

OAU DRIVE, TOWER HILL, FREETOWN

PARLIAMENTARY DEBATES

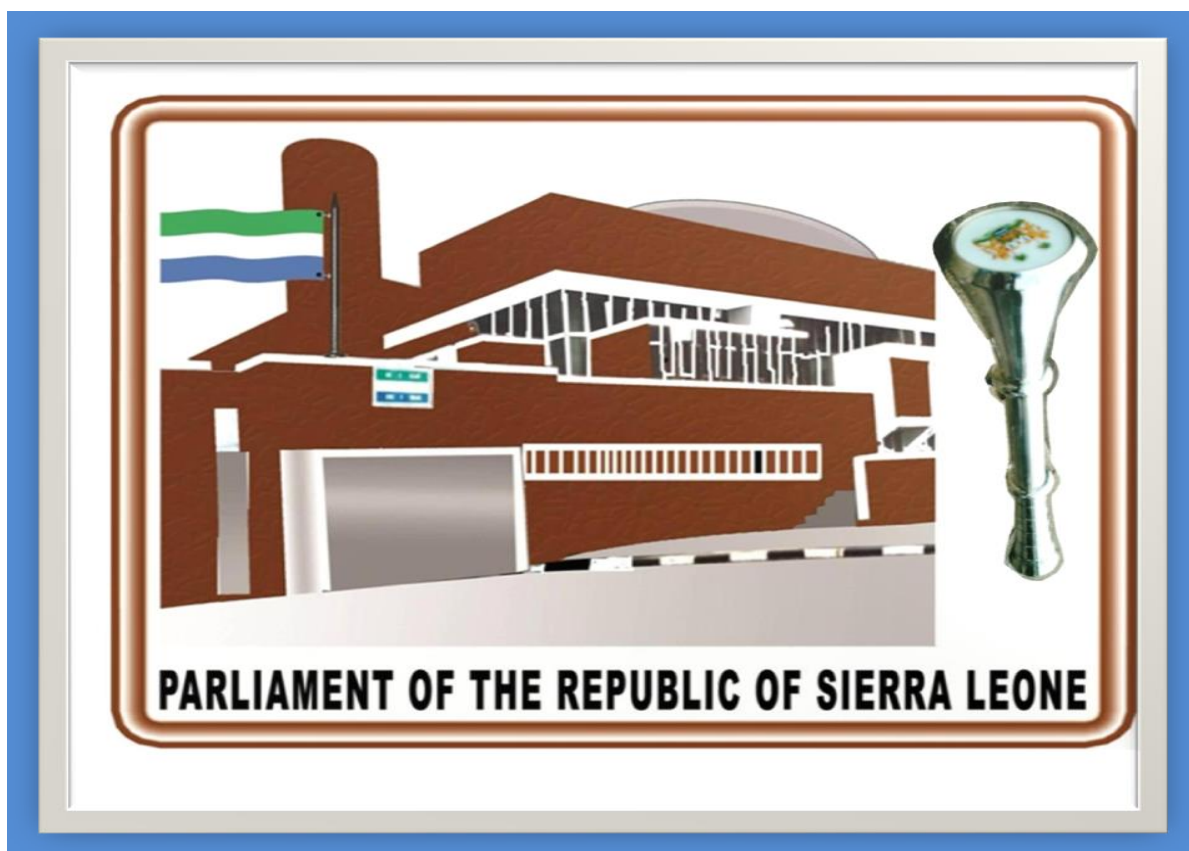
[HANSARD]

OFFICIAL HANSARD REPORT

SECOND SESSION - SECOND MEETING

THURSDAY, 27TH FEBRUARY, 2020

SESSION – 2019/2020



OAU DRIVE, TOWER HILL, FREETOWN

PARLIAMENTARY DEBATES

[HANSARD]

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of the Second Republic of Sierra Leone.

Proceedings of the Sitting of the House
Held Thursday, 27th February, 2020.

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Official Hansard Report of the Proceedings of the House

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

Thursday, 27th February, 2020.

I. PRAYERS

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

[The House met at 10:30 a.m. in Parliament Building, Tower Hill, Freetown]

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

The House was called to Order

Suspension of S. O. 5[2]

COMMUNICATION FROM THE CHAIR

**II. CORRECTION OF VOTES AND PROCEEDINGS FOR
PARLIAMENTARY SITTING HELD ON THURSDAY, 20TH
FEBRUARY, 2020.**

THE SPEAKER: Honourable Members, good morning. Shall we consider the Votes and Proceedings of the 35th Sitting held on Thursday 20th February, 2020?

HON. SIDIE M TUNIS: Mr Speaker, Honourable Members, I just want to make a very quick correction on the Order Paper. Item 3[b] roman ii – ‘Commercial Land Admiralty Court,’ it should be Commercial “**and**” not “**land**”. It should be Commercial and, so please remove the “L” thank you very much.

THE SPEAKER: Honourable Members, we shall now consider the Votes and Proceedings for the 35th Sitting on Thursday, 20th February, 2020. As is our usual practice, we shall skip pages 1 through to 4 and if there is any Member having any problem with either the spelling or the position of their names, please refer that to the Clerks. Our consideration therefore, will start from page 5. Page 5? Page 6? Page 7? Page 8? The last page! Page 9? I see no Honourable Member wants to intervene, in that case can somebody move for the adoption of the Records of Votes and Proceedings for the Parliamentary Sitting held on Thursday, 20th February, 2020.

HON. SAHR CHARLES: I so move, Mr Speaker.

THE SPEAKER: Any seconder?

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

[Question Proposed, Put and Agreed to]

*[Records of Votes and Proceedings for the Parliamentary Sitting held on Thursday, 20th
February, 2020, has been adopted as presented]*

III. PAPERS LAID

[A] HONOURABLE MATHEW S. NYUMA

HON. MATHEW S. NYUMA [Deputy Leader of Government Business]: Mr Speaker, Honourable Members, I beg to lay the Fifth Report of the Parliament of Sierra Leone Delegation to the African Caribbean Pacific-European Union [ACP-EU] Parliamentary Assembly.

FIFTH REPORT OF THE 55TH SESSION OF THE AFRICAN CARIBBEAN PACIFIC [ACP] PARLIAMENTARY ASSEMBLY AND THE 38TH SESSION OF THE ACP-EU JOINT PARLIAMENTARY ASSEMBLY [JPA], HELD IN KIGALI, RWANDA FROM 13TH TO 21ST NOVEMBER, 2019.

[B] **THE ATTORNEY-GENERAL AND MINISTER OF JUSTICE**

DR PRISCILLA SCHWARTZ [The Attorney-General and Minister of Justice]:

Mr Speaker, Honourable Members, with your leave, I beg to lay on the Table of this Honourable House the following papers:

[i] The High Court [Amendment] Rules, 2020

The Constitution of Sierra Leone, 1991, Act No.6 Of 1991

Constitutional Instrument No.1 of 2020

[ii] The Commercial and Admiralty Court Rules, 2020

The Constitution of Sierra Leone, 1991, Act No.6 Of 1991

Constitutional Instrument No.2 Of 2020

IV. BILL

THE NATIONAL DISASTER MANAGEMENT AGENCY ACT, 2020

INTRODUCTION AND FIRST READING

DR PRISCILLA SCHWARTZ [The Attorney General and Minister of Justice]: Mr

Speaker, Honourable Members, I move that the Bill entitled, "**THE NATIONAL DISASTER MANAGEMENT AGENCY ACT, 2020**", being an Act to provide for the establishment of the National Disaster Management Agency, to manage disasters and similar emergencies throughout Sierra Leone, to establish offices of the Agency

throughout Sierra Leone, to establish National, Region, Districts and Chiefdom Disaster Management Committees, to establish a National Disaster Management Fund to provide Finances for the Prevention and Management of Disasters and similar emergencies throughout Sierra Leone, and to provide for other related matters be read the first time.

THE SPEAKER: Whose phone is that? Honourable Members, I do not need to remind you, but please put all your phones on silence. I would now put the question.

[Question Proposed, Put and Agreed To]

[The Bill entitled, The National Disaster Management Agency Act, 2020 has been read the first time.]

SECOND READING

DR PRISCILLA SCHWARTZ [The Attorney General and Minister of Justice]: Mr Speaker, Honourable Members, I move that the Bill entitled, “**THE NATIONAL DISASTER MANAGEMENT AGENCY ACT, 2020**” being an Act to provide for the establishment of the National Disaster Management Agency to manage disasters and similar emergencies throughout Sierra Leone, to establish offices of the Agency throughout Sierra Leone, to establish National, Regional, Districts and Chiefdom Disaster Management Committees, to establish a National Disaster Management Fund to provide Finances for the Prevention and Management of Disasters and similar emergencies throughout Sierra Leone and to provide for other related matters, be read the second time.

Mr Speaker, Honourable Members, the Bill entitled, “The National Disaster Management Agency Act, 2020” is intended to provide for the establishment of the National Disaster Management Agency, to manage disasters and similar emergencies throughout Sierra Leone. It is also to establish offices of the Agency throughout Sierra Leone and to establish National, Regional, District and Chiefdom Disaster Management Committees and also to establish a National Disaster Management Fund which is to provide Finances for the Prevention and Management of Disasters and similar emergencies throughout Sierra Leone, and further to provide for other related matters.

The Bill is divided into six parts, as follows:

Part one, deals with interpretation by defining words used through the Bill;

Part two, deals with the establishment of the National Disaster Management Agency as a body corporate. It also establishes the governing body of the Agency that shall be a Board to be responsible for the control and supervision of the Agency consisting of the Vice President and Chairman;

Part three, deals with the functions of the Agency stating, that it is established to manage disasters and similar emergencies throughout Sierra Leone and to develop the capacity of Communities to respond effectively to disasters and emergencies;

Part four, contains Administrative provisions including the establishment of a National Disaster Management Agency Secretariat responsible to provide technical and other support to the Agency and the Board. It also makes provision for the Appointments and functions of the Director-General and Deputy Director-General, the Appointments of other staff of the Agency and the establishment of Departments within the Agency. It also deals with the establishment of a National Platform for Disaster Risk Reduction which shall have the primary responsibility for the Coordination and Management of the National Disasters and to ensure that there are appropriate and adequate facilities for the provision of rehabilitation;

Part five, Financial Provisions dealing with the Funds and Accounts of the Agency; and

Part six, contains the miscellaneous provisions including preparation of Disaster Management Plans, Establishment and Maintenance of the register for Disaster Emergency Management, Powers of Authorised Officers, Agents and volunteers of the Agency, compensation for damage to property, request for information, Offences and Penalties and also provides that, the Director-General, may on the advice of the Board make regulations as it considers necessary or expedient for giving effect to the Act.

Mr Speaker, Honourable Members, I move that the Bill entitled, "The National Disaster Management Agency Act, 2020", be read the second time.

THE SPEAKER: Honourable Members, the question is, that the Bill entitled, "the National Disaster Management Agency Act, 2020", be read the second time.

[Question Proposed]

The Debate will now commence, bearing in mind of course, the rules appertaining thereto. Honourable Gevao.

HON. HINDOLO M. GEVAO: Thank you Mr Speaker. Mr Speaker, Honourable Members, we have before us, the Bill with the short-title "The National Disaster Management Agency, Act 2020". Mr Speaker, Honourable Members, I want to particularly draw the attention of Honourable Members, to the long title of same, which says, "Being an Act to provide for the Establishment of National Disaster Agency, to manage disasters and similar emergencies throughout Sierra Leone, to establish offices for the Agency throughout Sierra Leone, to establish National, Regional, District and Chiefdom Management Committees.

Mr Speaker, Honourable Members, we were privileged yesterday to grace a Pre-legislative Session of this Bill. During the Pre-leg, the experts actually took us through the general view, and my view on this Bill is that, it is a very good Bill, being that it will be making room for the Management of Disasters, bearing in mind if we have to reminisce just two years ago, what we went through. But, having said that, Mr Speaker, this Bill will give this House the opportunity to be able to do our job and come up with a law, that would be passed, that will actually stand the test of time.

Mr Speaker, Honourable Members, having gone through the Bill, we noticed that firstly, we would want to have a clear definition as to what disasters are; because when you say disaster, it is a very wide terminology, it could be natural, it could be plaque and the like. We have looked through this Bill, but we have not been able to actually define or say a clear definition as to what disasters are.

Mr Speaker, Honourable Members, we have also gone through this Bill, and we hold the view that for justice to be done to the Agency that would be established under this Bill, if passed into an Act, we would have to tighten the buttons that opened that Agency to litigation, where in one of its Sections it is saying, "If anybody is to suffer as a result of

the failure of the Agency, that person can bring an action against that Agency". For some of us that actually come from the hinterland, every year we get people suffering directly from Natural Disasters. Let us say, "when the tornado blows, or when the wind blows" more often and again we have victims that dies as a result of sticks falling on people and most often these people lost their lives; so if you leave it open or if you make it a catch-blank provision, everyday people are going to be bringing litigation against the Agency and the compensation as enshrined in the Act would be very onerous on the Government for them to be meeting those compensations. So we would also want to look at that area of this Bill to also see how best we could be able to salvage that situation. Just today, we were listening to a National Radio and there was a citizen talking about compensation or about health right, so when we make these Bills, we must have the fore-sight and look at it with a patriotic lens for it to stand the test of time.

Mr Speaker, Honourable Members, there is also a clause in the Bill that gives catch-blank immunity to Members of the Agency, that if a Member of the Agency thinks or does something that he feels or believes that was reasonably done, no offence or action should be taken against that person, it is expressly stated in this Bill. We are of the view that the word "Reasonable" is so open, who determines it? There is also every need for us to be able to look at that one as a House of Parliament to say, that we cannot just give immunity; because if we start giving immunity to everybody that comes under Agency of laws, then we would find it very difficult to find people wanting; when they are appointed as Members of these Agencies or these Bodies, they will go and do things and say that they had a reasonable believe or conviction doing it at that time was correct, so we also want to have a look at that one.

Mr Speaker, Honourable Members, when you look at the Bill, it gives us the picture as though the Agency will have Preventive Measures, not only powers to deal with disasters when they occur, assuming this Agency also have some powers to prevent disasters from occurring, given early warning signs.

Mr Speaker, Honourable Members, we want to be able to synchronise the powers of the numerous Agencies appertaining to the protection of the Environment, the prevention of disasters; let us say, the Environmental Protection Agency, the National Protection Area Authority, Meteorological Department and this very one that they are now creating. We want to be able to see where they converge, their powers, so that they do not overlap. We do not want a situation where the National Protected Area Authority [NPAA] will be tempted to perform the functions of Environmental Protection Agency [EPA] or this Disaster Management Agency that would be coming into law, we do not have a clear-cut mandate or terms of reference whereby, they would be doing the functions of the Environmental Protection Agency. All be it, they are all geared towards one object, to ensure that we are safe and to ensure that the people of Sierra Leone are protected. In ensuring that when disaster strikes, we have an Agency that we can turn to for action and to aid the people affected, Mr Speaker, it goes without saying that, just last week a colleague on the other side of the House and I were together and he was saying his Constituents suffered from a fire disaster and he was actually wallowing as to who to go to for assistance. So with this Act, when we shall have actually looked at it; tightened the screws, I am sure it would come out to be one of the best Acts, because there is every need for us to have such an Agency.

Mr Speaker, Honourable Members, I am also poised or tempted to say that it would be prudent for us to have enforcement powers, as far as violations of actions that lead to disasters occurring in the country. This Agency must have enforcement powers, what happens if one is found building a house in the middle of a water-way, what can this Agency do? We want a situation where this Agency will have powers to actually institute action against that person and be prosecuted for doing such. And if this Agency is to have such powers, then we are to say it will have preventive powers and not just powers to react when disasters do occur.

Mr Speaker, Honourable Members, more often and again, we do come here and make very good laws, but because the Agencies or the bodies do not have powers to enforce these laws, these laws become redundant, but the execution of them becomes very weak. So on this occasion Mr Speaker, Honourable Members, we want to have a look at

this Bill with a Microscopic eye, it is a very good Bill, it is a good idea that we have such an Agency, but if we are to have it into an Act, it is but prudent that we look at it as we normally do and scrutinise it before actually, passing it. On that note, Mr Speaker, I move under Section S.O. 51[1] to have this Bill committed.

HON. DANIEL B. KOROMA: Point of Order Mr Speaker! Mr Speaker, Honourable Members, it is just by way of guidance based on S.O [51]; it is not time yet, this is not the right time for S.O. [51]. I am not disputing the purport of S.O [51], but I am objecting to the timing, this is not the time. It is after Second Reading, that S.O [51] applies, and Second Reading is not yet over. It has not been read yet for the second time, we are still on the process.

HON. HINDOLO M. GEVAO: Mr Speaker, we stand to be guided by your wisdom. My understanding is that the Bill has been read for the Second Time, for the purpose of the debate I think.

THE SPEAKER: I am afraid, Honourable Member that is not correct, I have just put the question.

HON. HINDOLO M. GEVAO: Much obliged, Mr Speaker. Mr Speaker I am!

THE SPEAKER: You are anticipating, there is no question about that, but then let us wait, when we get to that point, you will make your point.

HON. HINDOLO M. GEVAO: Mr Speaker, I bow to your wisdom, it is always a pleasure to drink from the Well of your wisdom, I concede. Mr Speaker, the Bill as I said referred to, is a very good Bill and it will be prudent for us to have a look at it again and again; to cross the "T's" and dot the "I's", before having it passed into law. Thank you Mr Speaker.

THE SPEAKER: I thank the Honourable Member for his contribution. The Honourable Daniel Koroma you have the Floor.

HON. DANIEL B. KOROMA: Thank you very much Mr Speaker. Mr Speaker, Honourable Members, I must confess in the first place that I am impressed by this very

initiative to have the establishment of this Agency for the first time. I am only coming to comment on two points. One of the two points is, why this Bill in the first place? What is the purport of this Bill? Because if you check, the roles specified in this Bill are "Being performed by other Agencies" but in isolation. Those roles are being performed isolatedly by other Agencies in their own ways, with no unifying mechanisms. And then secondly, what impressed me also, I hope Government will be able to finance that one, but if Government cannot, is my place to plead. The idea is so good even though it is financially challenging.

Mr Speaker, Honourable Members, on the first point; that is, why this Bill in the first place? As I speak now, in terms of Disaster Management or Disaster Prevention, or Disaster Control, we have related Agencies; Like the Ministry of Lands which is directly related, the Environmental Protection Agency [EPA] is directly related, NPAA is directly related and of course the Office of National Security [ONS]. For ONS, it is more so for Disaster Management, instead of Disaster Prevention. And having gone through this Bill, I cannot quantify, but I believe is more related to Management than Prevention. But, because the idea is a good one, it is our role as Members of Parliament to make life better, to make this Bill better, because we believe it is for the good of this country. Of course, I must say it is belated; but better late than never, because it is the first. If we see now what is prevalent in this country, we are only coming from the reactive side of disaster. We sit down and allow things to go very bad and then by the time we are affected by our omissions, is the time we decide to react to manage those disasters. We have got so many in the past and some are even prevalent now. But as I said earlier, those institutions are operating in isolation, who takes control from whom? Nobody! Ministry of Lands may go its own way in the name of disaster prevention and management and demolish some houses based on what they deemed fit. And then, in another shape or form, the EPA will also go and demolish other houses or premises based on their own evaluation and then NPAA in respect of the protected areas, of which the Peninsular is part of, will also go and take their own action with no umbrella Organisation. So I believe by passing this Bill and establishing this Agency, this Agency can serve as an Umbrella Organization to coordinate the activities of all those Agencies.

And I am happy that all those related Agencies are part of the Board; may be the number of Board Members will be questioned later. This is not the right time to question the number of Board Members, even though I have serious problem with that, but this is not the time, because as far as Law making is concern, Section 105 gives me the Supreme Legislative Authority to make sure I do what is right. So when we come to that we will know what to do. But generally, it is a good idea and we need to support it as Parliament.

Mr Speaker, Honourable Members, secondly, this Bill also seeks to establish this Agency country wide. It seeks to establish Committees at National level, Regional level, District level and even Chieftdom levels. If Government can really fund those Committees at those levels, I think it will be better because some disaster prone activities that may be prevalent in Pujehun are different from those in Koinadugu. Now for Koinadugu, one of our disaster prone activities is Timber logging, which is not applicable to Pujehun. For Western Area, another disaster prone activity of which we are failing to prevent is sand mining. How do we extract sand from the sea for construction purposes? That is another activity that is different from areas like Kambia or Falaba. For Falaba for instance, it is wild fire, bush farming and of course Timber logging which has caused a lot of problems in this land. But I believe if these Committees are established in all those areas at Chieftdoms and District levels with proper effectiveness, assuming all things being equal, I think it will be better. But now the Attorney-General and Minister of Justice in her wisdom thought it fit to do it at least for now; let us have a start. So in my own capacity, and as a representative of my Constituency, we are supporting this Bill even to an extent of making it better or even best. If that makes it necessary to take further steps, we will not hesitate to take those steps to make it better. So on that note, I thank you very much Mr Speaker, and I say this Bill is a good one and we are ready to support it to make it better, thank you very much.

THE SPEAKER: I thank the Honourable Member, for his contribution to the debate. If I may take advantage of my exalted position here, I just want to draw attention to the fact that there is an old adage which we all know; very simple but the truism of that

adage cannot be controverted; "Prevention is better than cure". I have been browsing through the Bill and all I see is a notion of Disaster Management. The nearest that comes to prevention is the notion of Disaster Risk Reduction. I have not seen anywhere any mention of the importance of preventing disaster before it occurs *[Applause]*. I hope as we debate, this issue will be highlighted. I now want to recognise the Honourable Ibrahim T. Conteh.

HON. IBRAHIM T. CONTEH: Thank you very much Mr Speaker. Mr Speaker, Honourable Members, as the Chairman for the Committee on Environment; the newly created Committee, in light of the provisions in Section 93 and following the creation of the Ministry of Environment by his Excellency, the President. Mr Speaker, Honourable Members, I want to start by saying the Bill in front of us is an idea worth commendation. As Members of Parliament, we bear the brunt and receive the highest cost when disasters strike in every part of the country. As I speak now, part of my Constituency at Sheriff Drive yesterday night experienced a very difficult time. Part of the community was engulfed in fire and I was contacted this morning and I know what that means. And every other Member of Parliament knows exactly the interpretation of that; "Honourable, this is the situation", so we appreciate this Bill.

Mr Speaker, Honourable Members, however, the challenges in the Bill cannot be oversighted. Mr Speaker, if you look at the interpretation section of the Bill, there is no Ministry designated with the responsibility of managing or supervising the Disaster Management Agency that we are about to create. And if I can see through the mind of His Excellency the President, I want to say the Ministry of Environment was created principally, to coordinate, to manage and to ensure that they take the lead in terms of managing the environment which also has to do with disaster prevention, disaster management and disaster risk reduction. But if there is no clear outline in this Bill as to the Ministry that should take responsibility of overseeing the Disaster Management Agency, Mr Speaker, I see problem from the beginning. So if we are to ensure that we tailor this Bill properly, and at some point Mr Speaker, you have witnessed and I am sure you have even intervened in terms of asking Agencies responsible for the

environment to go and coordinate and come up with better Legislation. The Honourable from Koinadugu made mention of NPAA; we also have the Environment Protection Agency [EPA] which was created in 2018, by an Act of Parliament, and the Act amended in 2010, is to supervise Agencies and Institutions dealing with the Environment. But because the activities of the Environment is cross cutting, if you look at the UNFCCC that has to do with Climate Change, the Agency or the Ministry responsible for piloting our nationally determined contribution is the Ministry of Transport; not to talk of the fact that our nationally determined contribution cut across energy, agriculture and transport. But the EPA is there to take these International-Multilateral Environmental Agreements for and on behalf of Sierra Leone, but they do not have the powers to institute and implement what would ensure that those Multilateral Agreements are enforced when domesticated.

Mr Speaker, Honourable Members, if we look at the Bill, it principally speaks to the fact that it is about changing nomenclature of the Disaster Management Department at the ONS. The challenges inherent at the Disaster Management Department under the ONS currently, which I believe together with Meteorological Department, NPAA and together with the Forestry Department at the Ministry of Agriculture, should come under the Ministry of Environment because all of them are dealing with the Environment. And if they are supervised differently, for example, the NPAA is supervised by the Ministry of Agriculture, the Forestry Department is supervised by the Ministry of Agriculture and all of us here are aware of what is happening to our protected areas Outamba-Kilimi but there is no clear cut supervisory role. If you look at the Convention on International Trade in endangered species, the documents that is issued for the export of endangered species including Timber, it is cited at the NPAA at the Conservation Trust, because the Act is to deal with both the Protected Area and the Conservation Trust. Meanwhile, the Ministry of Environment is tasked with protecting the Environment and if we are going to create another Agency, and as the Chairman for the Committee, I sit and allow my Ministry not having the supervisory responsibility and my Ministry not having the benefit for which it was created, then I will be doing disservice to the people

of Sierra Leone, and I will be doing disservice to myself and to my Ministry. So my first contribution Mr Speaker is for us to ensure that this Agency, if Parliament agrees for it to be created Mr Speaker, let the responsibility goes to the Ministry of Environment. In the same vein Mr Speaker, if the responsibility is moving to the Ministry of Environment, then it means the Chairmanship of the Board should also shift to the Ministry of Environment. This is because if we give the responsibility of chairing the Board at the highest level of the Presidency and we have a Ministry supervising the Agency, then the Agency would tend to listen to the top and forget about the supervisory Ministry and that would begin to create conflict from the beginning.

Mr Speaker, Honourable Members, let me also recount some of the challenges that the Disaster Management Department at the ONS faced and we must correct those challenges if we are to ensure an effective operation of this Agency. Because if you look at the current situation, the only warehouse we have is at McDonalds, and it is the warehouse that responds to disaster in Waterloo, it is that warehouse that responds to disaster in Koinadugu, it is that warehouse that is responsible to respond to disaster in Constituency 132. If you look at the distance, if you look at the gaps, yes the Bill has addressed the fact that they are going to create Offices at the various Regional and District levels. But that does not limit the fact that the current constraint has been addressed. And if it is Prevention or Management of Disaster that is principally in this Bill, you must also consider the victims or survivors of the disasters that we have. Currently, the land at Mile six, the Disaster Management Department and the Ministry of Lands have been struggling over getting documentation of the land to Government, so that we have infrastructure constructed. And if we are to set up this Agency, we must ensure that all of these things are corrected. That does not underpin the fact that it is not a good idea; that does not underpin the fact that it is not a very good move to ensure that we have a process to address disaster before they strike. But if we address them on a piece of paper, a piece of Legislation, without ensuring that the necessary tools are on the ground to ensure that they work efficiently, it would become another burden added to the existing burden of governance.

Mr Speaker, Honourable Members, or maybe better still, can we think of it this way; can we say we create the Disaster Management Department as a Directorate under the Ministry of Environment? Because we are still going to have the problems that we are fighting for in this House, Mr Speaker; that is to say let us harmonise salaries. And if we are going to give them the power to set their remuneration, it means we are going to have additional expenditure burden on the existing burden we have in the Economy. If you look at the provision in Section 10, when it speaks to remuneration, I am sure if we face this Agency and ensure that we give them these powers and transform them into a Directorate under the Ministry of the Environment, they can as well be as efficient and effective as getting them as an Agency set up by an Act of Parliament. Mr Speaker, Honourable Members, when we set up an Agency, we must also think of the existing circumstance on the ground *[Applause]*. In as much as I want people to get this Agency set up, we must also consider the existing Economic situation on the ground. And if we are going to setup the Disaster Management Department or transform them from a Department to an Agency, they would have to increase on their staff strength, they would have to increase on their mobility, they would have to setup their Secretariat, and in setting up all of that, it becomes another constraint to the existing challenges we have with the Economy *[Applause]*. And as a patriot and a Sierra Leonean, I believe that the Disaster Management Department can be effective and can be more efficient if they become a Directorate than they become an Agency.

Mr Speaker, Honourable Members, I would want if Parliament is going to consider, because the decision of Parliament is not the decision only made by Honourable Ibrahim Tawa Conteh, it is a collective decision and we take collective responsibility, so if the House is going to consider this Agency to be setup, let us look at ways that we can use to address the existing challenges already with the Disaster Management Department, before we remove them from the Office of the National Security *[ONS]* and set them up as an Agency. I would want to thank the Attorney-General, I would want to thank the Disaster Management Department, I would want to thank the ONS, but I also want to crave on the indulgencies of Members of Parliament to also give a

critical look and to look at this Bill properly and see whether we can pass it today or we can commit it to the Legislative Department for it to be looked at thoroughly, so that we ensure that even if we are going to give them the powers of setting up their remuneration at least we set up a threshold so that it cannot go beyond that threshold, and we look at the available pool of resources where they can get funds from to fund their activities. If their funds is going to be principally from monies appropriated by this House, and we know that monies appropriated by this House are not automatic because they are appropriated by assumption, then let us give it a second look, thank you very much Mr Speaker *[Applause]*.

THE SPEAKER: I thank the Honourable Member for his contribution; I take particular note of the fact that he has made very salient observations *[Applause]*. Let me take this opportunity to recognise and acknowledge the fact that one of our Members has been afflicted by illness that prevents him from taking the seat that I have allocated to him at the beginning of this Parliament. Therefore, I am authorising him to move from that allocated seat to the new seat that is more convenient for his personal improvement *[Applause]*. I hope in due course and with the European Union *[EU]*, assistance which is going to be implemented shortly, that the arrangement would be made to make this Well disability friendly, that is one of the things that I have impressed on both the technicians and those who are going to lead the process of the rehabilitation of the House. We need to make the Well both the entrance and the exit disability friendly; presently it is not. Having said that, I now recognise the Honourable Member from the Coalition for Change.

HON. SAA F. BHENDU: Thank you very much Mr Speaker. Mr Speaker, I want to appreciate you very much for recognising the fact that the Well and the entire building is not disability friendly, even though during the last Presidential Debate I highlighted some of these issues, but much attention were not given, now that we have one among us or many among us that are disabled, if we have this opportunity it will not be limited only to this Parliament, but this can go all around for other modern structures if even

you go to the universities, other places, disability friendliness is not visible there, so I thank you very much for recognising that.

Mr Speaker, Honourable Members, back to the Bill before us, for me it is a good initiative, fine. Yesterday, I was in attendance at the Pre-leg meeting at Committee Room One, even though there were not enough time to discuss some of the challenges which I want to recommend for future Bills, that when such important matters are coming to the House, the documents should be provided to Honourable Members, to at least do some comparative analysis within the Sub-region and other areas to inform Members of Parliament to contribute. For me, I have some issues that I would like to raise for the attention of the Minister in the Bill because I am very much aware and I believe that everyone here is aware that we have the Environmental Protection Agency [EPA] and the role of the EPA is to protect our Environment which is one of the challenges that is affecting the nation. When you talk about disasters, all the disasters that has been happening in this country has to do with some Environmental unfriendly activities that we are doing. I believe EPA was established to help, protect, minimise our activities in the Environment, either it is that they are not performing their task very well and the Government sees there is a gap that needs to be filled, which for me is possible could be the reason for the establishment of this Agency. But having such an Agency will have burden on our Economy, looking at the current situation that we have. If you see the Act, you will realise that it is very ambitious to establish all over this country, looking at the current financial challenges the country is going through, it is going to be very challenging for our Economy and then if you look at the short title of the Act, it says "The National Disaster Management Agency" as highlighted by Mr Speaker yourself, that this Act purely deals with the Management aspect without paying much attention to the Preventive aspect of disaster. I would have preferred if I have my way, to have a very well-detailed Disaster Prevention Plan and improve on the EPA to see how they will be able to execute it, looking at our current Economic status or we add "Reduction" to the short title instead, of just Disaster Management we can have the Prevention before the Management, for example, you have the "National Prevention

and Management Act” so we can at least do both prevention and management when there is a disaster.

Mr Speaker, Honourable Members, if you go down to the provinces particularly where we are coming from, I am very much interested to know should Parliament agree to have this Agency, what will be the link between it and the EPA, or the role of EPA, the role of the Ministry of Mines, the role of NMA, the role of the Timber Loggers, because these are the issues that are bringing this disaster in this country. If you go to Kono District, when you enter the city, the first thing you will see is the artificial mountain created by the mining activities. Nobody knows what is going to happen tomorrow, for now we are depending on God for our protection, but should there be any disaster or problem, what is going to happen? If you see the current height of the artificial mountain, that we have in Koidu City now, if you go to other places, or some other villages you would see un-reclaimed land, un-reclaimed pits where they use to mine; these are all disaster prone areas, so when preparing such a document you have to do some consultations to at least factor some of these things into it. If you look at the Mines Act you would see where they have these reclamation policies, but it is not visible. They are not doing it, they are not reclaiming the lands, if you approach those Mining Companies they would tell you, “we are paying these Monies to the Government” and nothing is happening. These are disaster prone areas and there are other challenges that have to do with mining; to have access to pure drinking water, livelihood, agricultural productivity, it is very difficult for our areas.

Mr Speaker, Honourable Members, I was of the opinion that such a Bill or Agency that the Government intends to establish would have some linkages with some of the problems causing Ministries, of course, like the Lands Ministry, the Ministry of Mines, these are major factors, the Timber logging Association or Timber loggers. Of course, the Timber people are being managed by the EPA or NPPA, so for me in particular, the Act is fine but it is not well informed, because if you look at this document, you will realise that it is more of Management than Prevention, that is one and then there is no clear line between the ministries as to what you are supposed to do in the promotion of

disaster, even though if you look at the formation of the Board or those responsible to discharge that responsibility, they are coming from different ministries and different backgrounds.

Mr Speaker, Honourable Members, originally, they also have their main functions to do for example, the Ministry of Defence of course, have their roles, the Fire Force have their role and they are responsible for different assignments. Now if these Ministries are all brought under one umbrella to be supervised by the Vice President, it is as if we are creating more burden on the Vice President. Recently, we have also allocated the NaCSA Act to be under the responsibility of the Vice President, now this one also is going to the Vice President; we are creating more problems for him. He would not be able to focus on his responsibility as a Vice President, we have a Ministry that is responsible for Environment, we have Ministries that are responsible for other functions, and for me, I was of the opinion that the EPA would have been empowered to take this role instead of creating another burden on our Economy; and this is my recommendation to the House, we can have a look at it should we agree as a House. The negative effect of the Timber logging is affecting most of the areas in our local domain and the heavy wind during the rains etc. the poor agricultural productivity and a lot of other things; but the Disaster Management Plan would have been better to address our disaster challenges in this nation, instead of having an Agency.

Mr Speaker, Honourable Members, looking at the Economic trend, if the Economy is strong enough we can have that, because if you look at the Sub-region, they also have similar Agencies, but they are more better and they are far ahead of us. For now, because of our Economic stands, I am of the opinion that we should empower the EPA and bring the NPPA and all those that have to do with Environment under one umbrella to be supervised by the Environment Minister. With that I believe we would have a head way, so I thank you very much Mr Speaker *[Applause]*.

THE SPEAKER: I thank the Honourable Member for his contribution. I think it is about time we hear another voice different from a male voice.

HON. CATHERINE Z. TARAWALLY: Thank you very much Mr Speaker.

THE SPEAKER: I just want the Honourable Member to know that she was greatly missed.

HON. CATHERINE Z. TARAWALLY: Thank you very much Mr Speaker. The Bill we are discussing is a very good Bill in my opinion. Mr Speaker, the previous speakers have made mention of Disaster Management Agencies and if we are here today discussing this Bill, for me we should look at the long title of the Bill, because we have the Ministry of Environment. I want to ask few questions Mr Speaker, what is the essence of the Ministry of Environment, the EPA and the Department of Disaster and the ONS?

Mr Speaker, Honourable Members, if we have all of these Agencies active during disaster times in Sierra Leone, we should have a look this Bill in front of us this morning. The reason is Mr Speaker, it is a good one for us to have a Disaster Management Agency Bill, but for me, I was thinking that this Bill should have been a Bill or a Department or a Directorate under the umbrella of the Ministry of Environment *[Applause]*. The reason is, we cannot have the Ministry of Environment without having the Disaster Management arm of this Ministry, and so what is the essence of the Environment Ministry? Are they just there to supervise the issue of land whenever we have a problem between the Ministry of Land the people or the problem of water or whenever we have a Flood in the raining season? For me, this is the main arm or the main directorate that should fall under the Ministry of Environment, because Environment Disaster Management should have been one key directorate under the Ministry of Environment.

Mr Speaker, Honourable Members, I have perused the Bill, I have not seen anything concerning prevention, are we just here to talk about Management without Prevention? For me, Prevention should have been one key factor into this particular Bill. I am not calling it a Bill nor am I thinking in my opinion that it should be a main Directorate. I am just thinking the Preventive Mechanism should have been one key factor in this Bill. Can you manage after disaster has taken place, without us having what we call "A Preventive Mechanism" to tell our people the problems of disaster or how to prevent

disaster before coming in to manage the Disaster? I think "Preventive Mechanism" should have been a key factor in this entire Bill.

Mr Speaker, Honourable Members, the other thing again is the empowerment aspect of the Ministry of Environment. I am still worried, in Section 10, we talked about remuneration, and we are talking about the problem of the Economy, that our Economy is this, our Economy is that, our Economy I cannot say it is "Bafta"; but if we are trying to build up the Economy, but we are still here putting more burden on the Economy, where are we as Sierra Leoneans? Are we really honest as Sierra Leoneans? Are we really the people's advocates? Are we really the people's representatives? Because, if we are the people's representatives, we should have set aside first during the Pre Legislative meeting yesterday, to have a second look at this Bill, before allowing it on the Order Paper. Whether we started it or not Mr Leader [*Noisy undertone*], the problem of the Economy for me, is a worrisome one. So I am not condemning the Disaster Management, but I am condemning it to be an Act. I am thinking aloud that we should as a Parliament recommend to the Ministry of Justice or the Attorney-General's Office through your good office Mr Speaker, that we have this particular Agency put under the Ministry of Environment as a Directorate, for them to have a proper look at it, so that they will supervise it, instead of us having a whole Agency that will bring more burden on our Economy.

Mr Speaker, Honourable Members, if you go through the Bill, we would have more than 10 to 15 new employees, and it will be another problem on our Economy that we are talking about; the Wage Bill will go up without even coming down. And we have been hearing people saying instead of "Increase of Salaries" we are having "Decrease of Salaries" and we do not want to see a situation wherein the common Sierra Leonean is crying for a bag of rice and a gallon of palm oil.

Mr Speaker, Honourable Members, I have a very big problem with the Vice President been the Chairman of this particular Bill [*Applause*]. Mr Speaker, the Vice President is the Chairman of the Police Council, and the Police Council is highly politicised all over, not just because of today, it is all over. We have seen wherein the Police Officers are

changing the truth to wrong and the wrong to truth. We see the situation wherein the Chairman would not put all his or her effort to see that the people in that Constituency benefit what they should benefit because he or she is an opposition Members of Parliament. It is not just for today, today it is green, it might be other colour tomorrow, it might be red my colour tomorrow, or rainbow or mixed-up or yellow. So, as Sierra Leoneans, in making laws Mr Speaker, let us be real, real Sierra Leoneans to the bottom, let us make Laws for the benefit of our people. Let us do not just make Laws because today we are in power, trying to give jobs to our people, because all of what we are about to do is about job creation, but tomorrow what is the repercussion Mr Speaker? So as Sierra Leoneans, I am not comfortable with the Vice President *[Applause]*.

Mr Speaker, Honourable Members, my brother made mention of the issue of NaCSA, being a Member of the Human Right Committee, we have met at the Ministry of Foreign Affairs concerning the issue of NaCSA. NaCSA is like no more, you cannot even hear about NaCSA anymore, because it falls under the purview of the Vice President. The Vice President is over burdened with his role as Vice President; can we continue to give him more trouble again as Vice President? I am against that and I am condemning it. If we are even sending this Bill to the Legislative Committee, let us have a second look with a second eye or a third eye, so that we change the nomenclature of Mr Vice President, been the Chairman and having an independent body under the Ministry of Environment to look and to supervise this Agency for the benefit of the common and the real Sierra Leonean, thank you very much Mr Speaker.

THE SPEAKER: I thank the Honourable Member; it is always refreshing to hear her voice. Alright let us get some order here, the Leader for the Coalition for Change you will start, followed by the Honourable Williams-Lamin, in the order in which I am going to call you, yes the Paramount Chief Bai Kurr after Honourable Williams-Lamin, Honourable Rogers after the Paramount Chief.

HON. EMERSON S. LAMINA [LEADER OF C4C]: Sorry Mr Speaker.

THE SPEAKER: Okay and then, Honourable Panda and the Honourable AKK. I will take another set after this first set; so we are going to start with Emerson, followed by Honourable Williams-Lamin, Paramount Chief Bai Kurr, Honourable Dickson Rogers, Honourable Panda, and Honourable AKK in that order, please!

HON. EMERSON S. LAMINA: Mr Speaker, I rise on S.O 51[1]. Joining the several debaters singing the same song as far as this Bill is concern, albeit a differed hymn sheets, I will sing from. Mr Speaker, Honourable Members, the Bill is a good one, we cannot afford to miss this Bill, the creation of the ONS in post war Sierra Leone has done well. In Managing crises, disasters at the same time, strong actions to early warnings, which they have just done through this Act [*Undertone*].

Mr Speaker, Honourable Members, whiles we support this Bill, I can conveniently speak the Queen's language with ease, as far as Sierra Leone standard and all standard is concerned. If you do not mind, you can come for tutelage [*in laughter*]. Mr Speaker, Honourable Members, this is a very strong Bill and a very fine Bill for this nation and the only few beef I will hold, I have done it. I have heard several opinions that a Directorate be created instead of an Agency. If we want to really stand up to international best practises, there is Disaster Management Agency in Ghana, in Nigeria as well as in Rwanda; in fact in Rwanda, you have a whole Ministry of Disaster Management; we cannot go to that now. But because we want to stand and speak on a platform of International best practises, the establishment of this Agency is but necessary. While I stand on S.O 51 [1], a few things we would look at are:

[i] I have not seen punitive actions in this particular Bill, strong punitive actions for example; if you have a Fly-by-night Mining Company, my experience as Chairman for Mines and Mineral Resources in this House has made me to know the importance of NMA regulating the activities of Mining Companies, working under the Ministry of Mines and Mineral Resources. Likewise also, the Ministry of Environment being created, they need just this Agency to regulate or to give early warning signs, but punitive actions are absent. For example, if you have a Fly-by-night Mining Company, it will create a whole disaster prone area and leave overnight, sell all its equipment and leaves the country;

where are the stabilising clauses for a basket fund, to take care of those disasters? My Deputy has just mentioned an artificial mountain as you enter Koidu city, one would begin to wonder in ten years' time, what would be the repercussion? So we want to see Basket Funds to take care of those "would-be" disasters that will occur?

[ii] Secondly, I have not seen much synergy between EPA, NPPA, Ministry of Lands and this Disaster Management. The Legislative Committee, you have to be all eyes and all ears for us to have a very strong synergy between and amongst those Agencies, so that there would not be multiplicity by the same people.

Mr Speaker, Honourable Members, we cannot afford not to have this Agency, because South Africa and Malawi are holding and even spending more money into these Ministries. The issue of the Vice President being engaged with so much work also came up from other speakers, I only believe that he has tremendous capacity to handle those jobs, at the same time, we should not forget the fact that Agencies before these time, have been man by various Vice Presidents or past Vice Presidents and much has not been done, I must state it. My twelve years or so experience in the Local Government proved that Vice Presidents past and even present are Chairmen of Inter-Ministerial Committees which are supposed to get the real decentralisation work done. Because for the past twelve years or so, it has not worked, because the capacity or the time to coordinate the Ministry of Education, Health, Agriculture, Works etc., is not there, so we find it also difficult for those Central Government Ministries to devolve actions to the Local Government, as a result, it becomes defunct, moribund, if not out-dated.

Mr Speaker, Honourable Members, I recommend from this platform, that S.O 51 [1] be looked at very critically if not, the Second Reading has been done, I want to believe, that it is done so that the Legislative Committee Chairman, will correct all those dots that is supposed to be in this particular Act, Mr Speaker, Honourable Members.

THE SPEAKER: Honourable Member, I take note of the fact that you have mentioned S.O 51[1] more than once, let us be clear about what you intend by referring the House to 51[1] all the time. After the Second Reading ordinarily, a Bill stands committed to the Committee of the Whole House, but it is my understanding that this particular Bill, there

is a growing consensus that we commit it to the Select Committee that is, the Legislative Committee, rather than we move straight to the Committee of the Whole House.

HON. EMERSON S. LAMINA: That is the intention Mr Speaker.

THE SPEAKER: Thank you, then we are all at the same page, I think.

HON. EMERSON S. LAMINA: Alright!

THE SPEAKER: That is after the Second Reading, indeed. So you need not now refer to 51[1] in your contribution, let us complete first the Second Reading and then 51[1] become relevant.

HON. EMERSON S. LAMINA: Thank you very much Mr Speaker, apologies for coming late. Mr Speaker, Honourable Members, I want to believe that the very moment the Bill was committed *[Interruption]*.

THE SPEAKER: No, no! I think again Honourable Member, with respect to you, we are still at the Second Reading stage, we are debating the Bill at Second Reading; we have not committed the Bill, we have finished the First Reading and we are now doing the Second Reading of the Bill. When the Second Reading is completed, when we are finished with that, then I will entertain a Motion for the Committal of the Bill to the Legislative Committee; instead of the Committee of the Whole, as should ordinarily be the case.

HON. EMERSON S. LAMINA: Mr Speaker, Honourable Members, those Committees in question stand disadvantaged from the several contributions from the Members from both aisles. I thank you very much for the opportunity, thank you Mr Speaker *[Applause]*.

THE SPEAKER: I thank the Honourable Member. I think the next speaker should know himself now, Honourable Williams-Lamin followed by Honourable Bai Kurr.

HON. JOSEPH WILLIAMS-LAMIN: Thank you Mr Speaker. Mr Speaker, Honourable Members, I want to start by commending the people who have worked very hard to

establish an Instrument like this that we are debating, "The Disaster Management Agency". Before I proceed with my debate, I want to allay the fear of Honourable Members, who have repeatedly called that we are over-loading the Vice President with responsibilities. The Vice President of the Republic of Sierra Leone is a young man in his early fifties, highly educated and very experienced, and I believe strongly that he has the know-how and the experience to accommodate whatever responsibility as a National State person to move forward this nation, so on that note, I believe strongly that he has the capacity to handle that.

Mr Speaker, Honourable Members, this Bill is very timely, but when I listened carefully to Honourable Members, the ideas which they are deliberating in the Well here is very restricted. They are only thinking about Fire, Sand Mining, but they have forgotten about the Warfare we have in our society today. Are you really current with National and International issues? Or are you only deep-rooted in your villages? I believe if you have been very close to international communities where we have issues that have confronted the world, where we have over two thousand people who have lost their lives, all these decorated things we have here is from China, our friends that have lost their lives and we have the first issue in Algeria and we have an issue in Italy, over three hundred people infected with Coronavirus. You should be thinking about disaster not only fire, we should think more in the broader terms.

Mr Speaker, Honourable Members, I therefore want to call your attention that the proximity of the management team that we are about to establish, I believe by the grace of the heavenly Father/Allah and our saviour that indeed we shall put it into effective Act it is timely. The proximity is very much in place. We who have been a victim of such circumstance, if I bring it now to our level from our constituencies, I remember in April 2018, when the fire disaster occurred in Ward 290 in the village of Kambawama, I was seated right in this Well when I was called upon. I got confused, I did not know what to do, but with my effective and proactive planning over the years, I was able to put the situation under control. Even though the Agencies that you are

pointing at were contacted nothing came out of them, it was reported to the District Council, the District Council compiled the report and sent to the ONS and nothing came out of it. But if we look at this Bill carefully, a specific task is given to disaster management team and then you have all these various bodies that have been mentioned who will be part of the team, if you go to page 14 of this Bill under Section 5, the National platform for Disaster Risk Reduction Regional, District, Chiefdom Disaster Management Committee, indeed we have a Risk Reduction Management Team and comprises of all these major components that we have highlighted. It is therefore, in place as responsible Government and all the Political Parties in this House, is of necessity that we put a mechanism in place according to International Standards we have people responsible, we have people that we can contact from the Chiefdom level up to National level that we could turn to, so we are not disturbed at Parliamentary Sitzings. As I speak to you, my phone was ringing and I have to say I am in Parliament. I foresee that there is a disaster in that part of the Country, and that was why they were calling me. So the authorities that have spent their time to put a Bill like this in place are indeed National people, as they have shown responsibility to have something put in place.

Mr Speaker, Honourable Members, we are worried too much about money, we should be thinking about planning, Effective Planning. If we plan well, there will be people who can come on board, we all experienced what happened in Sierra Leone 2014-2015, the Ebola, you people saw how many people went to State House and how much monies were donated to the former President of this Republic, it is left with us how we manage those resources to reach our people and we have people specifically, responsible to the task, we can summon them to Parliament, we can call to ask them, for they are not working independently, they are working in association with other groups; but if you think about the National Protection Agency, look at the name or the title, the Agency is protecting our Environment. This one is charged with a specific responsibility and therefore, Honourable Members, I want us to think about that and we have been preaching about decentralisation, here we come with a very nice Bill that is going all the way to 190 Chiefdoms, I believe that our Paramount Chiefs will consider this as one of

the best Bills, because they are going to be involved. They have said in the Bill that, if you have an issue involve the Paramount Chiefs and there are some Committees we have the Paramount Chiefs in them. The Chieftdom Committees and they will be able to champion it, because they are stakeholders in their respective Committees.

Mr Speaker, Honourable Members, I am representing constituency 081, I consider this Bill as a very nice Bill and I will encourage each and every one of us, when it comes to that stage very shortly, that we approved this Bill. Thank you.

THE SPEAKER: I thank the Honourable Member for his contribution to the Debate.

HON. P.C. BAI KURR KANAGBARO SANKA III: Thank you Mr Speaker. First of all I want to thank the Government and the President, and the Attorney General for coming up with this type of Bill. I read it last night, it is very good, but when it comes to the Committee of Whole, there are so many amendments we would make, but all geared towards trying to build up the strength and the legality of this Bill, because it is all encompassing.

Suspension of S.O. 5[2]

HON. P.C. BAI KURR KANAGBARO SANKA III: Thank you Mr Speaker. Mr Speaker, when I looked at this Bill last night, I did some research on Google. I read about the Federal Emergency Management Agency [FEMA] in the United States, I tried to compare some of the contradictions and the similarities and the oneness in the Bill. But the difference is that, it is a rich and wealthy country, so they have already made the plans well how to fund it and so forth, here they just told us about resources been used, we do not even know where the resources were coming from or if there are allocations made whether the actual amount will be available, but as an Agency, I am sure if the Government put a dynamic strong people like the Attorney-General, who is very dynamic, we might get International or National funding to fund us. Believe me sir, when I read the Bill I do not want to go into the details of the Bill, but Mr Speaker, excuse me look at Clause 31, of the Bill, Section 30[a], Madam Attorney-General said, "Prepared plans for the Chieftdom to Prevent and Mitigate Disasters in the area of

Authority” it is a well stated statement, but when you look at the Political situation in Sierra Leone, we the Paramount Chiefs will want to do that but you will see all the Politicians coming from all angles trying to destroy us.

Mr Speaker, Honourable Members, when you look at the poverty in this nation and you look at the land degradation in this country you will be amazed because every day charcoal is being burn and brought to Freetown for cooking, wood is been brought to Freetown, so they are chopping and cutting all the trees; and therefore, you travel from here now to Gbanti, from here to Masingbi, Makali, Matotoka, Kroobola you will find fire, wild fires, no more trees along our highway and nobody stops it. Sometimes I wonder what EPA is doing because if we cannot have trees it is going to affect the production in terms of agriculture? Nobody is stopping fires in this country starting from Fomex, when you pass along the highway you will see fire, I am wondering why as a nation we cannot learn that any time you destroy nature, nature is going to destroy you in future. Charcoal is coming, but if you say let us not use charcoal, use energy for cooking, electricity or gas. So the poorer we are the worst we go every day, we cannot stop people from bringing charcoal in the city, we cannot prevent people from cooking with wood or charcoal, but this is degrading the land and here you said, “Prepare Plans for the Chiefdoms to Prevent and Mitigate Disasters in their area of Authority”.

Mr Speaker, Honourable Members, When I became a Paramount Chief some 33 years ago, I imposed a law that stops wild fire, but the whole place is a mess now. Believe me Madam, the way Sierra Leone is going in this charcoal, wild fire and wood, 50 years from now we would be importing timber from China, England and America. Like now, 50 years ago or 60 years ago during the war, Sierra Leone was exporting rice, but today we are net importer of rice. When people come to my house you give them home grown rice they will say, “Eh nor sweet”, the white rice is what they want now because the land is no longer productive. So if you give us this right, I am sure the lady from Makeni who was saying how to prevent the disaster had given us the ability in the Bill here, by this simple statement, and I do not know how you are going to address the

Western area? You have given the Paramount Chiefs 190 Chiefdoms now, believe me if we are serious we can protect and provide for this nation, if we get your support. You give us the provisions in this Bill, and Politicians will come in and say, "Ooh pa! da Chief nor dae support mi party, you don go mek dis". You have given us terrible court Chairmen that when they go in there, they challenge the authority of the Paramount Chiefs; they do not know the issues, our traditions and customs, so you find it very hard. These are some of the things Mr Speaker, about this Bill I love, I like and I am going to support it, defend it and I hope by the time we begin to implement it, the President, would have signed it, and you will still be there, so that when we put our bylaws, no Politicians, no "gigee jaga" person would go and try to challenge we the Chiefs. We would support it, I like this Section 30[a]. We will protect our lands; protect our agricultural areas, climate change, global warming, EPA and development of this nation.

Mr Speaker, Honourable Members of Parliament, try to read this through and I will give notice later after 51[1], the Second Reading for us to send it to the Legislative Committee, which they did a very good job the other day trying to explain issues and that we would have our own Agency. They said, this Agency would have a dynamic person and non-political person, somebody with good intention to develop this nation. Mr Speaker, I read a lot of it last night, so I do not want to waste time, because it is going to the Legislative Committee through your leave and the leave of Parliament, so that we can do a good job when it comes to Committee of the whole, but I see some very good aspects of the Bill and the other issue I just want to mention. I do not want to go again into the details of Clause 29, Sub Section 2, it is saying, "The Chiefdom Disaster Management Committee shall comprise of the Paramount Chief, the Community Health Officer, but when you brought in the Company Commander", can he attend all? Let us say, the Company Commander is in Makeni, can he attend up to 20, 30, 40 meetings? You see the extension there is too hard for him. If you have 40 Chiefdoms, can he be there all the time as CEO? Let us try to localise it. Then again, when you look at it, you will see the Officer In-charge Sierra Leone Police, who is the

officer in charge? The LUC, AIG or the one from the Local Chiefdom, who is he? What about those who do not have Commanding Officers in their Chiefdoms? Or the Chiefdom Security Coordinator Office of the National Security, where is that person? Where is he located? Or the Representative from the Sierra Leone Red Cross? I am in Masingbi and I do not see any Red Cross Representative there, The Chiefdom Youths Chairman is okay, he is there. Representative from the Civil Society Organisation, we do not have Civil Society Organisation there. The Civil Society Organisations are just in Freetown chopping money going round, writing all "Riff raff". We do not even know whether they exist in Masingbi, chopping money. They get \$300,000-400,000. They do not even travel to Makeni, Masingbi or Makali. You know they have to keep themselves with all the nice vehicles, they write a lot on Social Media, but I do not know how to use the Social Media, so I am not even aware of that, but I know some people are my friends. Then they put in there the Chiefdom Coordinator of the Agency who shall be the Secretary.

Mr Speaker, Honourable Members, the Chiefdom Coordinator of the Agency shall be the Secretary and you failed to put in a woman. When you talk of disaster, the first people to think of are Women, Children and Old People, but there is no woman amongst, unless the Commander in Makeni, if she is a woman, but I doubt it, I wonder if the LUC or AIG in Makeni is a woman. The CHO is a man; he is a nice young man from Segbwema, very good CHO whom we love so much. So think of the Women.

Mr Speaker, let me not waste time, I thank you and I appreciate the Government trying to come up with an Emergency Agency to address the issue, but think of the funding, think of the good people you are going to put there. I thank you and congratulate you, to see that this Bill passes into law, may God bless you all.

THE SPEAKER I thank the Honourable Paramount Chief, I am sure the Honourable learned Attorney-General would have taken note of the many acronyms you have directed at her.

HON. DICKSON M. ROGERS: Thank you Mr Speaker. Mr Speaker, my own intervention this afternoon is to just make few clarifications. Mr Speaker, Honourable

Members, I want us to know that most times the MDAs that brings those Bills into this Well are not Members of Parliament, but they are qualified to be Members of Parliament. Therefore, when we have those Bills, I advise we read them carefully before we start making our contributions, because they will be sitting listening to us. Let me take the argument from my colleague on the other side, unfortunately, she is not here. She spoke about why do we need an Agency, because EPA is existing as a Ministry, but Mr Speaker, Honourable Members, we have the Ministry of Transport and Aviation, but we have the Port Authority, Road Transport Authority, Road Safety Authority, these are all Acts of Parliament. Therefore, the argument to say that because we have the Ministry of Environment we should not have this Disaster Management as an Agency makes no sense to me.

Mr Speaker, Honourable Members, let me take this House to part 5 of this Act or Bill; it is telling us about Risk Management, there is a distinct difference between Risk Management and Disaster Management. I want to doff my hat to the Attorney-General and the ONS for bringing this Bill. Mr Speaker, Honourable Members, if this Bill was in existence, probably and perhaps the disaster at Mortormeh would not have happened. We were talking about Disaster Management, because there was no Risk Management, but now with this Bill, we will have what we call Risk Management. When we manage our Risks properly, then there will be no need for Disaster Management, because disaster will not occur.

Mr Speaker, Honourable Members, I said my intervention this afternoon is going to be about those few areas, that I want to tell my colleagues Mr Speaker, I believe probably, that this Bill was drafted before the establishment of that Ministry, I stand to be corrected Honourable Members. Mr Speaker, I believe my colleague from C4C was saying, that the Bill is not explicit and it is not inclusive.

Mr Speaker, Honourable Members, let us look at the same part 5 from 1 to A from A to G and so forth. This is the only first Bill that I have seen like the Paramount Chief was describing, that scales down to Chieftdom levels. Almost all important MDAs that have to do with Disaster Management or Risk Managements are Members of either the Board or

the Management Committee like Mr Rogers was telling us yesterday, that you will have the District Council Chairman being the Chairman of the District Disaster or Risk Management Committee; those are the first point of call when something happens as long as they are given the right to do it, I believe they can do it. So again my Paramount Chief, some of those titles mentioned either under District Committees or Chiefdom Committees, have an institutional representations, not necessary they would have to attend the meetings, they can nominate somebody to attend, but when you are doing a Bill to become an Act, these are the normal procedures, you will not say, Mr Bockarie for example, you will say, the LUC if for example you have two or three meetings in the district at the same time, the LUC can nominate somebody to represent him or her in that meeting.

Mr Speaker, Honourable Members, there are other issues, but I believe this Bill will be committed to the Legislative Committee, these are things we will look at, but please Honourable Members, let me reiterate for you to bear in mind, that when Bills come into this Well, the MDAs that follow the Bills are not Members of Parliament, but they are qualified to be Members of Parliament. Therefore, let us read our Bills properly, before we start to debate. Thank you very much Mr Speaker.

THE SPEAKER: Honourable Panda, you have the Floor.

HON. SAMUEL G. PANDA: Thank you Mr Speaker. Mr Speaker, Honourable Members, the Bill entitled “National Disaster Management Agency Act, 2020”, is a very good idea, and a very good Bill, yet Disaster itself is a relative term, you can have flood flashes, and can be a disaster, wild fire can be a disaster, management of these is something that we should look into we have to look for resources, how to fund the Agency itself and what role will this Agency be playing. Natural disaster itself, the remit of that is based mainly on Special Forces or National Security Agencies that can address National Disasters. My main concern is the funding and I will like to echo also the Speaker’s contribution on this Bill that it should have been Prevention and Disaster Management, but we are just talking about Disaster Management. How are we going to fund this Agency? Because when you talk about disaster, if there is flood or if there is a Major

National Disaster, people are displaced and those people would have to be rehoused or relocated, funds have to be available for those people. When they move, resources would have to be supplied, this is an Agency that should have reserves, not just talking and waiting for donors to be given us funds to cover these disasters. These are Agencies that should have a lot of funds reserved for it to do its job properly. These are my concerns Mr Speaker, I thank you.

THE SPEAKER: I thank the Honourable Member for his contribution. Honourable AKK, you have the Floor.

HON. ABDUL K. KAMARA: Thank you Mr Speaker. Mr Speaker, Honourable Members, whenever we have Bills before this House that establish Agencies like we did with NACSA, my principal position will always be, to take a close look at the Board. In this situation, more so in this Agency, we have a Board and we also have a National Platform. Mr Speaker, when you look at the Members of the National Platform and the Members of the Board, there is no much difference. We have the same people occupying the National Platform, and they are the same people occupying the Board; but when I go to 10, I start to understand why we have people running the Board and as well as the National Platform. For the sake of the public, let me try to read "The Chairman and other Members of the Board and any person co-opted by the Board under Sub-section 8 of Section 5, shall be paid". Let me stop there Mr Speaker, when you continue reading, Mr Speaker, it is good sometimes we have Professionals, but I have always stand in this Well to say not all people appointed or all people in such offices are just limited to be Professionals. Sierra Leoneans are vast when it comes to Disaster Management, even though they are not in these offices; let us have a situation in which we give the President, the leeway, the free will to appoint capable Sierra Leoneans to these positions. Besides, it often draws the attention of a very important position that I want to make.

Mr speaker, Honourable Members, when you look at Clause 10, you find out that there is a kind of double dipping, because all the people in the Board are receiving salaries and in this Act, we are told they are going to be paid. Mr Speaker, in a country where

we are not only managing disasters, but we are also managing the economic disaster, that we have now, how do we encourage people to have double dipping? Interestingly, we also talk about the Vice President been the Chairman, he is being paid for serving as the Vice President, and he is also going to be paid as a Chairman of this Board.

Mr speaker, it is interesting when Honourable Members make such Acts or Bills, to look at them in this Parliament, and we say, they are good for National reasons, and we pay people to ice double dipping; we allow it as if it is an "Own goal" on the nation. Are we finding a way to just be spending money as a Nation? I thought when we have all of these people, one of the things we would have removed is that they should not be paid, because they have been paid already and they are helping in Disaster Management.

Mr Speaker, Honourable Members, let me move to another point. We have a very good set of MPs this year, that could make laws that can affect them and they exonerate themselves from the picture. when you go to the provincial level, the Resident Minister automatically, is a Member, but you have no MP representing the people at that level, and when the Honourable Member from Pujehun was presenting, he presented a position that when disaster happens people run to Chairmen, I will bet my life on this, when disaster happens, the first people to be contacted are Councillors and the Honourable Members, and interestingly, in this Bill, the MPs are not Members of any level, not even a representative at the district level. When you go to the Chieftdom level the Councillors are also omitted, what that means Honourable Members, is a situation in which you address a situation in Masongbala for example, and the people do not see their representatives, the first thing they will say is, "Wi tell una say, this borbor nor serious" S.O [2], he has abandon us in the midst of our crisis. That is exactly what we are approving, and that is what the Paramount Chief was saying, he was very clever in saying when we would have pass this Bill, Political people will go and tell them what to do and what not to do, if we are part of the Committee, we need not tell them, we take decisions together, but we are here and we are saying it is a good Bill, and we omit ourselves deliberately.

Mr Speaker, Honourable Members, our people are waiting for us, you go and manage a Disaster in Daru, for them not seeing their Honourable Member, is a big problem, Social Media would be there. I agreed with all other speakers who have asked for this Bill to be committed to the Committee Stage. Mr Speaker, I do not know the situation in the West, because I lived in the East, from East-End Police to Waterloo, all the major streams that ferry water from the hills are now under constructions constantly. If you go after Shell going to St. Helena, on both sides of the main gutters you have big houses been constructed there, the same for Wellington, Calaba town, Waterloo all the major streams along the roads. This country does not lack laws, we do not lack Agencies, what we lack is the enforcement of laws. These Agencies we have created, even EPA, yesterday they were here and told us, they do not have the powers to act, so when we pass laws, in this Parliament, when we were looking at the Sexual Offences Act, we said let us bring other related laws, so we created an umbrella understanding of all laws before we create certain laws, but what we are doing now if you go to the ONS you will see a big contradiction to what we are doing now, you look it contradicts with EPA, you will see another contravention, so I am not only asking for us to take this to Pre-legislative; but I am also saying Mr Speaker, as I always remind you, that under your leadership as the Speaker, Sierra Leoneans are expecting much. I know they will not be expecting much, because of age, but because of your experience, and you have a number of MPs that are willing to learn under your leadership, so having contradicting Legislations in this House, contradictions to other Legislations that this House has passed, tend to bring some questions you must have not heard, but we are getting the questions. Mr Speaker on that note, because sometimes when I speak, the Speaker gives me more time, but let me stop and allow other people to have their bites.

THE SPEAKER: I thank the Honourable Member for his contribution and I am very pleased that the Chairperson of the Legislative Committee is still in the House, and he has been here very steadfastly listening attentively to all the contributions, I applaud him for that and I hope he will take on board the many comments and observations that have already been made. Yes Honourable Members, I will now take just five

speakers, I will start with you Honourable Member and the Honourable Member behind you, what is the name? Festus, I have four Members on my list, Honourable Fofanah, Honourable Koroma, Honourable Festus and Honourable Hafiju, after that we will wind up the Debate, no Second Reading!

HON. MUSA FOFANAH: Mr Speaker, Honourable Members, I want to take from the queue of my colleague Honourable Members, if you look at page fourteen [14], as the last speaker Honourable AKK was just making a comment, 21[2], I want the attention of the Honourable Speaker.

THE SPEAKER: Proceed I will give you one ear.

HON. MUSA FOFANAH: Thank you Mr Speaker. Mr Speaker, page fourteen [14] is talking about a National Platform for Disaster Risk Reduction. A National Platform in this modern century of ours? A law making institution which the constitution of this country made very clear under Section 105, that we are the supreme law makers, and we are not in this particular aspect of this document, means no matter how we praise this Bill, this Bill has a problem. Because we should be part and parcel of it, no matter what, so amending this particular area I want to advice that Members of Parliament be included.

Mr Speaker, Honourable Members, I am interested in the area of enforcement and prevention. The reason why I am calling the attention of the Speaker is, last year I said it in this Well that Guma is under high risk, and the answer the Speaker gave me is what is Guma doing? Mr Speaker, the forces that are against Guma are heavier than Guma themselves. Why I am saying this Mr Speaker, you have people around the Guma dam who claimed to be land owners who are selling those lands, what is the Ministry of Environment doing? What is EPA doing? We do not know! And when you ask Guma they will tell you that each and every house around that area, land owners have a plan for their properties, and those plans have seals of lawyers, and the Ministry of Land signed those documents, how can you destroy them? When already they are legal. Mr Speaker, once again I am calling you to pay some attention to me, because last year Mr Speaker, you told me in this Well that what Guma is doing, I am really in support of this

Bill, but I want you to know Mr Speaker, that we need enforcement in this Bill. The reason is because the disaster we are talking about here I told you Mr Speaker, that we understood from Guma that Guma is on high risk, and Guma is looking for **\$200m** to improve the Guma dam for thirty years to serve Freetown. It will be the worst disaster this country will ever experience, if we encourage the Guma dam to collapse. But when I said it here last year, you spoke very loudly to say what is Guma doing? That is true, what was Guma doing? But the forces against Guma is very strong. And what are the forces? The lawyers that are signing the plan for those people who are encroaching on those lands, and the Ministry of Lands themselves that are signing those property documents. So Mr Speaker this is my concern. I would not go further simply because I would not have your attention. I thank you very much.

THE SPEAKER: Honourable Member!

HON. MUSA FOFANAH: Yes sir, Mr Speaker, Mr Speaker I am not too happy, because I did not get your attention fully.

THE SPEAKER: No, but never mind you had the attention of your colleagues.

HON. MUSA FOFANAH: But Mr Speaker you are the head of this House and you ruled last year against me, though it was not a Motion but just a concern for Guma Valley, and what I was explaining last year I decided to make the same addendum today. That the biggest disaster this country will experience is when we sit down as Parliament and see the Guma dam collapse. The problem Mr Speaker is, the forces fighting Guma Valley are stronger than Guma Valley itself. And the only force that can save Guma Valley is this House. I know because I went there with the former Chairman of Water Resources, Honourable Kemokai, and most of the property owners were showing us land documents, that have signatures of lawyers, and signatures of the Ministry Lands who knows the map of the entire Freetown, both the city and Ward-C, they were also signing those plans. So Mr Speaker, the bottle neck here is, you cannot be appointed by the President to support the agenda of the President, and then you undermine the same Government or the President. This is why we are asking as Young Parliamentarians not only to bring some Ministers in this Well for questioning, but it is

to remove our approval if we want to really serve this country well, because some of these Ministers are not really taking their jobs very seriously Mr Speaker, thank you.

THE SPEAKER: I thank you very much. I have listened very attentively, and I must confess that a lot of very incisive valuable points have been made by various speakers, and I have virtually reached the conclusion, that we should not conclude the Debate on the Second Reading today. This Bill speaks to a lot of issues that also have to do with various other provisions in other Legislations. And in the continuation of the Debate, I would implore Honourable Members to come well equipped with the provisions of those other laws so that we see how they inter relate, or conflict, or harmonise. But the point has been made that no useful purpose will be served by this House passing a law that stands in contrast, or in contradiction to existing laws. We should be debating this law, or this proposed law in tandem with provisions contained in other relevant laws, so we would not conclude the Debate today.

Honourable Members, however, taking into account the very busy schedule of Madam Minister, we could allow her to respond to the many issues that have been raised thus far, because I am not sure whether she will be here at the next adjourned date that I am about to take. So for those of you who are yet to speak, you would have your opportunity at the next adjourned date, to continue the Debate on the Second Reading. Very well, your point is well taken, but I would also implore Honourable Members by the way those provisions ought to be provided well in advance at the adjourned date, so that Members would have the opportunity to browse through and read them, and understand them thoroughly before that adjourned date. Very well yes!

HON. CHERNOR R. M. BAH [LEADER OF THE OPPOSITION]: We came on Monday and we conducted some research, but fortunately the very experience have being around that place for quite a long time, and they have being dealing with disaster and other related issues. So they know the areas to go to, just help us with the relevant portions. And Mr Speaker, in addition to what we have just said, just to support your position, I hope colleagues will avert their minds to S.O 37 for them to know that what you have just done is possible, thank you very much.

THE SPEAKER: Thank you Honourable Leader of the Opposition, now with that let me assure the Honourable Members; Koroma, Festus, and Hafiju that you will be the first speakers on my list on that adjourned date, in fact your further research will enrich your contribution to the Debate when we resume.

HON. PETER Y. KOROMA: Mr Speaker, can I kindly ask you to make an amendment to the name you have written down for me?

THE SPEAKER: Which one?

HON. PETER Y. KORAMA: Festus I think!

THE SPEAKER: Are you Yamba?

HON. PETER Y. KORAMA: Peter Yamba Sir.

THE SPEAKER: I will now give the Floor to the Honourable learned Attorney-General and Minister of Justice, to respond to the many issues raised and to give us the benefit of our own perceptions, so that we will take them into account when we continue with the debate at the next adjourned date. Madam, you have the Floor!

DR PRISCILLA SCHWARTZ [THE ATTORNEY GENERAL AND MINISTER OF JUSTICE]: Thank you very much Mr Speaker for affording me the opportunity within the process to address the very important and very salient issues that have been raised by Honourable Members. Let me first take this opportunity to say thanks to all Honourable Members for the very insightful comments that you have made on the Bill. I will first want to identify very generally some of the issues which I have noted that may deserve my comments and the remaining ones as I have already been put to notice rather implicitly that a Committee discussion will be held upon the Bill. There is an issue of definition, issue of immunity of officers, issue of prevention in the Bill, enforcement powers, the role of different Ministries, in relation to the application of this Bill, Finance resources, issues of funding, issues of inter-agency coordination, who bears responsibility for the Bill, cost to the Economy, the Chairmanship of the Bill, the Board of the Agency and the issue of practical application and implementation of the Bill and the challenges and the very important point that has been raised regarding Board

Members, National Platform and the call for the inclusion of Members of Parliament in the implementation of the Bill.

Mr Speaker, I would not belabour with the point, but the definitional issue that came out from the Honourable Members, that there is definitional question in terms of the Bill not meeting, "Disaster Management" demands, of course, that is something we can look at, as another Honourable Member has noted, it is a conceptual issue, what is disaster? When disaster would be acclaimed to be so? It is a legal question, because when you look further in the Bill, there is a responsibility given to when the disaster itself is proclaimed to be so, and when the President by proclamation will choose to agree that it is so. So whether or not we can seek or we want to limit it by definition, because as we know by definition means "Exclusion", what you do not put in, should mean, it is excluded. We must be careful when we are seeking to prescribe what we mean in this contest as other Members have suggested. Disaster is not only about Environment, there is Biological warfare, there are health issues, we have Coronavirus, we have Terrorism and other issues that can make up that. The issue about the immunity of the officers and the reasonableness again, these are issues of standard procedures, as we cannot hold Members of Parliament liable for the work that they are doing in the House, in their Legislative authority, so we cannot hold people, who perform functions that have been dedicated to them. Notwithstanding, there are issues with other legal remedies or legal enforcement mechanisms when there is clearly breach of abuse of process and abuse of power and so on and so forth. This can be proven and they can ascertain that there is a responsibility that is outside that framework, then we can certainly bring an action to compile liability.

Mr Speaker, Honourable Members, prevention measures that were also mentioned by Members including the Honourable Speaker, again the Bill is about disaster management generally, and the frame of it. If you look at the framing of it right through it is about Managing National Disasters. So, we should not focus on disaster without national, because the two go together. When something is acclaimed a national disaster, is a process for it to be acclaimed thus and preventative functions. I would be

careful how we can open the Bill to begin to prescribe what are preventative functions, bearing in mind that most of the Honourable Members, have indicated different rules and functions of Departments and Agencies which have competence in this area for instance, the EPA has enough and sufficient function to deal with preventative measures that is why they conducted Environmental Impact Assessment [EIA], they have powers to conduct EIA in the conduct of every activity and power to investigate certain things relating to the natural environment. Mr Speaker, again, I am just trying to highlight since you have sole competence in this House to investigate this Bill, I just want to draw your attention to some of these very legal questions which also I am your legal adviser, I may trust that you would be obliged. The role of Ministries, yes it seems on the face of the Bill, one Honourable Member was concerned about what is left with the role of Ministries in relation to disaster control? We all know that Ministries have predominantly a policy direction. So the inter-agency coordination that has been assumed in this Bill I think is very thorough and very inclusive. So by implication, if there is a need for a sectorial application those Ministries responsible, if it is in relation to policy making, they would be consulted and they would have a role to play, but the Technical Agencies with competences are already included in the Bill.

Mr Speaker, Honourable Members, financial resources count on one hand, was an issue of cost on the economy. I will leave that with the Ministry of Finance, but in terms of funding Disaster Management that is clearly well thought of and I must commend one of the suggestions of one Honourable Member of Parliament who suggested, that there should be funds held not just when disasters happen, so I think that is something that I have benefited from, that we should actually find a mechanism in the Bill Mr Speaker, to ensure that there is a ring-fencing funding, so I want to commend the Honourable Member who drew our attention to that. The funding aspect is in Section 43 that is where it states how funds are proposed to be appropriated to this Agency. Inter-agency coordination is one again at the Executive level, because it seems that one came out as a bit of a problem, that we have so many of these Agencies and they are not coordinating and that is why we do have issues. So, it does not really speak to the Bill

that is before us, we understand that there are lots of problems in terms of this, I will take that message that is an Executive function and we would ensure that there is a ring put on that; so that Ministers are able to coordinate better in their functions.

Mr Speaker, Honourable Members, responsibility for the Bill, this was very insightful I benefited so much from the debate and the general slant was toward a suggestion that the EPA or the Ministry of Environment take charge of the Bill. Again I would in my humble wisdom draw the attention of the Honourable House of the purpose of the Bill, is again for National Disaster Management and Disaster Risk Reduction as the case maybe, when those circumstances are identified, we will advise His Excellency the President, who may then declare by proclamation that, that particular disaster has occurred. So, just by that note you will know that it is outside the remit of the Ministry of Environment, it is outside the remit of the EPA. The EPA has a very fundamental function in preventing environmental hazard of all aspects relating to the natural environment. So, to suggest that the National Disaster Management Agency [NDMA] is subsume under the newly created Ministry of Environment, it is something you might want to rethink with the information that you have, but then again by the Bill it is entirely the President's prerogative of Executive Appointment as to how these would occur, and I would be reminded to call the Honourable Members, to caution in maintaining that separation of powers that the Executive as the Bill itself suggests, that the President, shall appoint a Minister responsible. The President could also decide to close the Ministry of Environment and that is the prerogative that he has. So, I also would want you to think very thoughtfully about that procedure.

Mr Speaker, Honourable Members, the other one regarding the Chairmanship of the Board. I have heard mention made about responsibility at the Board level under the Chairmanship of the Vice President. Disaster Management in the framing of it is essentially, very intricately linked with security issues and the Head of the Security issues last decision call-making is His Excellency the President. And His Excellency the President has conduct of this Disaster Management Agency just like the EPA was under the Presidency. So, this Agency is under the Presidency and of course that is why I am

tabling the Bill before you, because I direct Presidential Bills and other Bills within the justice institutions, so I just want to crave your indulgences Honourable Members, that the Vice President constitutionally, is the Principal Assistant to His Excellency the President. Therefore, the President has a prerogative to nominate him to that Board and that is the nomination and of course giving that the Vice President has the competences in his responsibilities in security matters of that nature. Again, these are Executive functions, that is what constitutionality is and therefore that has been suggested here, let us be mindful that it is just at Board level, but there is a whole democratic collusion around this Bill, because it goes right to the grassroots level of Chiefdoms and Districts which gives people the management ability to plan and to prepared themselves to respond to disasters. So, I will not go into the ability of the Honourable Vice President, but we must think legal things as they are, and it is legal matters that are before you in law making and of course, we will include your wisdom which I always draw from this House to produce a Bill that does not undermine the constitutional integrity of the state.

Mr Speaker, Honourable Members, the EPA is responsible not just for Environmental Impact Assessment, it is also responsible for taking preventative actions right down to Social Impact Assessment. It is also responsible for monitoring and it is therefore able to inform this body in which it is seated as a Member of those issues. The Office of National Security *[ONS]* and other institutions deal with a lot of security issues and as I have said, the security component is not just reduced to natural environment we have other disasters that will happen that makes the structure of this Bill as it is before you. The implementation challenges that have been mentioned by the Honourable Paramount Chief are noted, again as I said, that is an Executive outfit, we will take it on board, I have learnt and I will take that message back, so that there is some decorum in that regard. If I may be excused by the Honourable Speaker to say thanks for accolades that were poured on me, not that I think I deserve them, but I am warm at heart that you feel that, but again I am so disposed but to caution that it is His

Excellency the President, that is the champion of this Agency, regardless of the institutional structure, because they are answerable to him.

Mr Speaker, Honourable Members, the empowerment of women. I thank the Honourable Member, who mentioned that the Bill goes down to that level, I think it is Honourable Dickson Rogers, the Honourable Paramount Chief, I hope will champion the course that our women are given the due recognition that they need to be nominated to these positions, because this as the Honourable Member has said, is our institutional representations, so it is your right when it gets down to your level, we aim to give you enormous powers of decentralisation so that you are able to take matters in your own hands. So, it is entirely but fitting to be able to protect women and to make sure that they are empowered to speak in terms of issues of disaster, when they occur or how it should be reduced.

Mr Speaker, Honourable Members, the issue about the Board's remuneration that has come up two or more times and then the inclusion of Members of Parliament in the Bill. Now, Section 10 is very generic. It says, those Members we all know constitutionally cannot double dip, it is an offence. So, I can assure you that there will not be any double dipping if that is your concern, but what you should also note that there are provisions for allowances and there are other provisions for sittings and how those are related and how those are implemented will be entirely within the framework of the Board. I want to assure you that, there is some integrity that will be assumed here moving forward. To the Honourable Member of Parliament, who made a very passionate submission of inclusion into the Bill to have a role? I cannot think of a role much more Honourable than you have in this House, to have the oversight functions to make sure that the integrity of the Bills are held and that is also the strength of the separation of powers. The Executive takes the responsibility for the Bills that they bring before you in terms of their implementations. If we should allow the Honourable Members, to be in the Executive and implement within an Executive function, we would have a constitutional crisis. You do have a role because at the Chiefdom and District Levels you have your constituents there. I do not think necessarily, as well you have to

be spelt out in Legislation for you to perform your functions at the Constituency level, I am sure that the information that you will need when disaster occurs will be made available to you, because it is your Constitutional right to demand information and to know the processes, and you will surely get the information.

Mr Speaker, Honourable Members, so, if I must say in concluding, thank you for stating the importance of the Bill, which I want to thank all of you who have supported the Bill having different views about it, but to probably emphasis from my own personal knowledge why it is important.

Mr Speaker, Honourable Members, as I stand here, I am defending an action in ECOWAS, because a claim was brought by private lawyers against three Ebola Victims which they claim that the previous administration embezzled funds for which these people need to be compensated. As Attorney General, I represent the Defence of the State and whenever a Government or the State is challenged in any court domestically or internationally, I have a duty to defend. And of course, this brings it to why this Bill is important, because there is now created in the Bill a Management Frame Work which had not been, that is structured and that can be accounted and can account for even funds that are generated, so that we do not have to have private Lawyers who seeks to dispense justice for our citizens. Of course, for the information of this House, the issue on our part in defending dwells on the fact that we felt this Government has made an undertaken to consider all its disabled persons. We were having discussions with the Lawyers, suggesting that; why should we take three Ebola victims? Why do we twist the hands of Government or compel Government to be responsible for all its disabled persons at least to begin a process, where we have the Disability Commission? Who can start a process to at least identify and register our disabled persons so that we can begin to think meaningfully about them? That was just an aside Mr Speaker, but I thought it was worth mentioning. Thank you very much Honourable Members, thank you very much Honourable Speaker, for this opportunity to address the House *[Applause]*.

THE SPEAKER: I thank the learned Attorney General and Minister of Justice for the clarification she has given to us and also for the most benefit of our own insight and perspective on the Bill. With that, Madam, you are free to take leave of us.

HON. CHERNOR R.M BAH: Not yet!

THE SPEAKER: Not yet? Okay please, by all means.

HON. CHERNOR R.M BAH: Mr Speaker I rise on S.O 37 as I alluded earlier, even though the Minister had just received her first bit, I move that S.O 37 be applied to defer this Debate.

THE SPEAKER: Any Secunder? The Motion is that this Debate on the Second Reading of the Bill be deferred to the next adjourned date. And if I may just dilate on it, the purpose is to give the Honourable Members, more time to do their research to reflect more deeply, and in greater depth the content of the Bill. It may sound simple, but not that simple; it has a bearing on existing Legislations and the activities of the existing organs of the Executive. So we need to be able to coordinate the activities and functions and provide a better synergy.

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

THE SPEAKER: I have a Motion Chief; the Motion has been moved and seconded all in favour. That is a dilatory Motion S.O 37! Please Chief, look at S.O 37, are you satisfied now? Thank you.

[Question Proposed, Put and Agreed to]

THE SPEAKER: Accordingly, this Debate is deferred to the next adjourned date which would be announced shortly. Yes, nothing? Announcement[s]! You are in Section 33.

HON. DR MAHMOUD M. KALOKOH: I said Section 33 of the 1991 Constitution Sir.

THE SPEAKER: Section 33?

HON. DR MAHMOUD M. KALOKOH: Yes Sir! In relation to a notice that was put out by the Office of the NCRA on the 20th February, 2020. Mr Speaker, I said 33, I am seeing the notice.

HON. MATHEW S. NYUMA [Deputy Leader of Government Business]: We need him to read the provision, and tell us why he is moving on S.O 33, thank you.

HON. DR MAHMOUD M. KALOKOH: I am building the link; and just be patient for a while, I will go to that portion that is why I cited the relevant provision in the 1991 Constitution.

THE SPEAKER: No, No! Honourable Member, you have to be patient here; I doubt whether every Member has a copy of the Constitution in front of them. But for the benefit of those who do not have, very well.

HON. DR MAHMOUD M. KALOKOH: Let me build the link Mr Speaker, with your leave Sir I said Section 33 *[Interruption]*.

HON. MATHEW S. NYUMA: Mr Speaker, Point of Order! You have referred us to Section 33, of the 1991 Constitution, Act No 6, we want to understand what you have referred us to, I want to know the validity and the nexus why you are talking about Registration based on what?

HON. DR MAHMOUD M. KALOKOH: You cannot put words in my mouth, I have cited the appropriate Section of the 1991 Constitution, and I said in relation to a notice that was put out to the public by the Office of the NCRA on the 20th February, 2020. Mr Speaker, with your leave!

HON. MATHEW S. NYUMA: Point of Order! Mr Speaker, that is the very reason I am asking for the nexus. He said there was a public notice from NCRA, and he has cited this provision that is just read for us.

THE SPEAKER: Look! Let us do this, do two things Honourable Member, I am addressing you to do two things for the House, first; you have referred us to Section 33 of the 1991 Constitution, tell us what it says, and after that, tell us what the notice emanating from the NCRA says, and the nexus it has to that provision, then you can proceed.

HON. DR MAHMOUD M. KALOKOH: Thank you Mr Speaker. With your leave Mr Speaker, Section 33 of the 1991 Constitution, reads thus, "Subject to the provisions of the Constitution, the Electoral Commission shall be responsible for the conduct and supervision of the Registration of Voters for, and of all Public Elections and Referenda". Mr Speaker, I have taken this House to the appropriate Section in the 1991 Constitution, and to relate *[interruption]*...

HON. MATHEW S. NYUMA: Mr Speaker Point of Order! He has not read the provision of Section 33 properly, he has stopped just somewhere; he has over three sentences to go.

HON. DR MAHMOUD M. KALOKOH: Can you allow me please! Mr Leader.

HON. MATHEW S. NYUMA: No, no, no! You have not finished, no, no, no! You should read the whole provision for us, because you cannot just interpret half way, we need the whole provision to be read, because we want to see the nexus between the announcement and this provision.

HON. CHERNOR R.M BAH: Mr Speaker, fortunately like me, you have a legal brain, and not to waste the time of this House; except when it is absolutely relevant, we go through an entire page paragraph or sentence, he is been asked to connect the nexus between the Constitution and the Statement, let him be allowed to make his statement too much of interjections will not allow him to conclude.

HON. MATHEW S. NYUMA: Mr Speaker, with all due respect Leader of the Opposition, we said let him read the provision, he has not read it; he has not finish reading it, he just read half way Mr Speaker, let him complete it, he did not finish there is an area about Statutory Instrument. Read the Functions of the Electoral Commission, we want him to finish reading that provision, no! I am bringing my opinion on that. Read! You have cited.

HON. DR MAHMOUD M. KALOKOH: Mr Speaker let us do not be laboured on this point; let me continue with my argument Mr Speaker. I have read part of Section 33, and the portion I have read definitely; any Member that followed my reading has

understood the provision I am referring to. I am linking this provision, Section 33 to the notice that was put out by the NCRA to the public on the 20th February, 2020.

THE SPEAKER: You still have the Floor do not worry, if I were in your shoes, I will make life much easier for everybody. Just read Section 33, in its entirety and when you finish, you can then underline the portion of Section 33 that you really want to draw specific attention to.

HON. DR MAHMOUD M. KALOKOH: Thank you Mr Speaker. Section 33, please follow and listen keenly, "Subject to the provisions of the Constitution, the Electoral Commission shall be responsible for the conduct and supervision of the Registration of Voters for and of all Public Elections and Referenda. And for that purpose, shall have powers to make Regulations by Statutory Instrument for the Registration of Voters, in the conduct of Presidential, Parliamentary, or Local Government Elections and Referenda and other matters connected there with including regulations for voting of proxy".

Mr Speaker, I am now relating this to a public notice that was put out by the National Civil Registration Authority on the 20th February, 2020, specifically referring you on that public notice. Mr Speaker, the second paragraphs of the public notice which date I have just cited stated, and I want everybody to follow it keenly!

THE SPEAKER: Issued by?

HON. DR MAHMOUD M. KALOKOH: Issued by the National Civil Registration Authority on the 20th February, 2020, and signed by the Director General. Mr Speaker, the Authority further wishes to inform the general public that only those whose details are in the Permanent Civil Registration will be eligible to obtain Bio-Metric National Identification Cards, and to Vote in all Public Elections beginning with 2022, Local Council Elections.

Mr Speaker, I am seeing this statement being publicised by the National Civil Registration Authority undermining the integrity of the provisions of Section 33 of the 1991, Constitution which cannot be challenged by an Act of Parliament.

HON. HINDOLO M. GEVAO: Mr Speaker Point of Order!

THE SPEAKER: What is your Point of Order?

HON. HINDOLO M. GEVAO: He is standing on S.O 23.

HON. DR MAHMOUD M. KALOKOH: Mr Speaker, I never stood on S.O 23.

THE SPEAKER: That is correct, I did not hear him mentioned S.O 23.

HON. DR MAHMOUD M. KALOKOH: I am not here arguing on personal note, I am arguing based on Constitutional matters, please listen my Colleague Honourable Hindolo M. Gevao. I never stood on any Order.

HON. HINDOLO M. GEVAO: Mr Speaker, I am on my leg and I have the Floor. Mr Speaker, we have the Standing Orders, my point is; if he has said he is coming under S.O 23 my question is; under which Standing Orders is he standing?

THE SPEAKER: Yes! Go on.

HON. CHERNOR R.M BAH: Mr Speaker, I thank you very much. But in this House, anything of public interest more so when it is Constitutional, any Member could rise on the Constitution and raise that issue. And I am sure Mr Speaker, it is fact of which is the practice of all Parliaments, not just our Parliament, it has been happening, and it will continue to happen. The Standing Orders just aid the Constitution. But our primary source and working document is the Constitution.

THE SPEAKER: I think the Honourable Member, will not dispute that statement. The Constitution is the Grundnorm; his standing on the Constitution is. You see sometimes we do not allow people to land. The man is in mid-flight, you are now making a Point of Order! I want to understand exactly what his point is, but when you people start interjecting like that, how the man can deliver the point that he wants to make to the House, allow him please! We are all Honourable Members here, we should learn to listen and allow people to start and finish the contributions they want to make. You still have the Floor.

HON. DR. MAHMOUD M. KALOKOH: Thank you Mr Speaker. When we took oath of Office in this Noble House Mr Speaker, of which you are the head, we were supplied with two instruments. Mr Speaker, I have cited the relevant provision that I cautioned to be undermining the integrity of the provision of Section 33 of the 1991, Constitution. It is only the National Electoral Commission *[NEC]* that has the mandate to Register Voters. And if you look at the public notice, which I have just read; it stated and to Vote *[Interrupted]*, I am coming.

THE SPEAKER: Okay wait a minute, I am getting the gist of what you are about to say. Would you kindly read the relevant portion of the Public Notice again?

HON. DR MAHMOUD M. KALOKOH: Thank you Mr Speaker, paragraph 2 of the public notice says, "The authority further wishes to inform the general public that, only those whose details are in the Permanent Civil Registration will be eligible to obtain Biometric National Identification Cards," I do not have problem with that, but the one that says, "And to Vote in all public Elections beginning with the 2022, Local Council Elections", There comes in the problem.

THE SPEAKER: Okay!

HON. DR MAHMOUD M. KALOKOH: Mr Speaker, only NEC has the power; the mandate to determine who Votes in any Public Elections and you cannot be NCRA to determine in this circumstance to say, only those that they register can have the eligibility to Vote in public Elections, starting 2022. I saw that statement as undermining the integrity of Section 33, of the 1991, Constitution.

THE SPEAKER: Okay, let me understand what you are saying.

HON. DR MAHMOUD M. KALOKOH: So therefore, I want to move *[Interruption]*.

THE SPEAKER: No before you reach there, let us get clearly an understanding of what you are saying.

HON. DR MAHMOUD M. KALOKOH: I am saying!

THE SPEAKER: I am coming! Let me paraphrase, you have cited Section 33 of the 1991 Constitution, which vests the powers in NEC to Register Voters and to conduct Public Elections for Sierra Leone, and you are now saying there is another body NCRA that is purporting to interfere with or even usurp the authority or the powers of NEC, is that what you are saying?

HON. DR MAHMOUD M. KALOKOH: Correct Sir!

THE SPEAKER: Alright! Before you make your Motion, please take your seat. May I invite the two Leaders please? Honourable Member, Dr Mahmoud M. Kalokoh, I invite you to come forward, come with your phone [*Undertone*]. Honourable Members, in keeping with the spirit of the Bo Declaration, which is very much alive and having read the relevant provision to which attention has been drawn to Section 33, of the 1991 Constitution, and also having seen and read the relevant portion of the public notice to which reference has been made, I do not believe this is a matter that should at this point generate controversy in this House. I will therefore, invite the Acting Leader of Government Business to ensure that the Director General of NCRA comes to Parliament at our next adjourned date and we shall all have a meeting with him if necessary, in Committee Room One, for him to elaborate and elucidate further on the public notice that he has issued; because on the face of it, it does seem to me to go beyond the boundaries of the authority for which the NCRA was established, on the face of it. Maybe, after he has offered his explanation to the House in Committee Room One, we shall know what to do next, and I hope that satisfies everybody.

So therefore, all those who came with written drafts of a Motion, hold your peace until that moment. Honourable Members, is there any other matter? Not reopening this particular issue. Okay go ahead.

HON. HINDOLO M. GEVAO: Mr Speaker, just to inform the House that I have this day, the 27th day of February 2020, filed a notice for a "Private Member's Motion" with the Office of the Clerk on the Passport issue, following the relevant S.Os. I have launched the notice and I will allow it to mature, and look up to it coming up in this House.

HON. DANIEL B. KOROMA: Point of Order! Anyway, for just not wasting your time, but for next time that does not fall under S.O 23 please! But for next time *[Applause]*.

HON. HINDOLO M. GEVAO: It is not for you to tell me what I think falls under S.O 23, no! It is not for you to tell me *[Undertone]*.

THE SPEAKER: Are you giving notice of a Motion?

HON. HINDOLO M. GEVAO: Yes Mr Speaker.

THE SPEAKER: No! S.O 23 is quite specific and very limited. You are simply announcing; given notice of a Motion.

HON. HINDOLO M. GEVAO: Yes Mr Speaker.

THE SPEAKER: Not under that.

HON. ABDUL KARGBO: Under S.O 25! Go to S.O 25 Sir.

HON. MATHEW S. NYUMA: But Mr Speaker, we have had this precedent before; that is the reason he is doing it, the last time we brought it up that if you want to do a Motion, you use the provisions we have in the Standing Orders.

THE SPEAKER: It is S.O 25, but he cited S.O 23.

HON. MATHEW S. NYUMA: No! Because it has been happening, that is why he is saying it *[Interruption]*.

Mr Speaker, he has followed S.O 25. What he has done is just by explanation personally, to tell the House that he has to do it *[Interruption]*.

THE SPEAKER: I have not given anybody the Floor. Honourable Hindolo Gevao, to enable your statement to be properly recorded, will you please recite to me again the S.O under which you are standing?

HON. HINDOLO M. GEVAO: I stand on S.O 25.

THE SPEAKER: Thank you.

HON. HINDOLO M. GEVAO: I have done that! Mr Speaker, I will read it for the House, it says, S.O. 25[2] "Where a Motion of the House is required, such notice shall

be given in writing, signed by the Member and address to the Clerk of Parliament, such notice may be handed by a Member to the Clerk of Parliament”.

THE SPEAKER: Wait Honourable Member, we are perfectly aware of what S.O. 25 says.

HON. HINDOLO M. GEVAO: Much obliged Mr Speaker.

THE SPEAKER: It is just that when you stood, you stood on S.O 23, and we wanted the correction recorded that is all.

HON. HINDOLO M. GEVAO: Okay, 25 Sir, noted Sir *[Laughter]*. The apprehension is noted Sir, we know you are very apprehensive about the Passport, stay put *[Undertone]*.

THE SPEAKER: I do not want to open a Pandora’s Box. Are there any other S.O 23s? None! Any S.O 25s? None! On that note, Announcement[s]!

ADJOURNMENT

[The House rose at 1.50 p.m. and was adjourned to Thursday, 5th March, 2020 at 10:00 a.m.]