



OAU DRIVE, TOWER HILL, FREETOWN

PARLIAMENTARY DEBATES

[HANSARD]

OFFICIAL HANSARD REPORT

SECOND SESSION -THIRD MEETING

THURSDAY, 31st OCTOBER, 2019.

SESSION – 2019/2020



OAU DRIVE, TOWER HILL, FREETOWN

PARLIAMEN TARY DEBATES

[HANSARD]

OFFICIAL HANSARD REPORT

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

Proceedings of the Sitting of the House
Held Thursday, 31st October, 2019.

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THE MINISTER OF FOREIGN AFFAIRS AND INTERNATIONAL COOPERATION
BE IT RESOLVED THAT THIS HONOURABLE HOUSE RATIFY THE FOLLOWING AGREEMENTS WHICH WERE LAID ON THE TABLE OF THE HOUSE ON TUESDAY 29TH OCTOBER, 2019:

[A] AGREEMENT BETWEEN THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL AND THE GOVERNMENT OF THE REPUBLIC OF SIERRA LEONE ON VISA EXEMPTION FOR HOLDERS OF DIPLOMATIC, OFFICIAL OR SERVICE PASSPORT.

[B] AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF SIERRA LEONE AND THE GOVERNMENT OF THE REPUBLIC OF TURKEY CONCERNING ABOLITION OF VISAS FOR HOLDERS OF DIPLOMATIC, SERVICE AND SPECIAL PASSPORTS, DATED 15TH AUGUST, 2019.

[C] THE PROPOSAL FOR RATIFICATION/ACCESSION OF:

[i] THE KIGALI AMENDMENT TO THE MONTREAL PROTOCOL;

[ii] THE BAMAKO CONVENTION;

[iii] THE BAN AMENDMENT TO THE BASEL CONVENTION;

[iv] THE DOHA AMENDMENT TO THE KYOTO PROTOCOL;

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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, 31st November, 2019.

I. PRAYERS

[The Table Clerk, Mr Lamin Yansaneh, Read the Prayers]

[The House met at 11:00 a.m. in Parliament Building, Tower Hill, Freetown]

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

The House was called to Order

Suspension of S. O. 5[2]

HON. SIDIE M. TUNIS: Mr Speaker, Honourable Members, I rise to amend the Order Paper as follows: item III [i], under laying of Papers by Honourable Moses Jorkie, Chairman, Committee on Health and Sanitation on the Report on Emergency Hospital Operations in Sierra Leone be expunged. Item No. III [iii], under the Minister of Information and Communications - The National Telecommunications [Universal Access Development Fund] Regulation 2019; the Telecommunications Act, 2006 [ACT No. 9 of 2006], Statutory Instrument No.8 of 2019 be expunged and also item No. V [b] under Bills, the National Commission for Social Action Act 2019; Introduction and First Reading, Second Reading, Committee Stage and Third Reading be expunged. I thank you.

THE SPEAKER: Any seconder?

HON. DICKSON M. ROGERS: Mr Speaker, I so second.

[Question Proposed, Put and Agreed To]

[Motion to amend the Order Paper has been carried]

HON. IBRAHIM B. KARGBO: Mr Speaker, one would think that when a document comes from Ministries, Department and Agencies [MDAs], the Minister should be in the picture and understand the reason for the presentation of that Agreement. We are beginning to experience a development which seems to suggest that the Minister cannot come and that is becoming very worrisome. I am sure the Minister of Information and Communications should have been here to address the issues relating to a document which has to do with an Agency in his Ministry, but he is not here.

THE SPEAKER: Do we have his Deputy Minister here?

HON. IBRAHIM B. KARGBO: Mr Speaker, I am sure the behaviour of the Minister in question is not an excuse to expunge this particular item.

THE SPEAKER: As far as I know, Honourable Ibrahim B. Kargbo, the mere fact that this particular item has been amended, it is no longer before the House. I can

understand your position and I agree with you, but let us wait until the matter is brought before Parliament.

HON. IBRAHIM B. KARGBO: No problem, Mr Speaker.

II. CORRECTION OF VOTES AND PROCEEDINGS FOR THE PARLIAMENTARY SITTING HELD ON TUESDAY, 29TH OCTOBER, 2019.

THE SPEAKER: Honourable Ibrahim B. Kargbo, you know that I am so passionate about some of these issues. Honourable Members, I refer you to the record of Votes and Proceedings, and to draw the attention of the Clerk that 'Segepoh' is my first name and Solomon is the middle name. Please ensure that you effect that amendment and you keep to that amendment. Pages 1 to 4?

HON. JOSEPH WILLIAMS-LAMIN: Mr Speaker, Page 3, the penultimate line. My constituency number is 081 and not 81.

THE SPEAKER: Mr Clerk, please take note.

HON. SHIAKA M. SAMA: Mr Speaker, I am Sama Shiaka Musa and not Sama Musa Shiaka.

THE SPEAKER: Sama Shiaka Musa?

HON. SHIAKA M. SAMA: Musa is my middle name.

THE SPEAKER: Mr Clerk, please take note. Page 4? Page 5? Page 6? Page 7?

HON. SHIAKA M. SAMA: Mr Speaker, it should be Shiaka Musa Sama and not Shiaka M. Sama.

THE SPEAKER: Noted, Honourable Member.

HON. P.C BAI FARAMA TASS BUBU NGBAK IV: Mr Speaker, my name Ngbak is spelt as 'N-g-b-a-k' and not 'N-g-b-n-a-k.' The 'n' should be removed.

THE SPEAKER: Mr Clerk, please take note and the correct spelling is 'N-g-b-a-k.'

HON. P.C BAI FARAMA TASS BUBU NGBAK IV: The Clerks are always making the same mistake with regard the spelling of my name.

THE SPEAKER: We have been on this for nearly two years now. I do not think the Clerks should be making same errors when it comes to the names of Members of Parliament. Page 7? Page 8? Page 9?

HON. P.C BAI FARAMA TASS BUBU NGBAK IV: Mr Speaker, I refer you to Page 9, under the 'Parliamentary Delegation to International Organisation for Parliamentary Muslim Caucus.' My name was second on the list, but it is not in the Votes and Proceedings.

THE SPEAKER: Mr Clerk, please take note. He is the Deputy Chairman of that Committee.

HON. P.C BAI FARAMA TASS BUBU NGBAK IV: Exactly, Mr Speaker.

THE SPEAKER: Page 10?

HON. JOSEPH WILLIAMS-LAMIN: Mr Speaker, Page 10, under Israeli Caucus. My understanding of Israeli Caucus is that it has to be Christians and I wonder... - *[Interruption]*.

THE SPEAKER: Please, do not go there and thank you very much.

HON. JOSEPH WILLIAMS-LAMIN: Alright sir.

THE SPEAKER: Page 10? Page 11? If there is no further amendment or correction, can someone move for the adoption of the record of Votes and Proceedings for the parliamentary sitting held on Tuesday, 29th October, 2019 as amended?

HON. P.C PROF. JOE MACAVORAY KANGBAI: I so move, Mr Speaker.

THE SPEAKER: Any seconder?

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

[Question Proposed, Put and Agreed To]

[Record of Votes and Proceedings for parliamentary sitting held on Tuesday, 29th October, 2019 has been adopted as amended]

III. PAPER LAID

THE MINISTER OF FOREIGN AFFAIRS AND INTERNATIONAL COOPERATION

MRS NABEELA F. TUNIS: Mr Speaker, Honourable Members, I beg to lay on the Table of this Honourable House the following document:

The Doha Amendment to the Kyoto Protocol.

IV. GOVERNMENT MOTION

THE MINISTER OF FOREIGN AFFAIRS AND INTERNATIONAL COOPERATION

MRS NABEELA F. TUNIS: Mr Speaker, Honourable Members, be it resolved that this Honourable House ratify the following Agreements which were laid on the Table of this House on Tuesday, 29th October, 2019:

[A] Agreement Between the Government of the Federative Republic of Brazil and the Government of the Republic of Sierra Leone on Visa Exemption for Holders of Diplomatic, Official Or Service Passports.

Mr Speaker, Honourable Members, this Agreement will facilitate visa free travel between Brazil and Sierra Leone for Government officials and other persons holding Diplomatic, Official or Service Passports. Brazilians and Sierra Leonean diplomats and those who work for International organisations in our respective countries and their dependent families will benefit from this visa free facility. It will also allow eligible citizens of both countries to travel to, transit through or remain in our respective countries for up to ninety [90] days without the need to obtain a visa. Sometimes, Government officials may need to travel within short notice. Visa processing period may pose delays and prevent Government's participation in international meetings, seminars and conferences. This Agreement will therefore avoid such delays.

Mr Speaker, Honourable Members, this Agreement will strengthen the bond of friendship and cooperation between Sierra Leone and Brazil. In this respect, this Agreement reserves the right of either party to deny entry or shorten the stay of citizens of other parties considered undesirable. Thus, be it resolved that this Honourable House ratify the Agreement between the Government of the Federative Republic of Brazil and the Government of the Republic of Sierra Leone on Visa

Exemption for Holders of Diplomatic, Official or Service Passports, which was laid on the Table of this Honourable House on Tuesday, 29th October, 2019.

Mr Speaker, Honourable Members, the other Agreement has to do with Sierra Leone and Turkey. Thus, be it resolved that this Honourable House ratify the following Agreement:

[B] The Agreement between the Government of the Republic of Sierra Leone and the Government of the Republic of Turkey Concerning Abolition of Visas for Holders of Diplomatic, Service and Special Passports, Dated 15th August, 2019.

Mr Speaker, Honourable Members, this Agreement will strengthen the friendly relations and cooperation between Sierra Leone and Turkey. The purpose of this Agreement is to exempt from visa requirement holders of Diplomatic, Service and Special Passports to enter into, transit through, exit or stay in our respective countries for a period not exceeding ninety [90] days within any one hundred and eighty [180] days. The Agreement also exempts visa requirement, Turkish and Sierra Leonean nationals and their dependent families appointed to diplomatic or consular missions and international organisations accredited to Sierra Leone or Turkey for the duration of their tour of duty. This agreement stipulates that diplomatic, service and special passports must have at least six [6] months to expiration date to be regarded as valid passports.

Mr Speaker, Honourable Members, apart from those accredited to diplomatic consular and International organisations post, the Agreement does not grant the right to work or engage in any profession in our respective countries to all other holders of diplomatic, service and special passports unless the appropriate visas have been obtained. Under this agreement, Sierra Leone and Turkey retain the power to enforce their respective immigration laws, including the right to deny entry or shorten the period of stay of their respective citizens without stating any reasons.

In that regard, Mr Speaker, Honourable Members, be it resolved that this honourable House ratify the following Agreement which was laid on the Table of this Honourable House on Tuesday, 29th October, 2019:

Agreement between the Government of the Republic of Sierra Leone and the Government of the Republic of Turkey concerning abolition of visas for holders of Diplomatic, Service and Special Passports, dated 15th August, 2019.

Mr Speaker, Honourable Members, be it resolved that this Honourable House ratify the following Agreements which were laid on the Table of the House on Tuesday, 29th October, 2019:

[C] The Proposal for Ratification/Accession of:

[i] The Kigali Amendment to the Montreal Protocol;

[ii] The Bamako Convention;

[iii] The Ban Amendment to the Basel Convention;

[iv] The Doha Amendment to the Kyoto Protocol;

[v] Cartagena Protocol; and

[vi] Additional Protocols to the Abidjan Convention by the Government of Sierra Leone.

Mr Speaker, Honourable Members, let me endeavour to provide a brief description of the purpose of these instruments that were laid on the Table of this Honourable House on Tuesday, 29th October, 2019. These are multilateral environment Agreements that will provide Sierra Leone with effective capacity on waste management, chemical controls, protection of the ozone layer, reducing the risk of climate change and biodiversity conservation, limiting the impact of biosafety. These treaties will provide the required platform for our country to contribute to the international strides towards achieving the sustainable development goals and other relevant international benchmarks. The impact of environmental damage on the lives of the people in Sierra Leone and around the world, especially in developing countries is becoming a major global concern and has made it necessary for the United Nations [UN] General Assembly to negotiate and adopt a range of resolutions and international treaties on the environment. The protection of the environment to enhance economic growth and sustainable development is therefore the basis of our environmental diplomacy. These six [6] treaties will therefore enhance Sierra Leone's environmental diplomacy portfolio in addition to similar treaties that were ratified in October, 2016. Domestically, our

Medium Term National Development Plan 2019 to 2023 identifies environmental disasters that had beset this country for many years as a major impediment to our national development. For these reasons, all the clusters in our National Development Plan are gender and environmentally mainstreamed. Goal 1.4 in cluster 1, on human capital development focuses on environmental sanitation and hygiene, while goal 7.1 in cluster 7, on addressing vulnerabilities and building resilience focuses on building national environmental resilience with emphasis on new public policies that effectively manage the environment and natural resources. This will strengthen early disaster warning systems and response systems.

Mr Speaker, Honourable Members, if we fail to respond to the challenges faced by our local and global environment, the health of our fellow citizens and global health would be at risk. This therefore demands immediate intervention by Government and this is why my Ministry, the Environment Protection Agency and Cabinet support the ratification of these six environmental treaties. By ratifying and domesticating these treaties, Sierra Leone is proactively joining global campaign and effort to improve human health and save the environment which has over the years being subjected to massive destruction through uncontrolled activities. Government has also established the Environmental Protection Agency which is today overseeing the protection and control of our environment and making regulations to guide relevant MDAs on matters relating to the environmental impact of their activities. I therefore entreat this Honourable House to endorse and ratify these Agreements as Sierra Leone stands to benefit tremendously from these Agreements.

On that note, Mr Speaker, Honourable Members, be it resolved that this Honourable House ratify the six [6] instruments which were laid on the Table of this Honourable House on Tuesday, 29th October, 2019. I thank you for your attention [*Applause*].

[Question Proposed]

HON. DICKSON M. ROGERS: Thank you, Mr Speaker. Mr Speaker, Honourable Members, this morning we have Agreement that even my colleagues on the other side of the aisle will appreciate because they are noncontroversial. They are good for this

country and not only because some of us are carrying diplomatic or service passports, but because Sierra Leone is now taking its rightful position in the international stage and I am sure all of us in this Well will appreciate.

Mr Speaker, Honourable Members, I have a concern I would like to bring to your notice. There is no direct flight between Sierra Leone and Brazil and also between Sierra Leone and Turkey. If you want to go to Brazil or Turkey, you have to transit somewhere, which is very burdensome. If you are going to Brazil or Turkey, but you do not have transit visas for those countries, what will happen? We now have visa exemption to China, but if for example you are going to China through Brussels, you need a Schengen Visa and I am pretty sure that if you are going to Brazil, you will also need a transit visa. We have a very fine Foreign Affairs Minister who can attract international attention. We went to China together when she was Minister of Development and Planning. I admired her when she was presenting issues affecting Sierra Leone to the International Community. My concern is that, what will happen if you are travelling to Brazil, China or Turkey, but you are intercepted at the Airport because you do not have transit visa? I want to know if a Member is able to convince those countries that holders of Diplomatic or Service Passports travelling to Brazil, Turkey or China will be allowed to transit without undue interruption. I thank you very much, Mr speaker.

THE SPEAKER: Honourable Hassan A. Sesay, you have the Floor.

HON. HASSAN A. SESAY: Thank you, Mr Speaker. We are here today again to ratify Agreement on a free travel Visa to countries that are of strategic importance to our country. My colleague on the other side was talking about transit visa, but some of us have been travelling through Brussels without a transit visa. Usually, if you are on transit, you have to wait at the Airport for your next flight. What the Honourable Member has said could be addressed later, but let us look at the strategic importance of countries like Turkey and Brazil. There might not have been traffic between Brazil and Sierra Leone because such Agreements have not been in place. Nobody knows where to get a Visa to go to Brazil. I am sure Brazil has lots of potentials that Sierra Leone could tap from. This Agreement is a move in the right direction because we are trying to open

up and transform our economic base. We want to collaborate with countries that would add value to our diplomatic relationships. When I got this document, I did some research about Brazil and I found out that Brazil has lots of Agricultural potentials that Sierra Leone could tap from, like technology. A direct flight from Sierra Leone to Brazil is about seven [7] hours duration. It is however worth stating here that business people do not come to Sierra Leone and Sierra Leoneans do not go to Brazil; so how would they cause traffic? When there is a reason to visit Brazil and people start travelling to Brazil, then the need will definitely arise and Airlines would want to make profit. There is reason for us to establish a route between Brazil and Sierra Leone.

Mr Speaker, Honourable Members, Turkey is now trying to get into the European Union and the Textile Industry in Turkey is one of the biggest we know in that region. I am sure if you gain access to Turkey, you will also gain access to Abu Dhabi and other states within that region. Those countries have huge potentials in terms of furniture, carpet and other things. Having this document before us is enough to show that there are lots more in the World than America, England, Germany, etc. As my colleague on the other side said, these are non-controversial Agreements and any document that gears towards adding value to what we are doing based on our overall objectives or seeking to achieve such objectives will receive maximum supports. This is not only about diplomatic relations because most of the textiles that come to Sierra Leone are from Turkey. Therefore, if you create the platform for people to understand more about how trade is done and probably how we can tap those potentials from Turkey to Sierra Leone, we will reap immense benefits. If you read certain literature, you will find out that everything they get comes from Sierra Leone. Thus, it is high time we started getting from them as well. I am sure these are some of the areas we have to look into very meticulously. In as much as these Agreements are non-controversial, we do not have a reason to loss anything and it is a winning situation for us.

Mr Speaker, Honourable Members, I would like to talk about one environmental issue. I am sure we have ratified the Kyoto and Montreal Protocols, but to what extent we have gone to let people understand that the calamity we are experiencing is as a result of

environmental degradation. We always talk about environmental degradation, but have we taken care of the indiscriminate timber logging in this country? Deforestation is a very big problem in this country and we have to look at that area and do something urgent.

Mr Speaker, Honourable Members, I want to remind this Honourable House that when we were debating the Fiscal Strategy Paper, I pointed out certain things in that document and I think it was Paragraph seventy [70], where a particular fund was created to monitor the moneys from timber. If we are talking about ratifying these Agreements on environmental issues and at the same time we are talking about the Single Treasury Account [STA], I wonder the consequences. There was also a move to create a Timber Commission and the question is, where is the timber coming from? It is coming from the forest? After cutting down a tree, are you going to plant another tree as replacement? I am sure when you plant a tree, it takes five to ten years before you think about cutting them. Let us not give the left hand and take it with the right hand because it will not help us. Let us start from the local policies that we have in this country. We already have the Forestry Division, which is a component in the Ministry of Agriculture. We only have to strengthen that Division, instead of creating a Timber Commission. We are talking about addressing problems relating to the environment and these are serious problems. I agree that these conventions are good on paper, but we must 'talk and do' and 'not talk and not do.'

Mr Speaker, Honourable Members, there is a common phrase in America policies which says, you work the work or talk the talk. I am sure if we are talking the talk, let us work the work as well. Of course, these Agreements are good and I support them wholeheartedly. The Minister has done a wonderful job by presenting these Agreements here, but when it comes to implementation, we must be very serious because we are always the recipients of disasters. I am sure we have the capacity to react to those disasters. Look at the California wild fire situation and other areas where there are natural disasters due to environmental degradation. We should have the capacity to respond swiftly. We always depend on donors for survival and we have seen sluggish response by the International Community during the Ebola scourge and how

devastating it was for this country. We also saw what happened when the mudslide struck. These are natural calamities that we have faced as a result of environmental degradation. Why are we trying to create a Timber Commission? Is it to get fund from timber logging? Are we serious to protect the environment or to get fund from timber? Those are the questions we need to ask ourselves. The Agreements are fine on paper and we appreciate them because they are pointing to the right direction. But are we taking action to ensure that when implemented, we will achieve the desired results? Let us go ahead and approve these Agreements, but we have to ensure that the internal dynamics I have mentioned are properly taken care of. Thank you very much, Mr Speaker *[Applause]*.

THE SPEAKER: Honourable Shiaka M. Sama, you have the Floor.

HON. SHIAKA M. SAMA: Thank you very much, Mr Speaker. Mr Speaker, Honourable Members, speakers before me have stated that the Agreements before us are non-controversial. I want to first of all thank the Minister for bringing these Agreements here for ratification. I must state here that this Minister is one of the finest appointments made by His Excellency the President, Rtd Brigadier Julius Maada Bio. For some of us who support women, I must say we are very proud to have a woman of her calibre in that position. I am not saying this based on report on the newspaper or what I heard about her, but based on a personal experience and the knowledge. I am not surprised that she can work so hard to ensure that holders of certain categories of passports are facilitated to travel much more easily. These Agreements would mostly benefit directly a certain group of Sierra Leoneans. I want to appeal to her that she explores ways that will ensure that the ordinary Sierra Leoneans can benefit from the relationships we have with Brazil, Turkey and other countries. I know and believe that during her tenure, she would continue to bring goodies to this Parliament.

Mr Speaker, Honourable Members, man is a danger to himself and the environment determines a lot about survival. As we speak, however, man is destroying the environment. When we destroy the environment, we destroy the very foundation of our existence. I was moved when she said that if the Agreement was ratified, it would

strengthen the fight against a lot of environmental hazards that could serve as possible threat to our very survival. We have had a lot of beautiful treaties like this, but our problems has always been implementation. This is not a partisan issue because it has happened during various regimes and if you move around the country, you will notice that things that are on paper have not been implemented. For example, if you go along the Koribondo Highway in Bo, there is somebody erecting a building in a swampy area and the people around the neighbourhood have already complained about flooding in that area. The person who is erecting that building was cautioned and was told to stop the project. He never stopped and his project is on-going whilst the poor neighbours are crying foul. We have officials in Bo who are paid from tax-payers money to implement certain environmental laws and regulations, but bad things are happening right before their eyes. People are building houses in risky areas. I want to recommend that we approve this Agreement. However, will this Agreement end up accumulating dust on the shelves or are we going to implement them? The Minister can go ahead and bring these good Agreements into this country, but it needs collective effort from other line ministries to ensure that these fine policies are implemented. I believe this is not just about talking; it is about making things happen. I want to urge all other ministries that are concerned to work very hard to ensure that these Agreements are implemented to the fullest.

Mr Speaker, Honourable Members, I want to take this opportunity to also talk about our diplomatic relations. I have lived in the Gambia for ten [10] years and I was one of the Leaders of Sierra Leoneans Community in that country. I worked directly with the Sierra Leone High Commission and I was fortunate to visit some other diplomatic nations abroad. I have spoken to some diplomats and most of them complained about poor working conditions. Some of our Diplomatic Missions do not even have good vehicles to attend diplomatic meetings. That is very embarrassing to the image of this country. I hope you will work very hard with other ministries to ensure that our Missions are well taken care of. This is because the first point of call normally is our Diplomatic Missions. When a visitor who maybe is a potential investor wants to invest in Sierra Leone decide

to visit our Diplomatic Missions and that individual notices that the toilets are not working, there is no electricity or maybe even the facilities are out-dated, it could not encourage that investor to come to Sierra Leone. I think it is very important for the Ministry to work very hard and in line with other MDAs to ensure that our diplomats are well taken care of.

Mr Speaker, Honourable Members, I want to urge this Honourable House to ratify these Agreements and I also want to thank the Minister for a work well done. I would also like to thank His Excellency the President, Rtd Brigadier Julius Maada Bio for appointing qualified people who seek the interests of our beloved Sierra Leone because there is no way this country could have moved forward without serious ministers and Madam Tunis is one of the serious ministers I have known. I knew her even before she became a Minister and she is a woman of action. Thank you very much, Madam Minister. Thank you, Mr Speaker.

THE SPEAKER: I call on Honourable Dr Kandeh K. Yumkella to make his contribution, but before that Honourable Josephine Makieu will be the last contributor to this debate.

HON. DR KANDEH K. YUMKELLA: Mr Speaker, Honourable Members, we commend the Minister for bringing these Agreements to this House for ratification. I associate myself with earlier contributions by my colleagues, especially the issues raised by Honourable Hassan A. Sesay. Mr Speaker, I wanted to comment on collaboration with Brazil. Brazil is a major Agriculture power house. I will encourage the Minister to pursue greater collaboration with Brazil in the area of agriculture. Brazil has done an excellent job in industrialising cassava. They have a very good institution that has won a number of international awards in terms of reclaiming lands and promoting agricultural productivity. That is an area I think Brazil can support Sierra Leone. Also, Brazil is the leader in the world of Bioenergy. I helped to establish a Biogas Institute in Southern Brazil in first aqua-zoo. I did some work with them in my last occupation at the United Nations [UN] on energy issues. So, in the area of hydro power, bioenergy and cassava, I think we should pursue stronger collaboration with Brazil. They were to create an institute in Ghana that would be an extension of a number of research centres in Brazil,

which could be used as a hub in West Africa. Therefore, I thought I could pass this information to the Minister as she will be discussing collaboration with Brazil.

Mr Speaker, Honourable Members, I go to environmental issues. As I said earlier, I agree with what Honourable Hassan A. Sesay has said, but particularly on deforestation. I think it is legitimate for this House to invite the authorities who are managing these reforestation funds to come and talk to us. The Honourable Speaker promised us that in this new session, we would have 'Question Time.' Our country continues to deforest and those trees are coming from certain restricted areas in the country. If we are creating a Reforestation Fund, but we are not trying to solve the problems, it means we are going nowhere *[Applause]*. So, I am sure the Honourable Minister brought one of the Agreements on environment that has been there for over two decades now and I am concerned. I did a documentary last year, Honourable Jalloh knows about it. I told him about the logging station where they keep all the timber close to the last check point at Hastings. We usually go around this country and we know where the timber logs are coming from. If you have a Reforestation Fund, you will begin operation in Kailahun, Kabala and Kambia because there are special species that the International Community is targeting, but Sierra Leone is among the countries that are badly deforested in the world.

Mr Speaker, Honourable Members, as Chairman of the Committee on Agriculture, I will find time to invite the Minister of Agriculture to this Honourable House, so that we can find ways and means of supporting Members of Parliament and their constituencies in agriculture and to also talk about deforestation and what is happening with the Reforestation Fund. We passed the law in this House and we want to know how that fund is being used and for what purpose? We would also like to know how those funds are being allocated. I am giving the Minister a message to take back to Cabinet that parliamentarians are curious about what is happening with the Reforestation Fund.

Finally, Mr Speaker, Honourable Members, if you look at the Cartagena Agreement, it also deals with the Marine Ecosystem. In this country, we have lots of fishes in our waters and it is supposed to be even better than our diamonds because it can be

replenished and it is renewable. We however continue to do the same practices that we have had over twenty [20] years and those practices are killing our Marine Resources. If we are going to ratify the Cartagena Agreement, I would like to urge the Minister to talk to her colleagues in charge of environment and fisheries about over fishing, and that practice is killing our Marine Resources. Thank you very much *[Applause]*.

THE SPEAKER: Honourable Yusuf Mackery, you have the Floor.

HON. YUSUF MACKERY: Mr Speaker, Honourable Members, I want to express my sincere thanks and appreciation to the Honourable Minister for presenting these wonderful Agreements to us. This is very important to us, especially to me as Chairman for Sustainable Development Goals [SDGs] Committees. These Agreements are not only going to strengthen our diplomatic relationships with the International Community, but they are also urging us as Sierra Leoneans to take our stands. When we talk about Man in his environment, we also consider the various actions or activities man undertakes in order to protect himself and the environment. It is high time we started thinking about global actions or global issues. We need to strengthen our institutions that can allow us to take local actions that can fit in the global arena.

Mr Speaker, Honourable Members, if you look at goal 13 on the SDGs, environment is now a global action, but how best are we going to reposition ourselves as a country to take action locally, so that we will be able to fit into the international arena? Recently, we participated in an oversight activity on environmental issues and we learnt many things which I think these Agreements are going to strengthen those institutions and they will start taking action so that we will minimise issues of global concern.

On that note, Mr Speaker, Honourable Members, I now ask this Honourable House to ratify these Agreements, so that the Honourable Minister will coordinate the activities of other MDAs and we will start taking actions accordingly. I thank you.

HON. IBRAHIM B. KARGBO: Mr Speaker, Honourable Members, as Chairman of the Committee on Foreign Affairs and International Cooperation, I want to state here that most of the issues raised by the Minister this morning are not novelty. The issues raised

are very important for the development of this country. I am sure the business of ratifying Agreements should be seen as a modern way of running a modern legislature. What is not acceptable in modern day governance is to go and sign a document, but fail to domesticate it. I am sure this has been happening for years. People signed Agreements, but failed to domesticate the provisions in those Agreements. The implication is that you lose your respect in the face of the International Community. Sometimes when you go to conferences, your colleagues would want to know whether you have ratified certain Agreements. It will be very shameful to tell them that you have not ratified the Agreement. This explains why I believe that the efforts made by the Minister to bring these Agreements for ratification must be seen as a very good venture. Some of us would like to congratulate the Minister for these efforts. From her presentation, it is very clear that she is very knowledgeable about the functions and operations of her Ministry. When a Minister is not aware of the facts and figures of where she work, then of course you will have difficulties.

Mr Speaker, Honourable Members, Brazil is pivotal for the development of third world countries. I am sure the duration of flight from Sierra Leone to Brasilia, which is the capital city of Brazil, is four hours. You will spend only four hours to get to Brasilia. If we have the resources to fly from Sierra Leone to Brasilia in four hours, it will bring very good relations between Sierra Leone and Brazil. Mr Speaker, already there is a cabinet conclusion which states that the Government of Sierra Leone should establish an Embassy in Brasilia. To us it is important because Brazil is a developed country, gravitating away from developing country and therefore for us to have good relationship with Brazil, it is a very good move. I know this because I was in Cabinet when Cabinet Conclusion was taken for Sierra Leone to establish a Diplomatic Mission in Brazil. I would like to state here that I was part of the first delegation from Sierra Leone that travelled to Brazil to witness the commencement of relations between Sierra Leone and Brazil. So, I would want to mention here that we have already started the process of establishing this good relationship.

Mr Speaker, Honourable Members, the Honourable Leader of the NGC has already elaborated on the benefits we can derive from this relationship and Brazil is a country worth emulating. Although we may have difficulties, the original god father who created this fantastic relationship between Brazil and Sierra Leone had some political problems, but these problems will be solved. I am talking about Luiz Inacio Lula da Silva who was the President of Brazil when we started these relations. Madam Minister, I could only state that let us continue ensuring that we further activate the relations between Sierra Leone and Brazil.

Mr Speaker, Honourable Members, the Chief Whip of the main Opposition has already mentioned the importance of Turkey and Turkey has grown very rapidly in terms of Science, Technology and Industry in less than twenty years. Today, the strength of Turkey is not only found in the idea that Turkey is a NETO country, but also in the age of industrialisation, it stands out conspicuously. I am sure this was a very good choice and we have decided to ensure that we enhance our relations with Turkey. Perhaps, what we should do in future for the purpose of convincing our Members of Parliament about the sensible nature of some of these decisions to reactivate our relations with some of these countries is to encourage Members of Parliament to visit these countries, so that they can have a look for themselves, especially Members of the Committee on Foreign Affairs.

Mr Speaker, Honourable Members, the environment has been topical and is widely discussed. I have seen disasters associated with poor management of the environment, especially the mudslide tsunami, which is now part of our history. I stayed at Regent, a place very close to where the mudslide hit very hard and the following day, I saw my name on the newspaper that I was dead. They said Ibrahim Ben Kargbo has disappeared in the mud. Well, I was alive and at the time I was reading, it was like Namdi Azikiwe reading about his death at tea and then he said, **"I now know how they are going to write about me when I finally die."** Mr Speaker, the fact of the matter is that I was not dead, but a good number of people died, including my neighbours. So, we would not want a repetition of what happened at Regent. If we

must have good relations and must sign Agreements in order to ensure that we do not run into these difficulties again, we should sign more Agreements because many people died and property were lost.

Mr Speaker, Honourable Members, one of my wife's friends was taking her bath when the torrential rain commenced that faithful morning, but she was very lucky; lucky in the sense that she placed her telephone very close to her even though she was in the bathroom and the water started flooding up to the point that she was almost drowned, she was able to take her telephone and called us for help. I sent our security personnel to go and rescue her. If that did not happen, she would have died and now she is a very important person in the SLPP Government. Mr Speaker, I want the Minister to understand that we will continue to digest these Agreements and we will encourage her to undertake more activities in terms of bringing Sierra Leone closer to other countries as we have already started the process.

Mr Speaker, Honourable Members, we know that maintaining an Embassy is not an easy task. For those of us who travelled [but sometimes we are ashamed to say we have travelled], have discovered that some members in certain embassies are going through difficult times simply because resources are not allocated on time and when you imagine that an Ambassador must run from shop to shop to ask for loans in a foreign country, then you see the kind of difficulties I am talking about. Perhaps, what we should do is to plead with the Ministry of Finance for timely release of allocations. I am sure certain issues will be raised when the Minister of Finance brings his Budget. Many people have threatened to hit that Budget very hard because of weakness at Ministry of Finance. However, we want to plead with them to make sure that the Ministry of Foreign Affairs is not starved because of the international implication. I am saying this because that Ministry is responsible to sell the image of Sierra Leone.

Mr Speaker, Honourable Members, for those of us who have been around for a while now and those who have taken parts in running the affairs of this country, what is very clear is that there are certain countries you cannot simply ignore as far back as the colonial days. France already had a consulate in Freetown and France continued to

maintain an Embassy here even after independence. We also have an Embassy in Paris, but suddenly the two embassies disappeared. They have disappeared and that is not good for the history of this country. There is no way you can ignore the fact that France is a member of the Security Council and France is an important country in the world. So, when I went to Paris to sign the Agreement for the submarine cable, one of the senior members of the Government of France told me that we have humiliated them. I said what do you mean? He said even small countries in Europe are recognised by you and you have embassies there. He also said that even their rivals during warring years have embassies in Sierra Leone. He asked why we have not had any Embassy in France. I came back to Freetown and reported the matter and at a special Cabinet meeting, the President agreed that we should reopen the Embassy in France and Brussels. I am sure the President and the Vice President are semi-francophone and therefore they must have interest in France. I want to plead that we reactivate the Embassy in Paris. We believe that we will benefit from such relationship because it will pay dividends to this country.

Mr Speaker, Honourable Members, when we decided to open an Embassy in South Korea, some people doubted the relationship, but we simply argued at that time that you cannot have the whole sub-region without the presence of Sierra Leone and that was how we succeeded in establishing the Embassy in South Korea. Again, we also have an Embassy in Abu-Dhabi to make our presence felt in the Arab World. However, what I would insist here is to continue to plead, so that we will not forget to re-establish our Embassy in France and to encourage the French to reactivate their Embassy in Freetown.

Mr Speaker, Honourable Members, all these Agreements are important and we would support them. I would want to plead to all of us to re-established relations with those countries that will prove to be beneficial to this country. I thank you very much and I can only ask that we fast-track the approval of these Agreements. Thank you very much.

THE SPEAKER: I call on the Leader of Government Business to make his contribution.

HON. SIDIE M. TUNIS: Thank you very much, Mr Speaker. I am sure the Acting Leader of the Opposition has winded up this debate and I just now want to thank the Honourable Minister of Foreign Affairs.

Suspension of S.O 5[2]

THE SPEAKER: You may proceed, Mr Leader.

HON. SIDIE M. TUNIS: Thank you very much sir. Like I said, I want to thank the Honourable Minister of Foreign Affairs for her presentation. Our relationships with Turkey and Brazil are part of His Excellency the President's determination to open up and rebrand Sierra Leone. In such, we are not just going to stop with those two countries because there are plans to move to other countries, including France. The Deputy Leader of the Opposition spoke eloquently on our relationship with South Korea and few other countries.

Mr Speaker, Honourable Members, on the issue of environment, I believe every Sierra Leonean knows that environment is a major issue in this country and with the domestication of these Agreements, I want to believe the implementation will help in mitigating some of our environmental issues.

With those few remarks, Mr Speaker, Honourable Members, I want to call on Honourable Members to support these Motions, so that the Honourable Minister and her team will go to work. I thank you very much.

THE SPEAKER: Honourable Minister, you have the Floor.

MRS NABEELA F. TUNIS: Mr Speaker, Honourable Members, please permit to thank the Honourable Members of this Honourable House for sharing their knowledge on the Instruments before us. The Ministry welcome and note all the comments, with particular emphasis on the importance of these Instruments before us.

Mr Speaker, Honourable Members, strengthening external relations is a core sub-cluster under Cluster 4, which is 'Governance and Accountability for medium term national development plan.' Our discussions and consultations with our citizens in the country

emphasise the importance of the Government, strategically placing itself as a credible pattern in the international arena. Mr Speaker, these documents continue to uphold the policy of the Government to ensure that Sierra Leone is considered as a credible pattern in the global arena. I noted with appreciation the comments that have been made by the Honourable Chief Whip of the Opposition and I would like to inform this House that we have two direct flights to Turkey every week. I would also like to note that the issue of transit visas is not necessarily needed if you are traveling to Brazil and Turkey. It is dependent on whether you would like to have an overnight stay and in the event there are unforeseen circumstances which will require you to stay overnight, specific attention would be given to those holders of the passports to ensure that they are looked after properly.

Mr Speaker, Honourable Members, ratifying protocols and instrument is the first step, the domestication and implementation of these protocols has been emphasised again today. While I take note of those comments, I shall endeavour to communicate the importance of the ratification of the domestication and implementation of these very important instruments which have been noted by this Honourable House.

On that note, Mr Speaker, Honourable Members, be it resolved that this Honourable House ratify the following Agreements which were laid on the Table of this Honourable House on Tuesday, 29th October, 2019 as follows:

[A] The Agreement between the Government of the Federative Republic of Brazil and the Government of the Republic of Sierra Leone on Visa Exemption for Holders of Diplomatic, Official or Service Passports;

[B] The Agreement between the Government of the Republic of Sierra Leone and the Government of the Republic of Turkey Concerning the Abolition of Visas for Holders of Diplomatic and Service and Special Passports, dated 15th August, 2019; and

[iii] The Proposal for Ratification/Accession of:

[i] The Kigali Amendment to the Montreal Protocol;

[ii] The Bamako Convention;

[iii] The Ban Amendment to the Basel Convention;

- [iv] The Doha Amendment to the Kyoto Protocol;
- [v] Cartagena Protocol; and
- [vi] Additional Protocols to the Abidjan Convention by the Government of Sierra Leone.

[Question Proposed, Put and Agreed To]

*[Government Motion by the Minister of Foreign Affairs and International
Cooperation has been ratified]*

V. BILL

THE ANTI-CORRUPTION [AMENDMENT] ACT, 2019

COMMITTEE STAGE AND THIRD READING

THE ATTORNEY GENERAL AND MINISTER OF JUSTICE

THE CHAIRMAN: Honourable Minister, I would ask the Clerk to write a letter to you and please respond as quickly as possible. Acting Chairman of the Legislative Committee, please present your Report.

HON. ALPHA A. BAH: Mr Speaker, Honourable Members, this is a joint Committee Report of the Legislative and Transparency and Accountability Committees in the Second Session of the Fifth Parliament of the Second Republic of Sierra Leone on the Bill entitled, 'The Anti-Corruption [Amendment] Act, 2019,' presented to this House on Thursday, 31st October, 2019.

1. Introduction

Mr Chairman, Honourable Members, I rise to present the Joint Report of the Legislative, and Transparency and Accountability Committees, Second Session of the Fifth Parliament of the Second Republic of Sierra Leone on the Bill entitled: 'The Anti-Corruption [Amendment] Act, 2019, being an Act to amend the Anti-Corruption Act of 2018 to specify categories of public officers to whom the declaration requirement under Sub-Section 1 of Section 119 applies and to increase penalties for offences under the Act and to other related matters.

Mr Chairman, Honourable Members, the Bill having gone through the Second Reading was committed to the Legislative Committee for scrutiny pursuant to Standing Orders 51[1] to be supported by the Committee on Transparency and Accountability.

Subsequently, the Committee met on Wednesday, 30th October, 2019 in Committee Room 1, Parliament Building, Tower Hill with the following objectives:

- to scrutinise the detailed provisions of the legislative proposal after the Second Reading in the House;
- to ascertain the Constitutional and legal implications contained therein; and
- to report to Parliament in accordance with the provisions of the Standing Orders of this Honourable House.

Mr Chairman, Honourable Members, in attendance were the Deputy Attorney-General and Minister of Justice, the Commissioner and his Deputy, Anti-Corruption Commission, Coordinator of Operations, Anti-Corruption Commission, Senior Officials of National Public Procurement Authority [NPPA], who made meaningful contributions

2. Recommendations

Mr Chairman, Honourable Members, the Legislative and Transparency and Accountability Committees having tediously scrutinised the Bill line by line and Clause by Clause recommend the following amendments to the House for approval;

[1] After thorough deliberations, the Committees recommend that Clauses 1, 2, 3, 4, 5, 6 and 7 [1][a][b][i][ii]- be approved.

[2] There are new sub-clauses 7[2] and 8 suggested for insertion, that is, **Trial in Absentia**. It reads: Section 89 of the Anti-Corruption Act, 2008 is amended by inserting the following new sub-sections immediately after subsection [6]:

Clause 7[2]

[i] [a] Where a person charged with an offence under this Act fails to present himself before the Court, he may be tried in absentia, provided that an ex parte application is made to a Judge and an Order is given for the Commission to proceed with trial against the person charged; and

[ii] [b] At any stage of the trial, but not later than the close of the case for the prosecution, a person who is tried under paragraph [a] of sub-section 7[2], may avail himself and present his defence.

Clause [8]:

[i] [a] Where the Commissioner is dissatisfied with a sentence meted on a convict for an offence under this Act, he may appeal against such sentence in the Courts of Appeal; and

[ii] [b] an appeal under Paragraph [a] of sub-section [8] shall be done pursuant to the Courts of Appeal Rules, 1985.

Mr Chairman, Honourable Members, the insertions above were proposed by the Anti-Corruption Commissioner and the Deputy Minister of Justice. These were discussed, but the Members had different views and therefore recommended that those proposals are discussed and determined in Plenary.

[3] Mr Chairman, Honourable Members, the Committees recommend that Clauses 8 and 9 be approved

[4] That Clause 10, 122A [1] be amended by deleting '**sub-section 4**' and replacing it with '**sub-section 5.**'

[5] That Clause 11 be amended as follows:

a. By deleting the word '**may**' and replace it with the word '**shall;**' and by inserting the words '**signing of**' immediately after the words '**with the**' to read:

126[A] [1] '**Where the Commissioner has reason to believe that a contract, to which a public body is a party, is not in the national interest, the Commissioner shall, in consultation and agreement in writing with the Chief Executive Officer of National Public Procurement Authority, issue a directive in writing, to the head of the public body, directing not to proceed with the signing of the contract subject to the approval of Parliament.**'

b. By inserting a new sub-clause to read sub-clause [2] and to read as follows and numbering accordingly:

'The Commissioner shall notify the parties concerned of the notice issued under sub-section 1 and their rights to appeal within fourteen [14] days pursuant to sub-section 3.'

- c. Sub-clause 2 to become sub-clause 3 and is amended by deleting '**7 days**' and replacing it with '**14 days.**'
 - d. A new sub-clause be inserted to read, '**sub-clause 5**' as follows:
For the purposes of Section 126A [1] 'not in the national interest' means a contract negotiated with an element of corrupt practice.
1. That Clauses 12 and 13 be approved

Note:

Mr Chairman, Honourable Members, on the date for the submission of Assets Declaration Forms by public officers, it was unanimously agreed by both Members of the Committees and the Commissioner of ACC that that exercise is done every two years, instead of annually to enable the Commission to record a thorough inventory of assets declared.

The Committees recommend that Section 119[1] of the Anti-Corruption Act, 2008 be amended by repealing and replacing that Section with the following new section:

"Every public officer shall, within three months of becoming a public officer, deposits with the Commission a declaration of his income, assets and liabilities and thereafter in every two years that he is public officer, but not later than the 31st March of that second year, deposit further declaration of his income, assets and liabilities and also while leaving office."

[6] Mr Chairman, Honourable Members, the Committees recommend that the following new Clauses be amended as follows;

[i] Section 128 [1] of the Anti-Corruption Act, 2008 be amended as follows:

- a. 128 [1][a] - A person who shall attempt or conspire to commit a corruption offence or aid, abet, counsel, command or procure the Commission of a corruption offence commits an offence.
- b. 128[1][b] – A person who commits an offence under paragraph [a] of sub-section [1] shall be punishable as if the offence had been completed; and any rules of

evidence which apply with respect to the proof of such offence shall apply in like manner to the proof of Conspiracy to commit such offence.

c. Section 128 of the Anti-Corruption Act, 2008 is amended by inserting immediately after subsection [2], the following new subsections-

“128(3) A person who engages in corrupt activity or practice, in a programme organised or conducted by an educational institution or examination body, to confer an advantage on himself or another person, commits an offence.

d. 128[4] - A person guilty of an offence under this Section shall on conviction be liable to a fine not less than fifty million Leones or to imprisonment for a term not less than five years or to both such fine and imprisonment.

Mr Chairman, Honourable Members, the Committees recommend that the date of commencement of this Bill shall not be retroactive and therefore in the abundance of caution be expressly stated to read as follows:

‘That this Amendment Act comes into effect on the date of the Presidential assent.’

3. Conclusion

Mr Chairman, Honourable Members, the Legislative, and Transparency and Accountability Committees, having scrutinised the Bill entitled ‘The Anti-Corruption [Amendment] Act, 2019, recommend these proposals to the House for approval. The Report reflects the consensus view of Honourable Members of the Committees. I therefore move that the House pass the Bill entitled ‘The Anti-Corruption [Amendment] Act, 2019, through Committee Stage, Third Reading and into Law. I thank you for your attention.

HON. SHIAKA M. SAMA: Mr Chairman, Honourable Members, in Section 11, it was reported that we agreed on two [2] amendments and one has been stated.

THE CHAIRMAN: Mr Minister, I hope you are taking note. Please take note of the concerns raised by Honourable Members.

HON. SHIAKA M. SAMA: Mr Chairman, I want to... - *[Interruption]*.

THE CHAIRMAN: Hold on, Honourable Shiaka M. Sama.

HON. P.C BAI KURR KANAGBARO SANKA III: Point of Order, Mr Chairman. The Clerk has proposed Sections 1 to 13 and we have to go Page by Page, so that nobody will take us aback.

THE CHAIRMAN: So, let us start with Page 1. Honourable Shiaka M. Sama, do you have issues with Page 1?

HON. SHIAKA M. SAMA: Yes, Mr Chairman. I refer you to Page 1, Section 4.

THE CHAIRMAN: Page 1, Section 4?

HON. SHIAKA M. SAMA: Yes, Mr Chairman.

THE CHAIRMAN: Mr Minister, please take note.

HON. SHIAKA M. SAMA: I am proposing that instead of **Le 30mln**, it should be stated as a new fine of not less than **Le30mln**.

THE CHAIRMAN: You are saying 'not less than **Le 30mln**'?

HON. SHIAKA M. SAMA: I am talking about the Bill before us.

THE CHAIRMAN: We cannot allow an open ended figure. What if the Judge says pay **Le 200mln** or **Le 300mln**? So, we cannot give an open ended cheque. It is okay for us to say, as law makers not more than **Le 30mln**, but not less than **Le 30mln**.

HON. SHIAKA M. SAMA: I agree with you, Mr Speaker, but if you look at this Bill, not less than is the pattern throughout.

THE CHAIRMAN: Probably we will look at it again.

HON. SHIAKA M. SAMA: It can be **Le 300mln**.

THE CHAIRMAN: Perhaps, we can look at it again.

HON. YUSUF MACKERY: In the Parent Act, it is not less than and that is why we are amending it.

HON. P.C BAI KURR KANAGBARO SANKA III: I am sure we have Lawyers here, but if you say 'not less than,' it is still open. It can be more than and not less than.

THE CHAIRMAN: Honourable Member that is what I was saying.

HON. P.C BAI KURR KANAGBARO SANKA III: Therefore, Mr Chairman, I would ask the Commission to put a maximal and a minimal amount. For those who are mathematicians, we have the minimal and the maximal amounts. In this case, we can say 'not less than **Le 30mln**, and not more than **Le 50mln**.' This will give the judge the option to impose **Le 45mln**, **Le 30mln** or **Le 35mln**. If I say bring not less than 30 students, you can bring 35, 36 or 37 students.

THE CHAIRMAN: Honourable P.C Bai Kurr Kanangbaro Sanka III, your point is noted.

HON. P.C BAI KURR KANAGBARO SANKA III: Let us have a minimal and maximal amount.

HON. SHIAKA M. SAMA: Mr Speaker, I agree with you, but we should not forget about inflation. Maybe after five [5] to six [6] years, some of these figures will devalue, but not less than will also cater for inflation.

THE CHAIRMAN: We will continue to amend, Honourable member.

HON. SHIAKA M. SAMA: Thank you Sir.

THE CHAIRMAN: Except probably you want us to state that in dollars, which is impossible.

HON. DR KANDEH K. YUMKELLA: Mr Chairman, I agree with Honourable Shiaka M. Sama. I am sure **Le30mln** fine for somebody who has siphoned **Le15bln** is a 'chicken change.' I would leave it to the Judge to determine the magnitude of the offence; otherwise the person will laugh at you and says S.O. 2 'I know say na **Le30mln**.'

THE CHAIRMAN: Honourable Dr Kandeh K. Yumkella, if we look at the other amendment, I think what you have said is catered for. If, for example, you have embezzled **Le1bln**, there is provision which says you must pay that amount.

HON. KANDEH K. YUMKELLA: If that is the case, Mr Chairman, I yield.

THE CHAIRMAN: Yes, Honourable Bashiru Silikie.

HON. BASHIRU SILIKIE: Mr Chairman, I refer you to Section 11.

THE CHAIRMAN: I have just been informed by the Clerk that the Section we are talking about is purely in respect of impersonation.

HON. BASHIRU SILIKIE: Mr Chairman, I will wait till we get to Page 4.

THE CHAIRMAN: We are still on Page 2, Honourable Member.

HON. DANIEL B. KOROMA: In agreement with what you said earlier, it will be good if we deal with the figures relating to fines. The Honourable Paramount Chief has suggested, but we have not agreed on that yet. So, it is good that we create that bracket now and try to address the issue relating to figures. There is also imprisonment provision, it can be annual. So, we really need to create a bracket for this provision. He suggested **Le30mln** as maximum, we need to agree on that.

THE CHAIRMAN: What do you suggest, Honourable Member?

HON. BASHIRU SILIKIE: Mr Chairman, I think the Honourable Member does not understand. We are talking about impersonation and not crimes. Let me read Section 76 from the Act. With your leave, Mr Chairman, it says: **"any person who impersonates an Officer of the Commission commits an offence and shall on conviction be liable to a fine not less than Le30mln."** If you impersonates, you pay **Le30mln** or you go to jail.

HON. DANIEL B. KOROMA: As you said earlier, somebody can benefit from impersonation and then there is provision in this amendment for that benefit to be refunded. When somebody impersonates, you might sometimes benefit financially and then there are provisions in this Act wherein those benefits must be refunded. Let me say it is good for us to make better laws. In the event somebody impersonates and then he/she benefits financially out of that and upon conviction, should that person be oblige to refund what he/she has got from impersonation? As you said earlier, the refund provision should apply. If I impersonate the Honourable Minister in his capacity

as Deputy Minister of Justice and I benefit financially out of that impersonation, and convicted, there is a fine provision for impersonation. There is also the aspect of benefiting from that impersonation and if I benefit **\$1bln** from that, it needs to be addressed.

THE CHAIRMAN: Honourable Daniel B. Koroma, I totally agree with you, but we will look at that area under the refund provision.

HON. DANIEL B. KOROMA: Have we agreed now on the bracket, Mt Chairman?

THE CHAIRMAN: Mr Minister, what do you think about that?

MR UMARU N. KOROMA [*Deputy Attorney-General and Minister of Justice*]:

Mr Chairman, Honourable Members, I have heard the argument, but I would kindly advise or suggest that we do not create a complicated situation for the judges. It is better to say not less than, meaning you cannot go below **Le30mln**. I am sure impersonation has to do with reputational damage and not about misappropriation.

Mr Chairman, Honourable members, the other provision in this Act states that if you misappropriate **Le100bln** and you are convicted, you pay the same **Le100bln**. If you impersonate somebody, like what Honourable Daniel B. Koroma said, the impersonator might be a beneficiary. However, you and I know that within the criminal jurisprudence, whatever crime you commit the benefit goes back to the State. and let us not go into that arena. If you are convicted for misappropriation, you refund. If you are convicted for impersonation, we are saying that let it not be less than **Le30mln**, what will be the maximum let us leave that to the Judges and the Court to determine. I would advise that we do not close that gap on the Judges. I know they are human beings and they are reasonable, we have set a minimum standard to say they cannot go below **Le30mln**, but the Judge would look at the circumstance or the circumstances of the impersonation, the gravity, how it occurred and will also look at the base on the evidence available. The Judges might say **Le31mln**, **Le32mln** or they can say **Le50mln** depending on the gravity of the crime. As we are seriously fighting against corruption, let us give that latitude to the Court to decide. Not less than **Le30mln** is

fine and we have to close those gaps. This is my honest view and I ask Honourable Members to accede to that. I thank you.

THE CHAIRMAN: Honourable Members will agree with me that this Bill is so critical. I am going to grant special leave to the Commissioner to just tell us something about that particular section. Mr Commissioner, with my special leave, you are invited.

MR FRANCIS B. KAIFALA [Commissioner, Anti-Corruption Commission]: Thank you very much, Mr Speaker. I agree with the Minister.

THE CHAIRMAN: You agreed with the Minister?

MR FRANCIS B. KAIFALA: You cannot tie the hands of the judges, but because we do not want them to go below certain amount, the judges are to determine based on gravity of the crime, but they cannot go below a certain levels because that is the standard for almost all the provisions in the Anti-Corruption Act. It is not less than and the rest is left with the judges to decide.

THE CHAIRMAN: Honourable Daniel B. Koroma, do you want to comment on that?

HON. DANIEL B. KOROMA: Let us proceed because as the Honourable Minister has drawn the difference. This one is limited to impersonation and when we come to misappropriation, maybe the bracket will apply in addition to what you misappropriated.

THE CHAIRMAN: Thank you very much Honourable Daniel Brima Koroma. Honourable Joseph Williams-Lamin, you have the Floor.

HON. JOSEPH WILLIAMS-LAMIN: Yes Mr Chairman, I agree with what our Deputy Minister is saying, but in Committee Room One, it was said that you cannot make Law with emotions. We have not less than six months and now that we are giving an open cheque like you rightly said; 'not less than three [3] years' and the ceiling has no limit. So, I think the maximum should be stated so that there would be flexibility for the Judges to decide. But if you say not less than 3 years minimum and we are coming from 6 months for impersonation, then there should be a bracket period that the Judge could work within. As it is now, there is no limit bracket; you can go up to 90 years, 50

years or whatsoever. In as much as we have agreed to fight corruption as an endemic issue in our society, we also need to look into the fact that we do not have the relevant provisions to take care of the people that we put in the Correctional Centres, because our Correctional Centres are well over loaded. So therefore, we should give a time bracket in this matter, Mr Chairman.

THE CHAIRMAN: Yes Honourable Bashiru Silikie and Honourable P.C Bai Kurr Sanka next.

HON. BASHIRU SILIKIE: Mr Chairman, the Committee recommended three [3] and not less than three [3] years imprisonment. Mr Chairman, I would want to recommend one [1] year for impersonation. Depending on the crime of impersonation committed, the Judges would then determine before they could increase the punishment.

THE CHAIRMAN: Not more than three [3] years or?

HON. SILIKIE BASHIRU: I am recommending not less than one [1] year if you impersonate, depending on the crime committed, the Judges will decide, but we cannot say not less than three [3] years for impersonation depending on the crime.

THE CHAIRMAN: Honourable Bashiru Silikie, I do not want to jump to that arena, but let me tell you with the prevalence of 419's all over the place, impersonation is very serious and we cannot allow 419's to smear the image of the Commission. Honourable P.C Bai Kurr Sanka, let me hear from you.

HON. P.C BAI KURR KANANGBARO SANKA III: Mr Chairman, I have been a victim of this impersonation and I am so happy *[Interruption]*.

THE CHAIRMAN: All of us are victims. In fact, people tell me all over the place that I call somebody etc. Proceed Honourable.

HON. P.C BAI KURR KANANGBARO SANKA III: I was in Masingbi, to my belief and Holy God, somebody called me that Anti-Corruption Commissioner was going to Kono, there was a break down, there was no coverage and I was asked to send Millions of Leones, this was about seven [7] months ago. Even yesterday, I went to the life

centre hospital at Lumley, The Doctor there by the name of Mazry said somebody called him that they are going to invite them to Parliament and that they should send money to attend to the Committee on Health and the hospital sent **5mln** and I told him that Parliament will never do that. Parliament will write a letter to you through the Ministry of Health for you to appear in Parliament. Every now and then people are doing this, there should be a limit Sir, the Judge is not going to prosecute the people, but it is the responsibility of the Court, the Anti-Corruption Commission, the police, the Attorney General, etc. supposing they said not less than **Le30mln** and the prosecutor is so angry and so willing to punish that person and he says Mr Judge please, this man has done so much terrible things against the State, we should put **Le500mln** fine on him. Mind you the minimal is **Le30mln**, maximal is an open ended, the limits are from zero to infinity and so, we should be fair. Let me tell you something Mr Commissioner, you are putting these Laws today immediately you sign them, they are above you; who knows ten [10] or twenty [20] years from now, you get an opponent who is the Attorney General instead of minimum of **Le30ml**, the limit is unlimited, there is no limit. So, I am suggesting not less than **Le30mln**, not more than **Le50mln** so that the Judge can say **Le 49mln** or **Le 46mln**. We cannot give them that discretion because they are human beings. The prosecutor will prosecute and it is not the Judge. If the Attorney General stands and says P.C Bai Kurr Sanka III has done this, we should give him **Le200mln** or **Le250mln**. Even in death sentence, you have an option to give a life sentence or death sentence. If the Judge is convinced by the prosecutor to give him life sentence, he will give him life sentence. Sometimes, the Prosecutor is more powerful and the Judge is afraid that if he or she does not do it, the prosecutor will go after him/her. I think there should be a limit Sir on both ends. When you do integration in mathematics, there is a minimal and the maximal limit in every Law.

THE CHAIRMAN: Honourable Bai Kurr, I agree with you. Honourable Members, I think that is the best way to go. Let us put a ceiling, not less than three [3] years, not more than five [5] years, not less than **Le30mln**, not more than **Le50mln**. We cannot give the Judges an open cheque [*Applause*].

MR UMARU N. KOROMA: Mr Chairman, I see the House is determine for us to have the ceiling, but given the seriousness of impersonation in our country at present, I just listen to the story of the Honourable Paramount Chief.

THE CHAIRMAN: Of course, we all have stories.

MR UMARU N. KOROMA: The Honourable Paramount Chief and the name of the Anti-Corruption Commissioner was involved that the Commission had a breakdown that is a very serious one. I agreed if we are capping it, this is without any emotions, if we are saying not less than **Le 30mln**, I would suggest that we cap it at not more than **100mln** and not less than three [3] years. Mr Chairman, Honourable Members, this is a very serious issue.

THE CHAIRMAN: Okay, depending on the seriousness of it.

MR UMARU N. KOROMA: Exactly! This is a very serious issue.

THE CHAIRMAN: I agreed with you.

MR UMARU N. KOROMA: Having that in our laws will send a very serious message to those who are out there or who are intending to get involved on such offences.

THE CHAIRMAN: I agree. Honourable Bai Kurr, I think that is okay and that is fair.

HON. P.C BAI KURR KANANGBARO SANKA III: I am happy to see my young men trying to make the nation better. I would agree Sir and let there be a fine of **Le100mln**.

THE CHAIRMAN: That is fair Honourable Members and that is all for Page 2.

HON. DR UNPHA S. G. KOROMA: No! Mr Chairman,

THE SPEAKER: Yes!

HON. DR UNPHA S. G. KOROMA: Please! I would like to add my voice to this and it is really after a careful reading of this section in the Act and it has to do with the debate about the time limit and the amount. I believe if we add the word which says; **“any person who impersonate an Officer of the Commission commits an Offence**

and shall on conviction be liable to a fine not less than Le3mln, in this case will be not less than Le30mln or a time limit.” Instead of having the word ‘or’ I am suggesting we add the word ‘and’ which means, a fine and imprisonment depending on the situation or the graveness of the offence. So, ‘or’ or ‘and’ which means you pay and serve jail sentence. We can even add to that if we have conflict on the time limit and give the Judge some levity in reading the offence. That is my recommendation Mr Chairman.

THE SPEAKER: Honourable Members, yes!

HON. FESTUS M. LANSANA: Mr Chairman, I think we are missing the point. We are talking about when they impersonate any officer of the Commission or the Commissioner and not the general impersonation. If I could recall, there was a time when somebody called Dr Jibao pretending to be the Deputy Commissioner Shola Davies that he wanted to see him at the Commission. The only thing that helped Dr Jibao was because I had Shola Davies number which I showed him to crosscheck and the number was not the same. So, we are talking about the Commission and not talking about impersonating any other person. I want us to go by what the Attorney General has just mentioned.

THE CHAIRMAN: I agreed Honourable Member. Page 2?

HON. P.C BAI KURR KANAGBARO SANKA III: Yes Sir, Page 2, Section 62 Sub-Section 3 of the Anti-Corruption Act of 2000 as amended, in Sub-Section 3 by replacing the word ‘court’ in the last line with the word ‘Commissioner’. I want to get clarification from the High Court to the Commissioner. When you look at the correspondence there, is it the Commissioner putting the fine or the court?

THE CHAIRMAN: Mr Chairman, did you follow what Honourable Bai Kurr Kanangbaro Sanka III was trying to say? Honourable Paramount Chief, can you please repeat what you were saying?

HON. P.C BAI KURR KANAGBARO SANKA III: In this amendment, Section 62 of the Parent Body Anti-Corruption Commission Act of *[Interruption]*.

THE CHAIRMAN: Honourable Bai Kurr Kanagbaro Sanka III, if you read the Act itself, you will realise that there was a typo there.

HON. P.C BAI KURR KANANGBARO SANKA III: Typographical error?

THE CHAIRMAN: Yes Chief. It was supposed to be the Commissioner not the court.

HON. P.C BAI KURR KANANGBARO SANKA III: You are here as Chairman and you should direct us if it is a typographical error and that means *[Interruption]*.

HON. ALPHA A. BAH: If you go to Sub-Section 62 and also Section 59 and 60 respectively, these three Sections refers to both the Commission and the Commissioner. So, as he rightly stated, that was just a mere typographical error and that is what we are seeking to correct. It should be Commissioner.

THE CHAIRMAN: Do you have a copy of the Act with you? Can you read that provision?

HON. ALPHA A. BAH: Section 62 *[Interruption]*.

THE CHAIRMAN: If you read that properly you will see. Honourable Daniel Brima Koroma, can you be of help? Have you read it? Okay please just read it to yourself.

HON. P.C BAI KURR KANANGBARO SANKA III: If that is the case, then they should put in the Bill.

THE CHAIRMAN: That is why they are doing amendment.

HON. ALPHA A. BAH: That is why we are suggesting that the word 'court' be replaced with the word 'Commissioner.' That is the suggested amendment Mr Chairman.

THE CHAIRMAN: Thank you very much. Page 3? Yes Honourable Shiaka Musa Sama.

HON. SHIAKA M. SAMA: I refer you to Section 7 paragraph b[2]. There are two 'him', one in the commissioner which says the commissioner may enter into agreement with a suspect and the last 'him' says, preclude himself. This is not clearly mentioned weather himself refers to the Commissioner or to the suspect. As it reads, it is even referring to

the Commissioner more than the suspect. I know the spirit is may preclude himself from holding public office. So, I want confirmation.

THE CHAIRMAN: I advise you read the entire Sub-Section.

HON. SHIAKA M. SAMA: 'Were the Commissioner is of the option that the findings of the Commission on any investigation warrant a prosecution under this Act, the Commission may [A] institute proceedings in court or [B] which is my area of interest, enter into an agreement with a suspect [1] to refund the amount involved plus an interest of not less than **10%** and [2] preclude himself. 'Himself' is the problem I have.

THE CHAIRMAN: No, enter into an agreement with a suspect to preclude himself.

HON. SHIAKA M. SAMA: I want us to make it clear by writing the suspect because it is not very clear.

HON. ALPHA A. BAH: Honourable Member, I am sure that expression cannot be clearer than that. It is very much clear Honourable Member.

THE CHAIRMAN: Yes Honourable Kandeh Yumkella.

HON. KANDEH K. YUMKELLA: I was trained by a Lawyer that in Law, there is no 'himself' or 'herself,' but I thought it should be himself or herself and there is no gender in Law.

THE CHAIRMAN: There is no gender in Law. We do not have ladies in Law. Honourable Shiaka Musa Sama, are you convinced?

HON. SHIAKA M. SAMA: I will accept only because of the majority, but I still maintain my position until the suspect is mentioned in the Agreement.

THE CHAIRMAN: Mr Chairman, are you okay with that?

HON. ALPHA A. BAH: I am quite okay Sir.

THE CHAIRMAN: Honourable Members, are you okay with the word 'himself?' Okay.
Page 4?

HON. SHIAKA M. SAMA: Why we cannot get the opinion of a third party?

THE CHAIRMAN: I think Honourable Shiaka M. Sama is getting there because even the Commissioner thinks the word 'suspect' should be there.

HON. P.C BAI KURR KANANGBARO SANKA III: I am still on Page 3 Sir.

THE CHAIRMAN: Can we complete this one?

HON. P.C. BAI KURR KANANGBARO SANKA III: Which one?

THE CHAIRMAN: The one that we are dealing with now is the word 'suspect.' Mr Minister, what do you say?

THE MINISTER: I have looked at it and for the sake of emphasises and clarities, we can use the word suspect from holding.

THE CHAIRMAN: Preclude the suspect.

THE MINISTER: The suspect from holding.

THE CHAIRMAN: Mr Chairman are you okay with that?

HON. JOSEPH WILLIAMS-LAMIN: If you look at [B], there is a repetition in the whole sentence. If you say enter into an agreement with the suspect to preclude himself from suspect again suspect.

THE CHAIRMAN: Is not the repetitions we are talking about, we are talking about the correctness. If it is correct, it is correct, but if it is wrong then it is wrong. Yes Honourable Shiaka Sama.

HON. SHIAKA M. SAMA: In fact, if you look at the construction and if you do not want to use the word 'suspect,' use him which is even better than 'himself,' for example, to preclude him. 'Him' will refer to the suspect. I think 'suspect' is better and if you do not want to use 'himself,' you can use 'him.'

THE CHAIRMAN: I think Honourable Members, let us allow the word 'suspect' please.

HON. DANIEL B. KOROMA: Mr Chairman,

THE CHAIRMAN: Yes Honourable Daniel Koroma.

HON. DANIEL B. KOROMA: I may not have problems with inserting the word 'suspect,' but that by inserting the word 'suspect,' it shift the burden as to who precludes because here the burden is on the 'suspect' to be precluded, but if you remove that one and add 'suspect,' the burden has now shifted to the Commissioner. If you say 'preclude the suspect,' it means moving the powers to the Commissioner and his intention is for the suspect to preclude himself.

THE CHAIRMAN: It is now a question of semantics.

HON. BASHIRU SILIKIE: Mr Chairman, let us not forget that [A] is a continuation of [B] you either paid or preclude yourself. Mr Chairman with your leave, I read [B] **"enter into an agreement with a suspect to refund the amount involved plus an interest of not less than 10% and preclude himself."** You would be accepting to pay an interest rate and then preclude yourself from holding public office. That is the suspect Sir.

THE CHAIRMAN: Mr Minister, please give us something definitive.

MR UMARU N. KOROMA: Thank you very much Honourable Members and Mr Chairman. We have looked at it and like you rightly mentioned, it was a question of semantic and the question of shifting the responsibility. I agree with Honourable Daniel Brima Koroma. If we bring in the issue of suspect in the next Sub-Clause, it will mean at that stage that the Commissioner will have to... What it means right now is that you pay the fine and you preclude yourself from not holding, but the question again, if we leave it as it is, you can pay a fine with the issue of precluding yourself voluntarily becomes a whole ball game [*Undertone*] I will pay the fine because it is in the agreement, but if we say to preclude the suspect, you are placing the responsibility on the Commissioner this time round, you are not only paying the fine, but even making sure that you are precluded from holding public office. Like you said, you are afraid of using the word suspect in the other area, but grammatically, it is not wrong and for clarity, we were suggesting that we use a word suspect. What is confusing is the use of the word 'himself' rather than 'him'. Mr Chairman, we have been here for a very long time, it is clear the way it is if we want to give it more clarity for legal purposes, we can

use the word suspect. I will suggest at this stage based on the submissions I have listening to, we leave the construction as it is.

THE CHAIRMAN: The 'himself' not so? Honourable Shiaka Musa Sama, you have the Floor.

HON. SHIAKA M. SAMA: Mr Chairman, if by replacing himself with the suspect pleases the body of the Commissioner like he said, I decree we leave it as himself. Thank you.

THE CHAIRMAN: Thank you very much Honourable Shiaka Musa Sama. We are still on Page 3?

HON. P.C BAI KURR KANANGBARO SANKA III: Yes Sir. On Page 3, I looked at the definitions from the Parent Act and I stand to be corrected. On [G], if you go back to Page 2 Section 5, Section 78 of the Anti- Corruption Act is amended in Sub-Section 1 by repealing and replacing paragraph [G] with the following new paragraph. [G] Which is head of a public body. May I get from the Commissioner's office and the Attorney General's Office, what is a public body?

HON. IBRAHIM T. CONTEH: Mr Chairman, I think a public body can be best describe as what we have in the Act, in Section 5 for the definition of public office and public body.

THE CHAIRMAN: Honourable Bai Kurr Kanangbaro Sanka, are you okay with that?

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

THE CHAIRMAN: Page 4? Honourable Members any queries?

HON. P.C BAI KURR KANANGBARO SANKA III: There is a very important Section 7 Sub-Section 1 *[Interruption]*.

THE CHAIRMAN: Where is that?

HON. P.C BAI KURR KANANGBARO SANKA III: On Page 3 Sir. Where the Commissioner is of the opinion. I want that to be amended as where the Commissioner is with the fact and not opinion.

HON. IBRAHIM T. CONTEH: Mr Chairman,

HON. P.C BAI KURR KANANGBARO SANKA III: Hold on Sir, I am on my legs
[Laughter].

THE CHAIRMAN: Honourable Ibrahim Tawa Conteh, please wait a minute. Carry on Honourable Chief.

HON. P.C BAI KURR KANANGBARO SANKA III: Where the Commissioner is of the opinion. You know all of us carries opinions, but are our opinions fact, perception or we base our decisions on fact?

THE CHAIRMAN: I think that is standard Honourable P.C Bai Kurr.

HON. P.C BAI KURR KANANGBARO SANKA III: Yes, but sometimes you know the world is changing *[Laughter]*.

THE CHAIRMAN: Yes, we would change when we get there.

HON. P.C BAI KURR KANANGBARO SANKA III: That is what I was trying to say. Where the Commissioner is of the opinion.

THE CHAIRMAN: That the findings of the Commission.

HON. P.C BAI KURR KANANGBARO SANKA III: I saw that, but on [A], institute proceedings in court or enter into an agreement with the suspect is it the High Court or just the definition of court?

THE CHAIRMAN: I think it is defined?

HON. P.C BAI KURR KANAGBARO SANKA III: Defined as the High Court.

THE CHAIRMAN: Yes.

HON. P.C BAI KURR KANANGBARO SANKA III: Thank you.

THE CHAIRMAN: Thank you very much Honourable P.C Bai Kurr Kanangbaro Sanka. Honourable Members, Page 4? Yes Honourable at the tail end, what is your name please?

HON. HASSAN SANKOH: I am Honourable Hassan Sankoh.

THE CHAIRMAN: You have the Floor.

HON. HASSAN SANKOH: My contribution is on Page 3, Clauses 11. This Paper that Honourable Alpha Amadu Bah presented to us *[Interruption]*.

THE CHAIRMAN: We are on Page 4 now.

HON. HASSAN SANKOH: No, but we are just going to Page 4 and I have something to say on Page 3.

THE CHAIRMAN: Okay, you may proceed.

HON. HASSAN SANKOH: Page 3 Clause 11 is talking about time here and I want to know if it is a typographical error or not *[Interruption]*.

THE CHAIRMAN: Where?

HON. HASSAN SANKOH: On Page 3 [B]

THE CHAIRMAN: No, we are discussing the Bill and not the Report.

HON. HASSAN SANKOH: Yes, but we have jumped on something that I wanted to clarify. Please Mr Chairman give me a minute.

THE CHAIRMAN: Okay, you may proceed.

HON. HASSAN SANKOH: We talked about time where the Commissioner shall notify the parties that are concern of the notes issue under *[Interruption]*.

THE CHAIRMAN: Honourable Members, let us allow him to proceed please.

HON. HASSAN SANKOH: We are talking about time here and it says *[Interruption]*.

THE CHAIRMAN: On what Page?

HON. HASSAN SANKOH: Page 3.

THE CHAIRMAN: Okay, proceed.

HON. HASSAN SANKOH: It says, seven days the Commissioner shall notify the parties concern of the note issued under Sub-Section 1 and arise to applied within ten [10] and in bracket we have fourteen [14].

THE CHAIRMAN: Yes. Mr Chairman, Please take note of that. I have seen ten [10], but in bracket we have fourteen [14].

HON. HASSAN SANKOH: Exactly. There are instances where we have holidays
[Interruption].

HON. ALPHA A. BAH: Noted Sir.

THE CHAIRMAN: That is under paragraph B I suppose. Thank you very much. Honourable Members, Page 4? Yes Honourable Abdul Kargbo.

HON. ABDUL KARGBO: Page 4, Section 119 is amended, [B] Sub-Section 3 and the insert is **“in case of any every person who ceases to be a public official not later than three months from the date on which he ceases to be a public official except where extended by the Commissioner in writing, he shall file in respect of his assets, income and liability covering the period from the date of his declaration to the date on which he is required by this Sub-Section to furnish a declaration.”** I specifically looked at this because I want to advise that the law we make today are not retroactive because even when you go to Page five [5], you will notice that it is incumbent on us to make public declaration of our asset. I totally agree to this because the President, His Excellency Julius Maada Bio, the first gentle man is also compelled by law to declare his asset. So, I see no other person that should be excluded from making public his asset. All I am saying is that this asset declaration especially for this clause that I have just picked up is not retroactive; meaning, it takes effect immediate from now even those who are expected to declare their asset *[Interruption]*.

THE CHAIRMAN: Honourable Abdul Kargbo, I think that is provided for in the Act.

HON. SIDIE M. TUNIS *[Leader of Government Business]*: Mr Chairman, I just want to inform Honourable Members that the entire asset declaration regime takes effect from 1st January, 2020.

HON. ABDUL KARGBO: Thank you Sir.

THE CHAIRMAN: It is alright Honourable Abdul Kargbo. Are you okay with that?

HON. ABDUL KARGBO: Yes Sir.

THE CHAIRMAN: Honourable Members Page 5 of the Bill?

HON. SIDIE M. TUNIS: Mr Clerk, please take note of the asset declaration. It takes effect on the 1st January, 2020.

THE CHAIRMAN: Page 5?

HON. PC BAI KURR KANANGBARO SANKA III: Page 5. According to the amendment on 122[a], I need the attention of the Acting Chairman of the Legislative Committee, I need your attention. On 122[a], **“A public Officer who without reasonable cause fails to submit his Asset Declaration Form, unknowingly records false, inaccurate or misleading information in the Declaration Form shall in addition to any other penalty imposed under this Act be liable to administrative sanctions as set out in Sub-Section 4.”** I want to know which Sub-Section 4 is being referred to.

HON. ALPHA A. BAH: The Parent Act.

HON. PC BAI KURR KANANGBARO SANKA III: Well compare it and see whether it has any correlation with this.

THE CHAIRMAN: Yes Mr Chairman.

HON. ALPHA A. BAH: Honourable Member, may I refer your attention to Page 2 of the Report on the penultimate paragraph of number 4. It reads *[Interrupted]*.

HON. PC BAI KURR KANANGBARO SANKA III: Is it the Report?

HON. ALPHA A. BAH: Yes Sir. I am referring you to the Report, precisely paragraph number 4.

HON. PC BAI KURR KANANGBARO SANKA III: If you are going to eliminate number 4, then is 5 not going to be the new 4?

HON. ALPHA A. BAH: Very well. You are correct and because it is an amendment. It says, Clause 10 Section 122[a] Sub-Section 1 be amended by deleting Sub-Section 4 on the last line and replacing it with Sub-Section 5.

HON. PC BAI KURR KANANGBARO SANKA III: The correlation now is that Sub-Section 5 in this Act becomes Sub-Section 4 in the Parent body.

THE CHAIRMAN: You are correct. Mr Minister, please take note. Page 6 of the Bill?

HON. BASHIRU SILIKIE: Mr Chairman, when the Chairman of the Committee was reading his Report, he mentioned '**subject to the approval of Parliament**'

HON. ALPHA A. BAH: Very correct.

HON. BASHIRU SILIKIE: It is not in your Report presented. Mr Chairman, 126 as per recommendation reads and Mr Chairman with your leave I read; "**where the Commissioner has reason to believe that a contract to which a public body is a party is not in the national interest, the Commissioner shall in consultation and agreement in writing with the Chief Executive Officer of the National Public Procurement Authority [NPPA] issue a directive in writing to the head of the public body directing not to proceed with the signing of the contract.**"

Mr Chairman, Honourable Members, what the Commissioner is trying to push here is a preventive Clause which is very good, but he is saying now; **when he has informed the parties that want to go into a contract.** So, we are now going to establish that there is no contract in fact because a contract as per definition is a legally binding agreement, it only becomes a contract when the parties have signed. If he is saying he is supposed to do it in writing, in conjunction with the NPPA boss, then it is not a contract. I want to paraphrase and read it in my own wordings Mr Chairman and it reads, 'where the Commissioner has reason to believe that a contract to be entered into by a public body is not in the national interest, the Commissioner shall in consultation and agreement in writing to the Chief Executive Officer of the NPPA issue a directive in writing to the head of that public body, directing not to proceed with the signing of the contract'.

THE CHAIRMAN: Mr Minister, are you taking note? Proceed Honourable Member.

HON. BASHURU SILIKIE: I do not want it to be read and I do not want Parliament to be mentioned. The fact that there is no contract, the Commissioner should just advice the parties to the contract not to enter into it because it is not of national interest and there is no need for Parliament to be part of that process. We should not even say 'a contract', but rather 'a contract to be entered into' because it is still not complete. The fact that the contract has not been entered into, Parliament has no business of interfering into it. Mr Chairman, Honourable Members, I propose thus: 126 a[1] be read; **'where the Commissioner has reason to believe that a contract to be entered into by a Public Body is not of national interest, the Commissioner shall in consultation and agreement in writing with the Chief Executive Officer of the NPPA issued a directive in writing to the head of the Public Body directing not to proceed with the signing of the contract.'**

THE CHAIRMAN: Yes Mr Chairman.

HON. ALPHA A. BAH: I will say that is a very brilliant suggestion by the Honourable Member. It clearly captures most of our concerns during the deliberations and clearly, a contract becomes a contract when it is signed. So during negotiations, we do not have any contract. I think I subscribe to his view and I think that suggestion is in place.

THE CHAIRMAN: Yes Honourable Leader.

HON. IBRAHIM B KARGBO: Mr Chairman, my concern is that we are beginning to water down the very authority of the Procurement Office. The Procurement Office was created for good reason; for purposes of ensuring that good governance prevails. Now we are beginning to suggest that the National Procurement Authority Office cannot perform its duties without the supervision of the ACC; that is what it is all saying here. I am sure that it has enough statutory authority to be on its own, to take decisions, but for us to begin to suggest that the National Procurement Office must seek 'clearance' from the ACC before it can continue to perform its duties, I find it difficult to understand

and why we are taking that direction except if that Office has lost its statutory authority.

THE CHAIRMAN: Yes Honourable Festus Mohamed Lansana.

HON. FESTUS M. LANSANA: Thank you very much Mr Chairman. I want to differ a bit from my learned Leader. Here we are not bringing the authority of the NPPA down by introducing the Commission into that particular process. The Commission just wants to be very preventive. There are times we know situations in this country where the NPPA would recommend that, that particular contract should not be signed and at the end of the day people would go against that one. So, to prevent that from happening, we want to ensure that any time the ACC heard of that is like blowing whistle so that they would stop the contract at that point to do the needful. It is not like coming to take the powers of the NPPA and from what we learnt from the discussion yesterday, we know that the NPPA Chief Executive is very positive about this particular arrangement, as it will help him to do his work because there are times when things come up, he will recommend and people will do otherwise. I do not want to give examples, but all of us are aware of those issues. We want to prevent this, this time around as the ACC is not just about investigating; the angle the ACC is now coming is from the preventive aspect. For those of us who were in the Finance Committee, we had similar problem with the auction that went on, but before this time the ACC had already proposed guidelines that the auction process should go by and because they did not go by it, they found themselves in other situation. We do not want the NPPA to also have similar problems, we want to empower them. If NPPA recommends that this particular contract is not in the interest of the nation and the MDAs do otherwise, we do not want to wait for the time whereby ACC will have to come back and charge or investigate what has happened. We just want to prevent such anomaly. I thank you.

THE CHAIRMAN: Honourable Joseph Williams-Lamin, you have the Floor.

HON. JOSEPH WILLIAMS-LAMIN: I also support the idea of Honourable Festus Mohamed Lansana [*Undertone*] no, I just want to add a point to it that the ACC is now working on the preventive aspect and the two institutions; the NPPA and ACC have

synergy in their activities in order to prevent any suspicious or irregular dealings. Nobody is undermining the integrity or statutory status of NPPA, but what we are saying here is that the two bodies should work in accordance when there is a prevailing circumstance and address the issue. That is my point Sir. I thank you very much Mr Chairman.

THE CHAIRMAN: Hold on Honourable Shiaka Sama. Yes Honourable.

HON. MUSTAPHA SELLU: Mr Chairman, my only concern with 126 a[1] is where the Commissioner has reason to believe that the contract to be entered into by a public body is not in the national interest in concurrent with the Chief National Officer. In the event where the Commissioner is not satisfied and the Act here is saying it should be a unanimous decision by the Commissioner and the Chief Executive Officer of NPPA and then the Chief Executive Officer is not in line with the Commissioner's action, how does that work? In 3, **"a party to the contract who fails to comply with the directive issued by the Commissioner under Sub-Section 1 commits an offence and shall be liable to conviction."** I am just thinking how would this happen when the contract has not reached its conclusion? These are some issues I need clarifications on.

THE CHAIRMAN: Honourable Shiaka Musa Sama, you have the Floor.

HON. SHIAKA M. SAMA: Mr Chairman, we have to be economical with space. My colleague said, 'we should write not to proceed with the signing of the contract to be entered into.' I am suggesting for it to be as 'not to proceed with the signing of the proposed contract.' That would save some words and space.

THE CHAIRMAN: Honourable Minister, are you taking note? Probably, we would need your advice at the end.

THE MINISTER: I am taking notes.

THE CHAIRMAN: Okay. Honourable Kargbo and followed by Honourable Kanja.

HON. SHIAKA M. SAMA: I am still on my legs Sir.

THE CHAIRMAN: Okay you may proceed.

HON. SHIAKA M. SAMA: Yesterday, we agreed on two insertions; firstly, not to proceed with the signing because the signing was not there, secondly, this provision is saying that the ACC Commissioner should make a directive in writing. We also said he should state the reasons for his decision; that would oblige him to state reasons which may be needed in a court of law. So, I am proposing that this provision should be read as follows: 'Where the Commissioner has reason to believe that a proposed contract to which a public body is a party is not in a national interest, the Commissioner shall in concurrence with the Chief Executive Officer of NPPA issue a directive in writing to the head of the public body directing him not to proceed with the signing of the proposed contract provided the Commissioner state the reasons for his decision in the directive.' We are saying this because the Commissioner may one day, maybe for some ulterior motive decides to stop the contract, but if he states the reason that will help.

HON. BRIMA MANSARAY: Let me respond

HON. SHIAKA M. SAMA: Do not respond yet because I am still on my legs.

THE CHAIRMAN: Hold on Honourable Shiaka Sama and give me few minutes. Yes Honourable Brima, you have the Floor.

HON. BRIMA MANSARAY: I think what Honourable should understand is that the Commissioner will not give directives to stop the contract without reasons. He must give tangible reasons why the proposed contract should not proceed. He cannot just say stop that contract without reasons; he has to give reasons why he is suggesting what he has suspected to have gone wrong.

THE CHAIRMAN: Honourable Abdul Kargbo, you have the Floor.

HON. ABDUL KARGBO: Mr Chairman, I have carefully read this very Section and we need to be holistic when approaching it. I have asked myself some inevitable questions. Firstly, what if the head of ACC holds a different view from the head of NPPA? What if the ACC Boss sees that this contract is not of public interest and the head of NPPA sees that it is of public interest? Secondly, if the contract is aborted contingent on this provision, then how long will that contract be aborted or who will make it take

precedence. The allegations levied that the contracts are not of public interest is correct? Thirdly, for this very Section, I had to peruse the ACC Acts of different countries. Let me just read to this House what was approved in the National Assembly of Zambia in 2012 on this same issue. It says, **“A person who by oneself or in conjunction with any other person corruptly solicit, accept or obtains or agree to accept or attempt to receive or obtain from any person for oneself or for any other person any gratification as an inducement or reward for doing or for bearing to do, or for and having done or forborn to do anything relating to any matter or transaction actually or proposed with which any private body is or may be concern commits an offence.”** Meaning, what we are saying is of public interest or that is not of public interest is tantamount to an offence. So when an offence occurs, it is incumbent on ACC to investigate the offence; be it prior to the signing of the contract or after the signing of the contract. It is only the court of law that has what it takes to prove an offence. So when a contract is aborted contingent on this Clause and the issue is taking to the court of law and the court says, that which was assumed to be against national interest is not against the interest of the nation, you can carry on and you can go ahead with it, the court have investigated and we have noticed that it is not against public interest. I do not see us limiting the powers of ACC.

Mr Chairman, Honourable Members, today we have a very brilliant Commissioner who has done so much, but again we cannot say because the Commissioner maintain that position we should make laws that subsequent Commissioners would have to benefit from that may not be as brilliant as Francis Ben Kaifala is at the moment. All I am saying Sir is that an offence is an offence. Anything that is not of public interest is an offence and ACC has no limit; ACC has the right to probe into anything that is an offence and is bothering around corruption. Whether the contract has been signed or not, in fact if the contract has not been signed and they notice that there is something in there that is not of public interest, it is incumbent on them to report the matter, investigate the matter and forward the issue to the court and it is the right of the court

to give an injunction on the signing of the contract. Let us assume; what if they have prevented a contract that is so dearly needed, that the people want to be accomplished in the shortest possible time on the bases that it is not of public interest and at the end of the day, the contract is delayed or not signed and they take the matter to the court and the court says no, this contract is of public interest, we have not found anything wrong in this contract. As far as I am concern, I was not seeing it very necessary for us to have any other clause other than the mandate of the ACC to probe into any matter that is not of public interest or any matter that is corrupt. Whether the contract has been signed or not, if there are corrupt elements in the contract prior to or after the signing of the contract, it is the mandate of the ACC to probe into it and the Court may even give an injunction on the signing, but to say you stop a contract just because you perceive that, that contract is not of public interest when it has not been approved or said by the Court that this contract is not of public interest, we may end up depriving people from having their contract out of what we see that this contract.

THE CHAIRMAN: Honourable Kandeh Yumkella and Honourable Bashiru Silikie please I am coming over to you soon.

HON. ABDUL KARGBO: Finally Mr Chairman, I want us to expunge this Section of this very Act and let the powers of the ACC probes into any offence that is geared towards corruption; be it prior to the signing or after the signing, they could probe into it.

THE CHAIRMAN: Let me hear the Chairman please.

HON. ALPHA A. BAH: I want to thank the Honourable Member for that concern, but yesterday during the pre-legislative session, Members actually grilled this particular issue and it was out of that grilling that we resorted to ensure that we insert some sort of a remedy. Firstly, his concern has to do with when an issue is taken to Court and it turns out that the Court realises or finds out that indeed that contract is of national interest, there is a provision that allows an affected party to apply to court within a certain period of time to prove that the proposed contract is of national interest. So, he is concern about whether the Court finds out the remedy is provided for in that provision and then it is also a general consensus that this is seeking to prevent

corruption. We would not want to wait until the Government loses millions of money before we terminate a contract. It has lots of implications. There must have been provisions as to how you go about terminating contracts. In order to prevent corruption, generally we all agreed that if there is a way to prevent this corruption, we must pursue that path. So, it was against that back drop that we realised that since the Procurement Authority which is solely charged with procurement issues and the ACC which is solely charged with investigating and prosecuting corrupt issues do come together and synergise their effort to ensure that we prevent corruption. So that was the general consensus of Members. To allay his fears, the concerns about whether a Court finds out that the contract is of public interest, there is a provision whereby an affected party can move to court and appeal against the decision.

THE CHAIRMAN: Honourable Dr Kandeh K. Yumkella, you have the Floor.

HON. KANDEH K. YUMKELLA: Mr Chairman, this particular Clause has caused a lot of debate and it continues to cause further debates. I want to raise two issues just to echo what Honourable Abdul Kargbo said and what Honourable Ibrahim Ben Kargbo raised. We need clarity from the Chairman of the Committee and also from the Minister. Firstly, does anything prevent the Anti-Corruption Commissioner now; if he or she receives whistle-blower information from contacting the NPPA? Nothing stops them now! So why do we need this? He can do anything now. The Anti-Corruption Commissioner today already has vast powers to intervene anywhere. So, for me I need to know today; does anything prevent him from getting involved? Second question is Honourable Ibrahim Ben Kargbo's question and somebody else raised it. What if there is a disagreement between what the Commissioner wants to do; sending this letter, but yet the NPPA with their own authority say we disagree with you, we are continuing. Are we not opening an unnecessary lacuna here for conflict? Or, tomorrow we have another Anti-Corruption Commissioner who feels super empowered and wants to get involved in every Procurement. Let us not create something that is not necessary. They say in America, do not fix something if it is not broken. Is this really broken? I believe the Commissioner has every authority today by ensuring this now. Yesterday, I listened a

lot. People asked why he was not speaking. If I do not understand something, I listen and I go out and check. So I need a clarification Sir before we continue. Is there anything today stopping the ACC Commissioner, if he or she gets information that the process is corrupt, that the proposed contract is not in the interest of the nation, does anything stop him now from checking? Secondly, what if there is a conflict, who arbitrates and how do we deal with the arbitration? If we cannot answer those two, I think we are creating something that is not necessary.

THE CHAIRMAN: Honourable Bashiru Silikie, you have the Floor.

HON. BASHIRU SILIKIE: Thank you very much Mr Chairman. Mr Chairman, Honourable Members, it is now crystal clear that the ACC should not in conjunction give directives and the fact that there is no contract, the fact that they are trying to prevent the contract from being signed because they believe it is not in the national interest and the fact that the NPPA has to give approval for this contract to be awarded, the fact that this contract has to go to the Attorney General's Office for due diligence, I am now proposing thus; 'We now remove the consultation and the directives should now be an advice; the ACC Commissioner should advice the parties that want to go into the contract and if they do not listen to the advice he goes to Court. He has the mandate *[undertones]* When he so strongly believes that the contract they want to sign is not in the national interest and he advices and they fail to listen and go into that contract, he has the mandate to go to Court to seek redress with proof that the contract is not in the national interest. It is only the Court that can interpret if it is in the national interest or not.

THE CHAIRMAN: Honourable Francis Saa Bhendu, you have the Floor.

HON. FRANCIS S. BHENDU: Mr Chairman, Honourable Members, when we talk about going or not going to Court, first of all there has to be a contract to give power to both parties to go to Court and before you arrive at a contract, there are processes and procedures involved and who is responsible to make sure that those processes and procedures are followed? It is the NPPA; they have the technicalities, they have the professionalism to determine whether this contract is of the best interest or not in the

best interest. Let us not forget that in Procurement, they have the seven purchasing rights; they have the right of purchases. So you need an expert to be able to know whether this contract is in the best interest or not. For me, this particular portion should be expunged because the second part says; **“a party to a contract who is dissatisfied with the directive issued by the Commissioner under Section 1 may appeal to the High Court.”** How can you go to Court when there is no contract? Before you get the contract signed, there are processes and procedures; after the bidding process, there would be what they called offer to notify the bidder that he won the contract and the contract would be prepared within a period of time and would be given to you. That does not give you power to take the party to Court until the contract is signed. So if you are going to stop the contract along the way before it gets signed, then what gives the power to the party to go to Court? So if there is no power to give to the party to empower him to go to Court, then there is no need for this Clause in this particular Bill. I think we should expunge it and that is my suggestion.

THE CHAIRMAN: Honourable Abdul Karim Kamara, you have the Floor.

HON. ABDUL KARIM KAMARA: Mr Chairman, I think 126[a1] has been debated over and over again for more than four pre-legislative hearings. The first intention of this particular Clause was in a situation the state is losing money in a contract of which is not of national interest. I think that one was very clear because we have certain contracts that are on-going which implementations are not of national interest, but yesterday the Commissioner told us that is not his intention. His intention is a proactive one in which he would prevent the crime from happening. Then we start to ask what the role of the NPPA is? And the argument was that the NPPA regulations and the Act are weak. We are Members of Parliament, let us fix them. People are saying there are certain Procurement processes where NPPA will say these procurements should not go on, but the Ministries should go ahead and continue with the contracts and let NPPA complain to the ACC. Looking at all the ramifications and all the contributions, I still hold my grounds as yesterday's arguments that it is a preventive mechanism, it needs not to be here because all we seek under this is already within the powers of the ACC,

but putting it here, it is a room for conflict as the Honourable from Samu has stated and is also a recipe to derail the very existence of the NPPA. We need to build stronger Institutions and if we are to build stronger Institutions we strengthen the laws; where the Laws are weak, we give the laws powers. We have seen a situation here in Parliament where NPPA advised for a contract not to be proceeded with based on A, B, C& D, the Ministry went ahead, but NPPA only stop at advising. We have the powers as Members of Parliament to say if NPPA advice and the person does not heed to that advice, NPPA themselves can go to the ACC. Let us make it part of their laws, but saying ACC can come to say we are doing this before the contract is to be signed, who reports to the ACC? They have whistle blowers; are the whistle blowers sometimes also not contractors? This is Sierra Leone for God Sake! We know beyond what we see. So we are saying this particular Clause that is being inserted here for the purpose of this law needs not to be here Mr Chairman.

HON. SIDIE M. TUNIS: Mr Chairman, I heard a lot of people talking about NPPA and I will come back to what I said yesterday; when Bills come to this House and in this Particular case this particular Bill is not about Francis Ben Kaifala. It is about strengthening the laws of the ACC to ensure that the Commission is able to fight corruption effectively and to ensure that corruption is made very painful. I heard Honourable colleagues from yesterday making references to NPPA and I said in that meeting that before now, we have had series of meetings.

Mr Chairman, Honourable Members, one or two of the meetings were chaired by the Honourable Speaker of this House. The meetings were between the ACC and the NPPA; the Chief Executive Officer represented NPPA and the Commissioner represented the ACC. The clause that you see in this particular report is a consensus call by both the ACC and the NPPA. The NPPA Chief Executive Officer has made it very clear to me as Leader of Government Business that he wants this particular Clause in this Bill. The reasons he gave to me clearly shows and I was convinced that it all geared towards strengthening procurement in this country and also fighting corruption and these are

the tools that we are working with. The bulk of corruption cases we have now is in the procurement sector, let us face it.

Mr Chairman, Honourable Members, the Honourable Abdul Karim Kamara said something just now that sometimes people or MDAs go ahead even against the NPPA, but are we going to wait for that to happen to cause more problems? Honourable Members, I will tell you something; we had a scenario not even too long ago in Bo, in the energy sector. If it was not for the swift intervention of the ACC, this country would have been in a serious disaster, trust me. Therefore, Mr Leader of NGC, before now, I can assure you that this particular provision that we have, we need it as a Government, we need it as an ACC and I believe it geared towards fighting corruption. I thank you.

HON. KANDEH K YUMKELLA: Mr Chairman, S.O. 34 Sir.

THE CHAIRMAN: Honourable Kandeh Yumkella, what is your Point of Order?

HON. KANDEH K YUMKELLA: Mr Chairman, it seems there is a contention over this Clause. What I have seen in the British Parliament, what we have been trained about in the British Parliament over the last three months; even in amendments, when there is a contention they can vote. I believe that we have debated this five times, we have negotiated it for five months and still it is not clear. I would insist that if the contention is strong and for some of us, giving the argument the Honourable Leader of Government Business just raised, I am happy he gave us that evidence that we have had a case where ACC intervened quickly and recently we were saved money which underscores what we are saying. The powers already exist [*Applause*]. Secondly, the fact that the NPPA Chief Executive Officer is supporting this, for me, suggests that he or she is passing the buck and trying to overburden our ACC. So I believe there is a contention, my observation S.O 34 is that this particular Clause for seven months, we still have a contention. I would suggest that at some point we would have to vote on it.

THE CHAIRMAN: Honourable Mohamed Billoh Shaw, you have the Floor, follow by Honourable P.C Bai Kurr Kanagbaro Sanka III.

HON. MOHAMED B SHAW: Thank you, Mr Chairman. Mr Chairman, as the Leader of Government Business rightly said, this is not about Francis Ben Kaifala. He has been vibrant anti-corruption fighter; he is a good man in that office, but what we are saying is that the laws we are making now is not about him. We can have an Anti-Corruption Commissioner who might compromise things in the future. So, what if that Anti-Corruption Commissioner turns his office to a place where contracts must be negotiated before they are approved? Mr Chairman, I think politicians in this House need not to pass laws here that might hunt some of us tomorrow. This Clause to me is not necessary *[Applause]*. We cannot give single individual powers to determine what happens in our country. The Anti-Corruption Commissioner alone and his Commission should not determine which contract we enter into. Honourable Members, the Honourable Leader of the NGC said this just now that we have negotiated this particular Clause for over seven months now and I think we cannot afford to give the ACC Commissioners this power. Thank you.

HON. PC BAI KURR KANANGBARO SANKA III: Mr Chairman, I need the attention of the Leader of Government Business.

THE CHAIRMAN: Yes Leader, your attention is needed please.

HON. PC BAI KURR KANANGBARO SANKA III: Mr Chairman, you have ask me to proceed, this is very serious and people have said very nice things about the current Commissioner. Mr Chairman, the ACC is not a party to be awarding contracts *[Undertone]* I want the attention of Mr Chairman.

THE CHAIRMAN: Proceed Honourable P.C Bai Kurr.

HON. PC BAI KURR KANANGBARO SANKA III: Mr Chairman, the setup of the ACC is not for them to be members awarding contracts, but to investigate and they have said very good things about the present Commissioner, his dynamism and willingness to do the job. I am going to ask this question; is ACC going to sit and prepare the advertisement for the application for awarding contracts? We are missing certain key elements when we debate. I wish the Leader of Government Business is here. Sierra

Leone is a recipient country, **95%** of all the major contracts that are awarded are International Competitive Bidding [ICB] and in the final analysis, the donor countries approve the no objection for those who qualify to carry out the duties of a contract. Is the ACC going to stop the European Union when they have approve a contractor to do a job? When you make laws, put a law that you can enforce. We are recipient country, the roads that we are now boasting of, the funds came from other donor countries; either from European Union, World Bank, etc. and they gave the approval with no objection and if we are going to insert ACC, I think we should go back to the NPPA Act and insert the duties of the ACC. We cannot include this into the ACC Bill. I know his is very dynamic, willing and ready to fight corruption, but trust me, he will be overloaded with so much work that at the end of the day contracts would not be awarded. Let me tell you something, when donor countries have given the no objection, anytime you want to even change a word there you cannot. Let me give you a bright example Mr Chairman, I have been here so many years as Deputy Chairman of the University Court of Sierra Leone. What BADEA is doing now on the All Purpose Building in the contract of **587sqm**, but when the drawings came out, they became **500sqm** and that was signed, later, the donor countries said that they are not going to fund it because of that error and we tried to correct it for three [3] years, they did not accept even though the money was there simply because the architect at that time of the drawings made mistake of putting **587sqm**.

Mr Chairman, Honourable Members, we want to give good authority to the ACC, but I know this country and people will begin to go to the ACC and give false information. If this happened, are we going to terminate the contract? If yes, the donors will withdraw their moneys. I have seen so many cases where the donor counties have withdrew their funds because of delay. We have seen in this country how much donor funds were not used. If you look at **EDF11, EDF12, EDF13**, there were so many projects that we could have benefited, but because we did not acted on it, European Union withdrew their funds. Sierra Leone is a recipient country. The donors give the no objection after the final recommendation from the NPPA and the public body. So if we are going to say

no, it means we will be sitting down, investigating contracts and at the end of the day no development will take place because first of all, the monies that we are talking of development are not from the consolidated fund, they are funds coming from abroad and **99%** of all these contracts are won by foreigners because the Banks in Sierra Leone do not have the money to put up **\$30mln** to **\$40mln**. We just approve the building of hostels and campus for IPAM it would have been **\$100mln**, that project started writing my living room, but there is no bank here that can give **\$25bln** security and we had to cut it down to **\$50mln** so that we have consortium of Banks to put up the **\$12.5mln**. Mr Chairman, I am pleading and I am also begging the Commissioner who is a young dynamic person and who has a future in this country for him to leave this Section completely out and let him be willing to investigate the corruption. We are talking of Procurement Offices, I know the corruption there. If Sierra Leone Roads Authority [SLRA] approved to construct a road from Matotoka to Bo and European Union or the Chinese funds it, are we going to oppose and say no to the contract? If you look the contractors at the Ports, you will find out that most of them are foreigners. The road from Kenema to Kailahun are all done by foreign companies and donor funds. I am pleading that we give authority to the ACC to do what they can do, but in this particular case, we are just going to have more bureaucracy and you have so much work to do. I will beg that we expunge this clause completely and let us give you the authority to do your investigation, but not to award contracts. If you stop contractors, are they not going to sue the ACC? I am begging the Leadership of this House to reconsider and let us come and amend the NPPA Act. Mr Chairman and my learned Lawyer, I plead that we expunge this. I thank you.

THE CHAIRMAN: Yes Honourable Lebbie, please allow Honourable Maada Lebbie.

HON. MAADA A. LEBBY: Thank you very much Mr Chairman. Mr Chairman, having listened to different speakers across the aisles, there is clear justification for this House to expunge this particular Section in the Act because we all can attest to the fact that the ACC have unlimited powers to investigate whatever corrupt practices that are taking place on MDAs. Therefore, there is need for NPPA boss to inform the ACC Commissioner

on MDAs that are going into contract with contractors. For example if NPPA advises NACSA for instance not to proceed with a particular contract, there is need for the Chief Executive Officer of the NPPA to inform the ACC, so that they will be aware of the fact that such advice had been given and therefore that particular MDA must not proceed with that contract. In the case were the MDA decides to ignore the advice from NPPA boss, I think the ACC Commissioner will then come in to investigate corrupt practices. Let us all be mindful of the fact that in whatever contract, there is a Procurement Committee comprised of different people from different MDAs as instructed by the Act. Mr Chairman, Honourable Members, there is every reason for us not to labour on this particular Clause in this Bill. Mr Chairman, let us all unanimously agree to expunge this particular item in this Bill *[Applause]*.

THE CHAIRMAN: Honourable Boston Munda you have the Floor and you will be followed by Honourable Ibrahim Tawa Conteh.

HON. BOSTON MUNDA: Mr Chairman, I thank you so much *[Interruption]*.

HON. SIDIE M. TUNIS: Mr Chairman, please in consultation.

THE CHAIRMAN: Yes Honourable Leader.

HON. SIDIE M. TUNIS: Mr Chairman,

THE CHAIRMAN: Honourable Leader, please hold on. Like Honourable Kandeh Kolleh Yumkella was trying to say, I think it has come to a point where the House might likely go into votes regarding this particular clause.

HON. SIDIE M. TUNIS: Exactly Mr Chairman and it is becoming very clear that is becoming little bit contentious. As such, I want us to go into vote; and if we lose the vote, then we would expunge the entire Section 11.

HON. KANDEH K. YUMKELLA: S.O 34.

THE CHAIRMAN: We would rather go into simple majority.

HON. SIDIE M. TUNIS: Mr Chairman, let us vote.

HON. SIDIE M. TUNIS: Mr Chairman, I am moving a Motion for the entire Section 11 to remain as it is in the Bill.

HON. DICKSON M. ROGERS: Mr Chairman, I so second that Motion.

THE CHAIRMAN: Any counter Motion?

HON. IBRAHIM B. KARGBO: Mr Chairman, we counter that Motion and for the simple reason, we think that the information given to us is not sufficient. We want that entire provision to be expunged because that is the view of many of our people here today. Mr Chairman, this is our counter Motion on this side of the aisle.

HON. KANDEH K. YUMKELLA: I so second.

THE CHAIRMAN: Okay. Before I put the question, I would rather give special leave. Honourable Members, please hold on. I wish to give special leave again to the Commissioner to try and convince this House about this particular Clause. Mr Commissioner, take the stand please.

MR FRANCIS B. KEIFALA [ACC Commissioner]: Good afternoon Honourable Members of Parliament. I thank you Mr Chairman for given me this opportunity... - *[Interruption]*.

THE CHAIRMAN: I am giving him special leave. The decision of Mr Speaker is final *[Laughter]*.

HON. HASSAN A. SESAY: No, Mr Chairman... - *[Interruption]*.

THE CHAIRMAN: Hold on Honourable Hassan Sesay. I will rely on S.Os 42 and I am giving the Commissioner Special leave.

MR FRANCIS B. KEIFALA [ACC Commissioner]: Thank you very much, Mr Chairman and thank you very much Honourable Members of Parliament. What I have seen demonstrated today is a bipartisan view on corruption itself. When the Commission is giving the responsibility to look into issues of ACC, I am sure Parliament decided to give some of these powers to that Commission and once that was done some nineteen [19] years ago, that Institution became specialized on information and

evidence on corruption particularly to identify areas that are costing the country, areas where corruption has mutated into many forms and damaging the progress of the country. It was after eighteen [18] years that I became a Commissioner and this Bill which is before you today comes after eighteen [18] years and everything in that Bill is informed by the experiences on corruption and corruption culture in the country that the previous ACC had not been able to deal with effectively and that is why today, after eighteen [18] years, we remained one of the most corrupt countries in the world. Eighteen [18] years since this House passed a law to make the ACC Act. Now, coming to the specific provision in question, this provision was created in consultation with the World Bank, in consultation with Department for International Development [DFID], in consultation with various partners who have been helping in this country and they all have one view. If we solve the problems of contracts in this country, corruption will be reduce by over **50%** and they have had evidence over the years for example Income Electrics, they had evidence that there were issues leading to the signing of that contract, there was no body to stop it, it was signed and the country lost millions. We are talking about the NPPA, yes, we did this in consultation with the NPPA.

Mr Chairman, Honourable Members, Members of Parliament who are part of the Legislative Committee know that almost every session we had this issue. The NPPA officials were in the meeting we had in my office and we came to Parliament as well. We sat with the Speaker, the Leader of the House and Honourable Basihru Silikie was present. Our Commission and that of the NPPA agreed that the powers that the NPPA have are adequate to deal with corruption even the NPPA itself agrees that they are times when they would go through the normal procurement process, they will notify institutions to say this institution do not go ahead with signing of this contract and before they know it, the contract is already signed and there is nobody to stop it. So to say we are usurping the powers of the NPPA, it is not true. Initially, when we brought the Bill, NPPA was not there, it is this House that added NPPA to it so that we will consult ourselves and take a decision since those two institutions are in charge of oversight of what is happening in the country with respect to corruption.

Mr Chairman, Honourable Members, this is by no means an intention to add more powers to the ACC, that provision is the juggler if we get it right with contracts. As we speak, part of the reasons for the delay in salary payments is because the Ministry of Finance is paying very bad contract loans and there is nothing you can do about it because the moment the contract is signed, the country is obliged to pay that loan *[Applause]*. For eighteen years powers have been given to the ACC to fight corruption and ACC has had information on the corrupt practices in the country. If you give the Commission this power and the Commissioner abuses it, this House has the power to recall that regulation by amending the provision, but let us give it a try as a country and let us see what will happen in the next five to ten years then we will come back and review whether the power should stay. I thank you all for this opportunity. Thank you Mr Chairman *[Applause]*.

THE CHAIRMAN: Honourable, your Leader is up. After the Leader, Honourable Lahai Marah.

HON. IBRAHIM B. KARGBO: I would like to make a very brief statement Mr Chairman. We have listened to the Commissioner attentively and we have no difficulty in believing what he has just said. The controversies, the struggle in our fight against corruption will continue. He named those International Institutions that were pivotal in the setting-up of the ACC and for good reason because they have associated our poverty to the fact that Sierra Leone is becoming too corrupt and I do not think any Government has denied that statement from the late President Ahmed Tejan Kabbah right to this present Government. All of us agreed that corruption must be fought, but again my worry and our worries on this side of the aisle is the status and survival of the Procurement Office. The Procurement Office has statutory authority to be able to perform its duties *[Interruption]*.

HON. SIDIE M. TUNIS: I have already moved a Motion.

HON. IBRAHIM B. KARGBO: You have moved a Motion, but I countered that Motion. I have a right to make a statement to justify why I countered that Motion.

HON. KANDEH K. YUMKELLA: I second the Counter-Motion.

THE CHAIRMAN: Okay. Honourable Leader can you please be brief?

HON. BASHIRU SILIKIE: I have a Counter-Motion

THE CHAIRMAN: Hold on. Can you please be brief?

HON. IBRAHIM B. KARGBO: I am going to be brief sir. We are going to insist that we look at this matter closely. We are aware of the fact that the Commissioner is a capable man, but when errors are about to occur to undermine another institution within the State, we should raise it up. You remember Mr Chairman when the ACC was set up *[Undertones]* 'no bo e nor go do so.' S.O. 2. You think I did not hear you *[Laughter]*.

THE CHAIRMAN: Honourable Ibrahim B. Kargbo, please proceed.

HON. IBRAHIM B. KARGBO: The Inspector General of Police complained that a new body, the ACC is about to take over his job and the President said no, time will come when it will fizzle out and the Attorney General also said the ACC was created to take over his job and the President said no, with time all of these things will fizzle and we also believe that with time the Procurement Office should know its responsibilities and have more authority to perform its duties. Thank you.

THE CHAIRMAN: Honourable Members, I am putting the question;

HON. BASHIRU SILIKIE: Mr Chairman,

THE CHAIRMAN: I am putting the question now.

HON. BASHIRU SILIKIE: Mr Chairman, I have another Counter-Motion.

THE CHAIRMAN: A third Motion?

[Motion to Retain Section 11 of the Bill]

[Question Proposed, Put and Agreed To]

HON. IBRAHIM B. KARGBO: Mr Chairman, we did not agree on the mode of voting.

THE CHAIRMAN: You can challenge it.

HON. HASSAN A. SESAY: I stand on 46[1] that let the procedure be done by secret ballot *[Applause]*.

HON. IBRAHIM B. KARGBO: Mr Chairman, we have a right to request the mode of voting.

THE SPEAKER: Honourable Hassan Sesay, can you repeat yourself?

HON. IBRAHIM B. KARGBO: The mode of voting must be discussed.

HON. HASSAN A. SESAY: Section 46[1] says: **“When a division has been claimed or if the opinion of Mr Speaker or the Chairman as to the decision of a question by collection of voices is challenged, the Speaker or the Chairman shall direct that Members outside the debating-Chamber be informed that the division has been claimed. After the lapse of ten minutes from the time of this direction, the Speaker or the Chairman shall put the question a second time and if a division is again claimed or if the opinion of the Speaker or the Chairman is again challenged, he may take the vote of the House or Committee by calling upon the Members who support and who challenge his decision successively to rise in their places and he shall thereupon as he thinks fit, either declare the determination of the House or Committee or call upon the Clerk to call the names of Members in alphabetically order and the Clerk shall enter in the Votes and Proceedings a record of each Member’s vote and of the names of Members who decline to vote.”**

THE CHAIRMAN: Your Motion is taken. Leader on both sides of the aisle, can you ensure that your Members are within the Chambers within ten minutes because I am going to order that the doors are closed for the votes. Honourable Members, please ensure that you are here within the stipulated time otherwise the door would be closed against you. Sergeant-at-Arms, at my instructions close the doors. The Leaders, please ensure your Members are here, time is running so that the doors are not closed against them. It is already past five [5] minutes. The Leaders on both sides, Sergeant-at-Arms, it is past ten [10] minutes, please close the doors. I have been looking at my watch and

it is according to Mr Speaker's time. Sergeant-at-Arms, please close the doors. Honourable Members, please take your seats. I am giving instruction to the Sergeant-at-Arms now to close the doors. Mr Deputy Director of Sergeant-at-Arms, I said close the doors. This is to inform Honourable Members that this vote is for simple majority and I am ordering secret ballot *[Applause]*. Hold on let me read 46[1] **“When a division has been claimed or if the opinion of Mr Speaker or the Chairman as to the decision of the question by collection of voices is challenged, the Speaker or the Chairman shall direct that Members outside the debating-Chamber be informed that the division has been claimed. After the lapse of ten minutes from the time of this direction, the Speaker or the Chairman shall put the question a second time and if a division is again claimed or if the opinion of the Speaker or the Chairman is again challenged, he may take the vote of the House or Committee by calling upon the Members who support and who challenge his decision successively to rise in their places and he shall thereupon as he thinks fit, either declare the determination of the House or Committee or call upon the Clerk to call the names of Members in alphabetically order and the Clerk shall enter in the Votes and Proceedings a record of each Member's vote and of the names of Members who decline to vote.”** Honourable Members, I am putting the question the second time.

HON. ABDUL KARGBO: There are Members of Parliament outside.

HON. IBRAHIM B. KARGBO: Mr Chairman, for the records *[Interruption]*.

THE CHAIRMAN: No, after ten [10] minutes.

HON. IBRAHIM B. KARGBO: Our people are outside, we want them to come in.

THE CHAIRMAN: Who are those people?

HON. IBRAHIM B. KARGBO: They are waiting to come in.

THE CHAIRMAN: Honourable Ibrahim Ben Kargbo,

HON. IBRAHIM B. KARGBO: Mr Chairman, the Leader of Government Business is interfering with the proceedings.

THE CHAIRMAN: Hold on.

HON. IBRAHIM B. KARGBO: The Leader of Government Business is interfering with the proceedings.

HON. DICKSON M. ROGERS: Mr Chairman, whatever that is happening here today is not a new one. When you say ten [10] minutes, the doors should be closed.

HON. MOHAMED B. SHAW: Mr Chairman, we have another one outside here and he should be allowed to come in.

THE CHAIRMAN: I have allowed one from each door. Please close the doors *[Undertone]* one person? Get the one person to come in. Mr Leader, is there anybody outside? Please allow one person in and close the doors.

[Motion to Retain Section 11 of the Bill]

[Question Proposed, Put and Agreed To]

HON. HASSAN A. SESAY: Mr Chairman, I still stand on 46[1]. You know it is consistent with the law and the general Orders of this House.

THE CHAIRMAN: Very consistent. Honourable Members, the provision in 46[1] clearly dictates that you should rise in your places.

HON. IBRAHIM B. KARGBO: Mr Chairman, the provision also makes it very clear that you use your discretion and for peace and tranquillity, we are not going to stand in our places, we are going to remain seated in our places.

THE CHAIRMAN: Honourable Leader,

HON. DICKSON M. ROGERS: Mr Chairman, there is no harm in that. They can all be seated in their places and we on this side of the aisle can stand.

THE CHAIRMAN: Honourable Hassan A. Sesay, for the decorum of the House, I am now using my discretion for Members to rise in their places.

HON. HASSAN A. SESAY: Mr Chairman, I agree with you, but initially, you have made it clear that in no uncertain term that it is going to be by secret ballot by your pronouncements. Mr Chairman, if you said it that it is going to be by secret ballot let us go by that. You cannot change the goal post in the middle of the game.

THE CHAIRMAN: Honourable Hassan Sesay, the discretion is solely mine. It is for me to determine.

HON. IBRAHIM B. KARGBO: Mr Chairman, for our own benefit can you put the question again please.

HON. LAHAI MARAH: Mr Chairman,

THE CHAIRMAN: Of course, we all know that the Clerks are advisers to Mr Speaker. So, I have been properly advised. Honourable Lahai Marah, can you please sit down. I am putting the question now. Honourable Ibrahim B. Kargbo, please sit down.

HON. IBRAHIM B. KARGBO: We are not participating.

THE CHAIRMAN: Okay.

[The Ayes got 41]

[The Nays got 33]

[Question Purposed, Put and Agreed To]

HON. ABUBAKARR FOFANAH: Mr Chairman, the result is not credible because he has not given us the total number of Members of Parliament that participated in the votes.

THE CHAIRMAN: Mr Lamin Yansaneh, can you please give us the total number of Members of Parliament that participated in the voting?

HON. IBRAHIM B. KARGBO: Mr Chairman, with a very heavy heart, I must state that the same reason why Sierra Leone had a bad grade internationally when it comes to Parliamentary practices *[Interruption]*.

THE CHAIRMAN: What is the total number of Members of Parliament that participated?

[Seventy four [74] Members of Parliament participated in the process of voting]

HON. ABUBAKARR FOFANAH: Mr Chairman, he is not qualified to conduct this voting.

THE CHAIRMAN: Okay 74 Members.

HON. ABDUL KARIM KAMARA: Can we count the Members of Parliament in the Well now because we are more than that number.

HON. IBRAHIM B. KARGBO: Mr Chairman,

THE CHAIRMAN: Honourable Ibrahim Ben Kargbo, please sit down.

HON. IBRAHIM B. KARGBO: Mr Chairman, I must state for the records Mr Chairman, that the same reason why this country has a bad name in the area of parliamentary proceedings is being repeated today and we want to make it very clear that this is most unacceptable and we are not a party to this process.

HON. DICKSON M. ROGERS: Mr Chairman, this is not the first time this is happening. When Honourable Members from the other side of the aisle....

THE CHAIRMAN: Open the doors, we are done with this. Honourable Members, Page 7? Yes Honourable Ibrahim Tawa Conteh.

HON. IBRAHIM T. CONTEH: Mr Chairman, sorry to take you back, but I said on Tuesday that the fight against corruption is not a fight that we should render lip service to. Yesterday, we were at Committee Room One, the Acting Chairman for the Legislative Committee supported this particular Clause and today because of partisanship, the Acting Chairman who was protesting yesterday even when we went to the Canteen he said this is a good provision to fight corruption, today he stood on the side of his party which shows that the fight against corruption is still not hinged on national interest, but *[Interruption]*.

HON. ALPHA A.BAH: Point of Order, Mr Chairman.

THE CHAIRMAN: Honourable Member please wait. You may proceed Honourable Ibrahim Tawa Conteh.

HON. IBRAHIM T. CONTEH: Which means Mr Chairman, the fight is still hinged on partisanship and I want to beg the House for a clear understanding of the provision we have voted. It is a provision that will help us and please let us cooperate and let do the work to ensure that we have a good fight against corruption *[Applause]*.

THE CHAIRMAN: Yes Honourable P.C Bai Kurr Kanangbaro Sanka III.

HON. P.C BAI KURR KANANGBARO SANKA III: Mr Chairman, on Page 7.

THE CHAIRMAN: Honourable Members, please pay attention. Page 7?

HON. P.C BAI KURR KANANGBARO SANKA III: When you go back to Page 6 on Section 126 [3], a party to a contract who failed to comply with the directives issued by the Commissioner under Sub-Suction 1 commit an offence and shall be liable on conviction;

[A] To a fine of not less than **Le50mln** or to a term of imprisonment of not less than five years or to both fine and imprisonment and

[B] To pay into the consolidated fund any money expended or damages for loss incurred on behalf of Sierra Leone after the issuant of the directives by the Commissioner under Sub-Section 1.

I think I am okay with [b] because it has no qualms that when you take something from the Government you pay back that I accept, but the fines, we have to put back maximum, minimum. If the minimum is **Le50mln**, I would recommend that the maximum is **Le100mln** plus what you got, you pay back.

THE CHAIRMAN: Mr Deputy Minister, were you taken notes of the comments?

HON. P.C BAI KURR KANANGBARO SANKA III: I am not yet done, Mr Chairman.

THE CHAIRMAN: Yes Proceed.

THE MINISTER: Is he still on Section 11?

HON. P.C BAI KURR KANANGBARO SANKA III: Yes, Section 11[a-b].

THE MINISTER: Section 11 has been voted on.

HON. P.C BAI KURR KANANGBARO SANKA III: It is Le50mln and Le100mln
[Interruption].

THE CHAIRMAN: Chief, we have cross that one and we are now on Page 7.

HON. P.C BAI KURR KANANGBARO SANKA III: I am on Page 7 Sir.

THE CHAIRMAN: Page 7, Section 12 and not Section 11. We have already dealt with Section 11.

HON. P.C BAI KURR KANANGBARO SANKA III: Is the same thing on [a] or on 130 and 127 not less than **Le5mln** and not more than **Le30mln**, let us amend those.

THE CHAIRMAN: Any other contributions in that vein? Yes Honourable Shiaka Musa Sama.

HON. P.C BAI KURR KANANGBARO SANKA III: Then, when you come down to 138 the penalty for an offence under this Act shall increase in the case of a fine not less than **Le30mln** to a new fine of not less than **Le50mln** and not more than **Le100mln** and the term of imprisonment not less than three years and not more than five years
[Interruption].

THE CHAIRMAN: No, let us leave that as it is. I would advise that we leave that as it is because that is the standard. Yes Honourable Shiaka Musa Sama.

HON. SHIAKA M. SAMA: Mr Chairman, Section 13[a] is my area of interest. I read Section 130 in the Parent Act which says; **"a person who commit an offence for which penalty is provided shall be liable on conviction to a fine not less than Le30mln and this amendment is suggesting that the Le30mln becomes not less than Le50mln."** Now my point of concern is this, commit an offence since we are not sure of the severity of the offence, it could be minor or major. I am suggesting that we leave it at not less than **Le30mln**.

Suspension of S.O 5[2]

HON. SIDIE M. TUNIS: Mr Chairman, the provision that my Honourable colleagues are referring to is there for the general ACC cases, it is just for the specific ones and we should understand that in 2008 when the Parent Act that you are referring to came into being, **Le30mln** was a huge sum of money, but today if you compare **Le30mln** in 2008 and **Le30mln** presently, that money is very small, that is why the Commission decided they should increase it to **Le50mln**. I hope you understand that. It is not specific to an offence so you should accept it like that.

HON. SHIAKA M. SAMA: Mr Chairman, committing an offence which we did not know the seriousness of that offence and if we leave it as it is **Le30mln** just to make it **Le50mln** or **Le100mln**, but make it at least **Le50mln** you are increasing the bar, what about if the offence is minor?

THE CHAIRMAN: Not less than **Le30mln**. I think we should make corruption very expensive.

HON. SHIAKA M. SAMA: Not less than **Le30mln** is still expensive.

THE CHAIRMAN: I think it fair Honourable Member. Page 8? Honourable Minister, please proceeds.

HON. ALPHA A. BAH: Yes Mr Chairman, please before we proceed.

THE CHAIRMAN: Yes the Legislative Committee Acting Chairman.

HON. ALPHA A. BAH: Firstly, may I respond to the submission by Honourable Ibrahim Tawa Conteh. The Report that is before me which I signed regarding the said Section that was been discussed.

THE CHAIRMAN: No, it is alright. Please do not go there.

HON. ALPHA A. BAH: No, may I make some clarifications?

HON. SIDIE M. TUNIS: Honourable Alpha Bah, please do not go into that.

THE CHAIRMAN: The one before you is the authentic one so please forget about that. Mr Minister, you may proceed Sir.

HON. ALPHA A. BAH: I need to clarify. In addition to that,

THE CHAIRMAN: Yes.

HON. ALPHA A. BAH: The recommendation regarding the express provision of the commencement date, the position where it should be inserted I think it is time that I correct that because we are already completing.

THE CHAIRMAN: Okay, hurry up.

HON. ALPHA A. BAH: It should be inserted immediately just before the memorandum of object and reasoning, so that the expression of the commencement date of this Act which read; “**memorandum of object and reasoning.**” So it becomes Section 14.

THE CHAIRMAN: Section 14, it is noted. Yes Mr Minister proceed.

MR UMARU N. KOROMA: Mr Chairman, Honourable Members, I move that Clauses 1 to 14 stand part of the Bill as amended.

[Question Proposed, Put and Agreed To]

[Clauses 1 to 14 stand part of the Bill as amended]

THE HOUSE RESUMED

THE SPEAKER: Mr Minister, please report on the Bill.

MR UMARU N. KOROMA: Mr Speaker, Honourable Members, I report that the Bill entitled, the Anti-Corruption [Amendment] Act 2019, having gone through the Committee stage of the whole House, I now move that the Bill be read the third time and pass into law.

[Question Proposed, Put and Agreed To]

[The Bill entitled, the Anti-Corruption [Amendment] Act 2019, been an Act to amend the Anti-Corruption Act 2008, to specify categories of public officers to whom the declaration requirement under Sub-Section 1 of Section 119 applies to increase

penalty for offences under the Act and for other related matters has been read the third time and passed into law]

THE SPEAKER: Honourable Member, let us reserve S.Os 23 for the next adjourned date.

HON. MAADA K. HAFIJU: Mr Speaker, this is very important for the entire House.

HON. MAADA K. HAFIJU: Mr Speaker, Honourable Members, I want to bring to the knowledge of this House that the Military recruitment process is in progress which started since yesterday and it has to last till 30th November, 2019 and Honourable Members, the criteria involved in the process are as follows; for recruitment of the ordinary personnel into the military, that is, the 'other ranks' you should have three [3] WASSCE with any subject and for officer cadet, you are required to have five [5] credit in WASSCE including English Language and Mathematics. The forms are over social media and I am encouraging Honourable Members to bring forward their applicants to the various locations. If your candidate is in Freetown, the forms are in the website of the Ministry of Defence. If you are applying for an ordinary soldier, it is different from the officer cadet form and you are to print, apply and forward it to the Brigade Head Quarters of third infantry Brigade at Murray Town, for those in the South, you are to send all your candidates to the 5th Brigade Head Quarter in Godoma, for those in the North and North-West you send your applicants to the 4th Brigade Head Quarter in Makeni and in the East you are to send your applicants to the 2nd Infantry Brigade Head Quarter in Kenema and for those who are specialist like Nurses, medical Doctors, builders, carpenters, drivers, etc. you forward your application to the commanding officers in the engineering unit and for those who are Doctors and Nurses, you send them to the commanding officers of 34 Military Hospital. You are all encouraged to do so. Thank you very much.

ADJOURNMENT

[The House rose at 3:10 p.m. and was adjourned to Tuesday, 5th November, 2019 at 10:00 a.m.]