularly so for Committee 1 where it was stated that the Minister of Finance expended **LE13Bln** far ahead of what was granted them by this House. We had to summon the Deputy Director of Budget to come and clarify certain things in the report and the technical officials from the Ministry of Finance came and they clarified with the documents. Why am I raising all of these? Even before we rose that day, prematurely, it was published on the social media that, the Ministry of Finance has expended **LE13Bln** more than they were granted and of course, I guess on some other papers. So, on Tuesday, the 17th, we resumed the reading of the reports and of course the Minister of Finance read their report and those clarifications are now contained in the report they presented yesterday for the public to know that they did not expend a cent or a Leone above what was granted them but basically it was just miscommunication and lack of presentation of certain documents, that was clear, thank you.

Mr Chairman, Honourable Members, now, I come to the Motion. Mr Chairman, I may want to read some extracts please with your permission, the Sierra Leone Red Cross Society.

THE CHAIRMAN: The first point that you have made, I do not think it is one that we need to gloss over, it is extremely important. Do I understand you to be alluding to the premature publication that was made?

HON. FRANCIS A. KAISAMBA: Yes, Mr Chairman.

THE CHAIRMAN: We had a similar complaint about premature publication some time ago.

HON. HINDOLO M. GEVAO: Yes, Mr Chairman.

THE CHAIRMAN: What has become of that complaint?

HON. HINDOLO M. GEVAO: Mr Chairman, just to reiterate what the Chairman for Finance Committee has said, the issue of premature publication in this House particularly in respect to journalists who come to Parliament to practice their trainings is becoming very common. Mr Chairman, in Committee room1, there was this day that we have the Office of the Chief Minister appearing before us and the deliberations went so well, within two minutes, there was a Publication on Social Media saying: "**Massive Corruption unravel in the Office of the Chief Minister**". Yes, by Committee Members [*Undertone*]. We were still seated when we saw this information on the Social Media by Mohamed K. Turay who comes to this Well to practice his trade just within.

Mr Chairman, Honourable Members, I think as a House we need to really start enforcing our Standing Orders for people who come here to practice their trade to know that this is a House of Parliament and it is a House where procedures are been taken very seriously and that reckless journalism is not tolerated within the precincts of Parliament.

THE CHAIRMAN: I think your point is well made. I do recall we have dealt with this matter before as a result of a complaint from the Honourable Member just taking his seat now. Honourable Member, would you kindly refresh our memory on that issue? I

remember it was you who raised the question of premature Publication. What has happened to your complaint?

HON. MAADA K. HAFIJU: Well, the complaint was filed to the Disciplinary Committee which is the Committee on Privileges and they asked me to produce the two publications and I have done that, since then I do not know.

THE CHAIRMAN: I know the Privileges Committee's Chairman is the Deputy Speaker; he is not here right now.

HON. MAADA K. HAFIJU: Indeed! Mr Karmoh Conteh [K.C] was sent to me to collect the two publications made.

THE CHAIRMAN: What do you plan to do? Are you asking that we refer this other premature Publication to the Committee on Privileges because it borders on contempt of Parliament?

HON. FRANCIS A. KAISAMBA: Well, for this particular one, that is why I rose to make the clarification to the general public and for the same people who wrote prematurely to again write, now that the actual and true report from that Committee has been tabled. That is my own submission. For the various people, because we may not necessarily know them and it will be very difficult to track them, let them do the needful and present the correct picture. Thank you.

HON. LAHAI MARAH: Yes, Mr Chairman.

THE CHAIRMAN: No, you have spoken quiet a lot today.

HON. LAHAI MARAH: Mr Chairman, on this matter, I raised it in the Well.

THE CHAIRMAN: Which one?

HON. LAHAI MARAH: This particular matter that the Chairman of the Finance Committee is discussing.

THE CHAIRMAN: You raised it when?

HON. LAHAI MARAH: Mr Chairman, the one relating to the **LE13BIn**.

THE CHAIRMAN: Okay.

HON. LAHAI MARAH: Mr Chairman, the Chairman of the Finance Committee explained but we still have the issue in the report and according to the report of Sub Committee 1, in 2019, the Ministry of Finance was giving about **LE41Bln** and they ended expending **LE54Bln** and therefore, we do have a **LE12Bln** variance, it is in the report. So, what was the **LE12Bln** variance discovered by the Committee was expended on.

THE CHAIRMAN: No! No! No! Honourable Member, let us not abuse the process. You moved a little early, drawing attention to the need for us to debate these reports. You remember that and I agreed with you that at the opportune time we shall do so but let us allow this process to proceed to finality. Now, what you are about to do, clever as you usually are, is to in fact initiate the debate now.

HON. LAHAI MARAH: Mr Chairman, you are right, we have agreed early for us to do the report as they are.

THE CHAIRMAN: Well, let us wait for that to come.

HON. LAHAI MARAH: So, the Chairman should not raise it anymore.

THE CHAIRMAN: No! No! No! It is the consequential aspect that the Chairman of the Finance Committee is alluding to, namely: only one small point. The Chairman of the Finance Committee, if I understand him correctly, what he is simply raising, not the substance of what you are saying okay, it is the tangential issue connected with premature Publication that he is referring to.

HON. LAHAI MARAH: And that is related to what is in the document. Now, we have approved a document.

HON. SIDIE M. TUNIS: Mr Chairman, Honourable Members, I think we are all on the same page.

THE CHAIRMAN: But he wants to open up the debate now.

HON. SIDIE M. TUNIS: No, I think we are all on the same page. The best we can do at this stage, since there is this understanding amongst all of us, is to proceed with the process. Let us forget about what is happening, let us do not open a debate any longer please. That is all I can say. Let us just continue with the process. That is it.

THE CHAIRMAN: I am glad you are back.

HON. CHERNOR R.M. BAH: Mr Chairman, I will not agree better with what the Leader of Government Business has just said. Mr Chairman, if we attempt to open the debate, we might be here till tomorrow. What I could understand from Honourable Lahai Marah's statement is that, there are two distinctions here, one that has to do with the quantum and the one that deals with the premature Publication.

THE CHAIRMAN: Thank you!

HON. CHERNOR R.M. BAH: So, to distinguish the two, it is better we shelve them for now, those are issue that could be addressed using another platform. Let us make progress with what is before us please.

THE CHAIRMAN: I cannot agree more. Honourable Lahai Marrah, I hope you are satisfied with that, your Leader has spoken.

HON. FRANCIS A. KAISAMBA: Mr Chairman, on the second point, with your leave, I may want to read some extracts.

THE CHAIRMAN: Go ahead.

HON. FRANCIS A. KAISAMBA: *"The Sierra Leone Red Cross Society, brief background"*.

THE CHAIRMAN: No! No! No! Before you go ahead, let me make it clear that the issue of contempt of Parliament that was brought by the Honourable Kanja is still very much alive, that is the point I want to underscore. That issue is before the Privileges Committee and it is still very much alive. I say this for the benefit of the general public and particularly to bring it to the notice of the Media. Very shortly, we are going to be dealing with a very sensitive matter for which the Minister of Information is currently in

the Well waiting for his turn. We are very, very nervous about what the Minister is asking this House to do. It is predicated on an extra caution, extra observance of responsibility on the part of the Media, It is predicated on there being safeguards for the public, for the protection of the public. When people are tempted to just take pen to paper because they call themselves Journalists and begin to write, let me make it abundantly clear that when the time comes, we are not going to take kindly to anybody who flouts our rules and our laws. I am giving notice now, you may continue.

HON. FRANCIS A. KAISAMBA: Thank you Mr Chairman. ***"Sierra Leone Red Cross Society brief Background: in July 1962, the Government of Sierra Leone through an Act of Parliament established the Sierra Leone Red Cross Society as a Humanitarian Relief Organisation. This Act not only forms the legal bases of the Society as an auxiliary to the Government of Sierra Leone for the provision of humanitarian services, but also explicitly states the attendance privileges including the exemptions from all taxes and duties [for all assets and sources of income of the Society], the Society's Independence and neutrality as part of the seven fundamental principles of the Red Cross Movement. The protection of emblem of the Society and the Government provision of subventions to the National Society"***

Mr Chairman, Honourable Members, I may want to speak the impact of the Sierra Leone Red Cross Society interventions to the challenges. ***On Page 3: "Despite the huge strides been made to the rebrand the National Society, the Society continues to battle with finance, finance will take care of core operational cost internationally. The humanitarian post is shrinking significantly as a result of donor fatigue and consequently, our movement partners and their back donors are now very reluctant to cover the core cost of the Society. Referencing other nations around the world and within our subregion providing subventions to cover the core cost of the National Societies, the Sierra Leone Red Cross Society Act of 2012, Section 52 clearly states that the Government shall provide subvention to the Society for which the Society is***

now requesting judicious consideration to Government to keep its commitment and thereby help sustain our humanitarian work. With the unavailability of subvention that has become increasingly difficult for the Society to function effectively and considering our critically role in humanitarian services, we believe it will be expedient and therefore plead with government for the allocation of annually Government subvention to the Society to help cover our core operational cost”.

Mr Chairman, Honourable Members, considering the important role the society has played to humanitarian services I therefore move that, be it resolved that this House provide a separate budget allocation Vote Head, through the Ministry of Finance For the operations of the Sierra Leone Red Cross Society pursuant to Section 1114, 1112, and 113 Act NO. 6 of the 1991 Constitution of Sierra Leone intern dem with Standing Order 631 and Section 52 of the Sierra Leone Red Cross Society Act 2012. Thank you, Mr Chairman.

THE CHAIRMAN: Before I ask for a Seconder, are you happy with it Madam Minister?

DR. PATRICIA N. LERVELY [Deputy Minister of Finance]: Mr Chairman, Honourable Members, what we intend to do with this specific request is to convene a special meeting with the Sierra Leone Red Cross Society including all the relevant stakeholders the Ministry of Planning and Economic Development, Ministry of Health, Ministry of Social Welfare, Gender and Children’s Affairs and so on. We would sit down and look at their work plans to determine how best we can support their humanitarian services. So, we take note and we would provide the required support to the Sierra Leone Red Cross Society.

THE CHAIRMAN: I am a little bit nervous with that procedure Madam Minister. Do you have an existing Law that gives you authority? Should you for example hold your consolation and come to the conclusion that, yes, this is a good case to support. Do you have authority, an existing authority for you to expend moneys for that course? I thought you have to come back to us.

DR. PATRICIA N. LERVELY [*Deputy Minister of Finance*]: Yes, absolutely Mr Chairman. Following the consultation we would revert back to the House of Parliament to determine how best we proceed.

THE CHAIRMAN: Because this is clearly spelt out in section 111 [4] of the Constitution of Sierra Leone.

DR. PATRICIA N. LERVELY [*Deputy Minister of Finance*]: I fully agree on revert Mr Chairman; we would come back to this Honourable House following the consultation.

THE CHAIRMAN: So, therefore, my understanding of what the Chairman of the Finance Committee seeking to do is to give you legal bases now by way of a resolution.

HON. IBRAHIM T. CONTEH: Mr Chairman, before you ask for a Seconder, can I draw your attention to A Provision in the Public Financial Management Act of 2016?

THE CHAIRMAN: I cannot supersede the Constitution.

HON. IBRAHIM T. CONTEH: It is clear the role we have in the Budget that Parliament cannot increase the Budget. We can reduce but we cannot increase, in Section 40. Well, if it is a deliberate Oversight, it can constitute what would give reasons for Supplementary Budget but we do not have the powers to increase the Budget.

THE CHAIRMAN: Honourable Members, please take your seats. In case anyone is under any doubt, the spirit of the Bo Declaration is at work. We are consulting and we are getting very, very good results from our consultations. We have discovered that indeed there is a legal authority, a legal basis for Government to give the Sierra Leone Red Cross Society a subvention and that legal basis is contained in Section 5 of the Sierra Leone Red Cross Act of 2012. So, maybe, Mr Chairman of the Finance Committee, you may wish now to consider the Provisions of that Law and recast your Motion in terms of calling on the Government to provide a subvention to them however modest but the expenditure of course from that particular subvention would be contingent on further discussions with the Red Cross okay? Madam Minister is not averse to that.

HON. FRANCIS A. KAISAMBA: Mr Chairman, I wish to move that the Government of Sierra Leone through the Ministry of Finance provides subvention to Sierra Leone Red Cross Society of **LE500Mln** for a start while the necessary discussions are on the way and eventually coming back to Parliament. Thank you.

DR. PATRICA N. LERVELY [Deputy Minister of Finance]: We shall proceed as advised by Mr Chairman and the Honourable Member. Thank you.

THE CHAIRMAN: Very good. So, I would ask for a Secunder to that Motion now or Honourable Lahai Marah wants to take the credit?

HON. LAHAI MARAH: It is something we discussed behind the seen. So, it is not you.

THE CHAIRMAN: Alright Lahai.

HON. LAHAI MARAH: I so second the Motion.

THE CHAIRMAN: Okay, thank you. Honourable Members, you have a Motion that has been seconded.

[Question Proposed, Put and Agreed To]

THE CHAIRMAN: Okay, Madam Minister, let us wrap up.

THE HOUSE RESUMES

DR. PATRICIA N. LERVELY [Deputy Minister of Finance]: Mr Speaker, Honourable Members, the Bill entitled: The Appropriation Act of 2020 haven gone through the Committee of supplies with some modifications be read the third and final time and pass into Law.

THE SPEAKER: I want to thank the Honourable Minister for her patience, for her usual admirable candour and displaying as usual her friendliness towards Parliament and I want on behalf of all of you to wish her a Merry Christmas and a very happy and prosperous New Year *[Applause]*.

DR. PATRICIA N. LERVELY [*Deputy Minister of Finance*]: On behalf of the Honourable Minister of Finance and the entire Ministry of Finance, we would like to convey our profound gratitude to this Honourable House for your support in helping us conclude the Budget process for next year. We are starting January 2020 on a very positive note I am pleased with your support. We have concluded the Appropriation process as was mentioned on the first day, this demonstrates the Bo spirit the Honourable Speaker just mentioned that this is not about partisanship, this is about development and ensuring that we do demonstrate principles of Good Financial Governance. So, thank you again very much that you have worked with the Ministry of Finance on concluding the Appropriation process of the 2020 Budget. Thank you very much. I wish you a very, very happy holidays and best wishes in the coming year. Thank you.

THE SPEAKER: I would now put the question Honourable Members.

[Question Proposed, Put and Agreed To]

[The Bill entitled: The Appropriation Act 2020 being an act to authorise expenditure from the Consolidated Fund for the services of Sierra Leone for the Year 2020 and for other matters has been read the third time and passed into law]

THE SPEAKER: Madam Minister you are now released, thank you. Okay, let us proceed.

IV. BILL

THE PUBLIC ORDER [AMENDMENT] ACT, 2019

INTRODUCTION AND FIRST READING

MOHAMED RAHMAN SWARAY [*Minister of Information and Communication*]:

Mr Speaker, Honourable Members, I move that the Bill entitled the Public Order Amendment Act 2019, be read the first time.

Suspension of S.O 5[2]

[Question Proposed, Put and Agreed To]

[The Bill entitled: The Public Order Amendment Act 2019, being an Act to amend the Public Order Act 1965, of Act No. 6 of 1965 by repealing part 5 which deals with the Defamatory and Seditious Libel and to provide for other related matters has been read the first time.]

THE SPEAKER: I want to recognise the Leader of Government Business.

HON. SIDIE M. TUNIS: Mr Speaker, Honourable Members, now that we have heard this most important and most popular Bill in the House, the Bill entitled: Public Order Amendment Act 2019, I want to inform Honourable Members, that at this stage we would engage the Ministry of Information and Communication and other stakeholders because this is a Bill that is so important to the people of this country, one that borders on the security of our people. As such, this Honourable House would want to ensure that all the safety gears are put in place before we proceed with it and such safety gears include that of amending the Independent Media Commission [IMC] Act, to ensure that the security of the people, the safety of the people are adequately taken care of before we proceed with this Bill. I would therefore move under *S.O [37]* for dilatory Motion.

Mr Speaker, Honourable Members, at this stage I think we just leave it as it is. They have done the First Reading, once we are satisfied as Parliament that in fact we have received the amended version of the IMC Act where we have all the safety gears in place to protect the people of this country, Like the Honourable Speaker was saying we have had issues with the press but at the same time as a Government we are very, very much committed to ensure that we repeal this particular Part 5 which deals with Defamatory and Seditious Libel and His Excellency the President has made commitment in both New York and here in Sierra Leone and as recent as last week or so when he met with the Press at the Radisson Blue Hotel, he again reiterated his commitment to ensure that this Bill is amended. But as the peoples representatives, it is also our own responsibility to ensure that the interest of the people are taken into consideration while we support Government in ensuring that this Bill is amended but we have to at

the same time ensure that the interest of the people are taken into consideration.
Thank you very much, Mr Speaker.

THE SPEAKER: I thank the Leader of Government Business and to underscore the fact that this Bill invokes the Public interest to such a significant extent and enormous extent, I would also ask the Leader of the Opposition to have a word or two to say so that a message goes out to the Public that this is a matter that does not invoke or provoke any controversy in this House, we are speaking with one voice about the concerns that we have regarding the consequences of the repeal that the Minister is requesting us to make. Over to you Leader of the Opposition.

HON. CHERNOR R.M. BAH: I want to thank you very much Mr Speaker. Mr Speaker, I am sure the Leader of Government has said almost everything that we have to say and added to what he has just said, I wonder whether there is anything else for me to say except to reemphasise and reassure all stakeholders, all players that we are committed to ensuring that this Bill get the utmost attention of this House as representatives of the people. The document before us affect us like any other citizen including those in the Executive or other branches of Government, but we are also calling on them to ensure that they cooperate at the right time in ensuring that whenever we are needed and the Public sensitisation going on they have a role to play in ensuring that eventually when we conclude with this Bill becoming an Act, we would have done justice to it. Thank you very much.

THE SPEAKER: I thank you and on that note I want us to take notice of the presence of a very eminent personality of the media in the Well of the House in the person of Mr Umaru Fofanah. Please in case some of you do not know what this great personality looks like, I am inviting him to kindly stand so that we can take notice of him, that is Umaru Fofanah. And the Sierra Leone Association of Journalists [SLAJ] President is also in the House may he please rise so that we can give due recognition to him? *[Applause]*

HON. IBRAHIM T. CONTEH: Mr Speaker, the immediate former President of SLAJ, by their Constitution, he continues to be in office assisting the current President until six months.

THE SPEAKER: By all means, let him rise so that we can recognise his presence as well. Oh! Kelvin Lewis of course the veteran himself is here. I do want to be accused of having miss anyone, is any other important personality of the Press present so that we can we can take due recognition of them? All of you please rise. Oh yes! And the IMC Chairperson is here, all of you please rise so we can acknowledge your presence *[Applause]*. We thank you for your presence. We know what has brought you here today all of you, we are at one and we want to assure that this is a matter of great national interest and importance and we would want to speak as one as we go through the process of amending this important piece of Legislation. And last but by no means least, the affable, likeable and beautiful Deputy Minister of Information and Communication is also here. May she please rise and get the acknowledgement of the House? Is the Permanent Secretary here too? Oh yes! The Pen Pusher is here, Pen Pusher please I do not want to miss anybody. Do I also see the National Revenue Authority [NRA] Director General? Oh! I thought he was here, okay. I am going to give the Floor to Honourable I.B. Kragbo, you know this is an issue that is so close to his heart. He pioneered it sometime ago, some years ago but he did not get this far. Now, he is part and parcel of the process of bringing it to finality. Honourable Ibrahim Ben Kargbo you have the Floor.

HON. IBRAHIM B. KARGBO: Mr Speaker, Honourable Members, I need not repeat what have been said already by our Leader. I know that the Bill will be debated in due course and I did not remind Members of this House and citizens of this country about the complications of that Bill. We are not talking about it now, but may I state that the Bill itself must properly brought here to Parliament, but I also would observe that the practice of bringing instruments to this House and assuming that those instruments are already law even before debating them, when some people assume that the twenty one [21] days is a **ruff** to make document laws, should be giving a second hard look. Recently, the Ministry of Information and Communications did bring an instrument here which we gladly accepted when it was laid on the Table, but now, we are in the state of confusion as whether in fact this Instrument has gravitated into law. I am giving the

impression that it has gravitated into law and how this happened was not clearly explained to me by the Leader of Government Business.

Mr Speaker, Honourable Members, I want it to be noted that it should not be automatic that an instrument is law just after twenty one [21] days principally because some of these instruments have complications which must be discussed and if they are not discussed it will serve as a pointer that, this is why the Leader of Government Business did not listen and a result you made too many mistakes.

THE SPEAKER: With your indulgence, I think you are dealing with a very, very important matter. Mr Minister, I want you to be patients because the point is very important, one of the Deputy Clerks is here. Mr King, are you here? You may continue.

HON. IBRAHIM B. KARGBO: Mr Speaker, like I said, in a very good faith we accepted the Instrument when it was laid by the beautiful lady, but if indeed that Instrument has gravitated to become law without further discussions taking to consideration the complications and scientific nature of that Bill because there was a notice we would asked that no certificate be issued in respect of that Instrument. I thank you very much, Mr Speaker.

THE SPEAKER: I thank the Honourable Ibrahim Ben Kargbo.

HON. CHERNOR R. M. BAH: Mr Speaker, may I add to that?

THE SPEAKER: Yes.

HON. CHERNOR R. M. BAH: Mr Leader, this is also for your attention. Mr Speaker, we had similar problems during the last Parliament, unfortunately some of us that were here are still around. Statutory instruments are generally not been looked at by must Members of Parliament and the general public. Even though they are gazetted, since they are delegated legislations the presumption is always there that what is contained in those instruments would not be major enough to affect the general law that establishes the very Instrument that is brought to Parliament and must importantly Mr Speaker, we also agreed in this House that whenever Statutory Instrument is laid and a notice is giving, the moment a Member rises time stops.

HON. IBRAHIM B. KARGBO: Mr Speaker, we are going to be positive once more. Now that the Minister of Information and Communications is present and now that we have discussed the Budget and components of the Budget, I want to observe one important development which is undermining the Information and Communication Technology [ICT] Sector in Sierra Leone and that is non-payment by Government of dues to the Sierra Leone Cable Limited [SLACAB]. You know fully well Mr Speaker that SALCAB was created deliberately for the development of ICT in Sierra Leone. After installing the system and after putting it in place, we thought we could give it an opportunity to function. The Government at some point helped, but the fact of the matter is the SALCAB is complaining that people who owe them money are not paying and if they do not pay, SALCAB would collapse. I am saying this with authority because I have seen similar systems collapsed. The Government of Sierra Leone alone, like in the case of other utilities owe SALCAB huge sums of money and how SALCAB can continue to operate if it is not paid what is due them? I am talking this Mr Speaker constituently the roaming which has just been installed. Some people do not even know why we are a little bit unhappy about the instrument but the fact is that if we had installed a roaming mechanism in this country as SALCAB which is the nerve of everything that has to do with ICT in Sierra Leone which is undermined by the fact that even the Government fails to pay them what is due them, I think something should be done.

Mr Speaker. Honourable Members, some of us will give notice one of these days that if the utilities in this country do not perform well, we will investigate. We see Energy Sector is not performing because the Government does not pay the Military barracks dues, they do not pay the Police dues, they do not pay other dues and therefore what happens the people are in the Energy Sector simply cannot perform. If we owe SALCAB close to **\$45Mln** and we do not pay them how do we expect them to perform well? So, Mr speaker, I want you to note and perhaps the other people who are related to this matter the Leader of Government Business who visit State House everyday two times to pass the message on, to plead on our behalf that utilities of the State must be paid for

by the Government. If the Government does not meet its commitment in that regard, then of course this Institution will collapse. SALCAB is very close to me because I created it and we have good reasons for creating it. The Minister at the moment is doing very, very well but his efforts will be undermined seriously if we continue to owe them these huge sums of money. I thought Mr Speaker that, I should raise this point. I thank you very much.

HON. SIDIE M. TUNIS: Mr Speaker, I want to thank my Honourable colleague on the other side. I want to assure him and the general public and our friends at SALCAB that Government through the Ministry of Information and Communications is doing everything possible to ensure that MDAs live up to expectation. In fact, a lot of consultations and discussions are going on presently between the Ministry of Information and Communications and MDAs. So, I want to assure my Honourable colleague that, the Minister of Information is on top of the situation. In fact, the MDAs have been told, if they do not pay, they will be disconnected.

Mr Speaker, Honourable Members, with those few remarks, with your approval, I would want to make short amendment on the Order Paper and that is ***"Laying of Paper: Auditor General's Report on the account of Sierra Leone 2018, Laid by Honourable Titus Kamara Deputy Chairman Public Accounts Committee [PAC]"***.

THE SPEAKER: Honourable Members, there is a Motion that we should amend the Order Paper to include: ***"Laying of Paper, Auditor Generals Report on the account of Sierra Leone 2018"***. Is there any Secunder to that Motion?

HON. NENNEH LEBBIE: I so second, Mr Speaker.

[Question Proposed, Put and Agreed To]

[Motion to amend the Order Paper has been carried]

THE SPEAKER: So, we have that item now on the agenda. Is he here? Would you please now lay that document on the Table of the House?

HON. ABDUL T. KAMARA: Mr Speaker, Honourable Members, I beg to lay on the Table to this noble House the Auditor General's Report on the account of Sierra Leone 2018 *[Applause]*.

THE SPEAKER: Honourable Members, we have come to the end of the year 2019.

HON. IBRAHIM T. CONTEH: Point of Order.

THE SPEAKER: What Standing Order are you standing on?

HON. IBRAHIM T. CONTEH: I am standing on subsection 5 of Section 119 of the Constitution of Sierra Leone Act No. 6 of 1991. Mr Speaker, assuming that you have seen subsection 5, I want to move that intern dem with the Provision in subsection 5 of Section 119, that this House debate this Auditor General's Report as stipulated in the Provision of subsection 5 of Section 119 of the Constitution of Sierra Leone.

THE SPEAKER: Any Secunder to that Motion?

HON. P.C. BAI KURR KANAGBARO SANKA III: Mr Speaker, Honourable Members, for the sake of transparency and accountability, I so second the Motion.

THE SPEAKER: I know that there is a Motion that has received a Secunder but I have just been advised that, that is not the proper procedure that the Report of the Auditor General by practise is sent to the Public Accounts Committee [PAC] to examine and report back to the House.

HON. P.C. BAI KURR KANAGBARO SANKA III: Yes Mr Speaker, that is a practise but we are now going to the legality of the Constitution which is Section 119.

THE SPEAKER: That practise does not negate the Provision that you are referring to. The debate will come later after we would have received the considered report of the PAC.

HON. IBRAHIM T. CONTEH: Thank you Mr Speaker for considering my Motion in the first place but what I would want to say is that, looking at the Provision in the Constitution, it would mean we will be doing the inverse because what the Constitution says is that, we should debate and if there are any adverse issues we can refer to a

Committee but now we are saying we are referring the old Report to the Committee and the Committee brings the findings to us depending on what is selected by the Committee to look at. Meanwhile, in this process we are obliged to debate the entirety of this report as it is and if there are any adverse findings as per the Constitution can be referred now to a Committee but if we allow the Committee to go and bring the findings for us then we are doing the inverse of the Provision Sir.

HON. HINDOLO M. GEVAO: Mr Speaker, I want to add my voice by referring the House to Section 171[15] of Act No. 6 of the 1991 Constitution. Mr Speaker, Section 171[15] reads:

THE SPEAKER: The inconsistency part?

HON. HINDOLO M. GEVAO: Yes. *"That if any law is inconsistent with the Constitution"*.

THE SPEAKER: So, what law is inconsistent?

HON. HINDOLO M. GEVAO: Now, from what my colleague has just said, if we are referring it to the Committee first, it will be inconsistent with the Provision referred to by Honourable Tawa. I would say the Provision of the Constitution is, it be debated first before it be referred to the Committee.

HON. FRANCIS A. KAISAMBA: Mr Speaker, subcommittees like the PAC is a sub sect of Parliament the Plenary for example and as you rightly said it has been the practise. This document has always been sent to the PAC for scrutiny and the eventual report will come to the Plenary for debate. I do not know why we want to deviate from that. Nobody is saying we should not debate the document but the document itself is so bulky it has to go to the Committee so that it can be thoroughly looked at and then the Report will be tabled

THE SPEAKER: Let me remind Honourable Chairman of the Finance Committee, if my memory serves me right, we received the Forensic Financial Report tabled here some time ago, not too long ago, if you remember, which we referred to the PAC and the PAC being a Committee of this Parliament instead of reporting back to us, took upon

itself, arrogated to itself the power of sending its report to the Anti-Corruption Commission [ACC] which I find totally incongruous and unacceptable *[Applause]*. Very well that, that issue raised a very serious controversy amongst the Members of the PAC itself but for some inexplicable reasons, the PAC Chairman chose to ignore Parliament and forwarded the report to the ACC without prior reference to this Parliament. That must stop, it was wrong in my opinion and it must stop. Subcommittees of this Parliament are accountable to Parliament; they are not given autonomous independent powers to act on their own without the authority of Parliament. I am sure Mr Chairman of the Finance Committee you recalled that incident, do you want a repeat of that to happen again?

HON. FRANCIS A. KAISAMBA: No, Mr Speaker but I think we have a responsibility to reprimand the PAC and maybe the Chairman that he was in violation of our practise in Parliament and to ensure that subsequently reports emanating from the PAC should come to the Plenary for debate, we can ensure that definitely.

THE SPEAKER: We do not need any extra resolution for that because I want us all to look at what our Standing Orders provide and I refer you to page 106 of the Standing Orders: ***"Public Accounts Committee: There shall be a Committee to be known as the Public Accounts Committee consisting of the Deputy Speaker as Chairman and not more than 10 other Members to be nominated by the Committee of Selection"***.

Honourable Members, let me draw attention to an anomaly, this is contrary to Commonwealth Parliamentary practise and on this one I can speak with some measure of authority. I have worked in the Commonwealth Secretariat, I know about this very well. The PAC Chairperson throughout Commonwealth countries, the general practice is, the Chairperson of that Committee is a Member of the Opposition Party *[Applause]*. Let me make this clear and in fact, while I am dealing with this, the Commonwealth has sent us what they call Commonwealth Parliamentary benchmarks, a list of things that Commonwealth Parliaments must comply with for them to be compliant with Commonwealth practice. Yes, we are fully paid up, that I can assure you but in terms of

this particular practise, it is completely at variance with Commonwealth practise. It is something that we need to pay attention to when we come to amend the Standing Orders, to bring out Standing Orders in line with Commonwealth Parliamentary best practise but let us on. [B] says: ***"It shall be the duty of Committee to examine the annual accounts showing the Appropriation of sum granted by the House to meet public expenditure together with the reports and special reports of the Auditor General there on"***. [C] goes on to say: ***"The Public Accounts Committee shall for the purpose of discharging that duty have powers pursuant to subsection 6 of Section 93 of the Constitution"***. What is envisaged here is that, in keeping with the understanding of the provisions contained in subsection 5, the practise has been perfectly good of referring the Auditors General's Report to the PAC in the first instance for the PAC to examine the report and report back to Plenary but I can understand where the Honourable Tawa is coming from, it did not happen last year instead that Committee arrogated to itself a power it did not have of referring its observations to the ACC before bringing them to the House which is an act of insubordination as far as I am concern. So, if now Honourable Tawa is drawing attention to the need for the House to debate the Auditor General's Report before sending it to the PAC, I think he has a point *[Applause]*.

HON. P.C. BAI KURR KANAGBARO SANKA III: Yes, Mr Speaker.

THE SPEAKER: Yes, you have the Floor.

HON. P.C. BAI KURR KANAGBARO SANKA III: Mr Speaker, I do not want to take you far back. In 1996 under the Speakership of the late Chief Justice Kutubu, when the Auditor General's Report came in, we debated it and all the issues that were raised were then sent to PAC, PAC would look at the nitty-gritty of the concern of Parliament because for example not everybody can read all the document in some cases but some Members would pick certain things and when debated it, they were recorded and these were sent to PAC. Let me say this to you Sir, we collected so much money for Government at that time because we found out that certain people owed some much money and we invited them and the Finance Chairperson at that was Elizabeth Lervely.

At that time, we collected over **LE12Bln** and paid it to the consolidated fund. I was a Member of the Finance Committee and that was what happened. We debated it, we showed the concerns of each to PAC and the PAC came in and reported on each of what every Member of Parliament was able to raise. That was exactly what we did and PAC became very effective and strong because they would call you specifically to account for particular things because you cannot just pick out certain aspect of the Report and deal with it, you have to report in its entirety. So that was our experience in 19196.

THE SPEAKER: I thank the Honourable Paramount Chief for drawing out attention to pass practice which somehow is consistent with my reading of subsection 5 of Section 119, and for those who do not have their Constitutions in front of them, I will read what that subsection says; ***"Parliament shall debate the report"***. There are two segments to it, two clear segments if you read the constitution carefully, ***"Parliament shall debate the report of the Auditor General"*** first segment. Second segment, what does it do after debating it? It says: ***"and appoint where necessary in the public interest a Committee to deal with any matters arising therefrom"***. That Committee that is been referred to in that subsection obviously is the PAC. So, in terms of sequence, I am incline to agree with Honourable Tawa Conteh that what needs to be done in this particular instance is that Parliament should engage itself in a debate of the Report before sending it to the PAC, that would be perfectly in keeping with a language of the Constitutions.

Secondly, it would enable us to point out as envisaged by subsection 5, issues that are significant and in the public interest that we want a detailed consideration of by the PAC.

Thirdly, it would obviate the practice that we noticed last year of the PAC dealing with the report of the Auditor General and sending it to an outside body instead of referring it back to the Plenary of Parliament. I hope I am clearly understood on this but I will give you the opportunity again Mr Chairman of the Finance Committee, if you object to this understanding, give us reasons why.

HON. FRANCIS A. KAISAMBA: Not necessarily Mr Speaker. I read the Constitution alongside with you; I am not objecting. Either way, if the Report can be debated in the Plenary, of course sent to PAC for scrutiny, fine but, you see most of the things that has happened in this Parliament is just basic precedent and practice. This has been the practice for quite a while. Once the report is tabled, it is been sent to the PAC for scrutiny.

Mr Speaker, you equally mentioned the Chairmanship of the PAC as a practise in some Commonwealth countries wherein a Member of the Opposition is normally the Chairman. For us here, it has just been precedent. For example we once agreed in 1996 under the new Democracy that the Chairman of the PAC should be a Member of the ruling Government side, when the APC came, they toe the line and so, we are here the same practice is continuing. This is basic fact, it is just precedent. So, if we have to look at it, we should look at it critically so that we will see what we do. I am not adverse at this moment to what we have just read.

THE SPEAKER: Honourable Gevao, is your understand different from mine?

HON. HINDOLO M. GEVAO: Mr Speaker, I am on the same wave lines as you are. I hold the view that, the right thing to be done is to have the report debated *[Applause]* and then send to the PAC because it will be rendering our function nugatory if the PAC merely looks at it and make recommendations to other institutions when the Constitution makes it express what ought to be done with such an important document that it ought to be debated first before it been referred to the Committee in question. We must be mindful that this is a House that makes laws and the very Constitution that is a grand-norm is a document passed by this Honourable House, we should be seeing correct things, things ought not had been done before. There is nothing wrong, no harm in us doing it right in this Fifth Parliament Mr Speaker.

THE SPEAKER: Yes.

HON. HINDOLO M. GEVAO: The Constitution takes precedent to any order law if there is inconsistency.

THE SPEAKER: Thank you. Yes, Honourable Ibrahim B. Kargbo.

HON. IBRAHIM B. KARGBO: Mr Speaker, we agree with you entirely but I would have been more sympathetic, but now at the moment, if you had used your offices to take actions at the time when our own document was taking to the Anti-Corruption Commission.

THE SPEAKER: Oh! I did. It is not everything that I want to say here?

HON. IBRAHIM B. KARGBO: Yes, of course, sometimes we say it here as a way of disciplining people but of course I agree with your argument and about *[Interrupted]*

THE SPEAKER: In fact to be honest to you, I did receive a written protest complaint from a Member of the PAC and that compelled me to look at the relevant Provisions and that Honourable Member was quite right and I attempted to take action on it but for some inexplicable reason *[Interrupted]*

HON. IBRAHIM B. KARGBO: I agree with you Mr Speaker. Mr Speaker, that irregularity was known by all of us including you who took action like you said, but of course that irregularity was of course the demise of one of our own members and he was sacked and when he was sacked even when I asked a simple innocent question, why was our man sacked? They said we would not have him again. That was the end of it

THE SPEAKER: Alright, I have had you but this time around let the passed be the passed, let us move forward and do the right thing *[Applause]*. Yes, sir.

HON. MOSES B. JOCKEY: Thank you very much Mr Speaker. I just want to toe the line of my colleagues. Off course, I want you to realise that this is a New Direction Government; we need not to follow the old strength. So, therefore, we have to follow the new strength. As a result of that, what is imbedded in the Constitution is what we have to go by *[Applause]*. That is all.

THE SPEAKER: Now, I will put the question because it has received a secondment. I understand from the Honourable Paramount Chief, did you second the Motion?

HON. P.C BAI KURR KANAGBARO SANKA III: Yes Sir, Mr Speaker.

THE SPEAKER: Fine. Let me repeat what the Motion is as I understand it. Now that the Auditor General's Report has been laid on the Table of the House, the Motion before us is that this House should debate the report and where necessary in the Public interest to appoint a Committee which we understand to be the PAC to deal with any matters arising from that debate and it has been seconded.

[Question Proposed, Put and Agreed To]

[Motion moved by Honourable Ibrahim Tawa Coteh has been carried]

THE SPEAKER: And let me give notice ones more, let me give notice here. Honourable Members, the Provision that is contained under Public Accounts Committee which makes the Deputy Speaker the Chairman of the PAC, introduces a practice that is ad-variance with the practice of other Commonwealth Parliaments and it is also ad-variance with the Commonwealth Parliamentary benchmarks which have been sent to us and we are Member of the Commonwealth Parliamentary Association, from time to time, they do send us letters for us to reply to, to assure them that we are compliant with their benchmarks and this in fact leads me, those of you who want to serve on a Committee on Commonwealth benchmarks, please bear in mind that when we resume after this recess, we are going to Constitute a Committee on Commonwealth Parliamentary benchmarks *[Applause]* so that you would monitor our practice to make sure we are in line with the CPA. We need not do so today but we are going to do so when we resume. Thank you.

ANNOUCEMENTS

THE SPEAKER: It is now my privilege and honour to wish all of you a very Merry Christmas and a very Happy and even more Prosperous 2020. May God continue to grant all of us good health and long life to see us through the Year 2020.

ADJOURNMENT

*[The House rose at 1:22 p.m. and adjourned to Thursday, 30th January 2020 at 10:00
a.m. prompt]*

