



**FOURTH PARLIAMENT
OF
THE SECOND REPUBLIC OF SIERRA LEONE
FIFTH SESSION, 2016/2017
SECOND MEETING OF PARLIAMENT
VOTES AND PROCEEDINGS**



THE HONOURABLE DEPUTY SPEAKER, CHERNOR R.M BAH IN THE CHAIR

OP/4/5/17

TUESDAY

4TH APRIL, 2017

THE HOUSE MET AT 10:38 A.M.

I. ATTENDANCE

THE FOLLOWING HONOURABLE MEMBERS OF PARLIAMENT WERE PRESENT:

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| 1. HON. BAH CHERNOR R.M. | (CONST.110 – WESTERN URBAN) |
| 2. HON. BAH IBRAHIM PARTEH | (CONST. 92 – WESTERN RURAL) |
| 3. HON. BANGURA BENNEH | (CONST. 55 – PORT LOKO DIST.) |
| 4. HON. BANGURA IBRAHIM M. | (CONST. 31 – BOMBALI DIST.) |
| 5. HON. BANGURA MABINTY H. | (CONST. 42 – KAMBIA DIST.) |
| 6. HON. BANGURA ROSEMARIE | (CONST. 66 – TONKOLILI DIST.) |
| 7. HON. BANYA IV P.C MOHAMED SAMA KAILONDO | (KAILAHUN DIST.) |
| 8. HON. BOIMA IV P.C PRINCE LAPPYA | (BO DIST.) |
| 9. HON. BRIG. BOYAH KOMBA E.S.(RTD) | (CONS T. 26 – KONO DIST) |
| 10. HON. BRAIMA MUSTAPHA M. | (CONST. 02 – KAILAHUN DIST.) |
| 11. HON. BRAIMA SAMUEL H. | (CONST. 16 KENEMA DIST.) |
| 12. HON. BUNDU IBRAHIM R. | (CONST. 52 – PORT LOKO DIST.) |
| 13. HON. CONTEH KARIFALA S. | (CONST. 98 – WESTERN URBAN) |
| 14. HON. CONTEH KEMOKOH | (CONST. 94 – WESTERN RURAL) |
| 15. HON. CONTEH OSMAN KARANKAY | (CONST. 50 – PORT LOKO DIST.) |
| 16. HON. DANCAY-BANGURA PATRICIA U. | (CONST. 37 – KAMBIA DIST.) |
| 17. HON. DABUNDEH AIAH DR. | (CONST. 20 –KONO DIST.) |
| 18. HON. DUMBUYA ALHAJI S. | (CONST. 49 – PORT LOKO DIST.) |
| 19. HON. EBBA TAMBA ENTOCHEMA | (CONST. 21 – KONO DIST.) |
| 20. HON. FATORMA SAHR | (CONST. 04 – KAILAHUN DIST.) |
| 21. HON. FAWUNDU SENESI | (CONST. 90 – PUJEHUN DIST.) |
| 22. HON. FOFANA AMADU | (CONST. 109 – WESTERN URBAN) |
| 23. HON. FOFANAH LEONARD S. | (CONST. 15 KENEMA DIST.) |
| 24. HON. FUNNA MABINTY | (CONST. 65 – TONKOLILI DIST.) |
| 25. HON. HASSAN SHERIFF B. | (CONST. 53 – PORT LOKO DIST.) |
| 26. HON. JABBI BU-BUAKEI DR. | (CONST. 08 KAILAHUN DIST.) |
| 27. HON. JENGO EDWARD S. | (CONST. 83 – MOYAMBA DIST.) |
| 28. HON. JOHNSON DAVID | (CONST. 111 – WESTERN URBAN) |
| 29. HON. JORKIE MOSES B | (CONST. 80 – BONTHE DIST.) |
| 30. HON. KAIKAI ANSUMANA J. | (CONST. 87 – PUJEHUN DIST.) |
| 31. HON. KAIKAI NAVO | (CONST. 01 – KAILAHUN DIST.) |
| 32. HON. KAINPUMU II P.C. ALEX M.J.J. | (BONTHE DIST.) |
| 33. HON. KAIKAI FRANCIS A. | (CONST. 10 – KENEMA DIST.) |
| 34. HON. KALLON DAUDA J.B. | (CONST. 93 – WESTERN RURAL) |
| 35. HON. KALOKO ABI | (CONST. 51 – PORT LOKO DIST.) |
| 36. HON. KALOKO ALIE | (CONST. 102 –WESTERN URBAN) |
| 37. HON. KALOKO BAI J. | (CONST. 64 – TONKOLILI DIST.) |
| 38. HON. KAMARA ALBERT DEEN | (CONST. 34 –BOMBALI DIST.) |
| 39. HON. KAMARA ALHASSAN | (CONST. 96 – WESTERN URBAN) |
| 40. HON. KAMARA ALHASSAN JERO | (CONST. 48 – KOINADUGU DIST.) |



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41. HON. KAMARA IBRAHIM	(CONST. 105 – WESTERN URBAN)
42. HON. KAMARA KOMBOR	(CONST. 56 – PORT LOKO DIST.)
43. HON. KAMARA MOHAMED JAWARA	(CONST. 100 – WESTERN URBAN)
44. HON. KAMARA NICHOLAS	(CONST. 54 – PORT LOKO DIST.)
45. HON. KANNEH ALUSINE	(CONST. 19 – KENEMA DIST.)
46. HON. KANU ABDUL SALAAM	(CONST. 101 – WESTERN URBAN)
47. HON. KANU AMADU MOHAMED	(CONST. 86 – MOYAMBA DIST.)
48. HON. KARGBO ALIMAMY G.	(CONST. 99 – WESTERN URBAN)
49. HON. KARGBO IBRAHIM BEN	(CONST. 30 – BOMBALI DIST.)
50. HON. KARGBO PATRICK L.M.	(CONST. 39 – KAMBIA DIST.)
51. HON. KARGBO ROLAND F. DR.	(CONST. 36 – BOMBALI.)
52. HON. KATTA ALFRED BRIMA	(CONST. 77 – BO DIST.)
53. HON. KEBBIE P.C. BRIMA VICTOR SIDI	(PUJEHUN DIST.)
54. HON. KEMOKAI LANSANA I.	(CONST. 18 – KENEMA DIST.)
55. HON. KOEDOYOMA KOMBA E.	(CONST. 27 – KONO DIST.)
56. HON. KONGOMOH II P.C JOSEPH ALI- KAVURA	(MOYAMBA DIST.)
57. HON. KONUWA FRANCIS A.	(CONST. 14 – KENEMA DIST.)
58. HON. KOROMA ABU BAKARR	(CONST. 57 – PORT LOKO DIST.)
59. HON. KOROMA DANIEL B.	(CONST. 46 – KOINADUGU DIST.)
60. HON. KOROMA SUALIHO M.	(CONST. 67- BO DIST.)
61. HON. KOWA EMMA J.	(CONST. 76 – BO DIST.)
62. HON. KOWA FRANCIS E.	(CONST. 107 – WESTERN URBAN)
63. HON. KPOSOWA FRANK	(CONST. 71 – BO DIST.)
64. HON. LAHAI BERNADETTE DR.	(CONST. 13 – KENEMA DIST.)
65. HON. LEWALLY ALPHA BABATUNDE	(CONST. 104 – WESTERN URBAN)
66. HON. LUNGAY ANDREW V.	(CONST. 12 – KENEMA DIST.)
67. HON. MANLY-SPAIN AJIBOLA E.	(CONST. 106 – WESTERN URBAN)
68. HON. MANSARAY JUSUFU B.	(CONST. 73 – BO DIST.)
69. HON. MANSARAY MOHAMED L.	(CONST. 47 – KOINADUGU DIST.)
70. HON. MANSARAY SAIDU	(CONST. 11 – KENEMA DIST.)
71. HON. MARAH ALUSINE	(CONST. 44 – KOINADUGU DIST.)
72. HON. MARAH LAHAI	(CONST. 45 – KOINADUGU DIST.)
73. HON. MARAH REGINA	(CONST. 05 – KAILAHUN DIST.)
74. HON. MBAYO ROSKY M.	(CONST. 24 – KONO DIST.)
75. HON. MOMOH MOIWAI	(CONST. 06 KAILAHUN DIST.)
76. HON. MUNDA HABIB B.	(CONST. 17 – KENEMA DIST.)
77. HON. MUNU ALIEU BADDARA K.	(CONST. 38 – KAMBIA DIST.)
78. HON. RADDAR HENNEH HASSAN	(CONST. 41 – KAMBIA DIST.)
79. HON. ROGERS DICKSON M.	(CONST. 89 – PUJEHUN DIST.)
80. HON. SALLU-LUGBU II P.C BAI BUREH	(PORT LOKO DIST.)
81. HON. SANBGAAH SAAH	(CONST. 22 – KONO DIST.)
82. HON. SANKA III P.C. BAI KURR KANAGBARO	(TONKOLILI DIST.)
83. HON. SANKOH IBRAHIM NOX	(CONST. 97 – WESTERN URBAN)
84. HON. SANNOH SHEKU	(CONST. 112 – WESTERN URBAN)
85. HON. SESAY ABDULAI DR.	(CONST. 63 TONKOLILI DIST.)
86. HON. SESAY DAN Y.	(CONST. 32 – BOMBALI DIST.)



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87.	HON. SESAY HASSAN A.	(CONST. 59 – TONKOLILI DIST.)
88.	HON. SESAY KUSAN	(CONST. 43 – KOINADUGU DIST.)
89.	HON. SESAY OSMAN SALLIEU	(CONST. 29 – BOMBALI DIST.)
90.	HON. SESAY VERONICA K.	(CONST. 85 MOYAMBA DIST.)
91.	HON. SHO-SAWYER MICHEL DR.	(CONST. 108 – WESTERN URBAN)
92.	HON. SILIKIE BASHIRU	(CONST. 72 – BO DIST.)
93.	HON. SILLAH MABINTY K.	(CONST. 28 – BOMBALI DIST.)
94.	HON. SISAY SULAIMAN M.	(CONST. 33 – BOMBALI DIST.)
95.	HON. SONSIAMA III P.C. SHEKU A.T. FASULUKU	(KONO DIST.)
96.	HON. CAPT. SOURIE FREDERICK S. (RTD)	(CONST. 23 – KONO DIST.)
97.	HON. SOBBA-STEPHENS MIMA Y.M.	(CONST. 84 – MOYAMBA DIST.)
98.	HON. SUMAH FODAY I. DR.	(CONST. 40 – KAMBIA DIST.)
99.	HON. SWARAY MOSES A.	(CONST. 74 – BO DIST.)
100.	HON. TARAWALLY UMAR PARAN	(CONST. 69 – BO DIST.)
101.	HON. TENGBEH SAHR	(CONST. 03 – KAILAHUN DIST.)
102.	HON. THOLLEY MOHAMED K	(CONST. 70 – BO DIST.)
103.	HON. THOMAS SEGEPOH S.	(CONST. 78 – BONTHE DIST.)
104.	HON. TUCKER TOM I.	(CONST. 25 – KONO DIST.)
105.	HON. TUNIS SIDIE MOHAMED	(CONST. 91 – PUJEHUN DIST.)
106.	HON. YEK II P.C. ALHAJI BAI SHEBORA	(KAMBIA DIST.)
107.	HON. YOKIE FODAY RADO	(CONST. 68 – BO DIST.)

THE FOLLOWING HONOURABLE MEMBERS OF PARLIAMENT WERE ABSENT:

1.	HON. ALIE JAMES N.D.	(CONST. 81 – MOYAMBA DIST.)
2.	HON. BUNDU SONGOWA	(CONST. 61 – TONKOLILI DIST.)
3.	HON. GBAPPY – BRIMA GLADYS GBEMOH	(CONST. 82 – MOYAMBA DIST.)
4.	HON. JAJUA ABU	(CONST. 07 – KAILAHUN DIST.)
5.	HON. KAMANDA CLAUDE D.M.	(CONST. 95 – WESTERN RURAL)
6.	HON. KAMARA MOHAMED	(CONST. 60 – TONKOLILI DIST.)
7.	HON. KAMARA SAIDU BABAH	(CONST. 58 – PORT LOKO DIST.)
8.	HON. KOROMA AARON A.	(CONST. 62 – TONKOLILI DIST.)
9.	HON. PEWA P.C. PRINCE MAMBU	(KENEMA DIST.)
10.	HON. SALAMY BOCKARIE N.	(CONST. 09 – KENEMA DIST.)

THE FOLLOWING HONOURABLE MEMBERS OF PARLIAMENT WERE ABSENT WITH EXCUSE:

1.	HON. CONTEH BRIMAH	(CONST. 79 – BONTHE DIST.)
2.	HON. FAWUNDU DAUDA D.	(CONST. 88 – PUJEHUN DIST.)
3.	HON. KABOMBOR II P.C. MANSA PAKI	(CONST. BOMBALI DIST.)
4.	HON. KUYEMBEH HELEN	(CONST. 75 – BO DIST.)
5.	HON. MARAH III P.C. ALIE BALANSAMA	(KOINADUGU DIST.)
6.	HON. SMITH ROSALINE J.	(CONST. 103 – WESTERN URBAN)
7.	HON. TURAY THOMAS B.	(CONST. 35 – BOMBALI DIST.)



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II. **PRAYERS:** The Table Clerk, **Mrs. Fatmata Bintu Weston**, said the prayer.

III. **SUSPENSION OF STANDING ORDER 5(2) AT 11:05 A.M.**

Hon. Alhaji S. Dumbuya (Const. 049 - Port Loko Dist.) moved the suspension of Standing Order 5(2). It was seconded by **Hon. Daniel B. Koroma (Const. 0456 - Koinadugu Dist.)**, and unanimously approved by the House.

IV. **RECORD OF VOTES AND PROCEEDINGS FOR THURSDAY , 30TH MARCH, 2017**

The motion for the adoption of the record of Votes and Proceedings of Thursday, 30th March, 2017, was moved by **Hon. Benneh Bangura (Const. 055-- Port Loko Dist.)**, seconded by **Hon. Kusan Sesay (Const. 043 - Koinadugu Dist.)** and unanimously adopted by the House.

V. **PRIVATE MEMBER'S MOTIONS**

Proposer: Hon. Sualiho M. Koroma (Const. 067 - Bo Dist.)

Seconder: Hon. Dickson M. Rogers (Const. 089 - Pujehun Dist.)

Be it resolved that:

The Statutory Instruments as listed below which were laid on the Table of this Honourable House on Thursday, 16th March, 2017, at 10:00 a.m., by the Attorney-General and Minister of Justice, be debated consistent with Standing Order 25(2)

- i. **Constitutional Instrument No. 43 of 2017, dated 15th March, 2017.**
- ii. **Statutory Instrument No. 44 of 2017, dated 15th March, 2017.**
- iii. **Statutory Instrument No. 45 of 2017, dated 15th March, 2017.**
- iv. **Statutory Instrument No. 46 of 2017, dated 15th March, 2017.**

CONTINUED DEBATE



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VI. STATEMENT BY MR. SPEAKER

Mr. Speaker reminded Members that the debate on the Statutory Instruments numbered 43,44,45, and 46 respectively was not concluded due to the Constitutional issues, which led to a motion that NEC be summoned to Parliament, in Committee Room No. 1 on Monday, 3rd April, 2017. After a spirited discussion over the issue, NEC admitted that they had made a Constitutional breach and that Parliament was right in bringing it up.

VII. STATEMENT BY THE MAJORITY LEADER – The Majority Leader, **Hon. Leonard S. Fofanah**, with regards to the issue above, wanted to know the way forward and added that the Statutory Instruments be withdrawn or expunged from the records.

VIII. REACTION BY THE MINORITY LEADER – The Minority Leader, **Hon. Dr. Bernadette Lahai**, adverting to the deliberations in Committee Room No. 1 regarding the Statutory Instruments 43,44,45, and 46 respectively which were laid by the Attorney-General and Minister of Justice on 16th March, 2017 and the Statutory Instrument entitled Provinces Act 2017, said that Parliament could no longer continue with the deliberations for the approval of the delegated legislations for constituencies and ward boundary delimitations and that the Statutory Instruments should be withdrawn and revisited by NEC and the Office of the Attorney General respectively, brought back to Parliament to undergo the necessary Legislative process.

Intervention by Mr. Speaker – That the question of withdrawing the instruments would have unpalatable implications having regard to parliamentary procedure, since the documents were not properly before the House.

Hon. Ansumana J. Kaijai – That the people of Sierra Leone wanted election to be held on 7th March, 2018 and that any action by Parliament must be in consonance



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with the will of the people. That the action of the Attorney General is lackadaisical and called on Parliament to do what is right.

He supported the idea that the voter registration process must go on, but added that laws may be made retroactively.

Intervention by Mr. Speaker – That Parliament must stand for what is legally right as the accredited **representative** of the people. That Parliament must be careful not to do what is illegal, since the registration is ongoing based on Statutory Instruments laid.

Hon. Deputy Speaker Chernor R.M. Bah (Const. 110 – Western Urban Dist.) (Deputy Speaker) – supported the previous debaters that the voter registration process continue, but Parliament must do what is right and correct the situation.

Hon. Foday Rado Yokie (Const. 068 – Bo Dist.) – added that the Attorney General and Minister of Justice should advise Parliament.

Intervention by Hon. Majority Leader Leonard S. Fofanah – Said that the Attorney General, who is from the Executive, could not advice Parliament on such matter since it is purely the business and decision of Parliament.

He further said that, approving the retroactive laws would be suspect for electoral purpose and concluded that the two Statutory Instruments must be withdrawn.

Hon. Dickson Rogers (Const. 089 – Pujehun Dist.) – That if there is a Constitutional breach 38(5), it is the Attorney General and Minister of Justice who should be held responsible as the documents were submitted to Parliament from the Attorney General's Office very late.

Hon. P.C. Bai Kurr Kanagbaro Sanka III (Tonkolili Dist.) – That the World and people of Sierra Leone are watching. If Parliament says no to the process, it would have effect on cost implications on government budget. He also reminded Members of the composition of Parliament consisting of the President, Speaker and 124 Members of Parliament. That Parliament should not take decisions that



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would be illegal or adversely affecting the people otherwise such decisions could be challenged in the Courts.

Hon. Speaker – At this juncture, Mr. Speaker warned that the mistakes must be corrected and that what is right may not be expedient. He said that the registration must go on, but Parliament should be careful in taking decision.

Hon. Agibola Manly-Spain (Const. 106 – Western Urban Dist.) – That the Leadership of Parliament met with NEC and came up with proposals to find a way forward and that the registration should not be stopped.

Hon. Ibrahim Ben Kargbo (Const. 030 – Bombali Dist.) – said that the registration is part of the electoral process and that any decision to scuffle the process would be problematic. He supported the idea that the registration should go on and that decisions taken must be consistent with the rules and regulations of the law, so that Parliament could not be challenged.

Declaration of Hon. Mr. Speaker – That in light of what had transpired so far and contributions made it seemed that it was the consensus of Members that the registration should go on.

QUESTION PUT AND AGREED TO

The motion was carried that registration must go on.

Hon. Sualiho M. Koroma Const. 067 – Bo Dist. – Cited section 106(5) of 1991 Constitution Act No. 6 with regards to retroactive laws and 73(2) respectively.

Intervention by Hon. Mr. Speaker – Reacted by overruling Hon. Sualiho's citation considering the decency and integrity of Parliament.

Hon. Sualiho M. Koroma – That Parliament resolved that - by adopting Statutory Instruments No. 44 and 45 respectively dealing with extension of time for registration and exhibition and that owing to the fact that Statutory Instruments



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No. 43 and 46 were not properly before the House, should therefore be withdrawn, revisited, fixed and brought back to Parliament, whilst the registration continues so that it would not affect the election date.

Intervention by Hon. Speaker – That the Statutory Instruments laid have a mandatory period of maturity of 21 days.

At this juncture, Mr. Speaker called on the Attorney General and Minister of Justice to respond.

Attorney-General and Minister of Justice – the Attorney-General and Minister of Justice responded to the following issues as follows:

1. **Timing of submission** – that the time for submission of documents was based on provisional census results that cannot be brought to Parliament if it is not finalized by the statistics office and cannot precede the Proclamation by the President. Secondly, it must be gazetted for a period of 9 days.
2. **Mode of introduction** – introduction in Parliament by Statutory Instruments instead of a Bill. That the electoral process are spelt out in sections 31 to 39 of the 1991 Constitution of Sierra Leone and that it should come by regulations.
3. **Legality of the process pursuant to section 38(5)** – that from the time the documents are laid up to dissolution, Parliament can do anything within that period and that the process need to be triggered by Parliament before the commencement of the registration process.

He finally concluded by saying that the whole registration process will collapse if the Statutory Instruments are withdrawn.

IX. SUSPENSION OF STANDING ORDER 5(2) AT 12 NOON FOR PROCEEDINGS TO CONTINUE DURING LUNCH TIME



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Hon. Alpha Babatunde Lewally (Const. 104 – Western Urban Dist.) moved the suspension of Standing Order 5(2), seconded by **Hon. Kusan Sesay (Const. 043 – Koinadugu Dist.)** and unanimously approved by the House.

DECISION BY THE RT. HON. SPEAKER – that since the Statutory Instruments would mature on the 6th April, 2017 and that it could not be stopped running whilst the debates are becoming more protracted, Mr. Speaker adjourned the House to Wednesday, 5th April, 2017 at 10:00 a.m. in order for the Attorney-General and NEC to quickly work on the issues highlighted by Members.

The House rose at 12:25 p.m.