



*OAU DRIVE, TOWER HILL, FREETOWN*

# **PARLIAMENTARY DEBATES**

**[HANSARD]**

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**OFFICIAL HANSARD REPORT**

**FOURTH SESSION –FIRST MEETING**

**TUESDAY, 1<sup>st</sup> MARCH, 2022**

*SESSION – 2021/2022*



*OAU DRIVE, TOWER HILL, FREETOWN*

# **PARLIAMETARY DEBATES**

**[HANSARD]**

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**OFFICIAL HANSARD REPORT**

**VOLUME: I**

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

Proceedings of the Sitting of the House  
Held Tuesday, 1<sup>st</sup> March, 2022.

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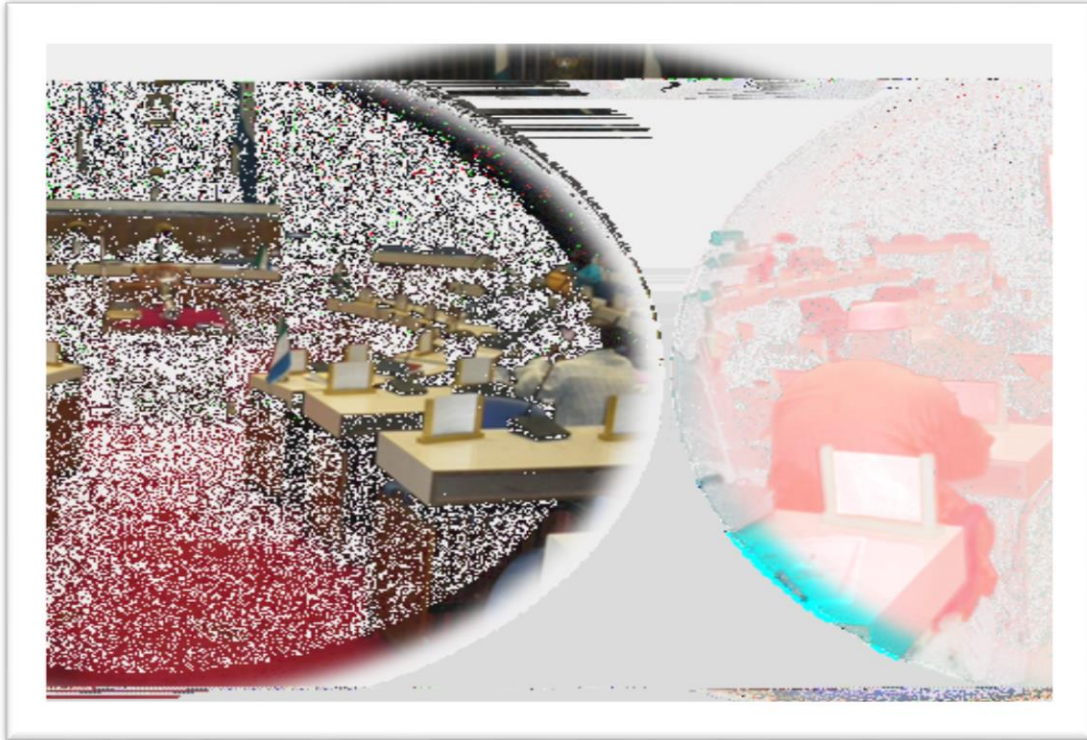
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*THE CHAMBER OF PARLIAMENT OF THE REPUBLIC OF SIERRA LEONE*

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

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

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**Tuesday, 1<sup>st</sup> March, 2022.**

#### **I. PRAYERS**

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

*[The House met at 10:00a.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*

**HON. MATHEW S. NYUMA** [*Leader of Government Business*]: Mr Speaker, Honourable Members, good morning. Mr Speaker, I beg to amend the Order paper. Under Laying of papers, we have item [1], item [2], item [3], I want to insert item [4] Mr Speaker. And for item [4], I read: REPORT ON THE FINDINGS OF THE COMMITTEE ON THE CONCERNS RAISED BY THE HOUSE WITH RESPECT TO THE PRICES OF CEMENT AND IRON RODS AFTER THE REDUCTION OF THEIR CUSTOMS' DUTY BY 10% AND 5% RESPECTIVELY. I so move, Mr Speaker.

**THE SPEAKER:** Any seconder.

**HON. JOSEPH WILLIAMS-LAMIN:** I so second, Mr Speaker.

*[Question Proposed, Put and Agreed to]*

**HON. MATHEW S. NYUMA:** Mr Speaker, sorry there is an error. It is not going to be laid by the Minister, but by the Deputy Chair of the Committee. So now I will do the renumbering separately. Item [4] should now be item 4[a] and after the numbering [i], [ii], [iii], we now have item 4[b]. So [A] is the Minister of Transport and Aviation.

**THE SPEAKER:** So [b] will be laid by who?

**HON. MATHEW S. NYUMA:** [B] will be the Deputy Chairman of Trade and Industry Committee in Parliament.

**THE SPEAKER:** Okay.

**HON. MATHEW S. NYUMA:** I so move Mr Speaker, to do the following amendments as so proposed to the House.

**THE SPEAKER:** The first Motion is withdrawn for the second Motion. Any seconder?

**HON. ALUSINE KANNEH:** I so second Mr Speaker

*[Question Proposed, Put and Agreed to]*

*[Motion moved by the Leader of Government Business to amend the Order Paper has been carried]*

## **II. CORRECTION OF RECORD OF VOTES AND PROCEEDINGS FOR THE PARLIAMENTARY SITTING HELD ON TUESDAY 22<sup>ND</sup> FEBRUARY, 2022**

**THE SPEAKER:** We shall now consider the Record of Votes and Proceedings of the 46<sup>th</sup> Parliamentary Sitting held on Tuesday 22<sup>nd</sup> February, 2022. We would start from page 5 skip pages 1 to 4 as we usually do. If you have any concerns about your name please refer those concerns to the Table Clerks. Page 5 any corrections? Page 6? Page 7? Page 8? Page 9. Yes.

**HON. DR MARK M. KALOKOH:** At Committee stage, Table Clerks take note of that just remove 'Mr'.

**THE SPEAKER:** Very well. Is that all on page 9? Page 10 and the last Page, 11? Thank you. Can someone please move for the adoption of the Record of Votes and Proceedings for the Parliamentary Sitting held on Tuesday, 22<sup>nd</sup> February, 2022.

**HON. SIMEON FEFEGULA:** I so move, Mr Speaker.

**THE SPEAKER:** Any seconder

**HON. BRIMA MANSARAY:** I so second, Mr Speaker

*[Question Proposed, Put and Agreed to]*

*[Record of Votes and Proceedings for the Parliamentary Sitting held on Tuesday, 22<sup>nd</sup> February, 2022 has been adopted]*

## **III. ANNOUNCEMENT BY MR SPEAKER**

**THE SPEAKER:** Yes I have two announcements to make. The first announcement is an obituary. I regret and with sadness to announce the demise of two former Honourable Members of this House, the Honourable Hassan Sheriff, who died last week and has already been buried in his home town of Mange Bureh. The second Honourable is the Honourable Cecil Hanson whose body would be laid at the State Hall

in Parliament, on the 3<sup>rd</sup> of March, 2022. Shall we all rise and observe a minute silence. May their souls, rest in perfect peace.

The second announcement I have relates to Constituency 056, in Tonkolili District. Pursuant to Section 76[1f] of the 1991 Constitution, Act No 6 of 1991 Constitution, which reads as follows: *'No person shall be qualified for election as a Member of Parliament if in the case of the election of such Member as is referred to in paragraph [b] of Sub-section [1] of Section 74, he is for the time being a Paramount Chief under any law'*.

That provision has found amplification in Section [17] of the Chieftaincy Act, of 2009, which again I would like to read: *'In recognition of the election of a Paramount Chief take place after the Government has on the recommendation of the Minister, accepted the joint report of the Provincial Secretary and the Electoral Commission on the conduct of the election and such recognition shall be by, [a] the presentation of the staff of office by the President or any person deputed by him in that behalf'*.

*[b] The publication of the election in the Gazette.*

I have also received communication from the Ministry of Local Government confirming the election of the Honourable Alhaji Musa Baimba Foray Kollo Jalloh III, as Paramount Chief. And he was duly recognised by His Excellency the President, by handing over the staff of office to the said former Member on Wednesday, the 23<sup>rd</sup> February, 2022. In accordance with these provisions therefore, it is my duty to declare vacant Constituency 056, which the former Member represented and I hereby direct the Clerk of this House to communicate this ruling to the Chairperson of the Electoral Commission, that Constituency [056], is hereby declared vacant. Than you. Shall we proceed please?

#### **IV. PAPERS LAID**

##### **[A] THE MINISTER OF TRANSPORT AND AVIATION.**

**MR KABINEH KALLON [The Minister of Transport and Aviation]:** Mr Speaker, Honourable Members, with your leave I beg to lay on the Table of this Honourable House the following papers:



[i]. Bilateral Air Services Agreement between the Government of the Republic of Sierra Leone and the Government of the Federal Republic of Germany.

[ii]. Bilateral Air Services Agreement between the Government of the Republic of Sierra Leone and the Government of the Republic of Zimbabwe.

[iii]. Memorandum of Understanding between the Government of the Republic of Sierra Leone and the Government of the Republic of Zimbabwe.

**[B] THE DEPUTY CHAIRMAN OF THE PARLIAMENTARY COMMITTEE ON  
TRADE AND INDUSTRY**

**HON. OSMAN C. ABDULAI** [*The Deputy Chairman of the Parliamentary Committee on Trade and Industry*]: MR Speaker, Honourable Members, I beg to lay on the Table of this Honourable House:

REPORT ON THE FINDINGS OF THE COMMITTEE ON TRADE AND INDUSTRY ON THE CONCERNS RAISED BY THE HOUSE WITH RESPECT TO THE PRICES OF CEMENT AND IRON RODS AFTER THE REDUCTION OF THEIR CUSTOMS DUTY BY 10% AND 5% RESPECTIVELY.

**V. BILL**

THE PROFESSIONAL ENGINEERING REGULATORY COUNCIL ACT, 2021

SECOND READING

THE MINISTER OF WORKS AND PUBLIC ASSETS

[DEBATE CONTINUES]

**THE SPEAKER:** Honourable Members, I am taking my briefing from the Votes and Proceedings of the 15<sup>th</sup>, February. I simply want to remind those who have already taken the floor to please take note of the relevant provisions of the Standing Orders that they cannot take the floor again on this particular matter. The debate continues on the second reading. If you know you had taken the floor before, please do not waste my time and yours by trying to take the floor again.

**HON. DR MARK M. KALOKOH:** Point of order, Mr Speaker.



**THE SPEAKER:** On what I have said?

**HON. DR MARK M. KALOKOH:** No, Mr Speaker.

**THE SPEAKER:** A point of order on Mr Speaker?

**HON. DR MARK M. KALOKOH:** Yes, Mr Speaker. Mr Speaker, I want to guide the process. I want to help in guiding the process so that we don't belabour ourselves here.

**THE SPEAKER:** I see on the list, you were the first speaker.

**HON. DR MARK M. KALOKOH:** Give me the permission to be heard, Mr Speaker please.

**THE SPEAKER:** Have you seen the list of the speakers?

**HON. DR MARK M. KALOKOH:** Perfectly well, Mr Speaker.

**THE SPEAKER:** So you know why you stood on that?

**HON. DR MARK M. KALOKOH:** That is why I am standing on the point of order.

**THE SPEAKER:** I hope your point of order is going to be helpful.

**HON. DR MARK M. KALOKOH:** It will be helpful, Mr Speaker.

**THE SPEAKER:** Otherwise you will pay a dare price for it. I give you the floor.

**HON. DR MARK M. KALOKOH:** Thank you, Mr Speaker. Mr Speaker, as a House, we have debated the document after it was moved from the second reading. With the agreement that was made, we are now moving to the third reading and we continue with the process.

**THE SPEAKER:** Not the third reading but the Committee stage.

**HON. DR MARK M. KALOKOH:** The Committee stage, sorry. So that we don't reverse ourselves again. I think we made frantic contributions in our various input into the debate.

**THE SPEAKER:** The records do not bear that. If that is indeed the agreement reached, so it shall be. I want to be guided here by the two Leaders, Leader of Government Business and the Leader of the Opposition. Was that the case?

**HON. MATHEW S. NYUMA:** Mr Speaker, from my understanding, I was not here so I don't know. The only thing I can say because I am well convinced and that I am under oath at all times. I want to plea with you that, we just wrap up or we go to the next stage. That is why we agreed that we have Committee of the whole House. As for me, I want us to go to the Committee of the whole House. When we go to the Committee of the whole House, it takes a long time. We have debated already.

**THE SPEAKER:** Very well, you have made your point. Let me hear the Acting Leader of the Opposition.

**HON. IBRAHIM B. KARGBO:** I think what the Honourable Member from Bombali said, is actually sufficient.

**THE SPEAKER:** Fine. Mr Minister, do you have any opportunity to respond to the concerns raised by Members? Have we passed that stage? And would you like to respond now? You have the floor.

**HON. DR MARK M. KALOKOH:** Mr Speaker, what is now my price?

**THE SPEAKER:** Your price is priceless.

**HON. ABDUL KARGBO:** Mr Speaker, yes sir. The Minister was given the opportunity to respond to the debate that very day. He responded appropriately, and we were convinced and impressed with his responses.

**THE SPEAKER:** Well I am getting confused because the Minister is telling me that he now wants to respond. He said he did not complete his responses. So I am giving him the opportunity to complete his response now.

**HON. MATHEW S. NYUMA:** He was a former Member of Parliament, he must be familiar with the Proceedings. I wonder why the Speaker wants to give you the platform for you to overrule my colleague from the other side. Mr Minister, sit down please.

Mr Speaker, we cannot allow the Minister to dictate to us, he knows the procedures. He used to be a Member of Parliament. He was a Member of Parliament. So we cannot take his ruling, so my colleague on the other side was right, he responded. As an Engineer, he is passionate about this Bill. He said he wants to make an addendum, my colleague Honourable Kalokoh buttressed that, he responded very well. So we cannot queue from him, but we can queue from you sir. He knows the rules.

**THE SPEAKER:** He knows the rules.

**HON. MATHEW S. NYUMA:** Yes. So we cannot queue from the Honourable Minister.

**THE SPEAKER:** I have heard you.

**HON. MATHEW S. NYUMA:** Thank you.

**THE SPEAKER:** Again, let me ask the Minister. His first response to the queries and concerns raised was incomplete. Now he wants to take the opportunity to complete them. That is my understanding.

**HON. MATHEW S. NYUMA:** Mr Speaker, when he was in Parliament, do you know his nickname? He was called 'Synergy'. Don't give him the platform to mesmerise us here. Let us live by the rules. Let him sit down.

**THE SPEAKER:** I don't mind be mesmerised.

**HON. MATHEW S. NYUMA:** He will. I know him very well.

**THE SPEAKER:** I don't mind.

**HON. IBRAHIM B. KARGBO:** Mr Speaker, I want to humbly remind Mr Leader that he is the Leader of Government Business in this House and he is supposed to be protecting Government officers and not to embarrass them.

**HON. MATHEW S. NYUMA:** Honourable Kortor Ibrahim Ben Kargbo, I don't know which position you are coming from but I am not embarrassing the Minister, I was not here. I am a fervent Christian and I said I am always under oath, so I want to be sure that I am on the right path. I did not intend to embarrass the Minister and I will never intend to do so, but I will always protect them. When the Honourable Members from

the other side tried to embarrass them, I will come to their rescue. That is sacrosanct in this House. So I have just tried to support my colleagues on the other side.

**THE SPEAKER:** Leader of Government Business, you did not make any embarrassing statements. So sit down!

**HON. MATHEW S. NYUMA:** Thank you sir.

**HON. ABDUL KARGBO:** Mr Speaker, when you wanted to know the Members of Parliament who contributed to the debate, you consulted with the Hansard. So I was expecting you to do the same to see whether the Minister rounded up or he did not round up.

**HON. MATHEW S. NYUMA:** Mr Speaker, we should proceed now. We have all agreed. It is a consensus that we proceed to the next stage. So we beg that we proceed to the Committee stage.

**THE SPEAKER:** Very well. What I have before me goes as follows:

There was a debate and the last speaker on the list was the Honourable Saa E. Lamina [*Leader of CAC*]. After his contribution, the Leader of the Opposition Honourable Chernor Bah stood on S.O. [37], dilatory Motions and moved the Motion for the House for the debate on the said Bill, to be postponed to a future date. The Motion was seconded by the acting Leader of Government Business and approved by the House. That is what is recorded here, in the Votes and Proceedings.

It was precisely because I had seen that record that led me to ask the Minister if he had any additional comments to make or to respond to whatever comments or questions Members have addressed to him during that debate. According to the records, that was where you stopped.

**HON. ABDUL KARGBO:** Let us go by the Hansard sir.

**THE SPEAKER:** Thank you. So the Minister, it is still in place if you still have, there is no more debate. I am simply going to ask the Minister to respond and to be succinct in

his response to the concerns and comments that were made in the cause of that debate.

**HON. PHILIP TETEMA TONDONEH** [*Deputy Minister Works and Public Assets*]: Thank you Mr Speaker. During the last debate, questions were raised by Honourable Members. One of those questions came from Honourable Paul Saa and he asked that council be established at district or regional levels so that those in the provinces can have access to register and the directives of the council, test laboratories also in the regions. The Ministry is in the process of restructuring to capacitate the respective regions nationwide. Currently, we are on a recruitment process trying to recruit more professionals so that engineers from the Ministry will be available across the country.

Honourable Abdul Kargbo asked, how to improve the conditions of service for Engineers, that is salaries and to ensure that engineering practice is empowered to deliver services to society? Sub-section 2 [2], an engineering firm or premier class one, construction company or institution engaged in engineering services whether local or foreign, shall be verified and registered by the council before registration or renewal of certificates with the Ministry.

Honourable Sama Sandy asked if, how are we going to consider Technicians with long term experience in the practice of engineering in Sierra Leone? Part [7], Registrations of Professional Engineers and Engineering Institutions. Section [23], Sub-section [2] states the conditionally, registered Professional Engineers being citizens of Sierra Leone who hold Technician or technological qualifications or other basic engineering qualifications approved by the council and work under the direct supervision of the registered Professional Engineer. Section 18[a]; regulations shall be done to help enforce and implement the Act. Continuous Professional Development, Quality Management Systems, supervision and membership will be put in place.

Honourable Mustapha Sellu raised concerns that several bravery policies have been made, but there is no implementation. He may want to know how the Acts shall be implemented. The Ministry is in the process of restructuring and capacitating to roll out

our mandate nationwide. Currently, we are on a recruitment drive to recruit Technicians and Professional staff and to establish regional offices in all the regions. Professional Engineer Regulatory Council has formed committees that are working out several packages to implement the new Act. Councils have been having several engagements in and out of the provinces or regions to popularise some of the programs of the new Act. Honourable Dr Kalokoh, Clause [30] the professional engineering act, you were asking whether it is an amended Act or repeal. The 1990, is hereby repealed.

Honourable Saa Emerson Lamina asked, how council intends to propagate the dictates of the Act to employ civil societies to propagate the Act. PACK has a sensitisation Committee which will include civil society groups. That is to tell you, we have already started engaging the Civil Society Members like the Charles Mambu and other people to make sure when this Act is passed, it will be popularised by the Civil Societies working with the Professional Engineering Council. These are few concerns I can remember.

Mr Speaker, Honourable Members, the Bill entitled the Professional Engineering Regulatory Council Act, 2021 be read the second time.

**THE SPEAKER:** Thank you, Mr Minister.

**HON. DANIEL B. KOROMA:** Point of Order sir. Sorry for the interruption. I think, it is not you that is supposed to ask the question. He is putting a question sir and that is for Mr Speaker, not for him.

**THE SPEAKER:** He should move.

**HON. DANIEL B. KOROMA:** He should be guided properly. He should move not to put the question.

**HON. PHILIP TETEMA TONDONEH:** Okay, thank you. I move that the Bill, entitled Professional Engineering Regulatory Council Act, 2021 be read the second time.

*[Question Proposed Put and Agreed to]*

*[The Bill entitle the Professional Engineering Regulatory Council Act, 2021 be enacted to make provisions for the establishment of the Professional Engineering Regulatory*

*Council with responsibility to regulate the practice of engineering in Sierra Leone, including the registration and discipline of professional engineers and to provide for other related matters has been read the second time].*

*The House resolves itself into Committee of the whole House.*

*[Part one, two, three, four and five, Clause 1 to 17 stand part of the Bill proposed].*

**HON. PHILIP TETEMA TONDONEH:** Mr Chairman, Honourable Members, I move that parts 1,2,3,4 & 5, Clauses 1, 2, 7, & 17 stand part of the Bill.

**THE CHAIRMAN:** Honourable Members, the question is that part 1, 2, 3, 4, & 5, Clauses 1 to 17 stand part of the Bill. We shall now consider the Bill starting with the Short title, Long title page by page. Any observation? Any comments on the Short title?

**HON. JOSPEH LAMIN-WILLAMS:** Yes, thank you, Mr Chairman. Mr Chairman, since is now 2022, I want to suggest that the Professional Engineering Regulatory Council Act, should be now Act, 2022 instead of 2021.

**THE CHAIRMAN:** I don't think there is any objection to that, which is fine. Let us move on. Any suggestion on the Long-title or any amendment? Good! I see none.

Mr Minister, my attention has just be drawn to a very important point, that the Long title does not relate anything that makes mentioned of repel of the earlier Bill. That being the case, I hope before we conclude our consideration of the Bill, there will be a provision at the very end that will make that point very clear, that this Bill, will have the effect of repelling the previous one, that is just for you to note and to prepare yourself accordingly. So let us move on. Page 2, any comment, any observation, any correction on the interpretation Clause? Very well, I think there is going to be speedy progress on this one. Page 3, page 4?

**HON. DR MARK M. KALOKOH:** Page 431 A, to E, I am seeing repetition of 15 years, 15 years, 15 years. Can we have clear picture of what does that hold?



**HON. ABDUL KARGBO:** Yes Mr Speaker, I just want to do an addendum. He is talking about 15 years standing, because we have the Sierra Leone Institute of Engineers and the day you are enrolled into that institute, you become an Engineer. So the question now is, the 15 years standing, is it the year you graduated from the University or the year you enrolled into the Sierra Leone Institute of Engineers or is it the year you began your profession as an Engineer? So we want clarification on that Mr Minister.

**THE CHAIRMAN:** Thought that was clarified by the very opening of that paragraph. He talks about registered professional engineer, so the body registering will obviously determine the standing of the member, it is not from graduation. It is clearly stated that you have to be a registered Professional Engineer of not less than 15 years standing, there is no reference back to graduation date, it is the professional aspect of your work that is been taken into account.

**HON. JOSPEH WILLAMS- LAMIN:** Mr Chairman considering the membership of that Council, I believe that 15 years is too long and if you have 10 years professional engineering standing, it is fine. I even want to make a recommendation that, it is 10 years, instead of 15 years.

**THE CHAIRMAN:** Let us be careful here, think we have to pay deference to the Council or the professionals, people have given great thought to this Bill, before they brought it to us. We cannot simply say on what bases did you want to change? They must have taken a number of factors into consideration to arrive at that 15 years. Yes I know that we are making the law, that is prerogative, then we should be sensible.

**HON. ABDUL KARGBO:** Mr Chairman, I want to do an addendum to what the Honourable Member has just said. We have the Sierra Leone Institute of Engineers, with whom all Engineers should be registered but again it will interest you to note that we have a good number of Engineers who are practicing that have not registered with the Sierra Leone Institute of Engineers; and we are talking about 10 years or 15 years standing, so meaning you must have registered with the Institute of Sierra Leone Engineers for 15 years and there are some who only register with the Institute of Sierra Leone Engineers after 7, 4, 8 or 9 years of practice. It is not mandatory that you

should register with the Sierra Leone Institute of Engineers before you begin to practice as Engineers, so it is only this law that will make it so. So to me, it is a way of depriving those who did not register with the Sierra Leone Institute of Engineers no sooner they graduated from the University. So I want to suggest also that we look at 10 years, instead of 15 years.

**THE CHAIRMAN:** There is no provision of that nature in the 1991, Constitution. Honourable Member, can you guide us on what you have just said? I mean in the previous Act, are you saying it made no sort provision?

**HON. ABDUL KARGBO:** Mr Chairman, what I am saying is out of experience. We have a good number of Engineers that are practicing and that are not registered with the Sierra Leone Institute of Engineers. By then, the Council was not in existence, so this Bill is referring to all Engineers to register with the Council. So registering with the Sierra Leone Institute of Engineers will make you an Engineer and to register with the Council are quite different things. Mr Chairman, this Bill makes it mandatory for you to register before you begin your practice, so I am saying for those who have not registered with the Sierra Leone Institute of Engineers, because it was not mandatory maybe deprived.

**THE CHAIRMAN:** Okay, we are the Law Makers, but then we should be very careful on what we do in making laws. I want to draw your attention to the existing laws that we are about to repeal, and I refer you to Section [12], the Parent Bill. The Bill that we are about to repeal in Section 12 says, 'Pursuant or subject to the provision of Section [13], no person may be registered as a Professional Engineer unless such person;

[A]. Has passed the qualifying examination of the course prescribed or approved by the Council under this Act, and has completed such practical training and for such period as may be prescribed by the Council or it goes on and on and on'. So this is still maintained, but Honourable Member, you said there was no provision before this new Act, this Clause makes it clear.

**HON. MATHEW S. NYUMA:** Mr Chairman, the Parent Act makes it more flexible, because it is given the provision on how to become a registered Engineer. The provision that you have read A, B, C, shows that you are passed through a practical training for such period as being prescribed by the Council from 1990. So I think what is the difference here, is the increase in the bar of years and it is also making it more mandatory. They are also trying to do consultations, and they are referring us to Section [18] of the new proposed one. My colleague on the other side Honourable Abdul Kargbo, raised a very serious concern, so Mr Chairman, just give us a chance, because they are saying for part six [6] page 13, Clause [18], 'A person shall not be qualified to practice as a Professional Engineer or establish or operates an Engineering Institution in Sierra Leone, unless the person;

[A]. Holds, such qualification and has completed such practical training. In this Section, the difference is the years given and it is also mandatory that the Council provides professional training'.

**THE CHAIRMAN:** Thanks for your observation, but mine must be slightly different. I want to address the Honourable Member from Port-Loko District. You said if I understood you correctly, that there were people who were well into years of practice of their profession that were not registered with the Council. Honourable Member, that was wrong, if that is correct, then that was totally wrong. Because there is an Act, that makes it mandatory for them to be registered, so if they fail to register, who should they blame?

**HON. ABDUL KARGBO:** Mr Chairman, my point of argument on the number of years is predicated on the fact that most profession, not excluding the Law profession, they must be asked for ten [10] years. So for us to raise the bar to [15] years, I am sure, it is too much and we are suggesting that we reduce it.

**THE CHAIRMAN:** But wait a minute! When you say raise the Bar, what are they raising the Bar for? They are raising the Bar for the membership of the Council, not for the membership.

**HON. ABDUL KARGBO:** That is what I am saying Mr Chairman. The membership of the Council should make provision for young Engineers who have practiced for [10] years, but limiting it to just [15] years of practice, then I am afraid.

**HON. DANIEL B. KOROMA:** Mr Chairman is not in agreement. We are agreeable, but Mr Chairman is yet to agree, so we have to convince or lobby him to agree.

**HON. MATHEW S. NYUMA:** We are going to do that but think of what they are proposing. Let us understand the nexus and the general qualification for you to be a member or a practicing Engineer has to do with your training. But for the Council, it is specified and mandatory that you should have a professional year of [10] years. So from what I heard from my colleague, he is giving reasons for the young people, talking about the circumstances, talking about the civil war, and all of these things at play.

Mr Chairman, let me attempt to convince you, let me put my argument. In other jurisdictions, like in Japan, you refer to people at [40] years as young people, because their lifespan is high. When you are about fifty years, you are still a young man. In Sierra Leone, we placed our youth bracket at 35 years.

Mr Chairman, if you go back to history, a lot has deprived us, when we talk about the interregnums, bad governance, etc. but we are yet to review that, as politicians, we have local divisions. Mr Chairman, sometimes when they call the Young Generation Leader in our Constituencies, they are more than [35] years old, [50] years old, but we reckon with them because of the circumstance we find ourselves.

So Mr Chairman, I want to use that scenario to talk to you that, with time we can always amend it. We know why these people are forceful about it, we know the damage it may cause if you do not have proper Engineers in place, but let us be flexible enough to revise the year to [10] years as proposed by the House.

**THE CHAIRMAN:** You want my reply?

**HON. MATHEW S. NYUMA:** Let me land sir. I know you will always reply because you are coming from Cambridge, but you know one thing I like about you Mr Chairman, is that you reckon with your colleagues in the House as the presiding officer. Mr

Chairman, you can understand, because you have been with the system and I heard you over the radio when you were talking about Kenya's Agricultural strive and the benefit people are getting from it. It was marvellous on the BBC, and that was way back in the 90s. Mr Chairman, I believe in this scenario, because of the circumstances, the interregnum, you can reckon with us, because we are young people.

Mr Chairman, we are begging you, for us to have the [10] years. Honourable Members, that is my submission [Applause].

**THE CHAIRMAN:** Honourable Leader of the Opposition, save your breath. Honourable Members, please do not be carried away by what he has said, there is no reference in this Bill to age, no reference at all to age.

Honourable Members, we are not dealing with age in terms of chronology of years, what the Bill speaks to is the experience of the person to be a member of the Council, and that is important. So let us not devalue the Council by bringing people with less professional experience of [10] years. It does not affect person's professional practice, it is his/her membership of the Council. You should have discharge yourself as a professional practitioner before you can qualify to set on that Council, this is what the Bill is saying.

**HON. DANIEL B. KOROMA:** Mr Chairman, we are agreeable with ten. Ten years is no child's play. For a professional after the training, ten years should be okay.

**THE CHAIRMAN:** What if I spend my [10] years just going backward and forward doing practicals?

**HON. ABDUL KARGBO:** You can even spend [15] to [20] years going backward and forward.

**HON. JOSHPH WILLIAMS-LAMIN:** But Mr Chairman, I am sure that Council has a method in which that individual will be also qualified [Interruption].

**HON. ABDUL KARGBO:** Mr Chairman, you will agree with me on two things.

[i]. We did not in any way water the office of the Head of Anti-Corruption Commission [ACC], for the Constitution to say the person must have ten years standing in his profession. So meaning, if you are condemning [19] years, we should be condemning those offices as well. Mr Chairman, you have seen people who have been appointed with ten years of experience and they have shown some level of professionalism in those offices, so why do we deprive the Engineers? High Court Judge is [10] years. I have not seen a profession in this country that calls for [15] years of experience, before you are exposed to such opportunities.

**THE CHAIRMAN:** I will save my comments on those analogies, for another day. Let us deal with what is before us.

**HON. MATHEW S. NYUMA:** Yes Mr Chairman, we are dealing with what is before us, but you know we deal with conformity in making laws. I agree with him that he has referred us to other legislations.

Mr Chairman, Mr Minister wants to say something, which I want us to listen.

I am also getting some heats from my side. We want to see how far he has gone with the consultations.

**THE CHAIRMAN:** He is the one piloting the Bill, so let us listen to him.

**HON. PHILIP TETEMA TONDONEH:** Thank you. Mr Chairman, Honourable Members, the reason for the [15] years is very justified. For example, at Civil Service level, after University and you are employed through the Public Service Commission, whether you are in Water Resources or you are in Ministry of Information, you are called a Pupil Engineer, and that experience may span up to [7] years. For you to be a Director in the Engineering sector within that Ministry, you must have served up to [10] years. So we are looking at concurrence which is spread throughout. Mr Chairman, Engineers in the Ministry of Information, Engineers in the Water Resources, and Engineers in the Ministry of Works, there has been to be concurrence. This is a concurrence and is approved by all Engineers in the respective MDAs. That for you to be a member of the Council, you must have got a reservoir of engineering experience, and for you to be a

Director, you must have served in that Ministry for not less than [10] years or more. So, you may have been a registered member of the Institute of Engineers, but for you to be a member of the Council, that is a decision making point. At that point you can make a decision, that you are well qualified and experienced to make engineering decisions, and not theoretical decisions. So it was well thought out by all the Engineers of the MDAs, be it Ministry of Water Resources, be it Engineers from the Ministry of Information, Ministry of Mines, they all came together and said, for you to be a member of the Council; you must at least have an experience of up to [15] years, because you are now in a decision making position, that is a directorate position.

Mr Chairman, when an Engineer makes mistakes, several lives are lost. So you must be a real professional and you know in the Civil Service, there is a line-up of Engineers based on experience. We have Engineers who have served for fifteen, twenty years, but you must have served as a Pupil Engineer for not more than five, six years or you are under mentorship, so it is no mistake that we are saying you must have fifteen years' experience.

**THE CHAIRMAN:** I would say, Honourable Members, accept to the advice of the Honourable Minister.

**HON. ABDUL KARGBO:** Mr Chairman, May I be heard. We need to be heard *Undertone*].

**THE CHAIRMAN:** You are being heard and it needs to be orderly, for me. No, don't worry, you will have every opportunity. All I am saying, is listen to the wisdom that is being expatiated by the Minister.

**HON. ABDUL KARGBO:** Mr Chairman, this very Clause will discriminate against young people who have not practiced for fifteen years.

**THE CHAIRMAN:** It does not discriminate against young people. The young people are perfectly in place to become Engineers. It is a different matter to become a member of the Council *Undertone*].



**HON. ABDUL KARGBO:** There is a nexus, Mr Chairman. Mr Chairman, if you are insisting or the Minister is insisting, I want to put a Motion to let us vote on this very issue.

**HON. MATHEW S. NYUMA:** Point of Order.

**HON. DANIEL B. KOROMA:** Let this House be orderly.

**THE CHAIRMAN:** Let this House not become the citadel of watering down professionalism or professional ethics. No, no, no.

**HON. DANIEL B. KOROMA:** Well, let us be heard. Allow me.

**THE CHAIRMAN:** I will allow you, but take your seat until I allow you. When Professionals meet, they know themselves, and they know what is required, for them to be elevated to a Council membership. And if they come to us with a proposal of fifteen years professional experience, let us pay heed. They are not discriminating, but let me give you the floor.

**HON. DANIEL B. KOROMA:** Thank you, Mr Chairman. Mr Chairman, in the first place, based on this provision, the nomination is being done by the management of the respective Ministries based on performance and suitability. Apart from the ten years or fifteen years. Let me even say the so called ten years or fifteen years, is based on nomination of the respective management of those Ministries, and for that nomination to be done, the so called fifteen years or ten years is just one side of the coin. So that should not be a threat, and it should not close the door either, to somebody who is ten years, but capable by performance. The doors should be open. Not ten years or fifteen years.

Secondly, by insisting on this figure, we are going against the policies of Government. I have read the White Paper, seven times. Seven times in readiness of any pending debate, here. You know what is the proposal there?

**THE CHAIRMAN:** Which White Paper?

**HON. DANIEL B. KOROMA:** The White Paper recently issued by Government. 'The Government White Paper'.

**THE CHAIRMAN:** On what?

**HON. DANIEL B. KOROMA:** On the 1991, Constitutional review

**THE CHAIRMAN:** eh!

**HON. DANIEL B. KOROMA:** I have read it seven times.

**THE CHAIRMAN:** Reading it seven times does not make you know it seven times.

**HON. DANIEL B. KOROMA:** Well, I will tell you what I have picked, that is relevant to this issue. The qualification to become a Court of Appeal Judge, according to this current provision of the Legal Practitioners Act, according to the Constitution, is [15] years. There is a proposal there accepted by this Government to reduce it to twelve years, because it is in line with the Human Capacity Development. That fifteen years of which I am agreeable to some extent, should not be pegged on just the number of years. There can be people who are ten years, and ten years is the basic.

**THE CHAIRMAN:** So you are insisting on the ten?

**HON. DANIEL B. KOROMA:** We are insisting on ten years, because the number of years is not conclusive. Nomination can also be done by other factors.

**THE CHAIRMAN:** Can we look for a compromise, so we can make progress? There is a compromise, we have a margin between ten and fifteen.

**HON. MATHEW S. NYUMA:** Mr Chairman, I beg. Mr Minister, I want you to wait please. Mr Chairman, I want you to wait please, for the orderliness of the House. I will read S.O [41].

**THE CHAIRMAN:** What does it say?

**HON. MATHEW S. NYUMA:** Well, that is why I want to read.

**THE CHAIRMAN:** Well go ahead.

**HON. MATHEW S. NYUMA:** Mr Chairman, I want to be heard in silence. It says, 'Whenever Mr Speaker or the Chairman intervenes during a debate, any member then speaking or offering to speak must resume his seat until the House or Committee is being silenced, so that Mr Speaker or the Chairman may be heard without interruption. I want us to observe that during this proceedings.

**THE CHAIRMAN:** That is good. Please, let the Honourable from Koinadugu take note of this [*Undertone*]. Take your seat.

**HON. DANIEL B. KOROMA:** Mr Chairman, I am proud to say that I am the best example of that provision. I refuse to speak and I insisted here that let this House be orderly.

**THE CHAIRMAN:** Take your seat. I have not given you the floor, Honourable Member from Koinadugu. You are now violating the very provision you have been reminded of. Let me give the Minister the opportunity.

**HON. MATHEW S. NYUMA:** No, I did not finish. I just read the provision. I did not misquote you sir. I just guide the principles of the House, based on the Standing Order. Mr Chairman, I have done some consultations. If you look at the year spanning between the different representations, one from the Council, representing the different MDAs, we have fifteen. If you come down to where we have five registered Professional Engineers, you have ten and you have fifteen. So what we are doing, this is a critical issue. When you talk about professionalism you also talk about experience, and experience really count with the number of years of work you have done. So with that I want us to push for a compromise position. In the compromise position, we will get twelve years instead of fifteen years. I have done consultations with the Professionals on my left, the Ministers and my colleagues on the opposite side. I plead that let us do not watch to what he has said.

**THE CHAIRMAN:** So wherever we see fifteen, we just replace that with twelve. But where we see ten, we keep it as ten.

**HON. MATHEW S. NYUMA:** So are we in consensus?

**THE CHAIRMAN:** No, no, no

**HON. MATHEW S. NYUMA:** Mr Chairman, Honourable colleagues, I move that anywhere in the Bill, we see proposed fifteen years, we replace it with twelve. I so move.

**HON. DANIEL B. KOROMA:** I so second, Mr Chairman.

**THE CHAIRMAN:** Thank you.

**THE CHAIRMAN:** Page five.

**HON. MATHEW S. NYUMA:** Mr Chairman, before you go to page five, I want to get clarification from the Minister. He said, under page four, sorry sir, I am really sorry. Five registered Professional Engineers, how are they going to be nominated? That is a question. No it is not stated here.

**HON. ABDUL KARGBO:** It is stated sir. 3[a], [b], [c], [d].

**THE CHAIRMAN:** Sierra Leone Institution of Engineers

**HON. MATHEW S. NYUMA:** No, it is not saying for the first one, trust me I can argue it. It is a deliberate question I asked. We are putting the first premise from the Council, look it is not there. You said for two, so it only goes for two, F [2]. It is there.

**THE CHAIRMAN:** Alright, do you actually understand what the Draft's man meant? No listen, if you move the word from the word 'Nominated' and make it a separate line, then it becomes clear.

**HON. MATHEW S. NYUMA:** Mr Chairman, I don't know if you are getting me.

**THE CHAIRMAN:** I am getting you absolutely clear.

**HON. MATHEW S. NYUMA:** When they came to the first one, there is no rule for anyone.

**THE CHAIRMAN:** Let me tell you, five Registered Professionals Engineers, and then you move, from the word nominated by the Sierra Leone Institution of Engineers, take it away from it and make it a separate line.

**HON. MATHEW S. NYUMA:** I agree. You are right with the amendment. I am okay with that amendment. So separate them to carry both. Thank you.

**HON. DANIEL B. KOROMA:** Mr Chairman, on the same page four. I think this is a window of opportunity for women empowerment to be affirmative. If it is open, I think it will be against the interest of women. Apart from paragraphs "A" to "E", that one is open, we cannot help. But from F [1] and [2], 'Two of whom shall be not less than fifteen years standing', I think we can ensure one woman.

**THE CHAIRMAN:** Why?

**HON. DANIEL B. KOROMA:** It is for women empowerment, that is all, no other reason. It is for women empowerment as long as they are qualified.

**THE CHAIRMAN:** You do not have to say that.

**HON. DANIEL B. KOROMA:** Yes, I do not have to say if they are qualified, because they must be eligible. My only justification here now is woman empowerment, that is all, nothing else, as long it is for affirmative.

**THE CHAIRMAN:** Let us leave that with the Institution of Engineers.

**HON. DANIEL B. KOROMA:** No, Mr Chairman that is why they are here. The Bill is our property now. My only argument is 'Woman empowerment', that is all. You have to be an Engineer, I don't have to say that.

**THE CHAIRMAN:** The empowerment women are seeking is to be Members of this House, to start with equality and to be Ministers.

**HON. DANIEL B. KOROMA:** But Mr Chairman, if a woman has the enthusiasm to go to University to do engineering and passed her exams, in fact, that is the more justification to create the open space for them. If women can be Engineers, then why not do further empowerment.

**THE CHAIRMAN:** We are busy opening space for women in other places, let us start at home, charity begins at home, let us open the space here for women. Are you agreeable to that?

**HON. DANIEL B. KOROMA:** I am agreeable to that, but that does not stop us from effecting it in this Bill.

**THE CHAIRMAN:** In this House.

**HON. DANIEL B. KOROMA:** That will not stop us from further empowerment in this Bill. Let it be affirmative. That should not stop us from further empowerment in this Bill.

**THE CHAIRMAN:** You can start with the Chair here no problem [*laughter and Undertone*]. I have no problem with that.

**HON. DANIEL B. KOROMA:** Mr Chairman, my agreement with your proposal should not stop us from doing further empowerment. As long as they have worked for it, they are qualified. In fact, a woman to be an Engineer, should be commended.

**THE CHAIRMAN:** I will rather leave it to the discretion of the institution.

*Suspension of S.O. 5 [2]*

**THE CHAIRMAN:** Let us make progress. I see Honourable Lahai Marrah, wanting to come and take his seat. Let us make progress.

**HON. MATHEW S. NYUMA:** Mr Chairman, in as much as I reckon with the affirmative action that my colleague want to push for the amendment as in line with other legislations that we have passed, I want to be very careful and thread in a very thin line. Even as I speak, the head of the Sierra Leone Institute of Engineers is a woman, and she is here. Can you please stand, so we can see you [*Undertone*]? The only thing I am afraid now is that we have very limited women in this field. You cannot force someone to do complex courses in this area. So if you say making affirmative action for a woman, the day they will not get a woman what will happen? So without bringing in the affirmative action for women, they already have the vision, and they believe that they should place a woman in a very managerial position, where they can see and other women can copy, by bringing in a woman to head the Sierra Leone Institute of Engineers.

Mr Chairman, if now you say affirmative action for a woman, the day they will not get a woman what will happen? You know what this Government has done, they are giving free tuition fees for ladies that want to study Engineering.

**THE CHAIRMAN:** That is the most important policy decision. Education, Education, Education.

**HON. MATHEW S. NYUMA:** It is more for women. So let me make my point finally. That in as much that you have got the vision to have a woman in such a lucrative and enviable position, I believe that will give them the opportunity. Let us relax a bit, if we have any other legislations for this one, because by the looks of things the complexity of this area and the involvement of more professionalism in this field, let us be flexible a bit.

**THE CHAIRMAN:** I know your colleague is a very reasonable man. He will accept that argument.

**HON. ABDUL KARGBO:** Mr Chairman, honestly the engineering field is a very difficult one especially, for women. So I have always had the opinion that women must be exposed to opportunities, especially when they are competing with men, in the engineering field. The engineering field has never in no certain time lacked women. It has never happened. Even if you go to Fourah Bay College, you will find women offering the course, to tell you that as the old ones are going the younger ones are replacing them. So to me, let us encourage these women who have suffered to read engineering, let us expose them to opportunities, let us not deprive them of sitting in the Council with men and let us legislate it. If we do not legislate it, I am afraid that few number of women we have will be deprived of holding positions or sitting in the Council. So I want to suggest that we get a Clause there, just like Honourable Daniel Koroma stated, that will get women to be involved.

**THE CHAIRMAN:** But the mere fact that the President of the Institution right now is a woman, defeats the argument you are making.

**HON. ABDUL KARGBO:** No, it supports my argument.



**THE CHAIRMAN:** No, she was made head of the institution without your affirmative action.

**HON. DANIEL B. KOROMA:** Meaning, it is correct to put her there now. Because it is already in practice, so it is more correct to put it here now, because it is working.

**HON. ABDUL KARGBO:** Exactly

**HON. ABDUL KARGBO:** Mr Chairman, we are supporting the affirmative actions for women. If a woman has performed, why not allow other women to be exposed to the same position.

**HON. MATHEW S. NYUMA:** Mr Chairman, point of order. For the sake of time, there is compromise point here. Let us go to five. Yes we have been convinced, why do we need to have Chamber of Commerce? You need to tell us. We come down to 5[*I*]. After page 5 [*H*], we have page 5[*I*] that says, 'One registered Professional Engineer with not less than twelve years standing can be nominated from the contractors register'. Let us make that compromise for two. One of which, we put a woman.

Mr Chairman, go to [*I*], 'One Registered Professional Engineer with not less than twelve years standing, can be nominated from the contractor's register'. The reason why I want us to put it there is, these are practicing contractors and if you are a woman, you can be nominated from this group. This is a very critical group.

**THE CHAIRMAN:** The people that drafted this thing are very sensible. The total membership of the Council is thirteen, Count. Now you want to raise that to fourteen.

**HON. MATHEW S. NYUMA:** We can still add another three, if you want to have odd number. If you look into it, we cannot just put a woman because you want to have a woman. But this catch is so explicit from the contractors. Today, she is the head of that institution, but she was here for renovations.

**THE CHAIRMAN:** For me, the mere fact that a woman is today heading the institution without an affirmative action, speaks volumes.

**HON. MATHEW S. NYUMA:** I have pushed that one. I have seen somewhere we can put another addendum for us to have a compromise.

**HON. DANIEL B. KOROMA:** Mr Chairman, affirmative action for woman empowerment is a global issue. We cannot ignore it.

**HON. MATHEW S. NYUMA:** We have gender policy.

**HON. DANIEL B. KOROMA:** Yes.

**HON. MATHEW S. NYUMA:** We are riding on that.

**HON. DANIEL B. KOROMA:** And this Government is a champion on that one.

**THE CHAIRMAN:** You are violating that S.O again.

**HON. DANIEL B. KOROMA:** I am sorry sir.

**HON. MATHEW S. NYUMA:** If we are pushing to have a registered Engineer, I am talking about a contractor. I believe if you are a contractor, you must be a practicing engineer under that description. For me, if we are talking about thirteen, if you want us to have an odd number, we can push it forward. It is not a hard and fast rule. So let us add one to the contractor to make it two or three. People are yearning for affirmative action for women, and this can encourage women also. He said, we always have women in the engineering faculty at Fourah Bay College and other Universities, so it is an encouragement. We are supporting them virtually. We are not moving these ones, so we will add on that one.

Mr Chairman, I think this is my conclusion. As a contractor, you do not have that high level profile.

**HON. JOSEPH WILLIAMS-LAMIN:** If you look at Hating Hotel, one of the five star hotels that is coming up, it is a female Engineer that is in charge of that building and she is so eloquent when talking about it over the air.

**HON. MATHEW S. NYUMA:** Mr Chairman, Honourable colleagues, are you saying we should restrict it to a woman? I am saying we should make an addendum, so that we can incorporate a woman.

**HON. DANIEL B. KOROMA:** Mr Chairman, I want to support the deal of the Leader. I want to draw your attention also to the cameras. You know this House we have been strongly supporting women empowerment and therefore seeing us debating against women empowerment, I am not sure it is a good signal. So, kindly be mindful of that Mr Chairman, please.

**HON. MATHEW S. NYUMA:** Another reason why I will like to push for this one Mr Chairman, is very good. When you look at the nominations that will come from this institution, you will hardly get a woman. So let us maintain some gender balance for the Council. When you look at the representations coming, because of the limited women that they have in this field, you will hardly get a woman. So think about the nominations, so we give a face to fight for gender affirmative action.

**THE CHAIRMAN:** We are doing nothing than paying lip services. What the women are asking for is the minimum of 30%. That is the threshold. What they want is equality.

**HON. MATHEW S. NYUMA:** Mr Chairman, you cannot ask for equality and you are talking about 30% that is not equality.

**THE CHAIRMAN:** No, that is the threshold. So you have to start.

**HON. MATHEW S. NYUMA:** Mr Chairman, I will give you an example, if you check in the various institutions as I speak right now, you will find it difficult to get a woman. For A, B, C, D, E, so for me, I want us to create a window where we can get a woman in case is representational, it must have a woman.

**THE CHAIRMAN:** What makes you think it is hard to find a woman?

**HON. MATHEW S. NYUMA:** Because I know this field, it is a complex field. When I was in Fourah Bay College, I was studying natural science where you hardly see a woman. My colleague that is sitting here was in Fourah Bay College at that time, you hardly see a woman. When we were going for 45%, they were going for 40%, for certain courses, they took it down to 35% for passing mark. Yes, it is a very complex

field. The Science and Engineering students were always together in fact, they isolated us. We were always in the bush.

**THE CHAIRMAN:** You have more than made your point. Honourable, you have the floor. Let me hear from you.

**HON. IBRAHIM B. KARGBO:** I am very certain that we are not shying away from the empowerment of women. We have argued over and over and again especially when we were approving Presidential Nominees here, we congratulated the President, for a sensible approach to womanhood. Mr Chairman, I am appealing with you for us not to forget the thinking of your own very Government, that you give priority to the women's folks. Therefore, this is why I see great sense in the argument placed by Honourable Daniel Koroma that we begin to consider women in certain positions especially in this Bill.

Mr Chairman, I am not going to waste time but to state that it is impossible for us to ignore the fact that women must sit to play the major role in things like engineering in this country. We have seen Engineers that are women. In fact, the person who restructured this whole place, is a woman. You saw her, and even argued with her and sometimes, she defeated the argument. Mr Chairman, the point we are stating here is that, I do not think that it is wrong for us to argue in considering women to certain positions.

**THE CHAIRMAN:** No, but you see your predication is what is faulty. Your predication is that, if you look at A right through I, is predicated on them for all of them to be male. There is nowhere in this provision that is stated. They could be women that is all we know.

**HON. IBRAHIM B. KARGBO:** But Mr Chairman, we have to be very clear and we have the authority to make clarifications here. Mr Chairman, do not we have that authority as a Parliament?

**THE CHAIRMAN:** Yes you do. But I would rather make a substantive provision than just play a lip service.

**HON. IBRAHIM B. KARGBO:** Mr Chairman, I will like to ask this question. What is the fear, what is the concern?

**THE CHAIRMAN:** I have no fear, I have no concern. I think what this nation is doing right now under the present Government, is good enough to start by educating the women folks. There are three levels of education that you need to empower women in this country; first you educate the men, and secondly, you educate the women, and you educate the young, so that there will be sustainability.

**HON. IBRAHIM B. KARGBO:** Some of our women Mr Chairman, are well educated than some of our men. Let us make that point clear.

**THE CHAIRMAN:** Ok. Whilst consultations are taking place, let us make progress. We will come back to it.

**HON. IBRAHIM B. KARGBO:** But women must be given a chance.

**THE CHAIRMAN:** Page five, page six!

**HON. MATHEW S. NYUMA:** There is a typo. Clause 5, Sub-clause [3], a minimum of five members from the Council may by notice in writing be separated.

**THE CHAIRMAN:** Of course, that is a typo.

**HON. MATHEW S. NYUMA:** I was thinking that, since we are trying to expand the numbers, let us think about the quorum. The quorum here is seven and if we do any addendum, we will think about changing it, to reflect the numbers we have given. If we are going to do an addendum to a registered Professional Engineer. Although we are getting it from the professional that it can never be filled by a woman. That is, you can never get a woman. So for us, we have made the space and it is up to them to have a female folks or not. I really want us Mr Chairman, to finish with this business of one or two. If we are going to vote, let us vote.

**THE CHAIRMAN:** Which one?

**HON. MATHEW S. NYUMA:** The five.

**THE CHAIRMAN:** No, we are going to come back to it. Let us make progress.

**HON. MATHEW S. NYUMA:** Okay.

**HON. DANIEL B. KOROMA:** Mr Chairman, page five going to page six, I see no provision for a qualified member completing the term of a member who has been removed from the office for various reasons stated here. If the term is three years and a person takes one year and later be removed from such position for any of these reasons, then, how is the remaining term going to be filled? Usually, in some other Bills, it is titled as, 'Filling of vacancies'. But here, I see no provision for filling of vacancies. From page five to six, I did not see any provision for that. No, it is absent. That is what I am saying. There is no provision for filling of vacancies and there is no 100% assurance that someone can start a term of three years and complete such term. The person may be removed for various reasons stated here.

**THE CHAIRMAN:** But if for example the Ministry of Transport and Aviation provides a professional member of the Council and that person dies, is it not assumed that his replacement should come from that same place?

**HON. MATHEW S. NYUMA:** Mr Chairman, it is there in Clause [9]. Filling of vacancies is there in Clause [9] and if you go further, you will realise that even for the chairman in the case of unseen circumstances, you will only finish the remaining terms or for a member. I just need an explanation. I do not know if my memories can serve me well, perhaps you can do your consultation Mr Minister. Mr Chairman, they are talking about Chamber of Commerce. All what we know About Chamber of Commerce in this place is to galvanise the Trade Unionism or have Business people at the National Stadium and exhibits something for us.

**THE CHAIRMAN:** Where is it mentioned? The Chamber of Commerce.

**HON. MATHEW S. NYUMA:** It is mentioned on page five. Go to page 5[G]. So they are not talking about consulting engineers. We have not seen their constitution or their formation as Chamber of Commerce. All what we know, is about trade. Why are we bringing them here? So we need your explanation or otherwise we have to expunge this one.

**THE CHAIRMAN:** Sorry where?

**HON. MATHEW S. NYUMA:** Go to page five Clauses [G]. When we talk about Chamber of Commerce in Sierra Leone, we are talking about taking us to the national stadium, display of items, but we have not seen any engineer up there since I have been there for over ten to fifteen years, I have witnessed the activities of Chamber of Commerce, I have never seen any engineering adverts up there. So why do we have Chamber of Commerce talking about consulting Engineers? Why do we need to have them? Mr Minister, you need to tell us otherwise, I think it should be expunged. Do you want to do consultations?

**THE CHAIRMAN:** I think you have a very strong point. I mean what Chamber of Commerce has got to do with this? Yes Mr Minister.

**HON. PHILIP TETEMA TONDONEH:** Leader of Government Business, the reason why we mentioned it here is because there are engineering companies within the Chamber of Commerce. Mr Chairman, when we mentioned that fifteen years standing nominated by the Sierra Leone Chamber of Commerce representing consulting engineers, there are engineering companies within Chamber of Commerce as business entity. So when we are sending membership across the board, the Chamber of Commerce is consulted to consult among themselves. This is because we have various Professional Engineers such as, Water Engineers, Electrical Engineers, and those that are really on the business line. They are under Chamber of Commerce.

**THE CHAIRMAN:** Mr Minister, Can I ask you a question?

**HON. PHILIP TETEMA TONDONEH:** Yes sir.

**THE CHAIRMAN:** The consulting engineers have a body of their own?

**HON. PHILIP TETEMA TONDONEH:** No. Mr Chairman...

**THE CHAIRMAN:** I can understand if that representation came from them, rather than connecting it to the Chamber of Commerce.

**HON. MATHEW S. NYUMA:** Mr Chairman, I don't want us to water down the standards of this profession. For example, you are talking about nomination coming from Sierra Leone Institute of Engineers, I can understand that one. There is a build-up of the profession, but Chamber of Commerce? We can proceed but we are yet to see their composition. I asked you if the Chamber of Commerce are registered. They must have their composition in their Constitution. We want to see that, otherwise for me, I do not see the need. We needed to treat this profession very seriously. Consult Engineers to be members of the Council.

**THE CHAIRMAN:** Mr Minister, that Clause needs clarification, because you are saying the Chamber of Commerce will represent consulting Engineers. If there is an Association of Consulting Engineers, I can understand that.

**HON. PHILIP TETEMA TONDONEH:** Mr Chairman, the word here Consulting Engineers is that their association does not exist, but they are within the Chambers of Commerce. That is why reference has been made to Chamber of Commerce.

**HON. MATHEW S. NYUMA:** Mr Minister, please with due respect, please let me talk to my Chairman. Mr Chairman, if you allow this type of thing to happen, we will end up making quasi engineers. We do not need quasi engineers, we have institute of Engineers for proper Engineers. Why do you need to have consulting Engineers again? From what platform are they going to serve in this Council? People serving here are professionals who have attained a high level in terms of proficiency.

**THE CHAIRMAN:** I think we are on the same level Mr Leader. If you must have people representing consulting engineers Mr Minister, instead of having your G, why not increase the membership under five?

**HON. PHILIP TETEMA TONDONEH:** These are Professional Engineers.

**THE CHAIRMAN:** What I am saying is that, there is no autonomous body of Consulting Engineers. None.

**HON. PHILIP TETEMA TONDONEH:** Yes, you are correct.



**THE CHAIRMAN:** Now. But you want representation on the Council from a body that is affiliated to the Chamber of Commerce, called Consulting Engineers. Instead of creating confusion here, why don't you increase paragraph five by one, so instead of five, you make it six representing the institution? Three by three. You divide one into three and the other three, and then get rid of that *[G]*. I don't know whether the Leader of Government Business will agree. The Consulting Engineers, I am sure are members of the Institution of Engineers.

**HON. MATHEW S. NYUMA:** Exactly, they are. They are members of this institution, because for one to be a registered Professional Engineer, you must register with the Sierra Leone Institution of Engineers. So they are now telling us to have the Chamber of Commerce, which is the very idea I want you to discourage, this matter.

**HON. DR MARK M. KALOKOH:** Mr Chairman, there is an element of relevance in the nomination of Chambers of Commerce.

**THE CHAIRMAN:** I have not given you the floor yet.

**HON. DR MARK M. KALOKOH:** Please give me the floor now, Mr Chairman.

**THE CHAIRMAN:** No, sit down please, wait, and do not take us back.

**HON. MATHEW S. NYUMA:** Mr Chairman, your proposal is for us to have three.

**THE CHAIRMAN:** No, my proposal is to get rid of 'G' completely, and increase the number under 'F' from five to six.

**HON. MATHEW S. NYUMA:** Exactly, so we have a complete reflection of Professional Engineers in this professional Engineering Regulatory Council Act.

**HON. DR MARK M. KALOKOH:** Mr Chairman, I have an opposing view on expunging 'G', except if you do not want to hear me.

**THE CHAIRMAN:** Are you a member?

**HON. DR MARK M. KALOKOH:** Of what?

**THE CHAIRMAN:** The Chamber. I wanted you to declare your interest first. Okay go ahead, let me hear you.

**HON. DR MARK M. KALOKOH:** Mr Chairman, Chamber of Commerce do not only deals with Traders, like our Leader stated. They deal with both local and international business people and companies. For example, the Lawyers, Property developers, you have the IT and Electronics and they are all part of the engineering aspects. The Infrastructural Developers are part of engineering Department so Chambers of Commerce is very, very appropriate in this case. And in as much as they are dealing with both Local and International business people and Companies, including Lawyers, I think they should maintain to give a nominee to be represented.

**THE CHAIRMAN:** Alright, now we have found a compromise. Look at the compromise and see how beautiful it is. Look at your 'G' okay, the one person coming from under 'G' is not representing the Chamber of Commerce as such, he is actually there to represent, Consulting Engineers who constitutes the little arm of the Chamber of Commerce. Alright, that is what is intended under 'G', but because of the confusion it has created, I am sure every Consulting Engineer would be member of engineers. So let us increase therefore, the membership in the Council for the Institution of Engineers by one and get rid of that Clause 'G', that is what we are saying, do not you agree now?

**HON. DR MARK M. KALOKOH:** I have seen your point sir, and I follow.

**HON. PHILIP TETEMA TONDONEH:** Mr Chairman, five years now is six registered Professional Engineers of five. One instead of two. Three of whom shall be of not less than twelve years standing.

**THE CHAIRMAN:** Alright, so we get rid of 'G'. Yes Council we have done that.

Okay, Page 6, Page 7, Page 8. This is the concord now. Page 9, Page 10,

**HON. MATHEW S. NYUMA:** Yes, page 10. Perhaps you can help Mr Chairman, but I just need clarification. Let me read, Page 10, Clause [2] under Clause [12]. 'The other staff of the Council shall be appointed by the Council and shall hold office on set terms and conditions as the Council may determine'. Mr Chairman, I was thinking that the

Executive Secretary in this case must be given some powers to exercise, because in the recruitment process, I observed something in the administration. I was expecting that the recruitment for the Finance Officer and some other management level positions be done by the Executive Secretary, but here the Council is doing everything. So my proposal for this particular one from your explanation sir, is that the Executive Secretary do the recruitment and put it forward to the Council for approval. That is what I want us to do because if you allow the Council to do the entire job, what is the power of the Executive Secretary? You have to give some powers to the Executive Secretary

Mr Chairman, my proposal is, you give him some powers and it will be okay. So are you saying, you want us to have a wording agreement? I do not want to take it all. Do you have some wordings agreement? For me, that is what is in my own wording proposal.

**THE CHAIRMAN:** I am sure the Council will not want to be bother with the recruitment of drivers.

**HON. MATHEW S. NYUMA:** Exactly, that is what I am saying. Yes, I think they have conceded. That one is carried, let`s proceed. Other staff, no they have taken care of that Mr Minister, don`t worry. Appointed by the Executive Secretary and approved by the Council. It is the same. You have to bother them bringing driver to high level professionals with high means standing for drivers, cleaners or office assistance, you don`t want that so? Just bring the list and they will ask you question.

**THE CHAIRMAN:** So shall we say the other staff of the Council shall be appointed by the Executive Secretary, subject to the approval of the Council.

**HON. MATHEW S. NYUMA:** Yes, that is it.

**HON. DANIEL B. KOROMA:** Mr Chairman,

**THE CHAIRMAN:** Hold on.

**HON. DANIEL B. KOROMA:** Mr Chairman, after they have been approved by the Council on such terms and conditions, who may determine them? You determine as a Council again?

**THE CHAIRMAN:** No, no.

**HON. MATHEW S. NYUMA:** They will now give the terms and conditions coming from the Council. The Council is the Supreme body. Let me tell you what is good about this one, and it is something we have been fighting for here. The Chairman of the Council is not going to be appointed by the President, he is going to be appointed by the Council themselves. When we reach that point you will see, they will give them the condition of service when they have been given the final approval, they will now discuss that one. They do not want to make the Executive Secretary very powerful than the Council. No they do not want to do that.

**THE CHAIRMAN:** Page 11.

**HON. DANIEL B. KOROMA:** Yes 11. This is just to make our work easier at Committee Proceedings in the many Bills that we have that is why I have found a decision on this matter. Page 11, Clause [13], 'An officer employee of a Council or any person acting on the direction of an officer or employee of Council, shall not be liable in respect of any matter or thing done by him in good faith under this Act'. We have been having a lot headaches on the use of this word 'Good faith' during our Committee Proceedings, because many Bills have been committed to the Legislative Committee and we have been having a lot of headaches. But may be the decision here now will guide us in our subsequent Committee Proceedings on this Clause, why they maintain the word 'good faith'.

**THE CHAIRMAN:** Because if he does something by corrupt means, it is not acting in good faith.

**HON. MATHEW S. NYUMA:** But Mr Chairman, it is how it is determined, because if I am involve in corruption, I feel that I am doing it in good faith, but for the generality of the institution or whatever entity I am representing, it is in bad faith.

**THE CHAIRMAN:** You are not doing it in good faith, you are doing it for self-benefit.

**HON. MATHEW S. NYUMA:** In that case, he that is doing it, is doing it in good faith for himself. Mr Chairman that has been the argument in this House. So let us just remove 'in good faith'.

**THE CHAIRMAN:** No, good faith means it is devoid of things like corruption, personal interest and so on and so forth.

**HON. MATHEW S. NYUMA:** Mr Chairman, where have we ever defined 'Good Faith'? Do we have a definition? Mr Chairman, that is the reason we do not allow Lawyers to make laws. That is the problem, they will go to the court and say, you did it in good faith. They will argue it, look them they are over there. Mr Chairman, I will not trust them on doing that, because they will go to defend their clients, that he did it in good faith. How do you determine good faith? If he was representing an institution, and he says, I did this A, B, C and D, in good faith.

**THE CHAIRMAN:** Honourable Member, 'Good Faith' in this context, cannot be divorced from the interest of the Council. We have to act in the interest of the Council and acting in the interest of the Council means, you act in a manner that is devoid of corruption and personal interest.

**HON. ABDUL M. S. CONTEH:** Mr Chairman, it is about how we determine good faith which we shall take different dimension, so that is where it is clear under this Act. So anything contrary to this Act, is also stipulated as a misconduct or offence, but then we are clear that it is going to be under this Act, and remove good faith.

**HON. CHENOR R. M. BAH:** Mr Chairman, May I be heard?

**THE CHAIRMAN:** Let us keep 'Good faith'.

**HON. CHENOR R. M. BAH:** Mr Chairman, I want to encourage my colleagues not to make laws by...

**THE CHAIRMAN:** That will make us look stupid

**HON. CHENOR R. M. BAH:** Yes, because Legal drafting as I keep saying in this House are specific skills which we do not possess even as a Lawyer. The words 'Good

faith' is standard practice and they are relevant in this very Clause itself. It is very, very important. These are things that will be determined not by us. When issues arise of this nature, it is for the Court not even me as a Lawyer.

**THE CHAIRMAN:** looking at the circumstances of the case

**HON. CHENOR R. M. BAH:** Yes, and each case might be different from the other.

**HON. MATHEW S. NYUMA:** Mr Chairman, I am not a drafter, but I am very sensitive to look at the escape route for Lawyers in the Court on how to win a case. I am not interpreting anything. They will use all the traditional jargons bla, bla, bla, but Mr Chairman, they have never defined good faith.

**THE CHAIRMAN:** It is a term of Arts not of Science.

**HON. MATHEW S. NYUMA:** Mr Chairman, they will never define 'good faith', even if you ask them hundred times, they will not define it. Anyway for progress' sake, let us go.

**THE CHAIRMAN:** It is a term of Art. For your own benefit.

**HON. MATHEW S. NYUMA:** For whose benefit, me?

**THE CHAIRMAN:** It is a term of Arts and not of Science.

**HON. MATHEW S. NYUMA:** If it is for their own benefit and for their Chambers. Mr Chairman, it is for their Chambers. When they retire from politics, they will be going back to their Chambers. They have clients.

**THE CHAIRMAN:** Leader of Government Business.

**HON. MATHEW S. NYUMA:** Yes sir,

**THE CHAIRMAN:** You are a Scientist

**HON. MATHEW S. NYUMA:** Yes.

**THE CHAIRMAN:** It is not a term of Science. It is a term of Arts, not Science. Page 12, Page 13, yes let us go back now and try to reach, think and resolved it. Mr Minister, go ahead and Move.

**HON. PHILIP TETEMA TONDONEH:** Mr Chairman, Honourable Members, I move that Part 1, 2, 3, 4, and 5, Clauses 1 to 17 stand part of the Bill, as amended.

*[Question Proposed, Put and Agreed to]*

*[Part 1,2,3,4 and 5. Clauses 1 to 17 form part of the Bill, as amended. Part 6,7,8,9 and 10, Clauses 18 to 30 stand part of the Bill].*

**THE CHAIRMAN:** Mr Minister

**HON. PHILIP TETEMA TONDONEH:** Mr Chairman, Honourable Members, I move that parts 6,7,8,9 and 10, Clauses 18 to 30 form part of the Bill.

*[Question Proposed]*

**HON. MATHEW S. NYUMA:** Yes Mr Chairman, Page 14, another typo. Go to Sub-Clause, roman number two. We have paragraph 'off'.

**THE CHAIRMAN:** Okay, thank you. Page 15, 14? Yes.

**HON. DANIEL B. KOROMA:** Just out of curiosity, for you to be registered or for your application to be granted, why do you need to reside in Sierra Leone? Why the residential status? If you go through the training here and then maybe you have an appointment or another opportunity, to go to Liberia, Guinea, for that period; can't you be registered, because for the Legal Profession for instance, there is renewal of your practicing certificate. I don't know if this one is once or a life time, but I believe there is proof for renewal on an annual basis which forms another form of application as well. If every year you apply, it will be renewed based on your records. But why peg it on residential status that you must reside in Sierra Leone or ordinarily representing Sierra Leone. Can't someone or a Sierra Leonean who has been staying here, but for one reason or the other temporarily residing in Guinea and wish to register and apply, what will be his status. Page 14, Paragraph *[b]*.

**HON. MUSTAPHA SELLU:** Yes Mr Chairman

**THE CHAIRMAN:** We are contending with the phrase 'Resident' and 'ordinarily residence'. Yes, what do you have to say?

**HON. MUSTAPHA SELLU:** Yes, my point is since this Council will be regulating Registered Engineers in Sierra Leone. So if somebody is a registered engineer and practicing outside of Sierra Leone, I don't know how that person can be regulated by the Council here in Sierra Leone, because the profession is being practiced here and I think that is the more reason why the emphasis on been a resident or ordinarily resident of Sierra Leone is important here. Mr Chairman, you can be a certified and registered member, but you are in America or in another part of the World, how can the Council regulate you outside of its jurisdiction?

**HON. MATHEW S. NYUMA:** Thank you. If you read first the [i], [b] is telling us to get a clarification, if you go to the generality of page 19 and come to [a] they said, 'It proves that the applicant [a] has been a registered member of the Sierra Leone Institute of Engineers or so now in tandem, it is not in isolation or granted temporal registration by the Council under Sub paragraph three or Paragraph [b] or Subsection [2] of section [23]. And [p] has been is a resident in Sierra Leone or is ordinary resident in Sierra Leone. So it is tied to the provision they are doing in terms of registration. So, because you are not doing it in isolation, it is in tandem with other Clauses above, so you just have to be a Sierra Leonean so you can be properly regulated. You can register and you go and operate anywhere, but you must register in Sierra Leone or ordinary resident that means you can be here, registered and go or you come and resident so is in tandem with the Clauses above. If you go to [c] they said, that is the climax now, has paid such registration and other fees as prescribed by the Council'. The Council is in Sierra Leone so how can you be in Liberia or Guinea and the Council regulates you? Mr Chairman, they are in the provision. That is how, I see it.

**THE CHAIRMAN:** Page 15.

**HON. DANIEL B. KOROMA:** Mr Chairman, I think his submission is contradicting. I agreed with his first submission, that you can register in Sierra Leone and then for one reason or the other you can go to Guinea or Liberia or any other area as long as you have registered. If you want to register there, they have their own laws as well. This is IT World, and in the IT World, you can even practice engineering somewhere else. You



can provide consultancy services based on engineering not necessarily being a Sierra Leone, you can practice in Sierra Leone without being in Sierra Leone. This is pure IT World especially engineering. So in his first submission I agree, but in his closing, it is like contradicting himself again.

**HON. MATHEW S. NYUMA:** Mr Chairman, with all due respect sir, I said the generality of Clause 19 [1], is about application for registration. That is what exactly in fact we need to do correction. Application for Registration as Professional Engineers, so you can even be here and apply, but it is a condition they are giving you. So for you to be properly regulated, they are now giving you provisions given in the Clauses that have been highlighted. It is not that they are saying you should not be elsewhere that is why you have to be a resident or ordinarily resident, that is a Language. Mr Chairman, you can even be anywhere and do electronic application, but there are provisions you need to follow, so you need to pay. You can be America and register, but you need to pay. It is an application for registration sir. Thank you.

**HON. CHERNOH R. M. BAH:** Mr Chairman, 'Resident and Ordinarily Resident', what is the purpose? Under [b], is he resident in Sierra Leone or is he an Ordinarily Resident? Can the Minister take us through this please? He needs to tell us what the distinction is.

**HON. PHILIP TETEMA TONDONEH:** When the Leader of Government was explaining, when you are 'ordinarily resident' Mr Chairman, like he was explaining, I could remove you from here to Guinea or to Liberia when I have business there. But 'Resident' means, you are permanently resident like we are saying, that is the difference.

**THE CHAIRMAN:** Page 15, 16, 18, 19, 20.

**HON. ABDUL M. S. CONTEH:** Mr Chairman, just a quick one on page 20, Clause 30 just to bring to your attention that the issue raised earlier on has been addressed in Clause 30.

**THE CHAIRMAN:** Yes, thank you.

**HON. DR MARK M. KALOKOH:** Yes Mr Chairman.

**THE CHAIRMAN:** Yes

**HON. DR MARK M. KALOKOH:** That does not address the issue we raised earlier entirely .It should appear in the long title there. That was what we stated earlier and to have it here as Clause 30, does not address the issue we raised earlier.

**THE CHAIRMAN:** But it addresses it adequately. This is one way of getting rid of the previous Act. It is a common practice.

**HON. DR MARK M. KALOKOH:** I totally agreed but even your own ruling, there should be an insertion of the word itself. Being an Act to repeal.

**THE CHAIRMAN:** Alright.

**HON. DR MARK M. KALOKOH:** It has to reflect like that,

**THE CHAIRMAN:** To connect the two. What he is saying, is the long title should read, "Being an act to repeal the 1990 Act, and make provision for etcetera, etcetera, etcetera. I think that can be taken care of in the drafting.

**HON. MATHEW S. NYUMA:** Mr Chairman, I always have problem with us trying to go after the Long Title. It is a very critical thing for us to change it which means, we need to get the draft's man.

**THE CHAIRMAN:** I thought we would be satisfied.

**HON. MATHEW S. NYUMA:** Yes, we would be satisfied if the Long Title...  
*[Interruption]*

**THE CHAIRMAN:** You states it very clearly that 1990 Act, is been repealed.

**HON. MATHEW S. NYUMA:** The 1990 Act, is repealed. You do not need to restate it. Well, let me go now to the body. We are on Page 20 now?

**THE CHAIRMAN:** Yes.

**HON. MATHEW S. NYUMA:** You know I have heard a lot of terminologies.

**HON. DR MARK M. KALOKOH:** Mr Chairman, the explanation of our Leader is not quite sufficient. Mr Chairman, we have been amending... *[Interruption]*

**HON. MATHEW S. NYUMA:** Mr Chairman, with all due respect sir, I am not saying what you are saying is wrong. I just proffered advice that going after Long Title is sometimes very complex. We have done it here and they came back for us to amend it to the original Long Title. The Long Title gives an insight of the Bill. It is not limiting it. Mr Chairman, for me, I am not saying what you are saying is not right, but I just told Mr Chairman that we need to look into it with the draft's man. I am not against what you are saying, but you have to be careful going after the Long Title, it is sometimes very complex. It can limit you and create complexity for the spirit of the Bill. You can go ahead.

**HON. DR MARK M. KALOKOH:** Mr Chairman, we have a lot precedents particularly, on this Long Title. Mr Chairman, when a Bill comes here for an amendment, it does reflect. Being an Act to amend and we cannot only say because it has been featured in Clause 30, it should not reflect on the Long Title. And the Long Title is the direction of where we are going. It does tell us again where we are coming from. And in this case, we are coming from the 1990 Act, and it should be indicated here that we are repealing it, not only the Clause. That is my submission.

**THE CHAIRMAN:** I see no objection or amendment to the schedule.

**HON. MATHEW S. NYUMA:** There is something here, Mr Chairman.

**THE CHAIRMAN:** The schedule?

**HON. MATHEW S. NYUMA:** No, not the schedule. I was about to say something, but I gave the floor to my colleague so that he can make his point. We have now accepted that we do the amendment, but they are still going to consult the draft's man for the repeal. But let me come sir, I have heard a lot of languages in the engineering profession like the Bill of quantity, 10% for retention fees, contractor fees, there are so many languages. They will ask you to go to the Commercial Banks to get guarantee. When you practice a profession and you are giving a contract, you are a very rich person. So I do not want us to make it as if you are just doing it, so when you pacify or

involve in some criminal offence so that they can just give you blanket cheque and say, let us just fine him. Mr Chairman, they get money.

Mr Chairman, Construction is not a cheap business. The head of the institute for Sierra Leone Engineers can tell you that that is a very expensive and lucrative institution. When you have one contract, it can take you for life. Mr Chairman, this is an offence. Let me now come to the four hundred and twenty Million for the damages that they have committed for the various infrastructure. Mr Chairman, do not forget those we call as the Architects, they just come and look at the building and they get money for that.

Mr Chairman, I do not know how to express it, but they just come and stand and look and say, put five pillars, break this one, let this one go this way and they get money for their professional timing. The field is very lucrative. Mr Chairman, we do not want people to see this profession as if they are making money just by exploiting others.

Mr Chairman, you pay for their eyes, you pay for their professionalism, then you pay for their movement from one location to another.

**THE CHAIRMAN:** The way he has simplified it, means even an ordinary person can now understand it. But what he sees as a professional is different from what you are seeing.

**HON. MATHEW S. NYUMA:** Mr Chairman, it is an offence. I know what I am saying. Mr Chairman, *'You nor undastand sef, wetin dae apin', S.O. [2]*

**THE CHAIRMAN:** *'E beteh wea ar nor undastand'.*

**HON. MATHEW S. NYUMA:** Mr Chairman, in this business when you impersonate, you commit an offence, under this profession. We want people to understand that you do not mess around with them. If you mess around, you will be committing an offence and causing disaster in the profession that will cause a whole calamity. So 'Prevention is better than cure', by making crime very un-lucrative for those who are intending to commit it. I prefer we give fifty Million Leones.

**HON. DANIEL B. KOROMA:** Mr Chairman, before we reach to your point, there is an issue before the figures sir, on the offence provision. Mr Chairman, under Clause [37], the first one is 'Someone who has never registered as a Professional Engineer in his life and then starts practicing as a professional engineer; I am saying that the gravity of offences are different, but I see the same figures. The first one someone who has never registered before, and started practicing as a Professional Engineer, the figure there is Twenty Million or twelve Months? And then plus Twenty-eight now is creating another offence, but that one now is somebody who has registered, but fails to renew annually, I believe the gravity should be lesser than someone who has never registered before. He has never bothered to even make sure that his name is in the roll of that register, while for the second one, the name is in the roll already, but maybe for one or two years, he has failed to renew, but the figures are still the same. I think they should not be the same because one is more serious. So we can go now to the Leader's guide as to what should be the figures for the first offence and then the second offence.

Mr Chairman, all I am saying is that, they should not be the same because the offences are different. So we can go now to the first one and determine the figure.

**HON. MATHEW S. NYUMA:** Mr Chairman, when we were looking at the Clauses talking about Fraud on the title of Professional Engineers, we have Twenty Million, so we go for fifty million.

**HON. DANIEL B. KOROMA:** It is Fine.

**HON. MATHEW S. NYUMA:** Yes, this is a Fine, this is good.

**HON. DANIEL B. KOROMA:** And it should be preceded by not less than.

**HON. MATHEW S. NYUMA:** No, they are saying it is a fine, direct fine, not less than' or below. The 'not less than' is in Clause 28.

**HON. DANIEL B. KOROMA:** That one is a mistake, because even from the imprisonment, it is preceded with the word 'not exceeding' and you know we have changed that trajectory. It is a mistake.

**HON MATHEW S. NYUMA:** He is talking about consistency in the language, Mr Chairman. So can we say, "Not less than Fifty Million"? Yes, the First one. The imprisonment not exceeding three years.

These people are doing VOQ in thousands of Dollars, Multimillion Dollar projects in our nation. Five Thousand Dollars is very minimal for any construction project.

**HON. JOSEPH WILLIAMS-LAMIN:** Not all projects are quantified like you are saying, Mr Leader.

**HON. MATHEW S. NYUMA:** I am talking about the one you are quantifying, the one that I am talking about is the million dollars. That is what they are doing, these are Professional Engineers, they are here, and they know what I am saying.

**THE CHAIRMAN:** Sit down until I give you the floor.

**HON. MATHEW S. NYUMA:** Honourable Members have agreed with me. They know what is happening in their field. I have quoted their young jargons and so they have agreed for the Fifty Million Leones.

**THE CHAIRMAN:** So what are you proposing?

**HON. MATHEW S. NYUMA:** Not less than Fifty Million Leones and the imprisonment not exceeding three years. This is professional.

**THE CHAIRMAN:** This is Clause 27.

**HON. MATHEW S. NYUMA:** Yes, Clause 27

**THE CHAIRMAN:** So you want to raise it from 20 to 50 million Leones?

**HON. MATHEW S. NYUMA:** Yes, and imprisonment not exceeding three years. We should go with the word 'not less than'. Mr Chairman, I have seen that we have senior contractors and senior engineers in this room. We have MPs that are senior engineers. They do not have valid licences, but do have construction Companies, they have firms, that they have not registered.

**HON. CHERNOR R. M. BAH:** Mr Chairman, this Bill should not be more punitive than it should be. It is more a Commercial Bill. I might agree with the Fines but the imprisonment, the way they want to couch it I will not support. It Mr Chairman, because of what we are dealing with, for imprisonment no, it could stay as it is, but fines I agree. Mr Chairman, because they are professionals, Twelve Months imprisonment for a Professional Engineer... *[Interruption]*.

**HON. MATHEW S. NYUMA:** This is not professional, go to the Sub-title, he is a fraudster and impersonating, he is not an Engineer sir. He does not have a title. It is just like those Engineers found that they do not have, they are not engineers at all. Mr Chairman, they are Geologists, Biologists, they are Lawyers, they have engineering Firms, but they are not professionals.

**THE CHAIRMAN:** Quacks

**HON. MATHEW S. NYUMA:** They are quacks. That is what I am talking about and in fact, he has agreed to 'Not exceeding three years'.

**THE CHAIRMAN:** So in place of Twelve months, it is three years.

**HON. DANIEL B. KOROMA:** Mr Leader please, for the imprisonment, we cannot go for three years because we are using, not less than, so we cannot go for three years.

**HON. MATHEW S. NYUMA:** No, not exceeding.

**HON. DANIEL B. KOROMA:** No we have agreed that 'Not exceeding' can be abused. If you say not exceeding, based on the relationship, and corruption, conflict of interest, somebody can be imprisoned for one month. That is the catch. Somebody can be imprisoned for one month.

**HON. MATHEW S. NYUMA:** Oh, I have seen your points.

**HON. DANIEL B. KOROMA:** No, 'Not less than twelve Months', can cater for the dangers of the offence.

**THE CHAIRMAN:** I thought the imprisonment was going to be three years for quacks, not professionals.

**HON. MATHEW S. NYUMA:** This is not for a professional. I do not know if you are getting the point.

**HON. DANIEL B. KOROMA:** So, let us create a new section for quacks.

**HON. MATHEW S. NYUMA:** No, it is there already.

**THE CHAIRMAN:** It is there. Clause 27 [b], is on quacks.

**HON. MATHEW S. NYUMA:** The one you are talking, if you are an Engineer, but you don't have a valid license as it is in Clause [28].

**HON. DANIEL B. KOROMA:** Okay, so not less than three years. Thank you.

**HON. MATHEW S. NYUMA:** So come to the ones that are practicing without valid licenses. They are Engineers, but they fail to renew. That is a different category. So now, allow me to do a little bit of consultation. We have to be very mindful with this one. They proposed Twenty million and Twelve months imprisonment. I will read the whole sentence, Mr Chairman, so people can understand. 'A registered Professional Engineer, who practices as a Professional Engineer, without a valid annual practicing certificate, take note of the spelling, issued under Section [22], commits an offence and is liable on conviction to a fine not less than Twenty million and to a further fine of one million Leones for each day that the offence continues or to a term of imprisonment not exceeding twelve months or to both such fine and term of imprisonment'.

Mr Chairman, the only amendment as I said, it is very complex and very expensive institution. After you have gone through the University, you have to go through further courses in different areas for you to become a professional. Maybe some people out of negligence or whatsoever they decide to ignore. The only place I think we can talk about is the daily fine. No, we maintain the daily fine. One million per day is too much. Five hundred thousand Leones is better. No, five hundred thousand. We leave all the others like that.

**HON. DR MARK M. KALOKOH:** Mr Leader, can I have a second bite so that I will tie it together with what I have to submit. Mr Chairman let me refer you to, Clause [28],



paragraph 21 [2]. Mr Chairman, because of the word used 'valid' and here another word used 'before'. I am referring you to look at Clause 28, and Clause 21 [2], so that the Minister will tell us what happens to people or to Companies that have registration but their registration were not prior to this Council, but they are in existence. Before then, they only go to the Ministry and now we have a catch here that you have to go through the Council before you are been registered by the Ministry. What about those that have gained registration, because I have seen in this Parliament; laws we make should not be retroactive, but I have seen laws that we make here some of them are retroactive and I will cite examples. Mr Chairman, except people don't want to challenge it, but they will not defeat me on the retroactive laws we have just passed in this Parliament.

Mr Leader, are you following up. I said look at 28, and I referred you to Clause 21 Sub-Clause [2]. You can only registered or renew after you have gone through the Council, but we have Companies that before this Council, they were in existence. They have valid certificates from the Ministry of works [*Undertone*]. I am perfectly right Mr Chairman. I am talking about engineers. So what will happen to those people that have been in existence since then, and now the Law says, you have to go through the Council before you are been registered or renewed, but if your certificate is being renewed, by the Ministry what happened with them? Because we do not want to see double dipping there.

**HON. JOSEPH WILLIAMS-LAMIN:** I am here pleading for the fine per day. We have to be mindful that we are representing our people and that some of these minor Engineers with jobs are being done by people from the institute and so on and so forth and we need to develop our communities. If you are taking of a high profile engineer from the city going back to the village, that will be very costly.

**THE CHAIRMAN:** Honourable Members, we have dealt with quacks under Clause [27], and we provided for penalty for them. Now, let us look at Clause [28]. There we are dealing with Professionals Engineers who merely failed to renew their practicing

certificates. I don't think frankly, that they should be subjected to swinging penalties like Twenty million, it is too much.

**HON. DANIEL B. KOROMA:** And Mr Chairman in support of that, in the legal profession, that is taken care of by regulations. You have first quarter, if you fail to pay after the first quarter, you will pay, and they call it late fees. You pay for late registration. So those are minors, and they should be taken care of by, except if it is different.

**THE CHAIRMAN:** I think the fine should not exceed five million Leones.

**HON. DANIEL B. KOROMA:** Yes, does not disqualify you. You pay late, you pay for late registration, rather than you say one million per day. Even that daily fine is too much. It is administrative.

**THE CHAIRMAN:** The daily fine is swinging. Let us just limit it to five million for late registration

**HON. ALUSINE KANNEH:** Mr Chairman, I have a contrary view.

**THE CHAIRMAN:** Because we are helping the Council to raise money.

**HON. ALUSINE KANNEH:** Mr Chairman, I beg to differ. Mr Chairman, it is written here that a registered Professional Engineer who practices as Professional Engineer without a valid annual practicing certificate issued under Section [22], commits an offence. Mr Speaker, automatically when you practice even law, when you say you are a lawyer and you are not, either you are an engineer when you are not or you are practicing, automatically it is a crime.

**THE CHAIRMAN:** This one is talking about annual certificate, renewal certificate. You are already a professional. Every year, you renew your certificate. That is what clause 28 is providing. The mere fact that you failed to do so, should not subject you to a penalty as high as twenty million.

**HON. ALUSINE KANNEH:** So you are saying five?

**THE CHAIRMAN:** I will say five.

**HON. ALUSINE KANNEH:** Mr Chairman, I will say ten.

**THE CHAIRMAN:** No, five is more than in fact it is too much. A million perhaps is better. Because here we are raising funds for the Council, the intention is not to punish the people, it is to raise funds five million is sufficient. Honourable Members, we make it five million [*Undertone*]. And we stop it here. There is no daily, no daily penalty. There is no imprisonment there. It stops at five million Leone, full stop.

**HON. DANIEL B. KOROMA:** This thing is more administrative. If you don't renew your licence, one year, two years, three years, Council has the power to withdraw your licence all together. It is administrative they can withdraw your licence, that is worse than imprisonment.

**THE CHAIRMAN:** Clause [28], it stops at five million Leones full stop. Five million Leones agreed. We stop it right there. Any other observation on the schedule? It is five million you stop it right there, no daily fine, just five million Leones full stop. Okay Mr Minister, please go.

**HON. DR MARK M. KOLOKOH:** Mr Chairman, I said what happened to Engineers who have been in existence before this Council?

**THE CHAIRMAN:** They will have to register.

**HON. CHENOR R. M. BAH:** No, let us not waste time on this, Mr Chairman. The Minister will be in the better position to explain. But normally they go to the Ministry of works to register their businesses and put them in classes. Now the Council is trying to register the Engineers themselves. It is different.

**THE CHAIRMAN:** There was an existing law in 1990, that provided for then to register. It is here. So what are you saying? This new one continues with registration, but now under the Council.

Mr Minister, please explain as amended. Synergy, I am waiting for you. Move, move.

**HON. PHILIP TETEMA TONDONEH:** Mr Chairman, Honourable Members, I move that parts 6, 7, 8, 9 and 10. Clauses 18, to 30, and the schedule stand part of the Bill, as amended.

*[Question Proposed, Put and Agreed to]*

*[Parts 6, 7, 8, 9 and 10. Clauses 18 to 30 and the schedule form part of the Bill, as amended].*

*[The House resumed from Committee of the whole House].*

**HON. PHILIP TETEMA TONDONEH:** Mr Speaker, Honourable Members, I must express my profound gratitude for the contributions advanced by respective Honourable Members in this Bill, I say thanks to you. Mr Speaker, Honourable Members, I report that the Bill entitled Professional Engineering Regulatory Council Act, 2021, having gone through the Committee of the whole House with amendments, I now move that the Bill be read the third time and pass into law.

**THE SPEAKER:** Thank you, Honourable Members.

*[Question Proposed, Put and Agreed to]*

*[The Bill entitled the Professional Engineering Regulatory Act 2022, being an Act to make provision for the establishment of the Professional Engineering Regulatory Council with responsibility to regulate the practice of engineering in Sierra Leone, including the registration and discipline of Professional Engineers and to provide for other related matters has been read the third time and passed into law].*

**THE SPEAKER:** Mr Minister, thank you very much. You are now excused, to take leave of us.

**THE SPEAKER:** Any announcement?

### ***ANNOUNCEMENT***

Honourable Members are invited to a free Breast and Prostate Cancer and Diabetes diagnostic test by Thinking Pink Breast Cancer Foundation on Monday, 7<sup>th</sup> March, 2022 at 12 pm. The Venue is State Hall and Parliament Building.

Honourable Members are informed about a consultative meeting on the Bills entitled, 'The Mines and Minerals Development Act, 2021, the Natural Mineral Agency Act 2021, on Thursday, 3<sup>rd</sup> March, 2022 at 10 am in the Committee Room one, at Parliament Building. Thank you.

**THE SPEAKER:** Thank you very much, Honourable Members. I thank you all for your corporation and active participation.

### ***ADJOURNMENT***

*[The House rose at 1:30 p.m. and was adjourned to Thursday, 10<sup>th</sup> March, 2022 at 10:00 a.m.]*