



**National Assembly, New Assembly Building, Reginald Pye Lane,
Banjul, The Gambia**

PARLIAMENTARY DEBATES

[HANSARD]

**OFFICIAL HANSARD REPORT
FOURTH SESSION – FIRST MEETING
MONDAY 23RD SEPTEMBER, 2020
*SESSION – 2020***



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Gambia**

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Third Meeting of the Session of the Fifth Assembly
of the Second Republic of The Gambia.
Proceedings of the Sitting of Monday 23rd November, 2020

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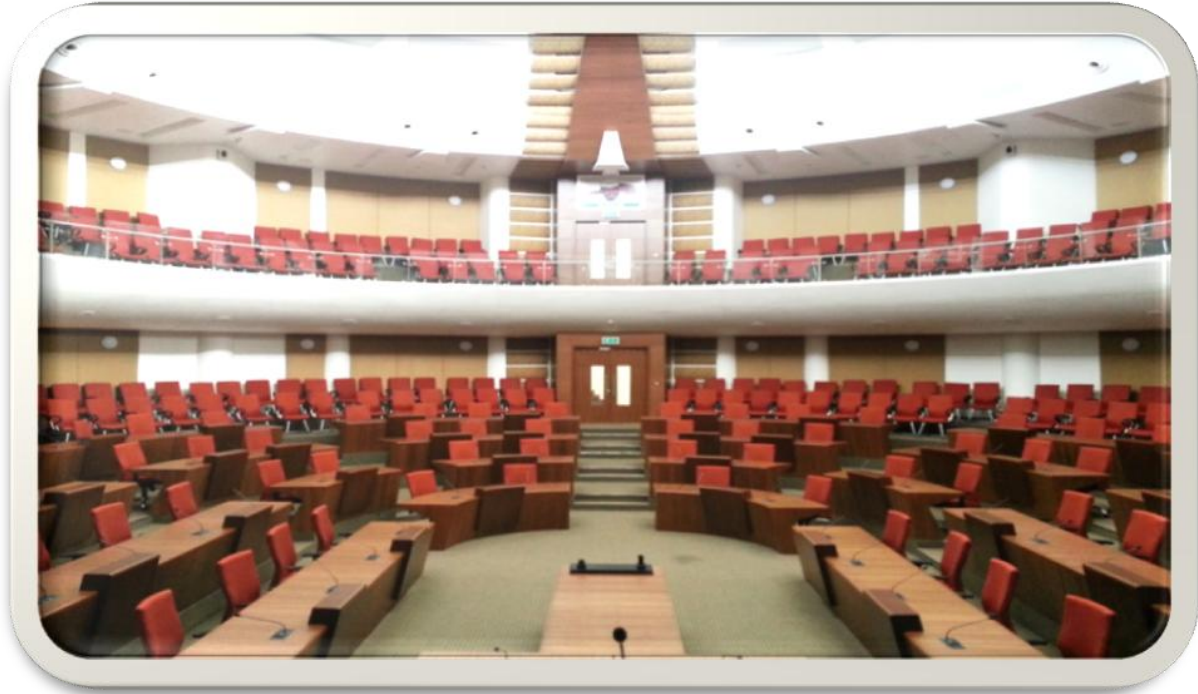
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THE CHAMBERS OF THE NATIONAL ASSEMBLY OF THE GAMBIA

OFFICIAL HANSARD REPORT OF THE PROCEEDINGS OF THE HOUSE

**SECOND SESSION – SECOND MEETING
OF THE FIFTH ASSEMBLY
OF THE SECOND REPUBLIC**

MONDAY 23RD SEPTEMBER, 2020

MORNING SESSION

1. PRAYERS

[The Speaker, Hon. Mariam Jack Denton, Read the Prayers]

[The House met at 11:00 a.m. In the New Parliament Building, Reginald Pye Lane, Banjul].

[The Speaker, Hon. Mariam Jack Denton, in the Chair]

The House was called to Order

THE SPEAKER: Good morning Honourable Ministers and Honourable Members. May I crave your indulgence to observe a minute of silence in honour of the late Honourable Lamin Dibba former Member of this august Assembly and former Minister of Local Government, Lands and Agriculture? Thank you, may the Almighty Allah have mercy on his soul and grant him Jannatul Firdausi, amen!

2. Communication from the Chair

THE SPEAKER: Honourable Members, you are welcome to today's sitting of Monday 23rd November, 2020. May I also welcome the Honourable Ministers here with us and their teams. Honourable Members, I know the activities of the Assembly during the past week was a marathon and indeed a very hectic one right from the pre-budget training and consultations to the Committee bilateral with Sectors, Ministries and Agencies to consider and scrutinize one of the most important documents of the land, the [2021 Draft Budget Estimates of Revenue and Expenditure], which was earlier tabled by the Honourable Minister of Finance and Economic Affairs on Thursday 12th November, 2020. I commend all Honourable Members for their steadfastness and commitment to national duties. I equally commend the efforts of the Staff through the office of the Clerk of the National Assembly.

Honourable Members, as indicated on today's Order Paper, we will have the first reading of about six bills and thereupon, the Assembly will adjourn to allow Committees to finalise their reports including the consolidation and scrutiny by FPAC before

consideration and proper debate on the Draft Estimate. Consideration will commence tomorrow 24th November, 2020.

3. Correction and Approval of Records of Votes and Proceedings of the National Assembly Sitting of Thursday 12th November, 2020.

THE SPEAKER: Honourable Members, the Record of Votes and Proceedings of the National Assembly Sitting of Thursday 12th November, 2020 is before us for consideration and approval. Can any Honourable Member please move that the said record be considered and approved?

HON. SUWAIBOU TOURAY [WULI EAST]: I rise to move that the Record of Votes and proceedings of the National Assembly Sitting of Thursday 12th November, 2020 be corrected and approved.

THE SPEAKER: Any seconder?

HON. FODAY NM DRAMMEH [TUMANA]: I so, second.

[Question Proposed]

THE SPEAKER: Any issues or observations from Honourable Members? Can we start from page 1, any observation or corrections?

HON. BABA GALLEH JALLOW [SANIMENTERENG]: Madam Speaker, my name is not captured in the attendance register.

HON. MOMODOU CAMARA [FONI BINTANG KARANAI]: Madam Speaker, still now I am on the correction of my constituency name. Still, they are putting Foni Bintang and it should be Foni Bintang Karanai.

THE SPEAKER: Table Office, can we correct it once and for all, can you assist us with the number?

HON. MOMODOU CAMARA [FONI BINTANG]: Number 8.

THE SPEAKER: Please we will try to correct it in the system. Thank you very much. Any more on page 2?

HON. SAINÉY TOURAY [JARRA EAST]: Thank you Madam Speaker. Excuse me for taking you back, it is just a clarification on the cover page which reads: "National Assembly New Assembly Building "Reverend Pye Lane" and if you come down it says Office of the Clerk National Assembly Service New Assembly Building "Reginald Pye Lane". Are they the same "Reverend Pye Lane" and "Reginald Pye Lane"? Thank you.

THE SPEAKER: I have seen your observation but we will check it and confirm the correct one. Member for Banjul North may probably help us.

HON. OUSMAN SILLAH [BANJUL NORTH]: The official name is "Reverend Reginald Pye Lane". In fact it should be "Reginald Passe Pye Lane" but put "Reverend Reginald Pye Lane"

HON. ASSAN TOURAY [BAKAU]: On page 3 where you have the following National Assembly "Members" instead of "Member"

HON. AMADOU CAMARA [NIANIJA]: Page 4, on the heading, the Honourable Member for Niamina West Constituency, the paragraph that follows it, with your permission can I read it? "At this juncture, Honourable Speaker congratulated and welcomed the newly elected Honourable Member for Niamina West Constituency to the National Assembly and assured him that Honourable Members and Staff of the "Assembly" "National" should be there. Then it continues "would provide him with the necessary support to execute his functions as a Member of the "Assembly" "National Assembly" again.

Another observation is Communication from the Chair on the last paragraph. "She opined that the Corona Virus [COVID-19] pandemic still exists in the country and thus, urged all to adhere to the relevant safety measures and regulations as stipulated". "By WHO and Ministry of Health".

HON. MUHAMED MAGASSEY [BASSE]: Thank you Madam Speaker. I want to consult my colleagues on the first line under Administration of Oath. "Following the by-election of a new Member of Niamina West Constituency", I am not comfortable with the wording. Following the election of the new Member through the Niamina West Constituency by-election, I want to propose that but I want to consult my colleagues.

THE SPEAKER: It is a language that he is not comfortable with, we will look at it again and see.

HON. SAINÉY TOURAY [JARRA EAST]: I want to help my colleague with the language, it is in order.

THE SPEAKER: He indicates that it will be looked into, let us not belabour that point.

HON. MOMODOU CAMARA [FONI BINTANG]: Page 5, last paragraph on Question Proposed, Put and Agreed to. It was moved and seconded that "the" August Assembly do adopt "this" August Assembly.

HON. ALHAGIE DARBOE [LOWER FULLADU WEST]: Thank you very much. Page 5 second paragraph the fifth line [first January- 31st December 2021 both dates inclusive].

HON. OUSMAN TOURAY [SABACH SANJAL]: Let me read the second paragraph with your permission Madam Speaker, " The record of Votes and Proceedings of the National Assembly Sitting of Thursday 24th September 2020 was therefore adopted with amendments as "the" true record of the proceedings. I want to believe that "the" should be looked at.

THE SPEAKER: I could not capture what you actually said.

HON. OUSMAN TOURAY [SABACH SANJAL]: The words "therefore" and "the" I am not comfortable with them in this sentence.

THE SPEAKER: You are not comfortable with the sentence.

HON. OUSMAN TOURAY [SABACH SANJAL]: let me read this sentence again and please follow.

The Record of Votes and Proceedings of the National Assembly Sitting of Thursday 24th September 2020 was “therefore”, it should be “was adopted”. I do not think that the word “therefore” should be there. “Adopted with amendments as the true record of proceedings. “The” should also be omitted.

THE SPEAKER: We will consult with the teachers. Thank you. Any more observation, amendments or proposals?

HON. SUWAIBOU TOURAY [WULI EAST]: If you go under where you have Minister of Finance and Economic Affairs, the paragraph under that which reads: The Hon. Speaker called on the word “on” is missing.

HON. AMADOU CAMARA [NIANIJA]: Still on Page 6 after the paragraph, the Honourable Member was reading the next paragraph where you have the Honourable Minister for Finance and Economic Affairs moved his Motion. I think it should be read as “Honourable Minister for Finance and Economic Affairs moved the Motion”. Again “to table” that also, I think it is not very okay, you can just put “move the Motion for the Draft 2021 Estimate”, then you continue instead of putting “his” and “table”. That is my opinion.

HON BILLAY G. TUNKARA [KANTORA]: I think I am comfortable with this because the Motion belongs to his Ministry, so there is nothing wrong. We are reporting what really transpired in the Assembly. He did move the Motion before the Assembly.

THE SPEAKER: Any more on page 6, Page 7?

HON. ASSAN TOURAY [BAKAU]: When the question was put for those in favour to say ‘Aye’, the word “please” is left out.

THE SPEAKER: Anymore on page 6?

HON. OUSMAN TOURAY [SABACH SANJAL]: Thank you Madam Speaker. Paragraph 6, let me read with your permission. Hon. Minister for Finance and Economic Affairs moved his motion to table the Draft 2021 Estimates of Revenue and expenditure of the Government of The Gambia for the consideration and adoption. I believe “the” should go off.

HON. SUWAIBOU TOURAY [WULI EAST]: Page 7 the third paragraph on the last line. Draft “Estimate”, we always say “Estimates”. Thank you.

HON. LAMIN FM CONTA [KOMBO EAST]: The last line of the second paragraph. Hon. Speaker emphasized that the document would require “the” thorough scrutiny and consideration of the Assembly. I believe “the” should be removed.

THE SPEAKER: That is what you think, It is okay. Yes, any further observations on page 7. We then move over to page 8.

HON. SAINÉY TOURAY [JARRA EAST]: Page 8 under Adjournment. “BE IT RESOLVED THAT THIS august Assembly. I am seeing that after capital letter [B], the rest are italics. It should be in lowercase as opposed to uppercase. Be it resolved that this, they are all in italics, capital letters. It should be in lowercase. Thank you.

[Question Proposed, Put and Agreed to]

[That the Record of Votes and Proceedings of the National Assembly Sitting of Thursday 24th September, 2020 be approved with amendments]

4. BILLS:

Standing Orders 65-First Reading of the following Bills:

- i. Public Private Partnership [PPP] Bill, 2020 [By: Hon. Minister for Finance and Economic Affairs]**

THE SPEAKER: Honourable Members, in accordance with Clause [65], only the first reading of the bills will be done today. The Public Private Partnership [PPP] Bill 2020. [By the Honourable Minister for Finance and Economic Affairs. I would now call on the

Honourable Minister of Finance and Economic Affairs who is in charge of the Bill to handover the copy of the Bill to the Clerk of the National Assembly to read aloud the short title whereupon the Bill shall be deemed to have been read the first time. Thank you Honourable Minister, kindly give us a minute to take the observations.

[POINT OF OBSERVATION]

HON. YA KUMBA JAITEH [NOMINATED]: Thank you Madam Speaker. It has just come to my notice that the said Bill is not accompanied by the objects and reasons and also the date of gazette has not been indicated. I just want us to verify before it is presented.

THE SPEAKER: legally, I am not sure whether that can stop him. It is an observation that you can raise and it was raised many times that the objects were not adequate but I will invite views on that.

HON. MUHAMED MAGASSY [BASSE]: I think the observation is not bad but formally, at this point in time, we do not have the document in our hands. Observations will be raised on the document if it is officially submitted to the parliament. It is not yet submitted, therefore, it is not a document of parliament yet. I do not reject the observation but the time it comes is what I am talking about. Thank you.

HON. BILLAY G. TUNKARA [KANTORA]: Thank you very much Madam Speaker. I respect the observations made. However, at this point in time, hence in the first reading, the Parliament is not going through the Bill proper and that observation might be relevant in the second reading of the Bill.

THE SPEAKER: Yes, we will take the bills and then the observations. We do not have to quarrel over it.

HON. HALIFA SALLAH [SERREKUNDA]: Madam Speaker, all you have to confirm is whether what is with us lacks the statement of objects and reasons and if that is the case, under Standing Order [64] it cannot be laid. *[Applause]*. Madam Speaker, I am

saying that you ought to confirm whether the copy of the Bill submitted to the Members lacks the statements of objects and reasons, if that is the case, it cannot be laid and should be sent back for the objects and reasons to be put.

THE SPEAKER: Can you give us the reasons if that is the case?

HON. HALIFA SALLAH [SERREKUNDA]: Standing Order [64] says; *"every bill shall be accompanied by a memorandum signed by the person in charge of the Bill containing a statement of the objects and reasons of the Bill, including - the nature etc. 64[2] No bill shall be introduced unless accompanied by a memorandum"*.

THE SPEAKER: Equally, it is correct that there is no objects and reasons; it is omitted. Yes, I have confirmed on the document that there are no objects and reason. I was with the impression that there was something of the sort but there was nothing.

Can we just be guided? Honourable Member for Serrekunda raised two points for us to confirm regarding the difference between what has been submitted and what Honourable members have in their possession. Please Honourable Members, can you check your copies whether it is the same or not? Some have it and some do not. The rule is that everybody should have a correct copy and if everybody does not have a correct copy, then it means that the rules have not been followed. So, probably we will put that aside and let him regularise it and then we come back tomorrow.

In fact, the one that I have does not have any. Let us allow them time to regularise, put their house in order. They can always do that. I do not have it and some Honourable Members are also saying that the copies circulated to them do not have it. So, there is something missing in the Bill, I stand to be corrected. What I am suggesting is to keep this Bill, move forward and proceed. There is no need to argue over it and then they will put their house in order.

ii. The Gambia Public Procurement Authority [GPPA] Bill, 2020 [By: Hon. Minister for Finance and Economic Affairs]

THE SPEAKER: Thank you very much Honourable Members, in accordance with Clause [65] of the Standing Orders, only the first reading of the Bill entitled the Gambia Public Procurement Bill 2020 by the Honourable Minister of Finance and Economic Affairs was done, may I now invite Honourable Minister who is in charge of the Bill to handover the copies of the Bill to the Clerk of the National Assembly who will then read it aloud with the subtitle whereupon the Bill shall be deemed to have been read the first time. Thank you. I hope that one is in order.

CLERK: The Gambia Public Procurement Authority [GPPA] Bill, 2020.

THE SPEAKER: I was suggesting that we let the first reading to be done before we do the necessary stages under our Standing Orders or do we do it one by one? It takes time though. The Bill entitled 'The Gambia Public Procurement Bill, 2020' has been read the first time. The next stage of the Bill is appointed for Monday 30th November 2020 for the person in charge of the Bill to move a motion for the second reading in accordance with Standing Order Clause 66[2] which reads; *"At the conclusion of the proceedings on the first reading or on any subsequent stage of a bill, the next stage may be taken either forthwith or upon a day to be named, providing that second reading shall be taken no sooner than one working day after the first reading"*.

iii. The Capital Market Bill 2020[By: Honourable Minister for Finance and Economic Affairs]

THE SPEAKER: May I now invite the Honourable Minister to hand over the copies of the Bill to the Clerk of the National Assembly who will read the subtitle aloud. I need to be guided because I have not seen your copies. If it is not there then, in that case we will skip it for regularisation so that everybody has a copy which has the reasons and objects. Thank you.

[POINT OF OBSERVATION]

HON. MOMODOU S. CEESAY [JANJANBURREH]: The copy we have reads Capital Market and Security Bill... *[Interruption]*.

iv. National Accreditation and Quality Assurance Authority [NAQAA] Bill, 2020 [By: Honourable Minister for Higher Education, Research Science and Technology]:

THE SPEAKER: May I invite the Honourable Minister for Higher Education, Research Science and Technology to read aloud the subtitle whereupon the Bill shall be deemed to have been read a first time.

CLERK: National Accreditation and Quality Assurance Authority [NAQAA] Bill, 2020.

THE SPEAKER: Honourable Members, the Bill has been read a first time. The next stage of the Bill is appointed for Monday 30th November 2020 for the person in charge of the Bill to move a motion for the second reading in accordance with Standing Order Clause 66[2] which reads; *"At the conclusion of the proceedings on the first reading or on any subsequent stage of a bill, the next stage may be taken either forthwith or upon a day to be named, providing that second reading shall be taken no sooner than one working day after the first reading"*.

[POINT OF OBSERVATION]

HON. ALAGIE JAWARA [LOWER BADDIBU]: Madam Speaker, I want to observe that the Honourable Minister for Health is around before we proceed.

v. National Health Insurance Bill 2020 [By: Honourable Minister for Health]:

THE SPEAKER: May I invite the Honourable Minister of Health to hand over the copies of the Bill to the Clerk to read aloud the subtitle whereupon the Bill shall be deemed to have been read a first time.

CLERK: The National Health Insurance Bill 2020 [By: Honourable Minister for Health]:

THE SPEAKER: Honourable Members, the Bill has been read a first time. The next stage of the Bill is appointed for Monday 30th November 2020 for the person in charge of the Bill to move a motion for the second reading in accordance with Standing Order Clause 66[2] which reads: *“At the conclusion of the proceedings on the first reading or on any subsequent stage of a bill, the next stage may be taken either forthwith or upon a day to be named, providing that second reading shall be taken no sooner than one working day after the first reading”*.

vi. The Information and Communication [Amendment] Bill, 2002 [By: Hon. Minister for Information and Communication Infrastructure].

THE SPEAKER: I am just being informed on the Order Paper that, we have another Bill which is the Information and Communication [Amendment] Bill, 2002 but the Honourable Minister is not here. I am not sure whether he has delegated someone to oversee on his behalf to table it, otherwise we just have to proceed without it. In the absence of that, I wish to thank Honourable Members and Honourable Minister. I wish to adjourn the sitting to tomorrow Tuesday 24th November, 2020 at 10:00 a. m to begin the consideration and debate proper on the 2021 Estimates of Revenue and Expenditure of the Republic of The Gambia for the period 1st January – 31st December 2021 both dates inclusive.

ADJOURNMENT

[Question Proposed, Put and Agreed to]

[The House now stand adjourned till Tuesday 21st November, 2020]