



OAU DRIVE, TOWER HILL, FREETOWN

PARLIAMETARY DEBATES

[HANSARD]

OFFICIAL HANSARD REPORT

SECOND SESSION -THIRD MEETING

THURSDAY, 5TH MARCH, 2020

SESSION – 2019/2020



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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, 5th March, 2020.

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THE CHAMBER OF PARLIAMENT OF THE REPUBLIC OF SIERRA LEONE

Official Hansard Report of the Proceedings of the House

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

Thursday, 5th March, 2020.

I. PRAYERS

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

[The House met at 10:40 a.m. in Parliament Building, Tower Hill, Freetown]

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

The House was called to Order

Suspension of S.Os. 5[2]

COMMUNICATION FROM THE CHAIR

II. RECORD OF VOTES AND PROCEEDINGS FOR THE PARLIAMENTARY SITTING HELD ON THURSDAY, 27TH FEBRUARY, 2020.

THE SPEAKER: Honourable Members, we shall now consider the Votes and Proceedings of the 36th Sitting of Parliament which took place on Thursday, 27th of February. We shall skip as our usual practice, Pages 1 through to Page 4 and start our consideration from Page 5. Page 5? Page 6? Page 7? Page 8 and Page 9? Can someone please move for the adoption of the Votes and Proceedings for the parliamentary sitting held on Thursday, 27th February, 2020.

HON. ALUSINE KANNEH: I so move Mr Speaker.

THE SPEAKER: Any seconder?

HON. ISHMAEL S. SANDY: I so second Mr Speaker.

[Question Proposed, Put and Agreed to]

[Record of Votes and Proceedings for Parliamentary sitting held on Thursday, 27th February, 2020 has been adopted]

III. PAPERS LAID:

(A) THE LEADER OF GOVERNMENT BUSINESS

IN ACCORDANCE WITH SECTION [118], SUB SECTION [7] OF THE CONSTITUTION OF SIERRA LEONE ACT NO.6 OF 1991:

GIFT OF MEDICAL ITEMS DONATED BY MEDECINS SANS FRONTIERES TO THE PARLIAMENT OF SIERRA LEONE

HON. SIDIE M. TUNIS [*Leader of Government Business*]: Mr Speaker, Honourable Members, in accordance with Section [118], Sub Section [7] of The Constitution of Sierra Leone Act No.6 of 1991, I beg to lay on the Table of the House:

GIFT OF MEDICAL ITEMS DONATED BY MEDECINS SANS FRONTIERES TO THE PARLIAMENT OF SIERRA LEONE [*Applause*].

HON. DANIEL B. KOROMA: Mr Speaker, before the next item, I beg to be heard. Thank you very much. Mr Speaker, Honourable Members, as you all can recall based on compliance to Section [118] Sub-Section [7] of the Constitution, as the Leader has just done, I want to make this observation that Section [118] 7, is not limited to gifts made to Sierra Leone Parliament.

In the last presentation by the very Leader of Government Business, it was related to gift made to the Parliament of Sierra Leone and today again it is another gift donated to Parliament of Sierra Leone. Of course it is correct, you are very right Sir. I believe this is not a limitation. With your leave Sir, I will read Section [118]; "***Parliament shall be notified by the appropriate Minister or authority of all gifts, donations, grants and pledges made to the State of Sierra Leone.***"

It's not just made to Parliament of Sierra Leone, and the last time I made it very clear here. We moved a Motion regarding the rice that was given by the Chinese Government to the people of this country. The administration which so much annoyed His Excellency, the President that he had no option but released certain individuals from their responsibilities because by his estimation their responsibilities were not carried out in accordance with the law and in support of His Excellency's aspiration, I raised that Motion here. The reason for this relevant Section is that; if Parliament had been informed pursuant to Section [118] 7 the relevant Committee would have got the opportunity to oversee the administration of that gift, but because Parliament was not aware, and Parliament was not given the opportunity to do the relevant oversight on that particular Ministry as a result the administration of that rice did not please His Excellency, the President. He was so angry and pieced off that he had to release the Minister, his Deputy and all the directors in the Ministry of Basic and Senior Secondary Education. He is correct by doing so because by his estimation they did not live up to standard. Let me also say this issue would have been mitigated if Parliament had been informed about the rice donation, but because Parliament as an organ of Government

was not given the opportunity to oversee that administration. So if Parliament would have got the opportunity to oversee that Ministry the maladministration of that rice saga would have not happened, but because Parliament was not involved these are the reasons, and that is the exact reason why the drafters of the 1991 Constitution inserted the relevant Section that; "Parliament must be informed" and we moved that Motion, and it was seconded and it was passed. Mr Speaker, up to date we have got no information from Leader of Government Business.

On that note, Mr Speaker, Honourable Members, I am still pleading that the relevant information be given pursuant to Section [118]7 by next adjourned date failing which I would have no option but to invoke S.O [19].

Thank you very much.

HON. SIDIE M. TUNIS: Mr Speaker, Honourable Members, I agree with the Honourable Member on the issue of his Motion the last time. What I want to assure the Honourable Member and all other Members is that from now onwards, I will ensure that every gift given to the people of Sierra Leone would be brought to this House. It is our right as Honourable Members of Parliament to ensure that we follow up those gifts like what the Honourable Member said just now. I support him 100% on everything that he said is true, and I would ensure that in future we follow suite. Thank you very much.

HON. CHERNOR R.M. BAH [*Leader of Opposition*]: Mr Speaker, having listened to the Honourable Member from Koinadugu and the Leader of Government Business, I just want to encourage through this medium all Executive bodies, be it Ministries, Departments or Agencies to ensure that they assist this House in future and more so the Leader of Government Business by making sure that all gifts are communicated to Parliament. Otherwise, his statement also would end up embarrassing this House because if he has promised to do that and the information do not filter to this House there is no way he could do it.

Fortunately, we have a Member of Cabinet here. I am sure that when she goes back to Cabinet, she will relay our messages and ensure that those that are their subordinates

that we are expecting a close collaboration with the Executive to ensure that we do not embarrass ourselves. If they attempt to do so we would definitely have to save our own faces and they would be at the receiving end. Thank you very much.

[B] THE LEADER OF GOVERNMENT BUSINESS

CERTIFICATE OF SOLIDARITY WITH THE NATIONAL PEOPLE'S CONGRESS AND PEOPLE OF THE PEOPLE'S REPUBLIC OF CHINA IN THEIR FIGHT AGAINST THE CORONAVIRUS PANDEMIC.

HON. SIDIE M. TUNIS: Mr Speaker, Honourable Members, I beg to lay on Table of the House certificate of solidarity with the national people's congress and people of the people's republic of China in their fight against the coronavirus pandemic.

PRESENTATION OF CERTIFICATE

CERTIFICATE OF SOLIDARITY WITH THE NATIONAL PEOPLE'S CONGRESS AND PEOPLE OF THE PEOPLE'S REPUBLIC OF CHINA IN THEIR FIGHT AGAINST THE CORONAVIRUS PANDEMIC.

THE SPEAKER: Honourable Members, I wish to draw the attention of the House to the statement just made by the Leader of Government Business in which he has laid on the Table of the House a Certificate of Solidarity to the National People's Congress and the people of the People's Republic of China in their fight against the Corona Virus pandemic. We in this House do not have material resources to give to the Parliament nor the people of the People's Republic of China but the least that we can do as the representatives of the people of this country is to express our solidarity with both the people of China and their Parliament in their collective fight against the Corona virus *[Applause]*. Therefore, on your behalf I would like to invite the Ambassador of the People's Republic of China to please come forward and receive the Certificate of Solidarity that this House has decided to express to the Parliament and the people of the People's Republic of China. Please come forward,

I am inviting the Leader of Government Business, and the Leader of opposition, to please join me in making that presentation to the Ambassador.

On behalf of myself as the Speaker, and Members of Parliament, including the Administration of Parliament, we express our solidarity to the people's congress, and people of the people's republic of China in their fight against Coronavirus pandemic. During this difficult period Sierra Leone Parliament stands in full solidarity with China, and support China effort to combat COVID 19. On behalf of the House, I will invite His Excellency, the Ambassador to say few words.

HU ZHANGLIANG [Ambassador of China to Sierra Leone]: Honourable Dr Abass Bundu Speaker of Parliament of the Republic of Sierra Leone, Honourable Sidie M. Tunis Leader of Government Business, Honourable Chernor R.M. Bah Leader of Opposition, Honourable Members of Parliament, dear friends, ladies and gentlemen. First of all, I will like to express my sincere gratitude to Honourable Speaker and all the Honourable Members of this August House for presenting to me a certificate of solidarity with the national people's congress of China. This kind of gesture is demonstrating profound friendship. This is a precious support from the Sierra Leone people to their Chinese brothers and sisters. This is a very open consciously reached by all parties and all sectors in Sierra Leone, which come with power and strength and deserved Chinese appreciation and respect. On behalf of national people's congress of the people's republic of China, I say thank you [*Applause*].

During the Ebola outbreak in Sierra Leone and in other West African countries, the Chinese Government played key roles in combating the scourge of Ebola in Sierra Leone. Of course, by the end of last year the COVID 19 struck China and since the outbreak of the epidemic, the Chinese Government and 1.4 billion Chinese people under the strong Leadership of His Excellency, the President, Xi Jinping have united as one and taking the most comprehensive, most rigorous and thorough measures to wage a people's war against it, by leveraging the significant advantage of China's Governance system, and with the whole country's arduous effort. The epidemic prevention and control situation has seen steady improvement. Things are turning better day by day. For the past several days the number of newly confirmed cases has declined and up to yesterday the total number of confirmed cases in China Mainland is eighty thousand

four hundred and nine. The cured has exceeded 5245 and the mortality rate in China including Wuhan epicentre is about **3.7%** excluding Wuhan which is **0.8%**. The huge sacrifice made by China has produced the desired result has brought the world to get ready for the prevention of the spread. China's respond by attitude and the effective measures are claimed from the entire world. Fact and statistics show that the disease which is caused by the virus is preventable, controllable and curable. There is need to put up preventative and control measures because virus knows no borders. There is need for cooperation and solidarity for ever; there is no need for fear or panic, nor rumours or stigma.

Mr Speaker, Honourable Members, the Chinese Government and its people pay great attention to the health concerns and wellbeing of foreign nationals in China including those from Sierra Leone. Up till now, all the Sierra Leonean students and travellers in China are safe and no one is reported to have developed a case *[Applause.]*

As it is now, a special time their lives may not be convenient as before the epidemic, but their basic needs are taking good care of. I thank them for standing with China strongly and cooperating with the Chinese authorities in implementing relevant measures considerably. China is in the process of restoring production. The resumption of other working life has been accelerating. I am convinced that the difficulties we are facing will soon be over. China will emerge stronger and more prosperous after the pandemic.

Mr Speaker, Honourable Members, as we are talking today, the situation of the pandemic in some other countries is getting more serious. The Government and the people in those countries are also taking necessary measures to combat the virus and we are praying for them to have a quick victory. I noticed that the Sierra Leone Government and people under the strong Leadership of His Excellency, President Julius Maada Bio have also taken active measures to prevent the epidemic and up till now no single case has been detected in Sierra Leone. The Chinese Embassy requires all the Chinese nationals travelling to Sierra Leone to fully comply with the current measures the Sierra Leone Government have put in place.

We have also asked the Chinese medical team under the Chinese Government assistant program to fully support your Government in combating the prevention and control capacity. China and Sierra Leone economic and commercial cooperation may be affected somehow by the pandemic, but our two sides will do whatever possible to minimise the impact.

China top respiratory specialist Zhong Nanshan said though the COVID 19 was first discovered in China, but it does not necessary mean that it originated in China. Some other experts believed that COVID 19 might have multiply to those places coexisting around the world. We believe that the Chinese community in Sierra Leone will not face any kind of misunderstanding, discrimination or prejudices in their daily lives and businesses.

Mr Speaker, Honourable Members, I thank you again for supporting China at this trying moment. Long live China-Sierra Leone friendship. I wish you all the best. I thank you *[Applause]*.

THE SPEAKER: On behalf of Parliament, I will like to thank His Excellency, the Ambassador for his statement. Ambassador, and your staff, you may now take leave of us. Thank you very much.

IV. BILL:

THE NATIONAL DISASTER MANAGEMENT AGENCY ACT, 2020

SECOND READING

THE ATTORNEY GENERAL AND MINISTER OF JUSTICE

THE SPEAKER: Honourable Members, you all will recall that at our last Sitting before we rose and took an adjournment, I observed that a number of Members were still desirous of taking the Floor on this important Bill. As a result, the debate on the second reading was not concluded. So, we shall this morning continue with the debate on the second reading of the Bill before it is committed. So, what we are going to have this morning is the continuation of the debate on the second reading, but let me make it

clear, it is a continuation of the debate that had stated the last time which of course means that if you have had your first bite the last time, you are not entitled to have a second bite. Only Members of Parliament, who do not have the opportunity of catching my eye at the last Sitting, will do so today. I will like to start with the Honourable Shiaka Musa Sama. I don't believe you took the Floor the last time.

HON. SHIAKA M. SAMA: Mr Speaker, you have the list and you promised that those whose names are on the list will take the Floor this morning. You have the list and you promised that you will go by it today.

THE SPEAKER: Please take your seat. I want to thank the Honourable Member for reminding me. I have just sent for my list, his is quite right. Take your seat, just bear with me I did make notes. We shall wait for my notes to be brought back and from those notes I will be able to determine Members of Parliament who had wanted to take the Floor on that occasion but couldn't. I have been able to retrieve my notes from the last sitting and the following Members will now take the Floor. We will start with Honourable Koroma, followed by Honourable Festus.

HON. JOHN CHARLES: Mr Speaker, I guess you are talking about Honourable Peter Yamba Koroma from Bombali. He is not here, but he asked me to serve in his capacity.

THE SPEAKER: Sorry. Your Koroma is what?

HON. JOHN CHARLES: Peter Yamba Koroma. But he is not here today and he is from Bombali. I am also from Bombali, so he asked me to step in.

THE SPEAKER: I am sorry. You are here in your individual capacity.

HON. JOHN CHARLES: Of course Mr Speaker.

THE SPEAKER: Take your seat. If he is not here, you are not allowed to be substituted in his place. Take your seat. Next on my list is Honourable Festus followed by Honourable Hafiju M. Kanja. When I exhaust that then I will begin to take new names.

HON. MOHAMED F. LANSANA: Mr Speaker, Honourable Members, thank you very much for giving me the first bite on this debate. You will all agree with me that all over

the world, Emergency Management is integral and indispensable to national security. This assumption is true from "global stand point" that Emergency Disaster Management affect both the economy and social fabric of any nation. So, it is on that note that our able Attorney General has brought this document to Parliament which we all looked as a very good document. But there are some aspects that we need to clarify based on previous discussion. I want to start from the nomenclature some people were complaining that we needed to change in order to add the word "prevention."

Mr Speaker, Honourable Members, after reading other Acts from other countries, I found out that the Disaster Management is integral in cooperate prevention. In fact prevention is the first aspect of the Disaster Management Agency. I will just read a few lines for you, with your leave. If you consider the National Disaster Management Authority from Pakistan, its major role is to take measures for prevention of disaster, the mitigation and preparedness of capacity building for dealing with disaster. Nigeria, our big brother also, the role of their agency is to formulate all activities relating to disaster in Nigeria and prepare plans for efficient and effective response to disaster. If we narrow down to Ghana which is very close to Sierra Leone, the major function there is that the Governing Body shows the purpose of this particular Act which is to prepare national disaster plans for preventing and mitigating the consequences of disaster and that speaks to the fact that the heading of our nomenclature which is Disaster Management Agency doesn't need to have prevention at the beginning. However, I have few areas that I want to draw attention to. If we look at part 2 sub Section [3]1 of the Disaster Management Act, "it states that the Agency shall have a Governing Body which shall be a board comprising 12 Members and Chair by the Honourable Vice President. Part 4 sub Section [2] also establishes a national platform for disaster risk reduction that has about 33 members. When you juxtapose these two bodies you will agree with me that there are duplications in the functions of the Governing Body and the structure. In the structure, you have the National Security Coordinator, Director General Etc. versus the other 33. So in view thereof, I want to crave the indulgence of this Parliament to consider replacing the Governing body and part 2 sub Section [1] as

a board with the National Security Council which is already established by part 2 sub Section [2] of the National Security and Central Intelligence Act 2002, whereby we have the President, His Excellency the Head of State as the Chairman of that particular Governing body, and he is assisted by the Vice President, then we have a whole lot of other Members of that particular Council.

Secondly, if we look at part 5; sub Section [2], is telling us about the composition of the platform which consist of 33 Members, but when you look at the functions of these 33 Members, when there is disaster we have key line Ministries that are supposed to handle those disasters. So, I also want to crave the indulgence of this House to look at the composition here, even though my learned Members of Parliament as Chairmen of their various Committees wanted all their Ministries to be incorporated into this particular platform. But when you look at the role, those that are really integral during this particular time are the following; apart from the President and the Vice President: We have the ONS, Ministry of Internal Affairs, Ministry of Finance, Ministry of Health, Ministry of Social Welfare, Ministry of Information, Ministry of Local Government, Ministry of Defence, Ministry of Environment, Ministry of Transport, Ministry of Works and Infrastructure, Ministry of National Development and the Ministry of Agriculture. So we can limit that to those Ministries I have named. They can co-opt other Ministries as the need arises. That is my observation. Then in sending representatives from these Ministries, I would also want to implore all of us to state in the disaster management Act that they don't send anybody below the rank of a Permanent Secretary.

Mr Speaker, Honourable Members, we also have issues on remuneration; if you look at the aspect of the remuneration, our economy is already challenged so that is why we already have those people in the National Security Council that can be on the board. So the idea of double deeping will be taken care of. I thank you very much for listening
[Applause].

THE SPEAKER: I thank the Honourable Member for his contribution. I now call on Honourable Koroma the imposture. I meant you! *[Undertone]* Okay wait! The Koroma I have on my list is you? No! No! You wait for your turn.

HON. JOHN C. CONTEH: Thank you very much Mr Speaker.

THE SPEAKER: Can I have your correct names then?

HON. JOHN C. CONTEH: I am Honourable John Charles Conteh [*Undertone*]

THE SPEAKER: Honourable Aaron Koroma, you will be next and followed by Honourable Shiaka Musa Sama. Hold on. Honourable Festus you have just spoken, you would be followed by Honourable Hafiju; you would be next Honourable Charles.

HON. HAFIJU M. KANJA: Mr Speaker, Honourable Members, I am happy to add my voice to the debate of this establishment called the National Disaster Management Agency.

Mr Speaker, on the last sitting day most of my colleagues that added their voices to this debate were opposing the establishment of this particular Agency and some were contradicting themselves from both sides of the House and those who said they will not be in favour of the formation of the establishment of this particular Agency at the end of the day were recommending that the Agency should be placed under EPA.

Mr Speaker, Honourable Members, if I can refer this House to EPA Act of 2008 part 3 Section [12]b with your permission let me read; "The function of EPA is to coordinate the activities of bodies concern with the technical and practical aspect of the Environment and serve as channel of communication between such bodies and the Minister."

Mr Speaker, Honourable Members, for people to say; it is good to form this particular Agency, but it should be placed under EPA and disaster Management does not concern EPA. EPA is wholly and solely dealing with Environmental protection. If they are to protect the Environment wherein disaster management Organization to manage the resources and responsibility of leading all humanitarian aspect of emergencies in preparedness, response and recovery in order to lessen the impact of disaster. So, I can now refer this House to the ONS Act which is the parent body of this newly established Agency, they are right to have this particular agency. The ONS 2002 Act and that of the Central Intelligence and Security Unit [CISEU], their primary function is to coordinate

within the security sector coordination of resources so as to ensure that there is efficient use of national perspective.

The ONS Act of 2002 Section [18] roman figure 4, "Government primary coordinator of the Management of national emergencies such as disaster natural or Artificial." This particular Act tells us that ONS should be the parent body of this particular agency. So for people to say the agency should go under EPA is unacceptable except if they want to hijack this particular agency and with that, I will refer this House to Section [21] of 1991 Constitution; "that is protection from deprivation of property," this particular agency should be property of ONS not any other Ministry.

Mr Speaker, with your leave I read; "No property of any description shall be compulsorily taken possession and no interest in, or right over property of any description shall be compulsorily required except where the following conditions are certified, that is to say taking the possession of acquisition is necessary in the interest of defence, public safety, public order, policy minority, public health and so on.

Mr Speaker, Honourable Members, except those that were saying; this particular Agency should be placed under EPA or its Ministry except if they want to compulsorily require or acquire this particular Agency. But if you look at the Law existing on the land which is being made by this particular House, this particular Agency should be the property of ONS and nobody else but ONS. Mr Speaker, I will stop here so far I thank you.

THE SPEAKER: I thank the Honourable Member for his Contribution. I have now exhausted the list that has been brought over from the last sitting, we now start a new list for this sitting starting with Honourable Shiaka Sama followed by Honourable Charles Conteh, Honourable Aaron Koroma, Honourable Kalokoh in that order. Shiaka Sama, the independent Member.

HON. SHIAKA M. SAMA: Mr Speaker, thank you very much for giving me this opportunity *[Interrupted.]*

THE SPEAKER: Let me have the names of ...Okay! Honourable Shiaka Sama you have the Floor.

HON. SHIAKA M. SAMA: Thank you very much Mr Speaker for giving this opportunity to speak on this particular Bill. I will start by thanking the Attorney General and Minister of Justice and her team, the ONS and the office of the Vice President and other stakeholders who made inputs into this Bill. I think this is a very good Bill because disaster management is a key in this nation. I have been an MP of a Constituency that always had disasters. I have been an MP in Pujuhum and Mano Sakrim for years. In those communities the common disasters are fire and floods, in those communities the people are very poor and disasters make them even poorer and in most cases whole villages are burnt and it takes a very long time for interventions to occur. Communities like those that rely on their sons and daughters to help them. Sometimes when they seek help from NGOs or from the Red Cross or ONS, they have to write letters, and they will send a team to do an assessment and list of needs will be written down and promises will be made, sometimes it takes even more than a month for real intervention to occur.

Mr Speaker, Honourable Members, I believe the idea of having an Agency that will have the sole responsibility of Managing disasters is a very good one. This is very good for us as MPs because normally when NGOs or other governmental agencies do not intervene, MPs have to carry the burden and as you know Mr Speaker, we do not have the resources to respond to certain scales of disasters. So this is a very good thing, like my colleagues said; "prevention should be at the heart of disaster management; prevention is better than cure." So we have looked through the Bill, there are very good provisions and maybe when we come to the Committee Stage I would have some suggestions to make. I have seen that a lot of players have been included in the Board, and what maybe I would suggest is that we have a representative of the NGOs. For NGOs are partners, they are sometimes the first line of intervention. So, if we have all these stakeholders, we need a representative of NGOs to be on the Board and that could even provide opportunities in raising funds and in reaching out to possible donors.

Mr Speaker, there is another disaster that people usually do not mention that is the disaster that occurs in our stomachs. Hunger, Mr Speaker is a disaster. I want this Board to also look at food security because some of the activities of the communities involve in seeking food and sometimes the wrong methods are used and this exposes the communities to disasters. So, without food security it's going to be very difficult for us to really manage disaster very well.

Mr Speaker, Honourable Members, if you go to communities we have people making farms very closed to villages, we have a lot of activities that expose the communities to disasters. Maybe what we have to ensure is that the Agency should have field workers; people should go into the communities to assess disaster risk because there are certain communities almost every year they experience disaster. Sometimes is because of their activities, some communities have to be helped; they have to be assisted to ensure that they prevent disasters. So just by sitting down in Air Conditioned Offices in Freetown may not do the job. We have to go into the communities and especially do some mapping. Let us look at communities that have experienced several disasters and find out the reasons for those disasters. We can then plan to help them so that disasters do not occur. Prevention is even cheaper than intervention after the disaster would have occurred.

Mr Speaker, like I have just said; NGOs are key and the Board is broad based, we should not treat NGOs as outsiders, we only call them in when there is a disaster; let them be on the board, let them take part in the discussions and they should be given roles to play in even seeking funds and in mobilizing support to fight disaster. And with these Mr Speaker, I will wait for the Committee stage, where I will make some suggestions. Thank you very much for this opportunity and I hope this Agency should be made very effective, and will help to fight poverty, it will help to improve economies of those communities and all houses and property being burnt of very poor people. I want to urge this House that we should not continue to delay the passing of this Bill into law. Thank you very much.

THE SPEAKER: I thank the Honourable Member for his contribution. Let me make this observation that indeed from the last sitting to now, I have observed Honourable Members have been keeping their contributions short and to the point. Indeed all the recognition of the fact that brevity is the soul of wit and I hope the subsequent speakers would follow that fine example.

HON. JONH C. CONTEH: Thank you very much Mr Speaker. Today we are here to debate on a Bill that will give right for the establishment of a new agency; that is the Disaster Management Agency.

Mr Speaker, Honourable Members, having gone through the document in details it shows that the intention is good and if established would yield dividend for this nation. The problem I have with the document is that; it is not timely because when you take a look at the economic situation in the country you wouldn't be talking about establishing agency that will give more burden to the country. What we should be talking about here is establishing agency that will generate revenue for this country.

Mr Speaker, Honourable Members, even though the document says; two years the Agency will support itself but yet still it will not be sustainable, after two years the Agency will bank on the Government for subvention. Let me say this with all sincerity that even though when the disaster management was under the Office of National Security, we have not been seeing them much. Sometime when some of our Members of Parliament are having problems within their Constituencies, they called upon this management and they will not respond, you will call them several times they will not respond and now they are thinking of establishing it into an agency. I think there will be more bureaucracy, so for me it is not timely and I will continue to say it.

Mr Speaker, Honourable Members, two or three months ago I was having problem within my Constituency in which nineteen houses were burnt down by wild fire. I called upon the department that is responsible under ONS but they did not respond. Of course I will continue to say that it is not timely because the Country is facing economic challenges, and if the country is facing economic challenges let be thinking about establishing agencies that will generate revenue for this country.

Mr Speaker, our neighbouring countries like Liberia and Guinea are having a Department of Forestry, but in Sierra Leone the Department of Forestry is under the Ministry of Agriculture, and if you look at the department of forestry in the Ministry of Agriculture it generates much revenue for this country. At one pointing time, I went to attend a workshop organised by FAO, in that workshop they were agitating that forestry department be transformed either to a commission or an agency because it generates revenue for this country, so that is what we should be talking about now.

Mr Speaker, Honourable Members, as Government in waiting we are here to proffer solutions to you so that definitely you will not leave us a battered economy because when your Government is gone or out of power we will want to generate revenue so that our Government will have a stable economy, that is why we are proffering solutions to you, that forestry department is a department if being transformed into commission or agency definitely much revenue needed by this country will be generated. If you take a look at Guinea and Liberia, as I said earlier on they are having a commission for forestry and Liberia is having an authority for forestry.

Madam Minister, I will tell you that the authority under which Liberia established forestry are generating revenue to the tune of **\$ 3.3 Mln** per annum and Guinea is generating about **\$ 3.1 Mln** per annum. So Madam Minister, I am telling you it would be proper for us to think about transforming the forestry department under the Ministry of Agriculture into a commission or an agency so that Government will get more revenue needed for the running of this Country.

The disaster management agency which you are about to establish as I said earlier on is not timely and of course definitely you are establishing this agency to create more jobs for your people. Madam Minister, I will say it again because if that agency is being created you will have more jobs for your boys because as you know the time S.O [2] "lek wae de gron dry so" you will not be thinking about creating new agency, but thinking about things that are sustainable, things that people of this country will say yes of course we are enjoying this country because much transformation is taking place in

the country. So, what we should be talking about now is creating agency that will generate revenue for this country.

Madam Minister, I want you to take that into cognisance because generating revenue is good than establishing agency that will create burden on the country. I will continue to say that it is not timely because of the economic situation of the country; I don't think we should establish this agency.

Mr Speaker, Honourable Members, without wasting time I am very much opposed to this agency for its establishment because of the economic situation in this country now. Thank you very much Mr Speaker.

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

HON. AARON A. KOROMA: Thank you very much Mr Speaker. I want to join the Speaker when he made a statement to us that brevity is a soul of wit. I want to assure this House that indeed I am going to be very brief.

Mr Speaker, Honourable Members, before going into details of what I want to say let me make things very clear. When the Honourable Member from Kenema precisely Honourable Hafiju Kanja was making his submission, he proposed that this agency should be a property of the ONS. I am sure that one cannot be backed by any law, the AG is here, an agency cannot be supervised by an agency. There is a portion in that Act which is Section 18[1-5] of which I am sure ONS mandate is to coordinate the management of natural emergencies such as disasters, natural or artificial and I am sure if he is saying that this agency should be supervised by ONS then I am sure the AG would not have brought this Bill to this Well. She would have brought regulations which would have guided the ONS as to how that particular Section of that particular Act would have been implemented.

Mr Speaker, Honourable Members, in the spirit of the Bo declaration, I want to thank you very much because you have done your best over time since we signed that declaration to ensure that we make this Parliament not to be seen as rubber stamp Parliament, and indeed it is very much important.

My submission is not going to be political, and I want to ask the Leaders of this Parliament to join me so that we do the needful because we cannot breach laws in making laws.

Mr Speaker, Honourable Members, let me refer this House to Section [107] sub Section [2] of the Public Financial Management Act, and with your leave let me read; the PFM “when a Bill to establish a new sub vented agency, other entity in the centre Government or social security fund is introduce to Parliament, the Bill shall be accompanied by an opinion of the Minister and in this case the Minister of Finance stating whether;

[1] The benefit from the establishment outweigh the cost of the establishment

[2] The establishment does not cause any physical rule or sealing under this Act or the fiscal strategy statement to be breach or exceeded.

[3] The establishment in accordance with the principle of responsible Financial Management.

Mr Speaker, Honourable Members, I am not sure the Attorney General is here with an opinion of the Minister of Finance to clearly justify or to explain to this Well as to why we should enact this particular Act. What I am saying here is that; if we attempt to go ahead with the enactment of this Bill to an Act, we would be going against the merit of the Bo declaration by breaching laws to make laws, and I am not sure that is the spirit. I know there are stages in passing this Bill into an Act and much has been said about the content of this Bill and I am not going in depth, that is not why I am here for again because much has been said by my colleagues, but what I am here is that this is a new agency but not an amendment of existing Act, they are bringing in a Bill that seeks to establish a new agency.

I do not see any reason why we should continue with the discussion of this Bill as it is.

Mr Speaker, Honourable Members, finally I want to stand on S. O. [37] again that we continue to postpone the discussion of this Bill until the requirement of the Public

Financial Management Act is met. On that note Mr Speaker, Honourable Members, I want to thank you very much.

THE SPEAKER: I thank the Honourable Member for his contribution. Honourable Kalokoh you are next.

HON. AARON A. KOROMA: Mr Speaker, there is a Motion Sir. I have moved the dilatory Motion on the Bill Sir.

THE SPEAKER: You did not move the Motion.

HON. AARON A. KOROMA: I quoted the relevant Standing Order, I moved that this Bill...

THE SPEAKER: Wait a minute. If you want to move I have to attend to him first, do you agree? What is your S. O.? S. O. [37]?

HON. AARON A. KOROMA: Yes Sir.

THE SPEAKER: I want both the Leader of the Opposition and the Leader of Government Business to come forward. Honourable Members, I have two Motions on the Floor. However, I shall take Honourable Aaron's Motion first by asking a question since reference has been made to another Act of Parliament, the PFM Act which is not in front of me now. Honourable Sidie Tunis, I am sure you heard the Honourable Member.

HON. SIDIE M. TUNIS: Yes Sir.

THE SPEAKER: Was the PFM Act complied with?

HON. SIDIE M. TUNIS: Mr Speaker, Honourable Members, Honourable Aaron is 100% right, the law is very clear on that and we had already discussed it with the Minister of Finance, but for today, I am appealing with the Honourable Member that we move on but with the full assurance that in future we will ensure that we would comply with the provision in the PFM Act. Thank you.

HON. AARON A. KOROMA: Mr Speaker, I want to thank the Leader of Government Business for the acceptance, and I am sure as MPs we are here to guide the Executive,

to help them do their work properly. If we had not raised this issue it means Government would have been paying us virtually for nothing, we are here to make sure we guide Government to do what they are supposed to do based on law, and on that note Mr Speaker, I am happy that the Leader said this document is not going to be passed if this particular provision is complied with. I am going to be insisting that the Minister of Finance provides an opinion as to whether the benefit of this Bill outweighs the cost of establishing this particular agency. On that note, if that is done as he has assured the House, I will not withdraw, but I will rather withhold my Motion for a while until we see what is going to be done.

THE SPEAKER: I am afraid I will treat that as a withdrawal. Honourable Aaron there is no question of holding; I will treat that as a withdrawal.

HON. AARON A. KOROMA: Mr Speaker, I so withdraw Sir.

THE SPEAKER: I thank the Honourable Member for his indulgence, but let me please take this opportunity to emphasise that what the Honourable Aaron has said is quite in place that in future we will not proceed with Bills of this nature unless this House is furnished with the relevant opinion from the Minister of Finance. Considering the present state of our economy, it becomes even more imperative that such an opinion should be furnished. Honourable Sidie Tunis can we please have that clear undertaking from you?

HON. SIDIE M. TUNIS: Mr Speaker, Honourable Members, you have that and I will ensure that before the Bill returns from the Legislative Committee we would have received the opinion from the Honourable Minister of Finance.

THE SPEAKER: Thank you Honourable Sidie Tunis. I have another Motion for which I am now asking for a seconder?

Suspension of S. O. 5[2]

THE SPEAKER: We shall now continue with the debate.

HON. DR MARK M. KALOKOH: Mr Speaker, thank you for giving me the opportunity this afternoon. A former President of America, Barack Obama said; "Africans does not need strong men, but strong institutions." But I am seeing a situation in Sierra Leone wherein every day we give birth to new institutions without building the existing institutions to become stronger to have the requisite capacity to function as institutions to meet the desired objectives as the nation.

Mr Speaker, Honourable Members, the creation of this agency I am seeing it as a process of undermining the strategy of building stronger institutions and the responsibility of Government is to ensure that they provide the enabling environment for jobs. And how do we do this, as a Government you should be able to encourage the private sector investment in country, to ensure that they provide adequate employment for its citizens, but in this case, I am not seeing the current Government encouraging private sector investment. Hence they are chasing others and a case in point is the S.L Mining. These are institutions, or mining companies that Government would have encouraged and ensured that our citizens benefit out of them.

Mr Speaker, I want to ask the current Government to apply the strategy of the former Government. When we were in power the slogan S.O [2] "de gron dry" was not visible, and today the slogan "de gron dry" is in every corner in the mouth of majority of Sierra Leoneans, what causes that? It is because we are not encouraging the private sector investment to do the needful in the country. So, I want to urge this Government to ensure that you encourage the private sector, so that the citizens we are representing here, our people we are representing here will not continue to suffer as they are suffering now.

Mr Speaker, furthering my argument this afternoon, I want us to look at the composition once again, and to include very key institutions. I am not against this composition, because I know this composition is going to be a pro bono, they are going to give pro bono service to this nation so Government will not come to tell us you don't have money then you are creating institution wherein money will go. I know it is going to be a pro bono Agency. But I want us to include a very important institution that is

always visible, participate effectively in fighting disaster that is the National Fire Force it is absent here and we want them to be included in the disaster management Bill and also my Chairman of the Committee on Water Resources made mention last week that the Ministry of Water Resources be included. It is clear here, we have a common adage that "water is life;" if water is life they should be an integral part of this composition.

Mr Speaker, Honourable Members of Parliament, as a Parliament we are here to make laws and some of these laws we exclude ourselves. In this circumstance Mr Speaker, if this Agency is going to hold water by the importance attached I want to submit that what the Attorney General said the last time that others may include Members of Parliament, or our oversight functions, let us be participants in the process. Definitely we should not be making laws and we exclude ourselves, we have made law here that is currently biting us which is the Bank of Sierra Leone [BSL] Act.

Mr Speaker, Honourable Members, you can go and read the BSL Act of 2019 and match it with the current realities, you will know that BSL Act that we passed here is currently biting us. If you look at the composition of District level they should be there to initiate implementation, we should have a common mandate in terms of combating disaster at district level. ONS is doing a good work but because of inadequate capacity sometimes their response is late. Fire Force is doing well but because of inadequate capacity and logistics their response always late.

Mr Speaker, finally to keep brevity is the soul of wit, I want to emphasise here that this Agency should be the baby of the Ministry of Environment. This Ministry should provide oversight of this Agency, and not the office of the Vice President. I thank you.

THE SPEAKER: I Thank the Honourable Member. Honourable Sahr you have the Floor.

HON. PAUL S. SAM: Thank you very much Mr Speaker. Mr Speakers, Honourable Members, when we look at the following debaters here this morning they analysed so many issues; some talked about the economic situation of the country, some talked about the agency should be placed under the ONS. But I think in 2018 when His Excellency the President was addressing this Parliament, he spoke about so many

issues here. He spoke about discipline in Leadership, and the President said he wants to close leakages and the closing of all leakages in the different MDAs has to be supported by the Ministers and all other MDAs.

Mr Speaker, Honourable Members, the institution which the Minister want to establish seems to be tough whilst the President is ready to close leakages. Those who are supposed to support the President are opening up drainages. When you look at this Act when I talked about opening up drainages you look at the economic situation of the country as it stands. We have the Ministry of Lands, we have the EPA, we have the NPAA, we have the ONS, we have the Ministry of Agriculture all of these Ministries and Agencies have a component of managing disaster. And when you look at part 4 Section [14] of this Act it talks about establishment of offices at Chiefdom level, at District level, regional level, and also the secretariat.

Mr Speaker, there is no specification wherein the Director General which is going to be appointed by the President approved by this Parliament, the amount of staff he has to take, and the recruitment of staff is at the disposal of the Director General. Also he will be ready to bring people to those offices. In part [4] Section [14] and [15] in this Bill, those offices have to be managed by staff and officials and the wage bill will also bring a kind of burden on the economy. I want to believe that when the President was addressing this Parliament, the Ministers were also present during that period, most especially the Attorney General that is sitting in front of us here today must help the President to actually close leakages and not to open drainages, because this is part of opening drainages for the country wherein some certain agencies are deprived of salaries as we stand.

Mr Speaker, Honourable Members, we also have NGOs which have component of disaster management, if we start at District and Chiefdom levels wherein we have Committees that are going to be manned by the District and the District is going to be manned by the region, the region is going to be manned by the secretariat which is going to be stationed there by the Director General it's very challenging. This will not help our economy to be very much strong, though the President in his 2019 state

opening address to Parliament he told us that he is going to create jobs, in this 2020 there is going to be jobs creation, but we have to be also mindful of our economic situation as it stands in the country. So, to help the President, this Parliament needs to stand very strong to see that we support the President to succeed. And for the President to succeed most of these agencies should not be establish. Why can't we strengthen the ONS? Why can't we strengthen the component of ONS? Why can't we strengthen the EPA? Why can't we strengthen the NPAA? Why can't we strengthen the Ministry of Lands? But then we are opening drainages.

Mr Speaker, Honourable Members, I just felt it that the Honourable Member, withdrew his Motion here, it would have been better for us in this House to actually put a hold on this particular document for further discussion. That will also help us to support the President in His drive to see that the economy is stable. In that regard, I move a Motion on S.O. [37] that this Bill is given another look from here, and that we follow the PFM Act. Of course, I don't want to go by the PFM Act because any Bill that is coming to this Parliament has to go through the Executive and Cabinet approved. So the PMF Act has nothing to do with this Bill. Thank you very much Mr Speaker.

THE SPEAKER: I thank the Honourable Member for his contribution. I am not going to put his Motion because it is not properly before the House. Honourable Fofanah you have the Floor.

HON. ABUBAKARR FOFANAH: I thank you Mr Speaker for giving me the opportunity to have a say on this Bill. Mr Speaker, Honourable Members, I want you all to remember the days of the Ebola, the days of the mud slide, and the days of the flooding. I also want us to know that in as much as we are thinking about the economy I also want us to know that it is important as Members of Parliament to protect our nation, and on that note, I want to draw the attention of Mr Speaker, to Section [116] of the 1991 Constitution. With your leave Mr Speaker, let me read; **"Parliament may provide for the establishment of it contingences fund and for authorising the Minister responsible for Finance if it is satisfied that there has arisen an**

urgent an unforeseen need for expenditure for which no other provision exists to make advance from the fund to meet that needs.”

Mr Speaker, Honourable Members, I am going to be very brief, but I want this Honourable House to know that as a Parliament we are supposed to give support to this Government, and for you to know that this Bill is very important. I know the fear of my colleagues. Some will be thinking that maybe we want to create jobs for our constituents or our supporters, but please Honourable Members, I want us to give chance to enact this Bill. And also in chapter two [2]5b of the same 1991 Constitution gives us the right as a peaceful citizen to protect our people. So with chapter [2] 5b, with your leave Sir let me read; **“...the security, peace and welfare of the people of Sierra Leone shall be the primary purpose and responsibility of Government, and to this end it shall be the duty of the Arm Forces, the police, public officers and all security agents to protect and safe guard the people of Sierra Leone.”** With that Honourable Members, please I am appealing to all of us to support this Bill. I thank you Mr Speaker.

THE SPEAKER: I thank the Honourable Member for his contribution. My list is closed Honourable Sama Sandy, after that Honourable Munirr, then Honourable Quinton, and the last speaker on my list is Honourable Lahai Marah.

HON. ISHMAIL S. SANDY: Mr Speaker, Honourable Members, having listened to my colleagues who have contributed to this debate. I am of the view that the security of our people should be paramount. In view of this, I just want to do a cost effectiveness analysis. This agency which is about to be establish from the document, has the primary responsibility of ensuring the protection and security of our people in the face of disaster. In most cases in Sierra Leone when we talk about disaster people barely look at response, but I think we should be looking at mitigation and preparedness. With my little background in human security work, if you look at ONS, EPA and all the other agencies people have made reference to, to me with all due respect their efficacy is questionable in disaster mitigation, I am not talking about response because it is not much, and if we have autonomous body with the responsibility of organising and

managing resources and responsibilities dealing with preparedness and response when you have disaster. I think it is a laudable initiative, if this agency is placed under any agency as a department or a unit I think it will limit its efficacy.

Mr Speaker, Honourable Members, if you are doing allocation to ONS the agency is placed under ONS, or under Ministry of Environment it becomes a microcosm of that institution, and whatever allocations that would be to that agency is just a part of it that will be granted or will be offered. I am thinking that this agency should have the ability to be doing a participatory vulnerability analysis of our community it sounds big, but it simply means we should be having an agency with the capacity both human resource and otherwise to be mapping our society, looking at places that are vulnerable and putting strategy in place to always get themselves prepared in addressing any unforeseen disaster. But ONS does not have that ability let alone EPA, but if we have an autonomous agency with all the qualified people, with all the resources, I think we would be on a better footing to mitigate disaster not only respond to it.

In view of this Mr Speaker, Honourable Members, I want to say the essentiality of this agency cannot be overemphasised. Therefore, I am calling on my colleagues to see the need to support and enact this Bill so that we would be prepared and ready in the face of any disaster. I thank you.

THE SPEAKER: I thank the Honourable Member.

HON. DR MUNIRR S. TURAY: Thank you Mr Speaker for catching your eye again.

THE SPEAKER: After that Honourable Quintin you are the next speaker.

HON. DR MUNIRR S. TURAY: I have listened to colleagues who have spoken previously on this Bill. I have followed the trend and I have realised that our normal trend in this Parliament in the debate of this Bill is looking at the rules on the proposed Act and how we can design the processes so that the institution can properly implement what are embedded in this Act. We have done that severally and trying to predict the outcome of the laws we make and when we give predictive judgements, we may

sometimes do in the best way that these laws are good although we have problems in evaluating our laws.

Mr Speaker, Honourable Members, let us critically look at the sister agencies that are concerned with the disaster issue, human displacement and also the coordination of humanitarian operations. If we look at NaCSA itself, it has got some clauses that may be in conflict with the new Act we want to make in terms of humanitarian operation and relief coordination. Let us look at them critically and make some analysis so that it will not conflict and it will not be erroneous and absurd so that the intended purpose or purposes of this Act will not be realised in the negative way. We also have ONS which is very critical in the management of disaster in this country. We have realised in the past years that there are gaps in the operation and management of disaster in the country but we need to look at them critically and see those clauses in those other Acts that will not be in conflict with this Bill. So, maybe when we go to the next stage, I will have to point out some of those clauses I have realised. When we talk about disaster the outcome of it will be human displacement and when you have human displacement you have either people go as refugees or people will stay in the country as displaced persons.

Mr Speaker, Honourable Members, the issues on how we coordinate the displacement activities in terms of people having different mandate to do it like NaCSA, is very clear in the proposed Act. There is provision in NaCSA Act that has the responsibility to coordinate the relief operations of humanitarian activities in this country and it is also in the refugee Act of 2007 that has to do with implementing agency of the refugee status. These are all connections within the relevant law, so let us be very critical. I am not predicting that this law will be bad but good. Bad laws and good laws originate from the designing stage, so when we look at the design properly and be able to take recommendations from our colleagues that made very relevant contributions to the proper execution or effectiveness of the institution. We need to consider them, make appropriate changes, so please colleagues we know we have all realised that, and we have made our contributions that this agency is relevant but how could it perform its

functions? That is why we are suggesting to design the system in order to properly operate and we look at the sister organisations so that they will not conflict their operations in a situation we have huge disaster in this country. So with that Mr Speaker, I will wait when we go to the next stage and I will try to highlight some of those issues. Thank you.

THE SPEAKER: I thank the Honourable Member, now the Honourable Quinton you have the Floor.

HON. QUINTIN SALIA-KONNEH: Thank you very much Mr Speaker. To start with, I want to thank our Attorney General and Minister of Justice and her Deputy for making it a point of duty to be with us today. Without any iota of doubt, I want to give my support to the establishment of this agency, but again my statement is not going to be different from all of the statements made by colleagues Honourable Members. My statement will actually emphasise on key things we should be looking at even though I support the establishment of this agency, but I want us to look at certain areas. We are struggling with regard where this particular agency should sit because we have so much duplication across the Country in the establishment of most of these Agencies. Like we have the NPAA, we have the Ministry of Lands, EPA or the Ministry of Environment, we have water resources, we have all of these organisations with conflict mandate and so with the establishment of such Agencies again, I see another set of duplication here and so what I am suggesting is that even though we want to establish this Agency, again I would advise all of these departments, agencies or as the case may be to find a time to sit so that they synchronise their documents so that in the event the agency is dispensing each duties, it will not be as a result of taking the mandate of another agency because that is what I am seeing and so with the establishment of this agency Honourable Members, I think this agency for me will be well fitted under the Ministry of Environment. In looking at the Ministry of Environment that was just recently created as it is, the Ministry of Environment has nothing much to do as it is and when you talk about environment, disaster is part of the environment and that is where I think we should be able to place all of these things so that we have one structure under which all

of these structures can be placed so that we avoid duplication because if we have the Ministry of Environment actually managing the NPAA, at the end of the day violation of this kind will never be part of the day.

Secondly, if you look at the Bill it's all about solving problems. We have a situation, how can we prevent these disasters from happening? Every one or two years, we have a major disaster that takes away our brothers and sisters for eternity. What are we doing as a country? What are we doing as an agency? What are we doing in our respective capacities to ensure that these disasters that occur are minimized if not eradicated? Why are we focusing on solving problems? Just last year, my whole community was overtaken by water. I was in the middle of water begging for support. I will say this for free Mr J.D Rogers was very much supportive. He was able to respond, but again the thing is do we have the necessary gadgets to actually savage the situation we experience? If we say we are going to establish this agency which I agree, but its establishment should go with several things and one of those things is emergency support to the affected so even though we are establishing it, are we set or are we in the capacity to give immediate support when such incidences occur? Are we in the capacity to do that? Because in my situation it took three days before we started addressing the issue and the support that I got from Mr Rogers was very huge but yet because the structures were not there, then we found it difficult to address the issue then. But again, I think those were lessons learnt and I believe with the establishment of this agency, we will be able to think about all of the occurrences in the past, how we have been managing them, the time period taking into consideration, having tangible structures at district and regional levels that will promptly address or respond to some of these situations because at a time I was very much confused with regard where to refer and that was when I had to call Mr Rogers who is actually at the top, But again, not knowing that we had a structure at the Kailahun level that I should have called. So if we are to have this structure I believe one thing we should be emphasizing on is sensitization so that people know we have an agency, or we have a structure that addresses emergency situations when they occur. Again I have said this in terms of

moving forward we don't have to concentrate on just solving the problem, what tangible structures can we put in place to actually minimize the reoccurrence of such things. As it is, if you go to my area around the Goderich axis, I stay very close to the drainage moving down to the sea and as it is, people are busy constructing make shift structures, blocking the way of the water and I believe if care is not taken, then it will occur to another disaster. So these are the things I believe the agency should be looking at; have field workers who go across communities to observe critical areas, to observe where things are not right so that they take the necessary actions before it is too late, and that is another thing and finally because I said, I will not say anything different from what my colleagues said earlier, but again I think this particular agency must work with the EPA because having it under the ONS or any other agency, I see it as a duplication leaving the Ministry of Environment without any function as the Ministry of Environment is just an ornament of decoration seated with nothing to do so we can help the Ministry of Environment as a way of having the Ministry functioning. Otherwise, if that is not the case then I will also request that, that particular Ministry be taken off so that we stay as we are. I thank you very much.

THE SPEAKER: I thank the Honourable Member for his contribution. The last speaker on my list is Honourable Lahai Marah then we wind up the debate.

HON. LAHAI MARAH: Thank you very much Mr Speaker. Today again we are discussing another document that will either add value to the economy of Sierra Leone or will destroy the economy of this country as it is.

Mr Speaker, Honourable Members, we have passed in this Well many laws and some of those laws had contributed either positively or negatively to the development of this country. In 2018, we passed the Finance Act of 2019, in that Act we reduced taxes on imported beer and created some barriers with regard to our local brewery. The duty waiver issue that is affecting us today we passed it in the 2019 Finance Act and then we have the 2020 Finance Act. In 2020 Finance Act that was recently passed, we deleted the two Commercial Banks from NCP and now those banks are under the mercy

of Minister of Finance. I am trying to narrate how we have contributed through the passing of laws to the present status of the economy in this Well.

THE SPEAKER: Are u stating that for a fact?

HON. LAHAI MARAH: Yes Mr Speaker.

THE SPEAKER: The first part of your statement is correct; namely that we deleted item 16 and 19 of the schedule of the NCP Act, if I could remember. But that is all we did.

HON. LAHAI MARAH: Yes Mr Speaker, you are right. But when the Budget Speech was delivered, the Minister said that they are going to take charge of those commercial banks.

THE SPEAKER: The Budget Speech is not law, let make it clear. Budget Speech is nothing but an expression of intention of the Executive. It's not a law per say, it's a policy statement that needed to be translated into law. So, please don't give us the impression here that we have actually enacted a new law placing those banks under the supervision of a particular Ministry.

HON. LAHAI MARAH: Okay Mr Speaker. But we deleted those two commercial banks, the Rokel Commercial Bank and the Sierra Leone Commercial Bank from the NCP Act.

THE SPEAKER: In order not to mislead the House that is where you stop.

HON. LAHAI MARAH: And also Mr Speaker, we removed NaCSA and it's an organization that is responsible to manage and develop rural communities and we removed NaCSA from the Ministry of Development to that of the Vice President that is what we did Mr Speaker.

Mr Speaker, Honourable Members, now the ACC is part of the procurement process in this country, I don't know what is their interest, but that again we did in the new Act of the ACC and today we have this Bill. All those laws I have highlighted will help to bring the economy to this present status. As I am speaking, I am yet to receive my salary.

THE SPEAKER: That was little long. You went round and round.

HON. LAHAI MARAH: Mr Speaker, I became a Member of Parliament in 2012. During those period it's has never taken us beyond 25 days without receiving our salaries. Even during the time of Ebola, but today is the 7th.

THE SPEAKER: Point of correction. Today is the 5th of March.

HON. LAHAI MARAH: Mr Speaker, today is the 5th we are not even seen any resemblance of us having our salaries and this is telling us that the economy is not stable. My narration earlier is that I am trying to explain the financial consequences of this Bill if passed in this Well. I am also trying to point out that you as a Deputy Leader of this House and Mr Speaker together with us Members of Parliament, one way on the other we are responsible for the present state of the economy that is what I am trying to analyse bringing the two Finance Acts that we passed in this Well and their contributions to the economy because we are not saying the truth. We know outside when we are talking to ourselves, we know at this present time this Bill is not actually necessary. Imagine when I go through the Bill, is like somebody in the ONS is trying to create job for himself because if you are saying the Vice President to be the Chairman and we already know that the Vice President is already over burden with functions.

Mr Speaker, Honourable Members, the Vice President is the second to the President of this country, already we know His Excellency, the President has a lot of responsibilities to make sure Sierra Leone move forward and that is why he is always travelling all over the world and when he is not here the Vice President takes responsibilities of the country and because the President is searching for other opportunities he is always travelling. Meaning, the Vice President is already overburdened with the functions of the state and now he has NaCSA to oversee. We have not yet felt the result and also we have the police, we know the rating of the police.

THE SPEAKER: Has the Vice President complained to you?

HON. LAHAI MARAH: Mr Speaker, the Vice President does not need to complain, we are feeling the burden, we the sierra Leoneans we are feeling the pain, we know what is happening he is the Chairman of the police council, we know the present rating of the

police just now they are arresting innocent citizens for peaceful demonstration and nobody is doing nothing about the police under the watch of the Vice President has been completely politicised. Again, considering Disaster Management Agency to be placed under the control of the Vice President, we don't trust him with this responsibility, he can take charge of it, by giving direction and initiative in another capacity but for him to be involved directly is not possible. I am saying this because in my narration earlier, I said we are part of the problem of the present state of the economy. All of those Bills that we passed in this Well, some of us stood here to criticize them to say they will not be good for the people and up till now as a Parliamentarian I have not received my salary. This is one of the impacts of those Bills we have passed.

THE SPEAKER: That is the bottom line.

HON. LAHAI MARAH: Before we start this document, let me say at this particular time we need agencies that will bring revenue to the country. Disaster Management is very much important but the ONS are there let them manage it, they are doing well. I could remember the mudslide, they responded swiftly and timely and they also responding in other areas. We know we have to move towards the agency creation but not at this particular time and now we have created the Ministry of Environment. I spoke to my Honourable Ibrahim T. Conteh yester night and listening to him I say party politics is playing.

On that note, let me make again my point clear. I don't want to be part of a system that will continue to destroy the economy of this country.

THE SPEAKER: I thank the Honourable Member for his contribution. We shall conclude the debate. I now call on the Leader of the main opposition.

HON. CHERNOR R.M. BAH [LEADER OF THE OPPOSITION]: Mr Speaker, I will be very brief. I know eventually they will be thanking those who have contributed to the debate since last week. Concluding with that of the Honourable from Koinadugu, as Leader of the main Opposition my position stands with these Members of Parliament,

because I am leading them. I have heard what they have to say, the Leader told us that this Bill will be going to the Legislative Committee. I don't know whether the Chairman of the Legislative Committee, Honourable Hindolo M. Gevao is here? He was here this morning. I want to urge him and his Committee to listen to the voices of this House. We are expecting a report, but if he himself is convinced with what most of the Members of this House have said, I am sure we will be expecting a report from him that should be consistent with the views of this House, because most of what I have heard is that the Financial Implication of this Agency at this point in time would not be good for this country. We have to be honest with ourselves, as I said; I am encouraging the Legislative Committee to ensure that whatever report they bring to this House stands consistently with the views of majority of the Members of this House. On that note, I want to thank the Attorney General and Minister of justice together with her team, more so my friends and brothers who have been here since this morning and her Deputy, because it shows the premium they are laying on this very document.

Mr Speaker, Honourable Members, as a House we, have a responsibility. I want to urge through you, the Committee as I said for them to bring a report to this House that will be consistent with the views of Members. And on that note, having thanked the AG and her team, I want to rest my case. I thank you very much.

THE SPEAKER: May I make an observation Honourable Members! Repeatedly, the Leader of the Opposition has drawn our attention to the importance of the role that the Legislative Committee would have to play, and yet I do not see the Chairperson of that Committee in the Well. Therefore, I will request that the Hansard report be speedily concluded for the attention of the Legislative Committee. Since he is not here, where is the Deputy? Who else is a Member of that Legislative Committee? It is very important.

HON. DANIEL B. KOROMA: I am a Member Sir.

THE SPEAKER: I hope when you meet, you will inform your Leader to recognise the point that you will be making to him that he just missed in the Chamber. Honourable Hindolo M. Gevao you are back. Order! Order!

I just want to bring to your notice the fact that you missed a valuable contribution made by the Leader of the Opposition, but no doubt the other Members of the Legislative Committee will brief you in due course. Thank you. Deputy Leader of Government Business you have the Floor.

HON. MATHEW S. NYUMA: Thank you very much Mr Speaker, and thank you very much the Leader of the Opposition. I recognise your valuable contribution, but I want to say in as much as we are looking for contributions to be taken on board by the Legislative Chairman, we look out for a valid contribution that has to do with the Bill that is my submission. In line with what he said; I will intend to make some clarification having listened to the discussions from the day we started this debate.

I know the Minister will help when she is responding to the questions pertaining to the debate with all confidence. I know there is **\$ 10mIn** put aside by donor partners to support the Disaster Management Agency, the money is available. You have to respect Leaders when they speak and you have to listen so that you can get knowledge from what I am saying.

Mr Speaker, Honourable Members, I am saying this because I had the privilege to discuss with those who are in charge. If you think you are in doubt, you can talk to the people from ONS because they are presently in charge of those funds. I am telling you this because of what we have as Government for this particular Agency that we want to set up. Not that we are going into the consolidated fund to take up money; we are already in good partnership with our donor partners to ensure that this is very important and paramount to Government. If you look at the global index in terms of disaster for global warming, Sierra Leone is third on the line. So we have to be very careful with what we do and we don't make laws because we feel comfortable it is our birthday no! We make laws because we see it good for the interest of the people and what affect us. That is the reason we make laws and that is why laws are prone to amendment as the case may be.

Mr Speaker, that is just the clarification for the funding people are in doubt of, but let me specifically talk about preventions. If I speak to the Bill turn to page 12, I will read

clause [12] sub [2] without prejudice to the generality of sub Section [1], the Agency shall have responsibility to;

- 1 Implement
- 2 Government policies on Disaster Prevention, Disaster Risk Reduction, Climate Risk Management, there is a clarification to that. So, Government is going to make a policy that has to come to this House to ensure that there is a force of law, so there should be prevention because you don't wait to have disaster before you react. You have to put mitigating measures in place so that we can stop people moving around for deforestation and char coal burning etc. So, it is clear that we have a mitigating effect and we have prevention. I have read that one for the interest of all and Mr Speaker as I said; I toll the line of other Members to look at the formation of the Board and we have to look at the power of the Vice President as given us in the Bill. I want to specifically draw attention to Section [40] of this Bill which has to do with the state of emergency and in tandem with Section [29] Act number [6] of the Constitution sub Section [5]. Mr Speaker, I am not an expert but I just want the Minister to take note of that. I have drawn your attention to clause [40] in terms of State of Emergency.

Madam Minister, I will like you to explain to us in better language where there is State of Emergency, how do you want the President to react, because President is the only one that has the constitutional mandate to declare a State of Emergency. So, you are talking about Vice President all over the Bill, we would like to see the powers of the Vice President in terms of State of Emergency or when critical decisions are taken. So take note we would like to hear it from a legal point of view. We cannot have confusion with the Constitution and with that of the Act of Parliament.

Mr Speaker, Honourable Members, I remember when I was here in 2010 I had problems with tax exemptions; go to clause [48] of the Bill. That experience is with Addax Madam Minister. When we passed the Bill for Addax to operate in Sierra Leone, the whole Section for tax exemption that was misused, even when people bring furniture from abroad they will say it is for Addax. That particular clause [48] was not

tailored, when talking about tax exemption. Mr Speaker, let me read; clause 48 because very recently Honourable Lahai Marah was talking about misusing funds to drive this Bill. If you give tax exemption, is like you are giving out money to people. So let me read clause [48] of the Bill; "the Agency is exempted from the payment of taxes duty and levied."

Mr Speaker, Honourable Members, this is a blanket cheque; we are faced with a situation wherein we have economic challenges within this administration, that is the reality. So if we are looking at check and balances, putting in place and giving a blanket cheque to an agency and to the DG, for example; the DG will say sorry, I am having my furniture from China under this umbrella it will just be duty free. I want to suggest that though duty free concession will be given; we should have them in a form of statutory declaration to this House, so that we can ensure there is a form of transparency and accountability out of duty waivers.

Mr Speaker, Honourable Members, I don't like people eroding the powers of others. I will like to say we always need to have people charged with responsibilities that are placed appropriately. That is why we are in charge of making laws. If you go to Section [58], in fact, there is a conflict just below that Section you will see that the Director General is in charge of making regulations; the Director General and the Minister who come before Parliament to lay the Statutory Instrument. You cannot have Director General to come to Parliament to lay Statutory Instrument; it is the Minister in charge of that particular Ministry. So, that is why we have to make it very clear in the interpretation of this particular Bill, who is the Minister? It is there, but you have to look at it deeply. Honourable Hindolo M. Gevao that is in charge of the Legislative Committee, you have to look at it deeply. So in terms of who gives instruction to the Director General to develop a Statutory Instrument, I think they have to take the Minister on board or they bring the Minister to prepare a regulation. There is a miss match Mr Speaker, take note. We have talked much about transparency; experience teaches us a very good thing that we developed on and make sure that we developed ourselves as human beings in society. When we had real time audit and people are

talking about how do we really take donor funds or funds contributed domestically for disaster period.

Mr Speaker, Honourable Members, we have given all the powers to Anti-Corruption Commission and also that of the Auditor General, but I just want to encourage Honourable Lahai Marah, because he raised a concern about us being responsible of making bad laws, and that there is no accountability. So, clause 44 and clause 45; one speaks about accountability and the other one is talking about the Audit's Report. How do we audit this disaster funds? Because when they are coming you don't know, but in this Bill there is a channel and coordination on how these monies come into the consolidated fund or funds that are being created and how do you manage them, how do you disburse? So, this whole clause is dealing with funds, because there are times you really take care of procurement processes. In fact if you read this Bill, there is going to be procurement weavers, they will have a way to do the procurement process. They will not go stricto sensu with the procurement rules and regulations as enshrined in the procurement Act, they will waive it off. So it is clearly enshrined in this Bill, and we have to be careful.

Mr Speaker, Honourable Members, page 25 clause [32] [n] "emergency procurement procedures, notwithstanding the procurement Act, No. 1 of 2016. So, they are talking about not ordinary times, but under abnormal temperature and pressure. When we had the Ebola crises, they will just say order for these items and when they did, we always have problems with the real time audit. So, we don't want to put ourselves in this type of situation, when there are Emergency times, you need to have drastic decisions, you will have to take extra time to help people out or to help the situation. If you look at that clause it is clear, they are going to abrogate the law, it is just because the situation at that time needs to do things rapidly and they have to abrogate the law at that time. We have given them that powers and that is the reason I am making reference to clause [44] and clause [45], those who are in charge of the Transparency Committee and the Public Account Committee, they need to be careful and when this time comes, we have to sit down and look into every document and start

to do our oversight functions and see if they were going in line with the procurement Act at that time.

Mr Speaker, Honourable Members, without much I do, I am happy for what we have in front of us especially, when you look at the miscellaneous functions, a lot of things are enshrined in this Bill. The spirit of this Bill is very clear, before I rest my case, let me read clause [2] of part [2] so that we can get the spirit of this Bill. We are not only being talking about disaster for Western Area; we are talking about disaster nationwide. So, that is the reason we have these groups that have been formulated from Chiefdom levels, District levels and Regional levels. Although MPs were not recognized at certain levels, the Region and the District levels, but trust me Honourable Members, for every step we would put MPs, because when disaster are around you are the first point of contact in your constituencies. For example; when I was listening to Honourable Quintin Salia-Konneh representing Daru, during his statement he mentioned; that whenever there is disaster in his constituency, the constituents always contact him first before any other Agency's for intervention.

Mr Speaker, Honourable Members, for example if there is disaster here S.O [2] "ooh wi don get dis na yah ooh fire dea na yah," and they will come after MPs to solve their problems, because the MPs are vulnerable at all times. So, we are going to make sure that we put proper measures in place and insert some clauses to support the MPs to play their oversight functions. So, coming back to the sprite of this Bill Mr Speaker, with your leave, Section [2]; "the spirit of this Bill is hereby to establish a body to be known as the National Disaster Management Agency to manage disaster and similar agencies throughout Sierra Leone." So, cascading this disaster structures at different levels is very important, it carries the weight reflects and the responsibility of everybody in this country, and to develop the capacity of Communities to respond effectively. Somebody said; "in fact we don't even have the structures or capacities." For example; if you have disaster at Gbokakajama, there are certain areas if you don't have a team in place, it is not easy for you to help or to come to the aid of people, but when you have structures

in place, they will even bring out to formulate groups to meet those functions, this Bill seems to carry that one for us, to respond effectively to disaster and emergencies.

THE SPEAKER: For that Chiefdom, I take note that you are there.

HON. MATHEW S. NYUMA: Thank you very much. That is part of Norgowa Chiefdom, the city of Kenema. Do you know why I described Gbokakajama? That is the centre of Kenema. S.O [2]“morta man business very easi.”

Mr Speaker, Honourable Members, Madam Minister, with your team, thank you very much for putting Sierra Leone first, because it is not easy to put these things together under your good Leadership, ONS has being doing well. We thank them very much during the Ebola crisis; they played their own part with other disasters that have being coming especially during the raining season. They have being giving food items to people that have been affected with fire accident, they help, even when they don't have that money, but they go all in and out to get funds to support people. Thank you very much for job well done. We believe that even by the formation of this Agency, although people want to go on secondment to look at this Bill.

There is an issue of secondment, we want to give people job, then we want to move from one department to the other, you have to make up your mind, anyway don't be afraid, we would come to that. When we come to that, we would have thorough doctored and Surgical things we will put in place to ensure that we have a proper Bill.

Mr Speaker, Honourable Members, I thank them very much for what they have been doing. Let me turn to my colleagues, you guys have been very wonderful in presenting your points Honourable Members, I used colleagues, because I am very careful of my words. Thank you very much for your valuable contributions. I will not have much to say, but to say thanks and those who criticised the Bill, I am very impressed because that is the way things work, especially Honourable Daniel B. Koroma, he is a very critical man, I admire him so much. Sometimes, when you give your analysis you don't just talk because you want to talk, you talk with valid reasons. You give your point, you

bring out documents, you read them to Honourable Members, that is what we call positive criticism, but you don't just criticise, because you feel like doing it.

Honourable Daniel B. Koroma I copy you, I admire you, thank you very much for what you have been doing. To my colleague at my back, I say special thanks to you all for your contributions towards this Bill.

Mr Speaker, we have nothing much, maybe you are reading more than us, but you seem to bring out all of these things to us. I think age has nothing to do with your wisdom, your knowledge and your intelligence. We have no doubt that you have been driving that seat to ensure that you support us as Members of Parliament. Thank you very much and may the Lord bless us all. *[Applause]*.

THE SPEAKER: I want to take the opportunity to thank all Honourable Members who have contributed to this debate. If I am not mistaking, nearly thirty Members of Parliament have taken the Floor both in this sitting and in the last. Which itself is a demonstration of the importance that they attached to this Bill. I am sure Madam Attorney General and Minister of Justice came fully armed, and I want to specially thank her for her patience. She must have foreseen that this Bill was going to generate a great deal of discussion and no doubt she is not at all disappointed with the breadth and depth of the contributions that we had from Honourable Members, around the House. I will now invite her to respond to some of the salient points that have been made before I put the question.

DR PRISCILLA SCHWARTZ [ATTORNEY GENERAL AND MINISTER OF

JUSTICES]: Thank you very much Honourable Speaker of the House, and Honourable Members. I must first register my profound appreciation to the Honourable Speaker for interjecting the debate, the last time the Bill was before this House, and to have encouraged this much interest in this Bill. Before I get to address the issues, I also want to commend the Honourable Speaker and the Honourable Members of Parliament.

Actually, I could have sat here all day because I did enjoy the comradely around the House. It is not every day when you are out of this House you hear all such of things, but I like the source of collegiality, the back and forth in the Well harmony. The level of

interaction between the Members of Parliament, show that there is indeed a vision that represents the Coat of Arms in this country, "**Unity, Freedom and Justice**". I just thought I must mention that, and I hope that there is something to learn from that, I will take back [*Applause*]. Let me now say thank you for the very interesting observations that have been given though provoking comments, very critical analysis, all in good faith, because that is really why you are Members of Parliament. You have demonstrated that you are watching out for the interest of the people of Sierra Leone, which interest they have committed into your hands, to be able to ensure that you investigate anything that comes before this House by way of a Bill before you. And I must commend the Leadership and the Honourable Members of Parliament. Coming to the task at hand, I have had all of your comments again, I must say they have been made in good faith, including the sentiments they are well appreciated and those that must be conveyed back to the Executive will be conveyed, but for now those that are specific as the Honourable Speaker, has said, what is before us in the Bill. I will seek to address just by way of clarification, I have previously spoken to the many matters, but for today the issue of prevention has been very clear as being supported by one of your colleagues who has clearly expressed that the Bill lacked preventative functions. The issue of duplication was a reason in terms of both the ONS and the other functions of the other Members, again I will want to assure this House that the ONS must be really commended, they have done a very good work, they are an Agency that coordinates with other Agencies. So the ONS is not the Leadership of this Bill, so wherever that misunderstanding has come, they are the pilots of this Bill.

THE SPEAKER: Madam Attorney General, with that understanding of course Honourable Members, I am sure for reasons that you will all understand

DR PRISCILLA SCHWARTZ: Thank you very much Mr Speaker. I commend the ONS for the work that they are doing and they will continue to do even in the face of the new National Disaster Management Agency. So, I want to clarify a seeming misunderstanding, the ONS currently has functions that Members have been stating they can go right to the village to do their work. This Bill seeks to give power by which

a proclamation must first be made by His Excellency the President, that an Emergency has occurred before the Agency kicks in to that emergency function. So, there is a distinction between what the ONS does; ONS is not subsuming in this. The fact that little things can happen in villages, that you can ring the ONS and they can immediately respond to, that is always going to be on-going. We would not have a National Emergency unless, the Agency advises us and the President, by proclamation states that before it can be called a National Emergency. On that note, let me just address an issue that was raised in terms of duties and waivers because it is connected. When an emergency occurs, we all know that there are times is not just funds that come in; we have implements, equipment , tools, face masks, buckets, spoons, all these things sometimes come in. It is a policy that usually, our people who help us will normally get duty waivers levied on taxes on these things when they come in. The intention is not to overburden people who want to give freely or who want to donate to the process, but also to make sure that any funds that are given are appropriated directly to what it was appropriated for. That is why we have the duty waivers in the Bill. And therefore in the administration of this Bill, whenever such occurs, permission must be sought first, and the Minister responsible will actually verify and make sure that it is for Emergency and therefore, those waivers will kick in. If at any point it is envisaged by the Minister that it is not connected with the Emergency or with the Agency's work, I am sure the Minister will use his discretion to deal diligently with that.

Mr Speaker, Honourable Members, I spoke about the remuneration; of course another Honourable Member has clarified about the double deep and he has given some recommendations which obviously we would be very much willing to discuss when we get to the Committee Stage. Again, in terms of location of the Agency and the EPA, it is quite clear. The Ministry of Environment is a member of the Committee. And of course the EPA has functions, the EPA continues to do its functions and will continue like the ONS to do their own functions and continue to participate as members who have functions within the Agency.

The question of NGOs representation on the Board; again the NGOs are very instrumental, very vital implementing bodies for Government functions and that is why they are NGOs; they are Non-Governmental Organizations, but as we all know in disaster, they are always co-opted. When disaster happens, they are the ones that we use and rely on to be able to dispense the funds that they have acquired. They don't necessarily need to take from the funds of the Agency because they themselves can attract funding to be able to help them to assist, and if the agency does feel that they need to use them directly, I am sure there is nothing stopping the Agency to take that decision within their competence to do that.

Mr Speaker, Honourable Members, the timeliness of the Bill, I will say if I must focus on the matter at hand, that it is very timely and I mentioned the matter that we have in ECOWAS; I don't want to go into that, but it is timely in its own right. This Bill is seeking to protect, we are not talking about CORONA VIRUS; please God by His mercy that it doesn't fall upon us. That is the very reason why we need a very coordinated, Legislated, Authority and Body, which you can hold accountable using your oversight functions if they don't deliver. It is very important that we have such robust mechanism in place with structures that are legally accountable; not just at a policy level, but legally, once you support the Bill, it becomes a legal instrument and everyone who performs under this Bill has a right to deliver and has the right to account to you. And of course it also gives you scope in your oversight functions to know where you can ask, what interventions you can make in your own right to ensure that things at the Government level are run properly.

Mr Speaker, Honourable Members, let me just state this in respect to Honourable Daniel B. Koroma's question on sub-vented Agency. In Government, when we say sub-vented Agency, it is one of those Agencies that do not have to go to the Ministry of Finance each time to deal with the accounting of their budget. It means those Agencies, institutions are given their allocation and they disburse it and account. They are self-accounting institutions. So in terms of the point that he has raised, in the Legislation, yes there is a provision that the Bill must be introduced but the same Bill says that the

Minister of Finance has to make by Statutory Instrument to specify methodologies, forms and other matters necessary for implementing this section. So how would I have been able to bring the opinion to this House when it is yet to be stated by Statutory Instrument. But I can assure you, if you read Section 107 [3], it is specifically referring to the Section which you stated; it is as a whole. What I want to assure this House is that by Cabinet process, concurrence must be sought and has been sought from the Minister of Finance in support of this Bill before it could have been authorised in sub Cabinet, right up to Cabinet level, and of course as a matter of supporting your process; because legally we have not yet received the Statutory Instrument to compel us on how we can bring it before you in terms of bringing the Bill. But I am able to share that concurrence with you for your information because that concurrence has to have come to the office of the Attorney General to have allowed me to even give my own concurrence that this Bill goes to Cabinet. So, I can assure you that all that consideration about finances, about sufficiency and about accountability has been rigorously vetted by the Cabinet of this country.

Mr Speaker, Honourable Members, in terms of the Bill undermining some institutions; a Honourable Member submitted that their fear is the Bill is undermining institutions. Again, I fail to see how that is the case; I feel the Bill is seeking to create a solid institution that is legally accountable to the people of Sierra Leone; that it is charged with the responsibility to protect and to manage disasters and that they are prepared for it before disaster happens nationwide. So, again, I just thank the Honourable Member, and I want to assure him that we are committed to building strong institutions, but unfortunately that is how it is; that we cannot have one institution that does everything. So we would be coming to this House every now and then as it is necessary within our Executive functions. For instance, if we go now and sign to a Convention which says we should have early warning systems, we can come back here to set early warning systems, because we have to fulfil our obligations internationally. So please just give us that understanding that it is well intended and sometimes it is obligatory. I would not speak to the purport that the Bill is just to create job; I will not

address that because I do not find on the face of this Bill anything in it that suggest whether implicitly.

Mr Speaker, Honourable Members, in terms of the comment of His Excellency, the Vice President's role of the Bill, I must inform this House that there is already a national platform for disaster management which is already headed by His Excellency and the Vice President. That is the situation and that is the case; so this is not something new and of course it is just a matter of transposing the office that is existing and putting it into the law as it is. We have considered the broader responsibility which will rest with His Excellency the President, and we are going to ensure that we take on board some of those suggestions that will rest with His Excellency the President, and being that the Vice President derives direct principal assistantship in the Constitution to the President, they can both conduct, and of course having the leadership for security matters in the country by law, they can both coordinate within this Agency to deliver for the people of Sierra Leone. On that note, I just want to look at same case that I made for the duty waiver, could be made for the procurement because in Emergencies you are not going to negotiate, you are not going to talk about price; how much does this cost? We all are aware that China had to build a Hospital in ten days when they had Emergency. I bet they were not negotiating how much they can purchase one nail or steel to construct that Hospital because when emergencies happen, we all know what pressures kick in. That is why the procurement Act was deferred to give efficacy to practical implementation of the Bill in terms of disaster when Emergencies occur.

Mr Speaker, Honourable Members, however, as the Honourable Deputy Leader mentioned, this Agency is also subject to the Auditor General's scrutiny. So it means everything that they do would be scrutinised, they would be accountable and there would be a report which of course the Honourable Members of this House have a duty in their oversight function to be able to ask questions to make the recommendations that are necessary to be part of the process. On that note, I can only state that I want to thank Honourable Members of Parliament for their contributions to this Bill for the debate, it has been interesting, I have learnt a lot and I just want to say that it is

rewarding that we have a participatory process like this, where the Honourable Members can be able to express their opinion and their sentiments about how the state is run. I have heard you; as the Minister of Justice, I will take back all the sentiments that have been expressed here to the Executive and I can only hope that we all have good intentions for Sierra Leone, and we are going to work harder and continue to work harder to deliver for the people of Sierra Leone, so that in synchrony, we all would have done our jobs for the poor people of this country. I thank you all for your attention *[Applause]*.

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

THE SPEAKER: I thank the Honourable Minister on behalf of the House.

[Question Proposed, Put and Agreed to]

[The Bill entitled; the National Disaster Management Agency Act of 2020 being an Act to provide for the establishment of the National Disaster Management Agency; to manage disasters and similar emergencies throughout Sierra Leone; to establish offices of the agency throughout Sierra Leone; to establish National, Regional, District and Chiefdom Disaster Management Committees; to establish a National Disaster Management Fund; to provide Finances for the Prevention and Management of Disasters and similar emergencies throughout Sierra Leone and to provide for other related matters has been read the second time.]

HON. MATHEW S. NYUMA: Mr Speaker, I stand on S.O [51] "committal of Bill." I move that we commit this Bill to the sub Committee of Pre-Legislative for proper scrutiny of the Bill.

THE SPEAKER: Any seconder?

HON. DANIEL B. KOROMA: I so second Mr Speaker.

[Question Proposed, Put and Agreed to]

[In accordance with Section 51[1] of the Standing Orders of this Parliament, the Bill has been committed to the Legislative Committee for further scrutiny.]

THE SPEAKER: Thank you Madam Minister. You may now take leave of us. Thank you very much indeed.

Honourable Members, I now wish to draw your attention to an unfinished matter to which reference was made on page 8 of the Votes and Proceedings of the 36th Sitting. The Honourable Dr Mark M. Kalokoh raised a very important matter in the last Sitting that touches upon the provisions of Section [33] of the Constitution of Sierra Leone, 1991. Following his intervention, I ruled that the Director General of the NCRA be invited to Parliament today and be given an opportunity to elucidate particularly on the Public Notice that he had issued relating to his functions vis-a-vis the Constitutional role of the National Electoral Commission. I understand that the Director General has responded to that invitation and he is now with us. I also did rule that considering the nature of the problem raised by the Honourable Member, that we will give due consideration to the matter today in Committee Room one. Accordingly, this House will now adjourn to Committee Room one where we shall meet and recommence. I would say in thirty minutes *[Undertone]*. Do you want one hour?

HON. ABDUL K. KAMARA: Mr Speaker.

THE SPEAKER: Who is it?

HON. ABDUL K. KAMARA: Honourable Abdul Karim Kamara.

THE SPEAKER: Okay, on this issue?

HON. ABDUL K. KAMARA: Yes Sir.

THE SPEAKER: I want to dispense with this issue first.

HON. ABDUL K. KAMARA: Yes, we are dealing with this issue Sir.

THE SPEAKER: Are you sure?

HON. ABDUL K. KAMARA: Yes! Mr Speaker, as you said this is a national issue and you are sending it to Committee Room one, the public is so interested in this matter

and [*Undertone*]. I know what I am saying; I am not sent here by you, I am sent here by my people and I am representing them. I know by the Statutory of this Noble Parliament, he does not have the right to be here and to speak in the Well. But because you are sending us to Committee Room one, it is better you make it clear for the public because we also had the same situation and you allowed the Anti-Corruption Commissioner to stand in this Well and addressed us. So if this issue is that important to the nation, I see no reason why we should not have him here in the Well, that is what I am saying Mr Speaker! The nature of the situation is a national one and Press Releases upon Press Releases have been released, the public is interested, there is a Press Conference held by NCRA. So I don't see why we are taking it to Committee Room one.

HON. MATHEW S. NYUMA: Mr Speaker, this Parliament is a responsible institution. You have read the Hansard that we should be in Committee Room one. I think you did not say you are not going to allow the Press to be there. You said; you refer the matter to Committee Room one. We have to be consistent with what we say here. If you are against that one, I expected you on that day to move a Motion in this Well and it was agreed by all of us that we should go to Committee Room One, he has not said the press is not going there, we agreed on Committee Room One. Let us be consistent with what we say. It is in the Hansard for God's sake, let us go to Committee Room One the press will be there, it is not secret, and the press is going to be there, we are not saying the press is not going to be there, it is not secret. Thank you.

HON. ABDUL K. KAMARA: Mr Speaker before you respond, sometimes it baffle some of us.

THE SPEAKER: I have not giving you the Floor.

HON. ABDUL K. KAMARA: I know you will not.

HON. ABU KEMOMKAI: Mr Speaker.

THE SPEAKER: Let me hear you.

HON. ABU KEMOKAI: May I drawn your attention that your ruling is final, as far as you have rule for us to be there, let us do the needful.

THE SPEAKER: You have already been heard. Let me say this Honourable Members, you are here by virtue of you having being elected to this House by your constituents and by reason of that election you have the right to speak in their names and on their behalf. But let me also say that from the vantage point I sit, similarly, if not equally alive to the public interest and when I make my rulings I do take the public interest into account. Some people like to debate every issue big or small in the Well, but in my own considered opinion, there are times when some issue are better left to be dealt with in little ways. I am not ruling against you, nor am I saying anything that is inconsistent with previous practices, but for now I crave the indulgence of all Honourable Members, that we retire to Committee Room One and deal with these issues, if it comes necessarily in due course to Report to the whole House in plenary, we shall do so. I hope we are not going to open a debate on that issue. On that note Honourable Members, we shall retire to Committee Room One at 3:15 P.M and I expect all of us to be in full attendance [*Undertone*]. I am sure Honourable Members, including the Honourable AKK is not asking for the Floor to reopen debate on this matter.

HON. ABDUL K. KARGBO: Mr Speaker, Honourable Members.

THE SPEAKER: Yes! I think you need to refuel, that is why.

HON. ABDUL K. KARGBO: Mr Speaker, Honourable Members, before making my Submission Sir, let me just read a portion of the Constitution that is Chapter 3 Section [15] b of our National Constitution it says; "Whereas every person in Sierra Leone is entitled to the Fundamental Human Right and freedom of the individual. It has the right whatever race, tribe, place of origin, political opinion, colour, creed or sex, but subject to the respect of the right and freedom of others and for the public interest to each and all of us. [B] Freedom of conscience, Freedom of Expression and of Assembly and Association"

Mr Speaker, I read this because the Constitution emphasis that regardless of your races, your tribe, your place of origin, your political opinion, your colour, your creed, your sex, that you have freedom of expression, freedom of assembly and freedom of association. I was amazed couple of minutes ago upon receiving information which I think must be brought to the attention of the House Sir. You will agreed with me that last week there was a demonstration within the premises of Parliament, a group of civil society activists came to demonstrate against the increment of price on passport and the police was there, they carefully spoke to them without inflicting a single arrest and at the end of the day they were all disintegrated. Today, there is a similar assemble of students who have expressed their resentment on issue affecting their existence for quite a while without any attention and it has been brought to our attention that a civil society activist was arrested and has been taken away and a good number of the students have been arrested, Thomas Moore Conteh, as I am speaking he has been arrested by the police.

Mr Speaker, Honourable Members, I questioned myself why under the same atmosphere, under the same condition a protest was held here in Parliament and State House and also at the immigration, but no arrest was affected, that is why I keep insisting that the Constitution segregate between tribes, origins, region or Sections, but from what I am sensing if you want to take up a national issue you must be rest assured that your tribe, or your place of origin synchronises with those in authority for you not to be arrested. Thomas Moore Conteh have being arrested and a good number of students have been arrested unlawfully whiles the constitution in Section 15[B] gives us the right to Freedom of Assembly, Freedom of Expression.

Mr Speaker, I want this House to look into the arrest of Thomas Moore Conteh who have being a civil society activist *[Applause]*.

HON. HINDOLO M. GEVAO: Thank you Mr Speaker. When we read the Constitution or we make reference to the Constitution we must read the entire Section so that we give absolute meaning to the issue that we are referring to.

Mr Speaker, I will refer the Public to the very Section that my colleague Honourable Member read, and it says after the A,B,C and D; "the subsequence provision of these Section shall have effect for purpose of affording protection to the aforesaid right and freedom subject to such limitation of that protection as are contained in those provision being limitation designed to ensure that the enjoyment of the said right and freedom by any individual does not prejudice the right and freedom of others or the public interest.

Mr Speaker, as Members of Parliament, we should allow institutions to do their jobs in the view to protect us and to protect the Public. We all listened to that incident today, a letter was written to the police for clearance and they were invited to a meeting instead of going to attend the meeting they demonstrated. It was at 98:1 F.M when they were hearing it, they stop them but they could not, and if enjoying your own freedom goes against the right of other people then a certain institution should be there to protect the lives and properties of the public. I am asking this Honourable House to allow the police to do their job, because the very Section referred to by Honourable kargbo is the very Section that is referring this House to ensure institution to allow people express their rights whiles the rights of other citizens are been protected. I have read it, I am not sure it is proper in this House. It is the duty or the mandate of the Sierra Leone police, if an arrest has been made investigation is on the way. We cannot stop the police from doing their job, if we stop the police from doing their job we can be attacked in this House and we will say the police cannot intervene. So I am asking colleague Honourable Members, if we can just listen and learn, it would be better for you, is a nation where people's rights have to be protected. Mr Speaker, I am asking that we leave these issues as it is while the police investigate the issue, because one cannot just jump into the street like anything. It is a serious issue and we are Legislators, we should not jump the gun because if we encourage it, tomorrow it will be an attack or a demonstration against us. Thank you *[Applause]*.

THE SPEAKER: Honourable Members, please take your seat. Of course, I will listen to the Leader of the Opposition to make his point and then I will make a ruling on this please.

HON. CHERNOH R.M. BAH: I want to thank you very much Mr Speaker. Mr Speaker, Honourable Members, there have been many instances in this House when issues do not required a debate but have ended up being a debate, and this is one such case. The Honourable Member, was just bringing the attention of this House to an incident that occurred this morning, but now that we have moved it to a debate, then so be it. Honourable Hindolo M. Gevao, I was very quiet when you were making your submission.

Mr Speaker, as I said; let me repeat for your attention that there have being many instances when issues do not required a debate but have ended up being a debate in this House. It is the right of every Member, whether the Member's position is valid or not to bring information to the notice of this House [*Applause*]. It is our right and that right cannot be debated or trample upon, it cannot because we are entitled to it. The issues that have been brought to the notice of the House rest with Mr Speaker, to decide what the next step should be, that is what is supposed to happen, but for us to open debate on this issue, we are doing the wrong thing.

Mr Speaker, Honourable Members, I want to use this opportunity to encourage colleagues that we are not here to score political point, and it is not all statement that should be viewed as being anti-party or contrary to your party's view. National issues are national issues. So, I want to encourage you Mr Speaker, now that you have heard the Honourable Member, you advice accordingly. I don't want to go into the history of what transpired last week but the fact of the matter is; there was a demonstration here in the premise of Parliament last week, and I was one of the Honourable Members that went to talk to the demonstrators. I was there myself and the Leader of Government Business, I am hearing this for the first time, I am baffled, but there might be two different instances or they might not be similar or the same. So, I will not venture into that, but the bottom line here is that, we have to ensure that we respect our rules and allow our procedures to be conducted accordingly. I thank you very much [*Applause*].

THE SPEAKER: I thank the Honourable Leader of the Opposition. Nothing can be more dangerous than when we seized our status in this House to make jack reaction to

invent happening outside of this Chamber. When you rise under S.O [23], please for the sake of the House, make sure that you keep within the parameters of S.O [23]. When you stray beyond those parameters, what you just witness is a snippet of what could easily generate into a controversy.

Honourable Members, you may all have being told in vary degrees about what have transpired outside of the Chamber whiles we were here, you were not direct witnesses. A lot of what you may have been told is an ear saying, it is an account of narrative of third parties. We all know that institution of state that have been given responsibility when such thing happens, go and find out exactly what the situation is. Advice yourself before you rise under S.O [23] to make a point here, if you do that then you are sowing the seed of discord and controversy every time. So, my appeal to all of you is that, whatever may have transpired outside, let us go and find out a bit more, this is not the last siting in this session, we are coming back, you could have every opportunity to bring this matter up again. For now I appeal to you again, and we have an outstanding matter awaiting our attention in Committee Room One. Let us all proceed to Committee Room One and attend to that matter at hand if you are so minded, you could rise this matter again and I will allow you to do so, by them you would have been fortified with the fact of the matter instead of asking purely on hear saying. Any Announcement?

ADJOURNMENT

[The House rose at 2:33 p.m. and was adjourned to Tuesday, 12th March, 2020 at 10:00 a.m.]