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PRESS RELEASE

PARLIAMENT AMENDS THE 1991 CONSTITUTION

The Parliament of Sierra Leone has on Tuesday 12/07/2022 debated and amended subsection (2) and subsection (8) of section 32 Constitution of Sierra Leone. The bill for the amendment of the Constitution was passed into law unanimously, with some amendments and without a dissenting voice in the midst of one hundred and thirty five Members of Parliament present.

Prior to the passing of the document into law, the Deputy Speaker of Parliament, Hon. Segepoh Solomon Thomas said since Members of Parliament were unanimous on the amendment of the constitution, he brought a motion to vote by the collections of voices and the motion was seconded by the Chief Whip, Hon. Dickson Rogers. The motion was carried without a dissenting voice in the midst of one hundred thirty five Members of Parliament present.

The object of the Bill seeks to amend subsections (2) and (8) of section 32 of the Constitution of Sierra Leone, 1991 (Act No. 6 of 1991) respectively, by repealing and replacing these subsections with new subsections and by repealing the word "misbehavior" and replacing with the words "gross misconduct".

Presenting the bill, the Attorney General and Minister of Justice Mohamed Lamin Tarawally said the proposed bill seeks to amend for two reasons:

- (a) that the members of the electoral commission who shall be the chairman and such other members appointed for each electoral region shall be known as electoral commissioners. and
- (b) by replacing the word misbehavior with the words "gross misconduct".

The Chairman Legislature Committee in Parliament, Hon. Sulaiman Marray-Conteh said they were in Parliament as representatives of the people and advanced patriotic reasons; adding that the amendments were not in contention.

Hon. Agibola Manly Spain said the words "gross misconduct" must be defined and went on to question, raised concerns and expressed doubt.

Hon. Ibrahim Tawa Conteh disclosed to Parliament that, Section 5 of the 2012 Public Election Act had already addressed the amendment and did not see the reason why it should be amended again.

Hon. Alpha Amadu Bah Esq said that, the current opposition is very effective and that is why such issues are coming up for clarity.

The Leader of C4C Hon. Saa Emerson Lamina said the words "gross misconduct" were appropriate making reference to international benchmark and decried the past government on certain actions.

Hon. Daniel Koroma asked the question, whether the bills before them were enough, adding that, they were in Parliament to avoid the anger of a certain section of 108 of the Constitution and advised the minister to avert his mind to that section, "We are advising the Attorney General and Minister of Justice that these two instruments do not suffice" he stated and went on to say they will always support good thing in the interest of the nation.

According to the MP, in the constitution, there are four (4) regions and now there are five (5) and asked that, the figure be attached. "We are ready to take the queue from the drafters of the Constitution. If the current trend says 5 let's follow it" he said.

Hon. Daniel continued, "misbehavior" is also weak and "gross misconduct" is conventional. He said they need clarity and intervention to insert the words by way of definition to make the Electoral Commissioner more independent.

Hon. Osman wurie Jalloh said that, amending the constitution would stand the test of time.

Hon. Sahr Charles said the amendment is not controversial and informed that, they needed more explanations on the changes. He also suggested that, let number be attached to the regional amendment, in light of electoral commissioners. According to him, they are asking the government to be very clear about the amendments and to bring the amendments in full, not in piecemeal. "We don't want to commit treason" he noted.

Deputy Leader of Government Business Hon. Bashiru Silikie recalled how the 2012 Public Election Act was passed and spoke about the lapses. He patriotically asked the House to support the Attorney General and Minister of Justice on the passage of the bill, adding that, they are making it very difficult not to remove electoral commissioners, just like the judges or President. He encouraged the opposition to support the bill to become law.

Opposition Whip Hon. Hassan Sesay said they were asking for specificity of figure and definition, making reference to the recent saga on Auditor General. He said that, they want to ensure that, things are done properly, relative to commissioners independent and specific figure attached to regions, in tandem with electoral commissioners.

The Leader of Opposition, Hon. Chernor R. M. Bah said the two issues are direct and let specific figure be tied to the number of regions they have. He spoke about the trend of times for a change and circumstances, in light of future amendment. "We do not want to be obstructed, but we want specific figure to be tied to it" he concluded.

Leader of Government Business, Hon. Mathew Sahr Nyuma said they were positive about the process and supported the position to have the Chairman and five commissioners. He applauded the opposition for their support and went on to express disappointment over the negative public perception about MPs regarding the bill.

The Leader expressed happiness over the process and went to thank all Members of Parliament for their various contributions.

For "gross misconduct" he referred to section 5 of the Public Election Act of 2012. He suggested that, either they leave the definition to the tribunal or leave it.

Responding, the Attorney General and Minister of Justice cleared some issues and concerns. He said the words "gross misconduct" intends to harmonize the law, in light of the protection of the electoral commissioners.

For 32 (2) he said they are correcting the wrongs and went on to say, the issue is not about five to be specific. According to him, the country is growing and the provision is not a trap. He said the amendment cannot harm anyone.

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