



**THIRD PARLIAMENT**  
**OF**  
**THE SECOND REPUBLIC OF SIERRA LEONE**  
**FIFTH SESSION, 2011/2012**  
**SECOND MEETING OF THE HOUSE**  
**VOTES AND PROCEEDINGS**

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**NO.101/2011/2012**

**TUESDAY**

**1<sup>ST</sup> MAY, 2012**

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**THE HOUSE MET AT 10:00 A.M.**

**MR.SPEAKER IN THE CHAIR – HON. JUSTICE ABEL N.B.STRONGE**

**ATTENDANCE:**

**I. The following Honourable Members of Parliament were Present :**

1. HON.BAH CHERNOR R.M.
2. HON.BANGURA BENNEH
3. HON.BANGURA IBRAHIM M.
4. HON.BETTS-PRIDY MANIE
5. HON.BUNDU IBRAHIM R.
6. HON.CONTEH DAVID B.
7. HON.CONTEH KONDEH YAPOH
8. HON.CUFFIE JULIUS NYE
9. HON.DUMBUYA DAUDA
10. HON.DUMBUYA SHEKU B.B.
11. HON.FATORMA SAHR
12. HON.FASULUKU SAHR N.
13. HON.FEIKA SOLOMON W.
14. HON.HALLOWELL LLOYD MAGNUS
15. HON.JALLOH MARIE M.
16. HON.JONES RAYMOND M.

17. HON.KAIKAI ANSUMANA JAIA
18. HON.KAINGBANJA TAMBA E.
19. HON.KALAWA CHARLES H.
20. HON.KAMANDA CLAUDE D.M.
21. HON.KAMARA ABDUL R.
22. HON.KAMARA ALHAJI BUYA
23. HON.KAMARA ALIMAMY A.
24. HON.KAMARA KOMBOR
25. HON.KAMARA KOYA KALLA
26. HON.KAMARA MORLAI B.S.
27. HON.KAMARA PAUL
28. HON.KAMARA PHILIPSON H.
29. HON.KANU AMADU
30. HON.KARGBO ALIMAMY G.
31. HON.KARGBO KEWULAY M.
32. HON.KARGBO PATRICK L.M.
33. HON.KASANGA II P.C. BAI SEBORA
34. HON.KEMOKAI LANSANA I.
35. HON.KING EUSTACE A.
36. HON.KOMBE-BUNDU FLORENCE
37. HON.KONTEH ABU
38. HON.KONUWA FRANCIS A.
39. HON.KOROMA ABU B.
40. HON.KOROMA JACOB I.
41. HON.KOWA EMMA
42. HON.KPOSOWA FRANK
43. HON.LAHAI BERNADETTE DR
44. HON.LEBBIE NENNEH
45. HON.LEWALLY ALPHA BABATUNDE
46. HON.MACARTHY SAM-MAY L.
47. HON.MAC-BAILEY ALBERT
48. HON.MANLY-SPAIN AJIBOLA EMANUEL
49. HON.MANSARAY JUSUFU B.
50. HON.MANSARAY THOMAS I.
51. HON.MARAH III P.C.ALIE BALANSAMA
52. HON.MASSAQUOI ALOYSIUS M.K.
53. HON.MOIJUEH EMILIE SAFULA
54. HON.MOMOH SIAFA J.
55. HON.MUNU ALLIEU BADDARA K.
56. HON.MUSA JINA JAMES

57. HON.MUSTAPHA JOSEPH A.
58. HON.MYERS BINTU
59. HON.NYUMA MATHEW S.
60. HON.OSHO-WILLIAMS BLISS
61. HON.RADDAR HENNEH HASSAN
62. HON.ROGERS FRANCESSE
63. HON.SALLU-LUGBU II P.C. BAI BUREH
64. HON.SAM MUSA T.
65. HON.SAMA SHIAKA M.
66. HON.SAMURA UNISA S.
67. HON.SANKOH ALIE SALIEU
68. HON.SANKOH YILLAH NURU DEEN
69. HON.SANKOH IBRAHIM NOX
70. HON.SESAY MOSES M. DR
71. HON.SESAY VERONICA K.
72. HON.SHERIFF P.C. ALLIEU B.
73. HON.SOLOKU EDWARD A.
74. HON.SORIBA DAVID G.
75. HON.SORIE IBRAHIM
76. HON.SUWU THERESA
77. HON.TARAWALLIE MOHAMED A.
78. HON.THULLAH ALHAJI Y.
79. HON.TOMMY HENRY E.
80. HON.TONDONEH PHILIP TETEMA
81. HON.TURAY ALLIEU BADARA
82. HON.TURAY SALAMATU
83. HON.YEK ALHAJI BAI SHEBORA II P.C.
84. HON.YOKIE FODAY RADO

**II. The following Honourable Members of Parliament were absent:**

1. HON. ALPHA-LAVALIE ELIZABETH T.
2. HON.BANNISTER MALCOLM S.
3. HON.BANYA IV P.C. MOHAMED SAMA KAILONDO
4. HON.BENYA V P.C. MOHAMED DHAFIE
5. HON.BOYAH KES
6. HON.CONTEH MOININA
7. HON.DARAMY ALHAJI A.O.
8. HON.DUMBUYA SHEKU GIBRIL
9. HON.FALEY ROBIN E.S.
10. HON.FENGAI P.C. KAIMACHENDE S.K.

11. HON.FOYAH ALICE M.
12. HON.HINDOWA V P.C. BINDI SAMBA
13. HON.JUMU ERIC B.
14. HON.KALLON MARCUS B.
15. HON.KAMANDA MOURIE B. DR
16. HON.KAMARA MOMORIE MADUSU
17. HON.KANGOVA II P.C. JEREMIAH SINNAH-YOVONIE
18. HON.KANU KHALIL MOHAMED
19. HON.KEBBIE P.C. BRIMA VICTOR SIDI
20. HON.KONDEH DANDA M.
21. HON.KOROMA ISATU G.
22. HON.LAVALIE JOLLY-BOY M.
23. HON.SANKOH LEGACY
24. HON.SESAY DAVID A.
25. HON.SISAY SULAIMAN M.
26. HON.TEAMBO MATTHEW M.T.
27. HON.TORTO AUGUSTINE B.

**III. The following Honourable Members of Parliament were absent with Excuse:**

1. HON.BABONJO EMMANUEL T.
2. HON.BANGURA KANDE C.
3. HON.FORNAH MABINTY
4. HON.HASSAN SHERIFF B.
5. HON.JOHNSON VICTOR C.
6. HON.KAISAMBA JAMES A.
7. HON.KARGBO M.SUFIAN
8. HON.KOEDOYOMA KOMBA E.
9. HON.PUJEH MOMOH
10. HON.SANKA III P.C. BAI KURR KANAGBARO
11. HON.TOMMY EMMANUEL W.
12. HON.YANSANEH REV. MARIE

**IV. PRAYERS:** The Clerk of Parliament, Mr. Alhaji Ibrahim Sesay said the prayer.

**V. CORRECTION AND ADOPTION OF VOTES AND PROCEEDINGS FOR THE PARLIAMENTARY SITTING HELD ON WEDNESDAY, 25<sup>TH</sup> APRIL, 2012:**

**Hon. Claude D.M. Kamanda** moved a motion for the adoption of the record of Votes and Proceedings for Wednesday, 25<sup>th</sup> April, 2012. The motion was seconded **by Hon. Charles H. Kalawa**, and unanimously accepted by Members.

**VI. BILL:**

The Public Elections Act, 2012.

**SECOND READING:**

The Attorney-General and Minister of Justice

**Continued debate:**

1. **Hon. S.B.B. Dumbuya;**
2. **Hon. Frank Kposowa** - on a point of Order, - Out of Order;

**Continued debate**

- Hon. S.B.B.Dumbuya;**
3. **Hon. Ansumana J. Kaikai** - on a point of Order, S.O. 33;

**Continued debate:**

**Hon. S.B.B. Dumbuya;**

The Minister replied to the several points raised and moved for the Bill to be read the second time.

**SECOND READING:**

The Bill was read the second time and was unanimously accepted by Members.

**MOTION:**

1. **Hon. Dr Bernadette Lahai** - on a point of Order, S.O. 51 - That the Bill be committed to the Legislative Committee for further scrutiny.  
Seconded by **Hon. Ansumana J. Kaikai**.

**COUNTER MOTION:**

2. **Hon. Ibrahim R. Bundu** - moved that the House proceed with the Committee Stage.

Seconded by Hon. Mohamed A. Tarawallie.

**RESULTS OF MOTIONS:**

1. That further consideration be relegated to the Legislative Committee - 26 votes
2. That the debate be continued with the Committee of the Whole House Stage - 48 votes

**DECLARATION OF MR SPEAKER:**

That the House proceed with the Committee of the Whole House Stage.

The following Honourable Members contributed to the Bill during the Committee Stage of the Whole House:

1. Hon. Ajibola Emanuel Manly-Spain;
2. Hon. Mathew S. Nyuma;
3. Hon. Dr Bernadette Lahai;
4. Hon. Ibrahim R. Bundu;
5. Hon. S.B.B. Dumbuya;
6. Hon. Claude D.M. Kamanda;
7. Hon. Amadu Kanu;
8. Hon. Shiaka M. Sama;
9. Hon. Sam-May L. Macarthy;
10. Hon. Musa T. Sam;
11. Hon. Alpha Babatunde Lewally;
12. Hon. James J. Musa;
13. Hon. Cherno R.M. Bah;
14. Hon. Mohamed A. Tarawallie;
15. Hon. Alimamy A. Kamara;
16. Hon. Tamba E. Kaigbanja;
17. Hon. Siafa J. Momoh;
18. Hon. Ibrahim Sorie.

**COMMITTEE STAGE:**

The Bill went through the Committee of the Whole House with the following amendments:

- (1) PART VI ,Clause 64 - was amended to read as follows:

A Candidate may withdraw his nomination by notice in writing with the endorsement of the Political Party to which he belongs and delivered by him to the Returning Officer.....

- (2) CLAUSE 69 - A new subsection in Section 69 as subsection(2) to read as follow:

A new subsection in Section 69 as subsection(2) : “ National Returning Officer “ means the person responsible for the supervision of the elections conducted under this Act.

**MOTION:**

- (3) Amendments proposed by Hon. Mathew S. Nyuma as to insert a new clause 7496) AS FOLLOWS: - The Electoral Commission shall not supply excess ballot papers more than the number of registered voters in that polling station. He was seconded by Hon. Musa T. Sam.

**COUNTER MOTION:**

Hon. Dr Bernadette Lahai - There must be excess but the House must agree on the quantum and that NEC should work on a formular to know the thresholh.

Hon. Mathew S. Nyuma - motion withdrawn.

**DECISION OF MR SPEAKER:**

That he would consult with NEC on the matter, but suggested 10% of excess ballot papers, but need not be included in the Bill and would be done administratively.

Hon. Musa T. Sam - clause 87 - moved that the following words, “ And the polling station staff shall be prosecuted for committing an Electoral offense “ after the words Electoral Commission.

**DECISION OF THE MINISTER:**

That clause 161 subsection 2 takes care of that proposed amendments which reads as follows:

An employee of the Electoral Commission who contravenes subsection (1) and a person who causes that employee to commit the contravention shall each be liable, on summary conviction, to a fine of five hundred thousand leones or to imprisonment for a term of two years.

Hon. Musa T. Sam - still pressed on with his motion. He was seconded by Hon. Mathew S. Nyuma.

**COUNTER MOTION:**

By Hon. Alpha Babatunde Lewally - moved that clause 87(1) remain as it was. Seconded by Hon. Chernor R.M. Bah.

**VOTES:**

The Naves were in the majority.

Motion moved by Hon. Musa T. Sam was defeated.

Hon. Sam-May L. Macarthy - CLAUSE 64 - That the words candidate be omitted - was amended by the Minister.

Hon. S.B.B. Dumbuya - on a point of Order – That the proposed amended clause should stay as it was to avoid doubt and ambiguity.

Clause 106 (1) - Hon. Shiaka M.Sama - clarification on the word “ personation” - ( Correct Word).

**SUSPENSION OF S.O. 5 (2):**

Moved by Hon. Ibrahim R. Bundu, seconded by Hon. Kondeh Y. Conteh and accepted.

**COMMITTEE STAGE CONTINUED:**

Hon. Sam-May L. Macarthy - clause 113 - That clause 113 , A,B,C,D and F be expunged, No seconder - ( motion lost).

Hon. Ajibola Emanuel Manly-Spain - 113 (a) - moved that the words - Attempt to vote be added after the words votes to read - “ Unlawfully votes or attempt to vote”. This amendment was accepted by the Minister.

Hon. Frank Kposowa - clause 139 side votes - That 21 days should be the same number of days in page 5 of the Bill and not 7 days.

Hon. Mathew S. Nyuma - clause 137 (7) - That “ A decision of the Electoral Offences Court shall not be questioned in any other Court by any means whatsoever” should be read in tandem with section 122(1) of the Constitution of Sierra Leone, Act No 6 of 1991 - That there should be right to appeal pursuant to the principles of National Justice.

**DECISION OF THE MINISTER:**

Would amend the clause appropriately on the right to appeal and that the right to appeal has not been withdrawn from anybody - and – amended as follows: Any person convicted to the Electoral Offences Court may appeal against such convictions to the High Court.

Hon.Dr Bernadette Lahai - raised question as to whether the Election Offences Court was decentralized.

MINISTER - Replied in the affirmative, that the Court will sit in various locations.

Hon. Ibrahim Sorie - on the issue of time limit.

MINISTER - Within three weeks.

**THIRD READING AND PASSAGE INTO LAW:**

The Bill was read the third time and unanimously passed into law with some amendments.

**INTRODUCTION OF A MEMBER OF PARLIAMENT FROM BURKINA FASO:**

Mr Speaker introduced a visiting Member of Parliament from Burkina Faso by the name of Hon. Lassané Saraddogo, on a mission concerning the Pan African Parliament.

Mr Speaker thanked Members from NEC for a job well done.

**ANNOUNCEMENTS:**

**Hon. S.B.B. Dumbuya** - That the Business for Wednesday 2<sup>nd</sup> May would be as follows:

Ratification of the:

1. Agreement for the Establishment of the African Legal support facility between the Government of the Republic of Sierra Leone and the African Development Bank (AFDB) dated 20<sup>th</sup> December, 2008.
2. Loan Agreement between the Government of the Republic of Sierra Leone and the Islamic Development Bank concerning the construction of Pendembu-Kailahun Road Project (IDB) dated 4<sup>th</sup> April, 2012.

**ANNOUNCEMENTS BY THE PRINCIPAL TABLE CLERK:**

The following Parliamentary Committees were requested to meet immediately after sitting:

1. Committee on Defence - Member's Lounge;
2. Agriculture, Forestry and Food Security Committee - in Committee Room 1;
3. Marine Resources - Committee Room 1.

**THE HOUSE WAS ADJOURNED TO 2ND MAY , 2012, AT 10:00 A.M.**

**THE HOUSE ROSE AT 12:55 P .M.**