



THIRD PARLIAMENT
OF
THE SECOND REPUBLIC OF SIERRA LEONE
FOURTH SESSION, 2010/2011
THIRD MEETING OF THE HOUSE
VOTES AND PROCEEDINGS

NO.40/2010/2011

THURSDAY

24THMARCH, 2011

THURSDAY, 24TH MARCH, 2011

THE HOUSE MET AT 10:00 A.M.

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

ATTENDANCE :

I. The following Honourable Members of Parliament were Present

1. HON.ALPHA-LAVALIE ELIZABETH T.
2. HON.BABONJO EMMANUEL T.
3. HON.BAH CHERNOR R.M.
4. HON.BANGURA BENNEH
5. HON.BANGURA KANDE C.
6. HON.BANNISTER MALCOLM S.
7. HON.BENYA V P.C. MOHAMED DHAFIE
8. HON.BETTS-PRIDY MANIE
9. HON.BUNDU IBRAHIM R.
10. HON.CONTEH DAVID B.
11. HON.CONTEH KONDEH YAPOH
12. HON.CONTEH MOININA

13. HON.CUFFIE JULIUS NYE
14. HON.DARAMY ALHAJI A.O.
15. HON.DUMBUYA SHEKU B.B.
16. HON.FASULUKU SAHR N.
17. HON.FORNAH MABINTY
18. HON.FOYAH ALICE M.
19. HON.HALLOWELL LLOYD MAGNUS
20. HON.HASSAN SHERIFF B.
21. HON.HINDOWA V P.C. BINDI SAMBA
22. HON.JOHNSON VICTOR C.
23. HON.JONES RAYMOND M.
24. HON.KAIKAI ANSUMANA JAIA
25. HON.KAIGBANJA TAMBA E.
26. HON.KAISAMBA JAMES A.
27. HON.KALAWA CHARLES H.
28. HON.KAMANDA CLAUDE D.M.
29. HON.KAMARA ABDUL R.
30. HON.KAMARA ALHAJI BUYA
31. HON.KAMARA KOMBOR
32. HON.KAMARA MORLAI B.S.
33. HON.KANU AMADU
34. HON.KANU KHALIL MOHAMED
35. HON.KARGBO ALIMAMY G.
36. HON.KARGBO KEWULAY M.
37. HON.KARGBO SUFIAN M.
38. HON.KARGBO PATRICK L.M.
39. HON.KEMOKAI LANSANA I.
40. HON.KING EUSTACE A.
41. HON.KOEDYOYOMA KOMBA E.
42. HON.KOMBE-BUNDU FLORENCE
43. HON.KONDEH DANDA M.
44. HON.KONTEH ABU
45. HON.KOROMA ABU B.
46. HON.KOROMA JACOB I.
47. HON.KOWA EMMA
48. HON.KPOSOWA FRANK
49. HON.MAC-BAILEY ALBERT
50. HON.MANLY-SPAIN AJIBOLA EMANUEL
51. HON.MANSARAY JUSUFU B.
52. HON.MANSARAY THOMAS I.

53. HON.MASSAQUOI ALOYSIUS M.K.
54. HON.MOMOH SIAFA J.
55. HON.MUSTAPHA JOSEPH A.
56. HON.NYUMA MATHEW S.
57. HON.OSHO-WILLIAMS BLISS
58. HON.PUJEH MOMOH
59. HON.ROGERS FRANCESS
60. HON.SAMURA UNISA S.
61. HON.SANKA III P.C.BAI KURR KANAGBARO
62. HON.SANKOH ALIE SALIEU
63. HON.SANKOH YILLAH NURU DEEN
64. HON.SESAY DAVID A.
65. HON.SESAY VERONICA K.
66. HON.SHERIFF P.C.ALLIEU B.
67. HON.SISAY SULAIMAN M.
68. HON.SOLOKU EDWARD A.
69. HON.SORIBA DAVID G.
70. HON.SUWU THERESA
71. HON.DR.TEAMBO MATTHEW M.T.
72. HON.THULLAH ALHAJI Y.
73. HON.TOMMY HENRY E.
74. HON.TONDONEH PHILIP TETEMA
75. HON.TORTO AUGUSTINE B.
76. HON.TURAY ALLIEU BADARA
77. HON.TURAY ALIMAMY C.
78. HON.TURAY SALAMATU
79. HON.REV.YANSANEH MARIE
80. HON.YEK ALHAJI BAI SHEBORA II P.C.

II. The following Honourable Members of Parliament were absent:

1. HON.BANYA IV P.C.MOHAMED SAMA KAILONDO
2. HON.BOYAH KES
3. HON.BUMBUYA DAUDA
4. HON.DUMBUYA SHEKU GIBRIL
5. HON.FEIKA SOLOMON W.
6. HON.FENGAI P.C.KAIMACHENDE S.K.
7. HON.KALLON MARCUS B.
8. HON.DR.KAMANDA MOURIE B.
9. KAMARA ALIMAMY A.

10. HON.KAMARA KOYA KALLA
11. HON.KAMARA MOMORIE MADUSU
12. HON.KAMARA PAUL
13. HON.KAMARA PHILIPSON H.
14. HON.KEBBIE P.C.BRIMA VICTOR SIDI
15. HON.KOROMA ISATU G.
16. HON.DR.LAHAI BERNADETTE
17. HON.LAVALIE JOLLY-BOY M.
18. HON.LEBBIE NENNEH
19. HON.LEWALLY ALPHA BABATUNDE
20. HON.MACARTHY SAM-MAY L.
21. HON.MARAH III P.C.ALIE BALANSAMA
22. HON.MOIJUEH EMILIE SAFULA
23. HON.MUNU ALLIEU BADDARA K.
24. HON.MUSA JINA JAMES
25. HON.MYERS BINTU
26. HON.SAM MUSA T.
27. HON.SAMA SHIAKA M.
28. HON.SANKOH LEGACY
29. HON.DR.SESAY MOSES M.
30. HON.TOMMY EMMANUEL W.

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

1. HON.BANGURA IBRAHIM M.
2. HON.FALEY ROBIN E.S.
3. HON.JALLOH MARIE M.
4. HON.JUMU ERIC B.
5. HON.KANGOVA II P.C.JEREMIAH SINNAH-YOVONIE
6. HON.KASANGA II P.C.BAI SEBORA
7. HON.KONUWA FRANCIS A.
8. HON.RADDAR HENNEH HASSAN
9. HON.SALLU-LUGBU II P.C.BAI BUREH
10. HON.SORIE IBRAHIM
11. HON.TARAWALLIE MOHAMED A.
12. HON.YOKIE FODAY RADO

IV. PRAYERS: The Clerk of Parliament read the prayer.

POINT OF OBSERVATION.

Before the commencement of the Proceedings of the House, Hon. S.B.B.Dumbuya, Majority Leader of the House and Leader of Government Business recommended that dates of the records of Votes and Proceedings should be stated in the Order Paper.

V. CORRECTION AND ADOPTION OF VOTES AND PROCEEDINGS FOR THE SITTING OF PARLIAMENT HELD ON TUESDAY 22NDMARCH,2011:

The records of Votes and Proceedings (No.39/2010/2011) of Tuesday 22ndMarch,2011 was adopted by the House, following a motion moved by Hon. Komba E. Koedoyoma and seconded by Hon. Moinina Conteh.

VI. LAYING OF PAPERS:

The House ratified the following papers on item III (A) and (B) of the Order Paper for Tuesday 22ndMarch,2011 which were laid on the Table of the House by the Deputy Minister of Finance and Economic Development, Mr. Momodu Kargbo, in accordance with the Provisions of Section 57 (1) of the Government Budgeting and Accountability Act, 2005 which stipulates as follows:

“ (1) As soon as the Public Accounts of the Financial Year have been closed, and not later than three months after the end of that Financial Year, the Accountant General shall draw up and sign an Annual Statement of Public Accounts which, together with his Annual Report on the Public Accounts, he shall submit to the Minister.”

(A) Report and Annual Statement of Public Accounts for Financial Year Ended 31stDecember,2008, (Audited).

(B) Report and Annual Statement of Public Accounts for Financial Year Ended 31stDecember,2009, (Unaudited).

VII. QUESTION:

001 - Hon.Tamba E.Kaigbanja, asked the Minister of Transport and Aviation the reason for:

(i) Raising the airport tax from US\$ 40 TO US\$ 65

- (ii) Charging the airport tax in US Dollars instead of Leones which is the legal tender.

RESPONSE.

The Minister of Transport and Aviation responded to questions posed by the Honourable Members as follows :

1. That charges levied by the Authority on passengers were not an imposition of tax, but a service or user charges which are levied in accordance with Section 8 (e) of the Sierra Leone Airport Authority Act, 1988 which stipulates thus: “ The Authority may with the approval of the Minister;introduce revised user charges based on a convertible currency to reflect the commercial nature of the Authority”.
2. The increase in levy from US\$ 40 to US\$ 65 was done;
 - (a) To reflect the commercial nature of the Authority for security charges at US\$ 5 per passenger and US\$ 20 for infrastructural development at the Airport and;
 - (b) To enable the Authority conform with minimum international standards for Aviation safety.
 - i. The benefit, the Minister observed in collecting the levy in US dollars was to enable the Authority to compare and contrast with other regional airports;
 - ii. But that the ability or option for passengers to pay the charges in US dollars or Leones was voluntary and not obligatory;

SUPPLEMENTARY QUESTIONS

Hon. Tamba E.Kaigbanja posed two subsidiary questions to the Minister and directed his attention to the provisions of Section 110 Sub-sections (1) and (2) of the Constitution of Sierra Leone (Act No. 6 of 1991), which stipulate among other things that the power to impose, alter, levy, waive taxation rests with Parliament.

In view of the above, Hon. Tamba Kaigbanja noted among other things that the Statutory Instrument relating to the regulations to levy user,s or service charges by the Authority should have been gazetted and laid on the Table of the House for ratification, to give legal effect to the charges levied in accordance with the relevant provisions of the Constitution, Standing Orders 18 (1) and the relevant provision of the Airport Authority Act of 1988.

The Honourable Member concluded on the note that if the Airport Authority’s Act is at variance with the provisions of the Constitution which is the fundamental law and guiding principle for all legislations, then the Authority’s Act should be amended.

Hon. Ansumana Kai Kai also directed the attention of the House to the provisions of Section 170 Sub-section (7) of the Constitution with a view to adhering to the said provision of the Constitution.

The Majority Leader of Parliament and Leader of Government Business (Hon. Sheku B.B. Dumbuya), Hon. Elizabeth Alpha-Lavalie, Hon. Chernor R.M.Bah, Hon. Ajibola Manly-Spain and Hon. Ibrahim R. Bundu also contributed to the question posed.

MR. SPEAKER'S RULING.

In view of the above, the Hon. Speaker of Parliament made the following ruling :

1. That the Minister of Transport and Aviation should seek consultations with the Attorney General and Minister of Justice to get his legal opinion on the matter and appear at a later date before Parliament to provide answers to the question posed by the Honourable Member.
2. Members of Parliament should put off their mobile phones when they are in the Chamber of Parliament.

ANNOUNCEMENTS:

The following announcements were made by the Speaker of Parliament:

1. There will be a very important meeting of the Parliamentary Service Commission in the Conference Room on Thursday 24th March, 2011 at 12: 00 noon.
2. Members of the 50th Anniversary Committee would be meeting with Members of Parliament in Committee Room 1, Parliament Building at 2:00 p.m.
3. Hon. Ibrahim R. Bundu informed the House as follows, there would be a Pre-Legislative hearing on the following Bills : " THE SIERRA LEONE HEALTH COMMISSION ACT", and the " LOCAL COURT ACT", in Committee Room 1, Parliament Building on Monday 28th March, 2011 at 11:00 a.m.

The Principal Clerk of Committees also made the following announcement :

1. That the Education Committee will meet with Officials of UNICEF in Committee Room 1, Parliament Building at 1:00 p.m.

THE HOUSE ADJOURNED TO TUESDAY, 29TH MARCH, 2011 AT 10:00 A.M.

THE HOUSE ROSE AT 1:30 P.M.