



REPUBLIC OF THE GAMBIA.

THE GAMBIA
HOUSE OF REPRESENTATIVES

PROCEEDINGS OF THE th 7 MEETING
IN THE 1982/83 LEGISLATIVE SESSION.

Office of the Clerk of the House
Legislature Department
Independence Drive
Banjul, The Gambia.

P R E S E N T



The Hon. Speaker

Alhaji Sir Alieu S. Jack

The Deputy Speaker

Hon. Amulie Janneh

The Vice President and Leader of Government Business
in the House of Representatives
The Hon. Bakary B. Darbo

The Minister of External
Affairs, Hon. Alhaji Lamin
Kiti Jabang.

The Minister of Finance and
Trade, Hon. Sheriff Sisay.

The Attorney General and
Minister of Justice, Hon.
Fafa E. M'Bai.

The Minister of Health,
Labour and Social Welfare,
Hon. Muhamadu Cherno Jallow.

The Minister of Agriculture
Hon. Saihou Sabally.

The Minister of Water
Resources and the Environ-
ment, Hon. Omar A. Jallow.

The Minister of the
Interior, Hon. Alhaji
A E W F Badgi.

The Minister of Works and
Communications, Hon. Lamin
Bora M'Boge.

The Minister of Local
Government and Lands, Hon.
Kebba Jawara.

The Parliamentary Secretary,
President's Office, Hon.
Alhaji Yaya Ceesay.

The Minister of Educa-
tion, Youth, Sports and
Culture, Hon. Abdoulie
A. NJai.

The Parliamentary Secretary,
Ministry for Local Government
and Lands, Hon. Seni Singhateh.

The Parliamentary Secretary,
Ministry of External Affairs
Hon. Matthew Yaya Baldeh.

The Parliamentary Secretary,
Ministry of the Interior,
Hon. Alhaji Jallow Sanneh.

The Parliamentary Secretary,
Ministry of Agriculture,
Hon. Dr. Lamin K. Saho.

The Parliamentary Secretary,
Ministry of Works and Com-
munications, Hon. Talib
Omar Bensouda.

Hon. Assan Musa Camara

Elected Member (Kantora)

Hon. Alhaji M. L. Saho

" " (Banjul Central)

Hon. Dembo Jatta

" " (Central Kombo)

Hon. Alhaji M. C. Cham

" " (Tumana)

Hon. Kebba N. Leigh

" " (Sami)

Hon. I B A Kelepha Samba	Elected Member	(Banjul North)
Hon. B L K Sanyang	" "	(Western Foni)
Hon. Momodou M. Taal	" "	(Banjul South)
Hon. Phoday Makalo	" "	(Lower Baddibu)
Hon. Fodayba Jammeh	" "	(Illiasa)
Hon. Dembo Bojang	" "	(Bakau)
Hon. Dodou N'Gum	" "	(Lower Niumi)
Hon. Bubacarr M. Baldeh	" "	(Basse)
Hon. Henry M. Jammeh	" "	(Eastern Foni)
Hon. Alhaji A K Touray	" "	(Sandu)
Hon. Malang Ida Bojang	Nominated Member	
Hon. Alhaji Abdoulie S. M'Boob	" "	
Hon. Abdoulie Dandeh-NJie	" "	
Hon. Seyfo Dodou Sonko	Headchiefs' Member	
Hon. Seyfo Sheriff Sanneh	" "	
Hon. Seyfo Mohammed Sagnia	" "	
Hon. Seyfo Ebou Colley	" "	
Hon. Seyfo Musa Koma	" "	

A B S E N T

The Minister of Information and Tourism, Hon. Landing Jallow Sonko.	The Minister of Economic Planning and Industrial Development, Hon. Dr. Momodou Manneh.
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The Parliamentary Secretary, Ministry of Health, Labour and Social Welfare, Hon. Mrs. Louise A. NJie.	The Parliamentary Secretary, Ministry of Finance and Trade, Hon. M'Bemba Jatta.
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The Parliamentary Secretary, Ministry of Education, Youth, Sports and Culture, Hon. Mrs. Nyimasata Sanneh

Hon. Dr. S J Palmer	Nominated Member
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SITTING OF TUESDAY 3RD MAY, 1983

THE HOUSE MET AT 5 P.M.

(MR. SPEAKER IN THE CHAIR)

1. P R A Y E R

2. ADMINISTRATION OF OATHS

Hon. Saihou L. Barrow was sworn-in to take his seat as the elected member for ~~Eastern Foni~~ following a by-election in that constituency.

3. Q U E S T I O N S

Nos. 214/82/83 - 215/82/83 - By the Vice
~~President.~~

Nos. 216/82/83 - 217/82/83 - By the Minister of
Finance and Trade.

No. 218/82/83 - By the Attorney
General and Minister
of Justice.

Nos. 219/82/83 - 220/82/83 - By the Minister of
Health, Labour and
Social Welfare.

Nos. 221/82/83 - 222/82/83 - By the Minister of
Agriculture.

Supplementary to Question No. 222/82/83

Member for
Eastern Foni

Q. Mr. Speaker I am just from
the Foni and there is no subh
thing up to Kartong.

Minister of
Agriculture

A. Mr. Speaker, I would request
the Hon. Member to go back to
the villages where the pro-
grammes are being held because
this is a continuous programme
and there is no problem.

No. 223/82/83 - By the Minister of Information and Tourism.

Supplementary to Question No. 223/82/83

Member for
Lower Niumi

Q. May we know what plans are in hand?

Vice President

A. There is a project to build a Guest House at Juffure which has been suspended because of lack of funds and it is stated here that as soon as funds are available work will resume. I don't know what the Member wants to ask here or what plans he is referring to.

4. M O T I O N S

The Minister of Finance and Trade moved the following motions:-

- (i) "BE IT RESOLVED that the sum of D1,789,906 be withdrawn from the Development Fund for the year 1982/83 for the purpose detailed in the schedule of Development Fund Estimates for the period November 1982 to March 1983.

AND

BE IT FURTHER RESOLVED that this House do meet at 10.00 a.m. on Wednesday 4th May, 1983 for the purpose of considering the Supplementary Estimate (Recurrent/Development) for the period November 1982 to March 1983".

Seconded by the Minister of Health, Labour and Social Welfare, the motion was proposed and there being no debate, the question was put and the motion passed.

- (ii) "BE IT RESOLVED that this House do ratify the Loan Agreement between the African Development Fund and The Republic of The Gambia on the 7th day of February, 1983 in the amount of UA 9,330,000 (approx. D25.5 million) for financing the foreign exchange cost and part of the local cost of the Livestock Development Project".

Introducing the motion, the Minister of Finance and Trade said: "Mr. Speaker, Sir, Livestock Production is an important economic activity in The Gambia, however its full potential has not yet been exploited. The development and exploitation of Livestock will bring about improvement in nutritional standard of the population and an increase in GDP, income of farmers and net foreign exchange earnings from export of livestock and livestock products.

The cattle population, mostly the Ndama Breed, is presently estimated at around 300,000 heads. The Gambia Government in collaboration with the African Development Fund and the following international organisations and donor agencies are interested in participating in this project which is expected to have an impact on livestock development both nationally and regionally in areas of Africa where livestock are presently precluded due to the presence of the tsetse fly:

1. The European Economic Community (EEC)
2. Overseas Development Administration (ODA)
3. United Nations Development Programme (UNDP)

The objectives of the project are:-

- (i) to improve livestock production, both in quality and quantity for export as breeding stock, and for the local market for meat and draft work;
- (ii) to improve the standard of living of the rural population by providing assistance in livestock production activities;
- (iii) to collect baseline data on the productive capacity of Ndama cattle exposed to different levels of quantified trypanosomiasis risk when maintained under village management;
- (iv) to evaluate the feasibility and cost effectiveness of the introduction of current or new control methods, e.g. the strategic use of chemotherapeutic or chemoprophylactic drugs, tsetse control, improved management, and possibly in the future, immunotherapy and genetic selection.

Thus, the project would have distinct production development and applied research components and will therefore be presented as two sub-projects under the trypanotolerance programme for financing purposes. The ADF and Government will finance the production development sub-project while providing infrastructural facilities for the Applied Research and Training sub-project. The EEC, ODA and UNDP have indicated their interest in participating in a physically and financially distinct component of the programme because of their area of interest and source of funding for the programme, and will therefore finance the Research sub-project from grants.

It is estimated that the whole programme will cost FUA 17.9 million to implement, broken down as follows:-

- A. Production Development Sub-project - FUA 10.4 million
- B. Applied Research and Training Sub-project - FUA 7.5 million

The ODA has informed the ADB of its readiness to finance a portion of the Research and Training sub-project (Entomology) on the receipt of a request for technical cooperation from the Government of The Gambia.

The EEC intends to participate in the project by making funds available to The International Livestock Centre for Africa (ILCA) in Addis Ababa and The International Laboratory for Research on Animal Diseases (ILRAD) in Nairobi to carry out the indicated research activities. EEC funds will be drawn from a regional allocation as the sub-project would have a regional rather than a national impact.

Government on the 7th February, 1983 signed a Loan Agreement with the African Development Fund for a loan of 9,330,000 Units of Accounts (approx. D25.4 million) to finance the foreign exchange cost and part of the local cost of the production sub-project.

The loan is repayment over 40 years after 10 years grace and carries a service charge of $\frac{3}{4}$ of 1% per annum on the amount disbursed and outstanding from time to time".

Seconded by the Minister of Agriculture who made the following comments:

Minister of Agriculture: I hope Hon. Members will agree with me when I say that in this day/erratic and unreliable condition it is incumbent on every serious administration and every Government (and certainly The Gambia Government is no exception) to try and diversify its activities so that in the event of a failure in one area it could be fully compensated in the other. We have seen from the records that we have managed to produce 125 to 130,000 tons of groundnuts but in terms of actual export receipts it is not quite significant really compared to what we were expecting, simply because the world market price on groundnuts has fallen severely. It is therefore the intention of this administration to try and diversify. Records and statistics have proven that with the size of/cattle population in this country,

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if given the right approach and investment, it could really bring a substantial benefit to the overall economy of this country. I also want to remind Hon. Members, Mr. Speaker, that few months ago this Hon. House passed a Bill enabling us to establish the ITC (International Trypanotolerance Centre) which has a council to be chaired by H. E. The President and it is this ITC which will be really responsible for the implementation of this project. The preparation of the establishment of this International organization has gone very far and I have no doubt that this country will stand to gain tremendously from this very important component, the ITC. It has both the research and production components and this livestock Development Project will be the production of the ITC.

The question was then put by the Hon. Speaker and the motion passed unanimously.

- (iii) "BE IT RESOLVED that this Honourable House do ratify the Loan Agreement signed on February 16th, 1983 between the Government of the Republic of The Gambia and the OPEC Fund for International Development for a loan of United States Dollars One Million (US \$1.0M) approximately Two Million six hundred thousand Dalasis as assistance in the form of balance of payment support".

Introducing the motion, the Minister of Finance and Trade said: "The loan is interest free and repayable within 8 years including a grace period of 3 years. A service charge of one per cent (1%) per annum is payable on the principle amount withdrawn and outstanding.

The loan will be utilized for financing partially, Government's fuel imports".

The motion was proposed and there being no debate, the question was put and the motion passed.

5. B I L L S

(i) The Minister of Finance and Trade moved that the "Supplementary Appropriation Bill 1982/83 (Recurrent/Capital)" be read a second time.

Introducing the bill, the Minister told the House that the schedules of expenditure, together with a summary showing a total projected expenditure of D5,189,772, had already been circulated to Members. He would not go into detail at that stage, as Members would have the opportunity to scrutinise the bill when the House met in Committee of Supply the next day.

Seconded by the Minister of Health, Labour and Social Welfare, the motion was proposed and there being no debate, the question was put and the motion passed.

(ii) The Minister of Finance and Trade moved that a Bill entitled "Pensions (Increases) (Amendment) Act 1983" be read a second time.

Introducing the motion, the Minister told the House that the bill sought to amend Section 3 as well as repeal Section 4 of the Pensions (Increases) Act, 1976. He said details of the amendment^s were set out in the bill.

Seconded by the Minister of Health, Labour and Social Welfare, the motion was proposed and there being no debate, the question was put and the motion passed.

(iii) The Attorney General and Minister of Justice moved that a bill entitled "Law Reform Commission Act 1983" be read a second time.

Introducing the bill, The Attorney General and Minister of Justice said: "Mr. Speaker, Sir, I propose that the Second Reading of this Bill be treated formally.

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Mr. Speaker, Sir, there is, at the moment, an urgent need in The Gambia for the establishment, on a permanent basis, of a Law Reform Commission for the purpose of promoting the reform and systematic development of our laws both statutory and otherwise. The setting up of such a body here is not only vitally necessary at this stage of our legal development but, also long overdue, in view of the fact that, especially since Independence in particular, not only are there many areas in our laws in need of modification, modernisation, simplification and codification, but that there are still, surprisingly, glaring deficiencies and omissions in our legal system.

As the values of a society change, Mr. Speaker, so too should the laws which regulate and control that society. Politically, socially and economically, Gambian society has evolved much beyond expectations but the country's laws have to a considerable extent, remained static, representing, in many respects, English ideas, the common law, the doctrines of equity and the statutes of general application in force in England on the 1st day of November 1888. These have, even in England, undergone extensive modification, modernisation and simplification to suit the needs of contemporary English Society, but without, of course, any application in The Gambia. Even where the English Common Law and the doctrines of equity are suitable for England and it does not hold that transplanting them in their entirety and without modification and variation, they will fit into countries with a different background such as The Gambia. Indeed, Lord Denning (M.R.) vividly depicted, twenty-seven years ago, the absurdity of applying English Law, lock, stock and barrel, to Commonwealth countries, in the Kenyan case of Nvali Ltd. V. Attorney General (1955) 1 All E.R. 646 at page 653, when he made the following observation, and I quote:-

"It is a recognition that the common law cannot be applied in a foreign land without considerable qualification. Just as with an English oak, so with the English common law. You cannot transplant it to the African continent and expect it to retain the tough character which it has in England. It will flourish indeed but it needs careful tending. So with the Common law. It has many principles of manifest justice and good sense which can be applied with advantage

to peoples of every race and colour all the world over; but it has also many refinements, subtleties and technicalities which are not suited to other folk. These off-shoots must be cut away. In these far off lands the people must have a law which they understand and which they will respect. The common law cannot fulfil this role except with considerable qualifications."

Lord Denning's observation, which in that case was specifically on the common law, is equally relevant to English statute law and indeed to the whole of the application of English law which forms the bulk of our legal system and which should, therefore, be viewed in this light.

And as Lord Denning rightly pointed out in that case, Judges may have a hand in reshaping the common law to suit **local** conditions, but, in the face of Parliamentary sovereignty, they can only interpret statutes but not rule on their efficacy and practicality. Thus, whatever Judges do, there will always remain gaps in the law which must be filled and the only competent authority to do this is Parliament. Yet Parliament, without the support of an effective Law Reform Commission, cannot achieve this goal. The law, as Lord Denning rightly put it, "is full of many refinements, subtleties and technicalities" which require careful study and sifting in readiness for improvement, modernisation and reform.

In many Commonwealth African countries today, there are such Commissions which, from time to time, conduct research into specific areas of the legal system and advise their respective Governments on the appropriate legislations. Although the need for law reform is more apparent in developing countries, because of the transition from colonial rule to independence, it is an essential ingredient of even more developed and sophisticated jurisdictions, both in the common and civil law traditions. Law Reform Commissions have operated so successfully in so many countries in making their laws more responsive to the needs of their individual societies, that they have now

become a valuable and permanent feature in the legislation-making process of most countries, for people everywhere "must have a law which they understand and which they will respect".

There are vast areas of The Gambia legal system awaiting reform even though this has been initiated in some areas. One such area in which limited reform has been effected is to be found in our Criminal Procedure Code, which, Honourable Members will recall, was recently amended, inter alia, to abolish the procedure known as preliminary inquiry; to repeal the provisions relating to trial by jurors and with assessors; and to make provision empowering the Attorney General to appeal from decisions of the Supreme Court in criminal proceedings.

Other notable areas in our legal system awaiting reform and to which priority may be given are Land Law, Family Law, Succession, Company Law and Partnership, and Private International Law.

With your permission, Mr. Speaker, May I, in a brief digression here, proceed to outline the present state of the law in these most important areas.

1. Land Law: There are broadly two systems of land law prevailing in The Gambia:
 - (i) The general-law system which is substantially English Law and which applies in Banjul and Kombo Saint Mary.
 - (ii) The customary-law system applicable to the Provinces.

Neither system presents a satisfactory state of affairs. For instance, the general law is essentially the pre-1880 English law which was found undesirable even in England and, in fact, gave rise to the sweeping reforms by the 1925 English property legislations. The result is that

there still subsists in The Gambia too many legal estates and interests in land which do not make any sense in their application to this country since they are based on the English feudal system. At present tenures like customary socage (Borough English and Gavel-Kind), common socage and petty sergeatry, and spiritual tenures (frankalmoign and divine service), would seem to be law in The Gambia even though they had been abolished in England long ago. Even the adoption in The Gambia of the innovations in English land law brought about by the 1925 property legislation would not solve the problem since there are still in England land law relics of the old English feudalism which do not reflect the social and economic background of the peoples of The Gambia.

Under the customary law system, there is a variety of "Interests" in land which are capable of being "owned" and not merely "possessed", but, to which effect is not given by the general law. The "Lands (Provinces) Act (Cap 103) which vests the legal ownership of provincial land in the District Authorities of the area in which the land is situated, is a complete derogation from the recognised rights of land owners at customary law. For example, it is a principle of customary law that a building plot or arable land belongs to the first occupant of the land i.e. the first person ever to clear the forest on the land in question. When this person dies, the land goes to his family, the head of which may deal with it in any manner he pleases. The said Act, however, restricts the manner in which the land at customary law may dispose of the said land. For instance, land may not be given to a non-indigene in perpetuity; he can acquire only a lease of not more than fifty years duration.

With the present economic position of both indigene^s and non-indigenes and frequent migration within the country, the two systems of land law should be given careful study with a view to striking a balance between them.

2. Family Law: Family law is the only area of The Gambia in which there is an interplay of the country's tripartite legal system i.e., the general law, Islamic law and customary law. Each system requires a complete reappraisal and orientation.

(i) The General Law

In the general law there are fields which ignore the hard facts of life in an African society. For instance, there is no law on adoption or legitimation per subsequene matrimonium even though situations in which these doctrines are invoked are rife in the customary laws. The principles governing matrimonial matters are based on the English Matrimonial Causes Act 1950 which is out of date. There has been a complete revolution in the divorce laws of many Commonwealth countries. The matrimonial offence principle has been thrown overboard and the present trend in many countries is in the direction of the breakdown of marriage principle, i.e. granting divorce upon proof that a marriage has been broken down irretrievably. The law in respect of certain matrimonial reliefs, i.e. jactitation of marriage, restitution of conjugal rights and judicial separation can also be tidied up and done away with since particularly the first two aforementioned reliefs have hardly ever been used throughout the legal history of The Gambia.

In the absence of a Marriage Act dealing with capacity to marry, the present law is uncertain. Granted that an infant, i.e. a person under 21 years of age, marries only with the consent of a parent or someone standing in locū parentis, there is no statutory age limit at which a person is competent to marry under the general law. The common law rule, which is the applicable law in The Gambia, that a person who has reached the age of rational consent, which was fixed at seven years, can contract a valid marriage, retains in our system a marriage of convenience for royalty in pre-18th century England which can hardly be justifiable in or relevant to present day Gambia. Matrimonial property law is another area which raises burning questions in the general law and in which the old common law rules still persist.

(ii) Islamic Law

Islamic (Mohammedan) Laws occupy a place in our legal system by virtue of the Mohammedan Law Recognition Act (Cap 124), and the Mohammedan Marriage and Divorce Act, (Cap 125). The Mohammedan Law Recognition Act, which established the Mohammedan Courts of Banjul and Kombo Saint Mary, invests those courts with "jurisdiction in

all causes and matters, contentions or unconten-
tious, between or exclusively affecting Mohammedan
Africans, relation to civil status, marriage,
succession, donations, testaments and guardian-
ship" and makes "Mohammedan Law" the law applica-
ble to those matters. But the Act does not
stipulate which Mohammedan law should apply.
There are two major sects in Islam, viz, the Shittes
and the Sunnites, the latter being subdivided into
four schools, namely, Shafi, Hanafi, Hanbali and
Maliki. The Maliki school is believed to predomi-
nate in The Gambia as in other parts of West
Africa, but this is no justification for conclud-
ing that it is the law of that school that is
envisaged by the Mohammedan Law Recognition Act.

The role that Muslims are playing in our
society today in both private and public life is
so important that it will be worth the while to
assimilate a good deal of Muslim jurisprudence into
our legal system in a greater measure than it is
at the moment.

(iii) Customary Law

The customary family laws of the indigenous
tribes of The Gambia have many things in common
but there are also divergencies in both precedural
and substantive law which require circumspection.
With the influence of Western culture and the
breaking of tribal and ethnic barriers, the
multiplicity of customary family laws may be
reduced to a unitary system by legislation after
careful study and appraisal. In fact, throughout
Anglo-phone and Franco-phone Africa and other
parts of the world (such as Papua New Guinea,
Kenya, Tanzania and many other countries) the
documentation of customary law is being carefully
studied.

3. Succession: Because of the recognition of
nuncupative (oral) wills in customary law, there
is a problem of internal conflict of laws between
the general law and customary law in regard to
the formal validity of wills generally. At a
cursory glance, one would be prone to conclude
that every will made in The Gambia must comply
with the provisions of the English Wills Act,
1837, which is adopted law in The Gambia. But
section 2 of the Wills (Amendment) Act, 1861, which
also applies in The Gambia, if interpreted with
local variations as it should be, will make a will

regarded as formally valid under customary law to be so regarded also by the general law. This view point, however, does not seem to be the popularly accepted one. A local wills Act, taking into consideration the tripartite legal system of The Gambia is therefore necessary.

4. Company Law and Partnership:- The Companies Act (Cap 29) which is a carbon copy of the United Kingdom Companies Act, 1948 (an Act consolidating the provisions of the United Kingdom Companies Act 1929 and the Companies Act 1947) and the Business Registration Act (No. 14 of 1973) are inadequate to deal with the problems affecting modern business concerns. Either an overall statute or separate statutes dealing with these concerns are inevitable. In this connection, one would hasten to warn that the adoption of a United Kingdom statute will not solve the problem but merely aggravate them. What is, therefore, required is a Companies Act which is relevant to local needs. A Partnership Act is also needed. At present the law on Partnership is the English Common Law of contract. This is inadequate. Even in England today, much emphasis is no longer placed on the common law, in so far as partnerships are concerned, but on enacted law.

5. Private International Law:- The Gambia's rules of Private International law (conflict of laws) are the adopted English common law rules. These rules might have been practicable during the colonial days when this country's legal system was, in a way, regarded as part of the English legal system. But now, with Independence coupled with Republican status, the position is not the same. The common law rules governing the recognition of foreign marriages and the enforcement of foreign judgements and decrees, and domicile, to name a few, should be examined in The Gambia context and legislation passed affecting them. Even in England, the common law rules no longer hold good and the United Kingdom Law Reform Commission has been instrumental in the production of recommendations and draft legislation introducing a change in the law.

But even this expose is just a bird's eye view of the problem in a few areas of our legal system. There are other areas like Criminal Law, Tort, and Evidence (Civil and Criminal) which have not been highlighted here, but in which the law is in a chaotic state as well. Some of these

areas have, from time to time, been identified. For example, in the Five Year Plan for Economic and Social Development 1981/82 - 1985/86 at pages 278 - 279 is stated that "legislation relating to workers social security/welfare has become very outdated since it was enacted fifteen or more years ago. For example, the Workmen's Compensation Act 1942 excludes workers earning D2,000 or more per year. Needless to say, inflation will have made this limit appear unreasonably low..... Other labour laws as well will be revised during the plan period". Again, at page 301 of the same document, it is stated that a "major law revision exercise will also be undertaken during the second plan period, in particular, laws relating to children and women will be given careful consideration". These are only a few of the areas of our law in which reform is vitally necessary. In addition, there is an unfortunate and notable absence in The Gambia of specific laws to deal with some everyday important matters such as bankruptcy and adoption.

7. In view of these observations, Mr. Speaker, this Bill proposes that a Law Reform Commission be set up with the responsibility to study and constantly review our statutes and other laws with a view to making recommendations for indigenising, simplifying and modernising them in all their ramifications. The Commission will also be expected to reform the laws of The Gambia to bring them in consonance with the changing norms and aspirations of Gambian society in general. In short, the Commission is expected to simplify, systematise and indigenise all the substantive and procedural laws of the country.

8. Membership of the Commission: The Commission will consist of five members, all of whom will be appointed by the President for an initial term of four years, and will be assisted by a secretary to be appointed also by the President, on the recommendation of the Attorney General and Minister of Justice. Both the Chairman and Deputy Chairman will be persons qualified to be appointed to the Supreme Court of The Gambia. Of the rest of the members, one will be selected by The Gambia Bar Association and the remaining two members will be "persons who, in the opinion of the President, are by reason of their special qualifications, training or experiences suitable for appointment to the Commission" (See clause 7 of the Bill).

9. Functions of the Commission: By clause 4 of the Bill, the Commission is obliged "to study and keep under constant review the statutes and other laws comprising the laws of The Gambia with a view to making recommendations for their improvement, modernisation and reform including in particular the elimination of anomalies in the law, the repeal of obsolete and unnecessary enactments, the simplification of the law, the reflection in the laws of the customs and values of Gambian society as well as concepts consistent with the United Nations Charter of Human Rights and the charter of Human and People's Rights of the Organisation of African Unity, the development of new areas in the law by making them responsive to the changing needs of Gambian society, the adoption of new or more effective methods for the administration of the law and the dispensation of justice, and the consolidation and codification of the unwritten laws of The Gambia".

10. Powers of the Commission: In the performance of its functions, the Commission is empowered under clause 5 of the Bill to review and consider all proposals for reform, to prepare and submit to the Minister for approval a programme (including estimates of the financial cost) for the study and examination of any branch of the law which requires improvement, modernisation and reform, to initiate studies and research necessary for the improvement and modernisation of the law, to undertake the drafting of Bills and other instruments that will give effect to its recommendations approved by the Minister, to assist government departments and other authorities with information on and advice and proposals for reform or amendment of any branch of the law referred to the Commission. In addition, the Commission may, under clause 12, "appoint consultants and experts to assist it in the performance of its functions".

11. Reports: Clause 6 of the Bill requires the Commission to prepare and submit to the Minister a report on any study completed by the Commission and its recommendations consequent on such a study. In addition, the Commission is required, under clause 15, to prepare and submit to the Minister an annual report "containing a summary of its activities during the preceeding year in such form and containing such information with respect to any studies or other activities undertaken or directed by it or referred to it by the Minister or any person or authority as the Minister may direct". The Minister is, in turn, required

under clause 16 to lay before the House of Representatives the Commission's annual reports and financial statements, prepared in pursuance of clause 13 (2), and the annual reports of the Auditor General on his audit of the financial statements of the Commission, as required under clause 14 (1).

12. Other matters provided for in the Bill are -

- (1) the resignation and revocation of the appointment of members of the Commission (clause 8);
- (2) the remuneration of members of the Commission and its committees (clause 9), which is to be determined by the President;
- (3) the meetings of the Commission (clause 10) to be held at least once in every three months;
- (4) the appointment and duties of the Secretary and his assistants (clause 11 and 17);
- (5) the appointment of consultants and experts and their remuneration (clause 12);
- (6) the funds of the Commission (clause 13) which shall consist of "(a) moneys granted by Parliament; (b) moneys received by the Commission from agencies other than the Government for the performance of its functions; (c) donations, endowments and other gifts received by the Commission";
- (7) the audit of the accounts of the Commission (clause 14); and
- (8) the Minister's powers to "make rules regulations for the proper and efficient carrying out of the functions of the Commission".

And I am pleased to inform Parliament that the Commonwealth Fund for Technical Corporation have indicated that once the Commission is established by Act of Parliament the Corporation will provide the necessary technical assistance in funding the project.

It is evident, Mr. Speaker, that the systematic development of the laws of this country - be they statute, customary or Islamic, or ideas based on the English common law tradition or doctrines of equity and good conscience - demand urgent modernisation, simplification and reform to bring them in consonance with the changing norms and aspirations of Gambian society. Along with contemporary practice the world over, the best way of carrying out such a vital task is the setting up of a Law Reform Commission as envisaged by the Bill now before this Honourable House.

In conclusion, may I crave the indulgence of Honourable Members to allow me to adopt a quotation from the celebrated speech of that distinguished eighteenth century English jurist Lord Brougham (1773 - 1868) who, 155 years ago, had the great honour of moving the House of Commons to adopt and enact the great English Law Reform Act of 1828 with these eloquent words and I quote:

"It was the boast of Augustus.....that he found Rome of brick, and left it of marbleBut how much nobler will be the Sovereign's boast when he shall have it to say that he found law dear, and left it cheap; and found it a sealed book and left it a living letter; found it the patrimony of the rich - left it the inheritance of the poor; found it the two-edged sword of craft and oppression - left it the staff of honesty and the shield of innocence".

And if I may add, Mr. Speaker, how much nobler will be the boast of this Government and even much more of this Parliament when this generation of Gambians and even much more the generation of Gambians yet to come shall have to say that we found law dear and left it cheap; found it a sealed book.....left it a living letter; found it the patrimony of colonial craft and oppression - left it the inheritance of the

.../

poor and the dynamic spirit and shield of the sovereign republican aspirations of the Gambian people.

Mr. Speaker, Sir, I beg to move".

The motion was proposed by the Hon. Speaker and a brief debate ensued.

Member for Tumana: Mr. Speaker in listening to the Minister's address I have no doubt that this address will provide a very useful guide to Members of the Commission. It seems as if I was a member of the Commission.

Parliamentary Secretary, Ministry for Local Government and Lands: Mr. Speaker, there is not much one can add to what the learned Attorney General has said, but only to express our full support for the Bill and to share his view that it is really time for The Gambia to consider and reform some of the laws that are really outdated and are really useless to us. Thank you.

Parliamentary Secretary, Ministry of Agriculture: Mr. Speaker, the Law Reform Commission Act 1983 is an excellent idea as well as a fundamental contribution towards institutionalization and consolidation of our democracy in our young and independent Republic. Mr. Speaker, it is also a moral and intellectual benefit to all of us and, I repeat, moral and intellectual benefit to this Nation in particular and to all mankind in general. For the first time an idea has been introduced into this country whereby Gambians will have the opportunity to participate directly or indirectly in the legal affairs of their country. For the first time also Gambians will have contact with their legal experts who have come up with something that will benefit not only this generation but generations to come. And I think every Gambian should be proud that in this country was the venue of the Human Rights Conference which considered the draft charter. We should all congratulate the Attorney General and indeed all our legal experts for introducing such an idea. They all deserve profound congratulations. Thank you.

Member for Kombo Central: Mr. Speaker, thank you. Despite the legal foreign and terminology .. the Attorney General used, but all the same I think it is quite evident and reasonable to say that since the inception of the English transplanted legal system during colonial days in this country, the laws which were prepared were based as he said in his speech on the pattern which has existed in the country of our colonizers, and over the years the society has naturally developed in all spheres - thus making the laws ~~that were prepared for~~ us in those days to a large extent outdated. It is therefore evident that there is need to carry out some form of reform.

I therefore support the Bill in its entirety and I hope that given the chance we will find that in years to come our legal system shall have changed quite considerably.

However, I also want to mention the fact that this is not the first time that any such reform is taking place. Parliament has existed for quite a long time and in all fairness to MPs, we have in the past made some amendments here and there in the Laws and although they may not have served the most desirable ~~purpose~~ and effect that we all anticipated, they have done quite a lot to effect some changes. But this proposal that the Minister has brought to the House is more elaborate, academic and more comprehensive and I hope if we can realise it we shall not only find ourselves with new sets of laws entirely but shall find ourselves with laws that our society at this present time calls for. Thank you.

There being no further comment, the question was put and the motion passed.

(iv) The Attorney General and Minister of Justice moved that a bill entitled "The Gambia Law Foundation Act, 1983" be read a second time.

Introducing the Bill, the Minister said: "Mr. Speaker, Sir, I believe that this Honourable House is very much aware, and with no less pride, of the fact that under the inspiring leadership and statesmanship of His Excellency, The President of the Republic, The Gambia has achieved world-wide admiration and respect for its exemplary record

of democratic government, the observance of the Rule of Law, the independence of the Judiciary, and its commitment to the protection and promotion of Human Rights both at home and abroad. Under the guidance, wisdom and leadership of the Peoples' Progressive Party, the Government of The Gambia has, since the sovereign independence of this Republic, achieved world-wide acclamation and tribute for its commitment to the principle and practice of democracy that is singular in our times.

It is also equally most gratifying that both in the Organisation of African Unity and the Commonwealth family of Nations, The Gambia's sustained initiative in the field of Human Rights has led to the Banjul Charter on Human and Peoples' Rights which has now been signed and ratified by most OAU Member States and was indeed before this Honourable House for ratification.....

Mr. Speaker, Sir, at the Commonwealth Law Ministers' Meeting in Colombo, Sri-Lanka, last February, where I had the great privilege and honour to represent this country, our leadership in the protection and promotion of Human Rights was also duly acknowledged in the final communique of the meeting by my Commonwealth colleagues in these terms, and I quote:-

"Ministers congratulated The Gambia for taking and sustaining a Commonwealth initiative in the Human Rights area which provided them with the opportunity to reaffirm their commitment to the respect for, and realisation of, fundamental human rights in all their aspects and, in this regard, for the early establishment of a Special Human Rights Unit within the Commonwealth Secretariat".

Mr. Speaker, Sir, it is therefore not without significance that the many admirers, friends, and well-wishers these enlightened and progressive policies have won for us have become a reservoir of tremendous goodwill all over the world.

And I am very pleased to inform this Honourable House of my great conviction that this tremendous goodwill can, and should now, be tapped and utilised and to propose that the best way of doing this is to establish a Law Foundation as envisaged by this Bill.

The main objective of the Foundation - as set out in Clause 4 of the Bill - is to raise funds from private sources in and outside The Gambia for the purpose of rendering assistance to the Government in the provision of infrastructure (and we have here in mind, quarters for Judges and Magistrates and Court Houses throughout the country) and other amenities that are essential for the continued maintenance and smooth running of a modern and virile judicial machinery, as well as in the provision of suitable facilities and material for primary and continuing legal education in The Gambia. The Foundation also envisages providing opportunities for the publication and printing of Gambian legal material, the holding of public seminars and colloquia on law and other matters of legal interests, the hosting of annual law lectures on Human Rights by eminent international jurists drawing inspiration from His Excellency, The President's own pronouncements and statements on this most important field, and the establishment of academic links with the University of Lagos, Nigeria, so that Gambians can here at home, take up courses leading to the Bachelor of Laws (LL.B) Degree with that University.

In other words, Mr. Speaker, the funds of the Foundation will be directed at supplementing Government's efforts in all these and other directions and matters relating to the administration of justice and the development of law in the country and in the spirit of His Excellency, The President's and the Party's philosophy and practice of TESITO, self-help, and self-reliance.

Clause 14 of the Bill sets out the sources of funds for the Foundation. These will be drawn from donations within and outside The Gambia. The fund raising efforts of the Foundation will not be directed at Governments and governmental agencies but at private organisations, institutions and individuals all over the world with philanthropic dispositions and commitment to the promotion of democracy, the Rule of Law, Human Rights and the independence of the Judiciary. It will thus be the central agency for the collection and disbursement of private aids towards the achievement of the objectives set out in Clause 14 of the Bill.

I would also draw the attention of Honourable Members to Clause 5 - 13 of the Bill which clearly set out the structure of the Foundation. It will be observed that although the Foundation will not be seen as yet another Government agency, the ultimate beneficiaries will be the Government and people of this country. To reflect the interest of the Government in its structure, the Patron of the Foundation shall be His Excellency, The President of the Republic - see Clause 5.

Clause 6 of the Bill provides for a Council of the Foundation which shall be its governing body consisting of:

- (a) The Chief Justice who shall be the Chairman;
 - (b) The Attorney General who shall be the Vice Chairman;
 - (c) The Chairman of The Gambia Bar Association;
 - (d) A person to be nominated by the Patron;
 - (e) A member of the National Management Committee;
- and (f) The Chairman of any Advisory Committee.

All these are clearly set out in Clause 6 (2) of the Bill. Clause 7 provides that members of the Council shall not be paid any remuneration in respect of their office but, may be paid only such allowances as are considered necessary to meet any travelling and other expenses authorised by the Council.

The Foundation shall also have a Secretary - see Clause 9 of the Bill - who shall be the Administrative Head and to be appointed by the Council. In addition to his other functions the Secretary shall also keep a Minute Book in which shall be recorded minutes of all meetings and transactions of the Council.

Under Clause 12 of the Bill the council shall establish a National Management Committee which shall be responsible for the day to day management and administration of the Foundation and the raising of funds within The Gambia. This Committee shall consist of:-

- (a) the Vice-Chairman of the Council
i.e. the Attorney General and Minister of Justice;
- (b) two persons nominated from and by the Council;
- (c) a person nominated by the Patron;
- and (d) a person nominated by the Accountant General.

In addition to these bodies, the Council, under Clause 13 of the Bill, may also establish in countries from which the Foundation proposes to raise funds, local Advisory Committees which shall advise the Foundation generally and particularly on local legislations that may have some bearing on its activities and as to the modus operandi for raising funds in the particular country. Each such local Advisory Committee will have a Chairman and not more than four other members. The Chairman of Advisory Committees shall be entitled to attend and participate in the meetings of the Council of the Foundation. In this way, Mr. Speaker, the participation of donor countries in the formulation of the policies of the Foundation will be achieved. All these are clearly set out in Clauses 5 - 13 of the Bill.

Clause 14 of the Bill provides that the funds of the Foundation shall consist of:-

- (a) grants provided by international agencies;
 - (b) monies raised by the National Management Committee and any of the Advisory Committees established under the Act;
 - (c) gifts, donations or other endowments to the Foundation;
- and (d) monies derived from any property or asset held by or on behalf of the Council.

Clause 15 of the Bill sets out the powers of the Council to invest the funds of the Foundation in such securities and stocks as it considers appropriate.

Clause 16 provides that the funds of the Foundation shall be paid into such bank account as the Council may appoint.

Under Clause 17 of the Bill, the Foundation is required to keep and maintain proper books, records and accounts of all income and expenditure for audit purposes.

And under Clause 18 of the Bill, the Foundation shall, at the end of each financial year, lay before this Honourable House, a Report accompanied by a certified copy of the audited accounts of its operations during the financial year. Furthermore, a copy of every such Report with the audited accounts shall also be made available to each donor.

Above all, Mr. Speaker, the legal status of this Foundation as Clauses 3 (2), 3 (3) and 4 of the Bill provide will be a non-profit making body corporate and charitable in character.

Mr. Speaker, Sir, I beg to move".

The motion was proposed and there being no debate, the question was put and the motion passed.

5. COMMITTEE STAGE

The House resolved itself into Committee to consider the following Bills clause by clause:-

- (i) Pensions Increases (Amendment) Bill 1983.

The Bill passed through Committee without amendment.

- (ii) Law Reform Commission Bill 1983

The Bill passed through Committee without amendment .

- (iii) The Gambia Law Foundation Bill 1983

The Bill passed through Committee without amendment .

The House resumed.

6. REPORT AND THIRD READING

The Minister of Finance and Trade reported that the "Pensions Increases (Amendment) Bill 1983" has gone through committee stage without amendment and moved that it be read a third time and passed.

The question was put and the bill passed.

The Attorney General and Minister of Justice reported that the "Law Reform Commission Bill 1983" has gone through committee stage without amendment and moved that it be read a third time and passed.

The question was put and the bill passed.

The Attorney General and Minister of Justice further reported that "The Gambia Law Foundation Bill 1983" has gone through committee stage without amendments and moved that it be read a third time and passed.

The question was put and the bill passed.

The House then adjourned at 8.30 p.m.

SITTING OF WEDNESDAY 4TH MAY 1983

THE HOUSE MET AT 10 A.M.

(MR. SPEAKER IN THE CHAIR)

1. P R A Y E R

2. COMMITTEE OF SUPPLY

The House resolved itself into Committee of Supply to consider the Supplementary Estimates (Recurrent/Capital) for the year ending 30th June 1983.

The Bill was considered together with the Recurrent/Capital Schedules and the amounts specified therein were finally appropriated.

3. REPORT AND THIRD READING

The Minister of Finance and Trade reported that the 1982/83 Supplementary Appropriation Bill 1983 has gone through committee without amendment and moved that it be read a third time and passed.

Seconded by the Minister of Health, Labour and Social Welfare, the question was put and the bill passed at its third reading.

The Minister further moved that the Capital Schedule for the year ending 30th June 1983 be adopted.

Seconded by the Minister of Health, Labour and Social Welfare, the question was put and the capital schedule adopted.

The House adjourned at 11.45 a.m.

SITTING OF WEDNESDAY 4TH MAY 1983

THE HOUSE MET AT 5 P.M.

(MR. SPEAKER IN THE CHAIR)

1. P R A Y E R

2. Q U E S T I O N S

Nos. 234/82/83 - 235/82/83 - By the Minister of Finance & Trade.

No. 236/82/83 - By the Minister of Justice.

Nos. 237/82/83 - 239/82/83 - By the Minister of Health, Labour and Social Welfare.

Nos. 240/82/83 - 241/82/83 - By the Minister of Agriculture.

Supplementary to Question No. 240/82/83

Member for
Kantora

Q. Are you aware that the cattle are vaccinated at the time when they are hungry and are exposed to the reaction of the drug and this vaccination is carried out in March, which may well be the cause why they refused to rally around the centre?

Minister of
Agriculture

A. As far as the vaccinations are concerned, that was the proper time for the vaccines and we can only rely on our experts and I don't want to challenge the experience of the Hon. Member on this area but I can assure him that it was the advice of professional officers, and certainly all these factors were taken into consideration.

Minister of
Health

A. In addition to what the Minister has said and for the benefit of Members, the officials usually do the vaccination of reinderpest from December to February, but it should also be realised that throughout the year there are some other diseases that could also be treated during the course of the year, so, there is no question of the climate is hot or cold. It does not matter in which time of the year such disease are cured.

Member for
Lower Baddibu

.Q. Mr. Speaker, without doubt, the people of Nyakoi gave reasons for protesting against one designated centre or the other. I am sure reasons were actually furnished.

Minister of
Agriculture

Q. These vaccines are given free of charge to Livestock Owners but due to economic constraints the Hon. Member will agree that is why we are unable to do it in the traditional way. We therefore designated centres so that for villages surrounding a particular centre like Saba, people will come within a particular destination and all we could do is to put it on the radio, inform the Alkalolus, and in fact the President was also there to emphasise the need for the co-operation of Livestock Owners.

This was the best thing the administration could do and we have done just that.

Member for
Lower Baddibu

Q. Still the Hon. Minister have not helped me. I do see with you and I understand the economic problems, what I am simply asking is whether they have said we are not going to such a place because of this or that reason?

Minister of
Agriculture

A. I have said that these people are used to officials going to their individual herds and I have said because of economic constraints we cannot meet their requirements.

Supplementary to Question No. 241/82/83

Member for
Lower Baddibu

Q. Mr. Speaker, sometime ago, there was an enquiry into the RDP and when officials of the RDP could not be found because either they were expatriates or they were not in The Gambia but their counterparts were Gambians and were within the country. What is the Ministry doing about these people who are known to be involved in the RDP?

Minister of
Agriculture

A. This is completely a new element and you can bring it up during the adjournment debate and you will be fittingly replied.

No. 242/82/83 - By the Minister of Economic Planning and Industrial Development.

Supplementary to Question No. 242/82/83

Member for
Basse

Q. Mr. Speaker, do I assume that all MPs automatically are Members of their Divisional Development Committees?

Minister of
Water Resources

A. Mr. Speaker, as I have just said, it is not fair to ask MPs to participate at the grassroot level but they can if they want, just to assist in identifying and trying to promote development needs in their areas. But I don't think it is fair for us to say that all MPs should be Members of their DDC. This should be left for the MEPID to decide,

Member for
Basse

Q. Mr. Speaker, I don't want to prolong the case but I want Government to consider it further, for recently we have been asked to participate in the sale of ammunition etc., which I thought was completely out of place in my own view. Now what I am saying is that in the same way I don't see any reason why MPs could not serve in their respective DDC because we are there at the local level, so that we can take part in local participation.

Minister of
Water Resources

A. The MEPID will decide who should serve in these Committees and the moment we see that there is a need for MPs to be involved, we shall certainly involve them.

No. 243/82/83 - By the Minister of Water Resources and the Environment.

Supplementary to Question No. 243/82/83

Member for
Sandu

Q. As regards the answer given here concerning Sare Demba and Gubu, I just want to inform the Hon. Minister that these boreholes are not even functioning at all.

Minister of
Water Resources

A. I will tell those concerned to look into it and then report.

No

244/82/83 - By the Minister of the Interior.

Nos. 245/82/83 - 247/82/83 - By the Minister of Works and Communications.

Supplementary to Question No. 245/82/83

Member for
Banjul South

Q. I would like the Minister to tell this House why the construction of rural wharves should begin at Banjul and what is preventing the contractors to begin their work in the rural area, for example at Basse or Kaur since the 5-Year Development Programme 1975/86 specified that 13 rural wharves were to be built and the Banjul Wharf was a special project in respect of the second phase of the Banjul Port Development Programme, I would like the Minister to tell me whether they have joined up the two projects together or not?

Minister of

A. Mr. Speaker, Banjul is amongst the 13 wharves to be built so work can start here or Basse. It can start anywhere.

Member for
Banjul South

- Q. In view of the 5-Year Development Plan it is said that 13 wharves are to be built and Banjul Wharf is special in respect of the Second Phase of Banjul Port Development Project. I would like the Minister to say whether they have synchronize the two projects or not?

Minister of
Works

- A. These are separate projects so the wharves being constructed has nothing to do with the Banjul Port Project.

Supplementary to Question No. 247/82/83

Member for
Bakau

- Q. Could the Minister tell the House why such bills were allowed to accumulate?

Minister of
Works

- A. He is one of these people owing the GUC. I intend to call up all those debtors including himself so that they will pay.

Vice President

- A. I would only like to assure the Hon. Member that these arrears which cause an unsatisfactory state of affairs is only reflection of the economic circumstances that various bodies are going through. The Area Councils, Parastatals and the hotels have been having difficulties in meeting their electricity and water consumption bills and the GUC mindful and knowing of these circumstances has not been able to do much except approach them. Of course, the situation is improving and the Ministry has been working at great pains. In some cases,

they use the form of trading off debts that probably the GUC may be owing to these very Parastatals who are owing the GUC.

3. M O T I O N S

- (i) "BE IT RESOLVED that this Honourable House do ratify the AFRICAN CHARTER ON HUMAN AND PEOPLES RIGHTS adopted by the Heads of State and Government of the Organisation of African Unity in Nairobi, Kenya in 1981".

Introducing the motion, the Attorney General and Minister of Justice said: "Mr. Speaker, Sir, by its Decision 115 adopted at Monrovia in July, 1979, the Assembly of Heads of State and Government of the Member States of the OAU requested the Secretary General to convene a meeting of experts to, I quote, "prepare a preliminary draft of an 'African Charter on Human and People's Rights' providing, inter alia, for the establishment of bodies to promote and protect human and people's rights".

In pursuance of ~~this~~ Decision the OAU Secretary General convened a meeting of legal experts in Dakar, Senegal from the 28th November to the 8th December 1979 at which the preliminary draft charter was prepared. The Gambia was represented at this meeting.

At the invitation of The Gambia Government, a Conference of Attorneys-General and Ministers of Justice of the OAU member states was convened here in Banjul from the 9th to the 15th June 1980 and the 7th to 19th June 1981 for the purpose of considering the preliminary draft charter prepared by the legal experts. Both sessions were well-attended and the Ministers, well before the scheduled end of the Second Session, adopted the preliminary draft with a number of amendments. At the conclusion of the Second Session and on the proposal of some delegations, the meeting unanimously decided to recommend to the OAU Assembly of Heads of State and Government that the "African Charter on Human and People's Rights" be called the "Banjul Charter".

At the 18th Summit of the OAU held in Nairobi His Excellency, The President, Alhaji Sir Dawda Kairaba Jawara, after the introduction of the subject by the OAU Secretary General, took the floor to emphasise both the importance of the subject of human and people's rights promotion and protection within the context of the total liberation of African peoples and the need for the adoption and implementation of the "African Charter on Human and Peoples Rights".
/the All the delegations which took/floor paid tribute to His Excellency The President and the Government and people of The Gambia for their support and commitment which enabled the Ministerial Conference to meet in two Sessions in Banjul and to complete its work successfully.

In the early hours of the morning of 28th June, 1981 the OAU Assembly of Heads of State and Government adopted, without amendment, the "African Charter on Human and People's Rights".

Mr. Speaker, Sir, this Charter, which is a significant milestone in the development, protection and promotion of Human Rights is divided into three parts:-

- (i) The first part entitled Rights and Duties, recognises, inter alia, the right to non-discrimination (Art. 2), the right to self-determination and permanent sovereignty over natural resources, the right to liberty and the security of the person (Art. 6), the right to a fair trial (Art. 7), freedom of conscience and religion (Art. 8), the right of association and assembly (Art. 11), the right to property (Art. 14), the duty of the individual to preserve the harmonious development of the family and the duty to preserve the integrity, sovereignty and national independence of States. States Parties are obliged, under Art. 1, to adopt legislative measures to give effect to these rights and duties.

(ii) The Second part, entitled Measures of Safeguard

- (a) creates the Commission (Art. 30) which is mandated to promote and ensure the protection of the human and people's rights (Art. 45) guaranteed in the Charter. The promotional aspect will consist of organising seminars, studies and conducting research and disseminating information on human and people's rights.
- (b) In the exercise of its protective function the eleven man commission is entitled to receive and consider petitions from State parties to the Charter complaining of violations by another party of its obligations under the Charter. The Commission is empowered to investigate the complaint and to submit a report to the Assembly of Heads of State and Government for decision where conciliation between parties could not be achieved.
- (c) The Commission may also receive petitions from individuals or organisations but will proceed to investigate the complaints only if the petitions appear to disclose a pattern of massive and persistent violation of the rights guaranteed in the Charter. Here also the Assembly of Heads of State and Government remains the final decision making authority.

- (iii) The final part of the Charter contains general provisions concerning, inter alia, entry into force and the procedure for its amendment. It may here be noted that the Charter will come into force three months after the receipt by the Secretary General of the instruments of ratification or adherence of a simple majority of the member states of the OAU.

The Charter is now open for signature at the headquarters of the OAU in Addis Ababa, Ethiopia. The Gambia has already signed the Charter.

The successful outcome of the Banjul Ministerial Conference and the adoption of the Charter by the OAU Summit in Nairobi is in no small measure due to the continued interest that The Gambia has shown and the support it has given to Decision 115 taken at Monrovia. Indeed The Gambia's reputation of respect Mr. Speaker, for human rights which, as His Excellency The President described at the opening of the First Session of the Banjul Ministerial Conference on June 15th 1980 as "the corner-stone of both our domestic and foreign policy" contributed largely to the implementation of Decision 115. It would therefore be very fitting for The Gambia to be among the first countries to ratify the Charter which, in recognition of its role, bears the name of our Capital City.

Mr. Speaker, Sir, I beg to move".

Seconded by the Minister of Health, Labour and Social Welfare, the motion was proposed and the following comments were made:-

Minister of External Affairs: Mr..Speaker, Hon. Members of Parliament, it is a great honour and pleasure for me to speak in support of the motion of the African Charter on Human and Peoples Rights which has already so ably been introduced by my friend and colleague the Hon. Minister of Justice and Attorney General.

The significance of this occasion draws more relevance from the historic fact that it was in Banjul that the Charter was negotiated and adopted by the OAU Council of Ministers, hence its name the "Banjul Charter".

Furthermore it was a singular source of pleasure and honour for me to sign the Charter on the 11th February 1983 in Addis Ababa, on behalf of the Government of The Gambia. This act formally indicated Government's willingness to accept the terms and provisions of the Charter.

Thus Hon. Members of Parliament can appreciate the importance of the matter laid before the House.

Mr. Speaker, Hon. Members, if I insist on the need to recall the historic decision of Monrovia taken by the Assembly of Heads of State and Government of the OAU in 1979 for the elaboration of the present Charter, it is merely to give due relevance and political importance to this decision. That the highest decision making institution within the continent of Africa should pronounce on this issue is a testimony of the indivisible nature of the subject and the priority that Africa attaches to the promotion and protection of human rights.

When the founding fathers of the OAU drew up the OAU Charter in 1963, they reaffirmed their faith in fundamental human rights and in the dignity and worth of the human person. Here in The Gambia, our unequivocal position on human rights has been inspired by these ethical codes adopted by the OAU in particular. With the attainment of national sovereignty, we strive to ensure that our freedom thus gained through independence was not denied to our peoples. We consequently, made the policy of the strict observance and practice of human rights the cornerstone of both our domestic and foreign policies.

This posture, Hon. Members, I can proudly inform the House, has won international respect and sympathy for our country. There have been ample demonstrations of such sympathy and respect for The Gambia. I can in particular mention the insistence of the African group at the United Nations, for The Gambia to be one of Africa's representatives at the UN Commission for Human Rights, which is a great honour for our beloved country. Similarly, this deep respect and sympathy for The Gambia also contributed in a great way in the spectacular and prompt assistance received from the international community during the rebellion of July 1981.

It is our duty, Hon. Members, to support our Government in this noble path which it has traced as the means of guaranteeing the upliftment of the social conditions of The Gambian people and of all human beings throughout the world. Internationally this position has been well reflected and understood.

We have adhered to and ratified all the relevance UN Conventions on human rights, amongst a few I may mention the International Convention on Economic Social and Cultural Rights (1966), the International Convention Civil and Political Rights (1966), the International Convention on the elimination of all forms of Racial Discrimination, and the International Convention on the suppression and Punishment of the crime of apartheid etc. We believe that these instruments are standard setting models which must also have a relation to actual national and international relations. This is why our Government, confident of the efforts made at home to create conditions that are conducive to the full enjoyment of human rights and human survival, has rallied round the side of all peoples fighting for freedom from any form of foreign, racist and unjust suppression. This is why The Gambia has never failed to condemn apartheid in South Africa, the illegal occupation of Namibia, the Zionist occupation of Arab territory in the Middle East, the Soviet occupation of Afghanistan, the situation in Kampuchea. We firmly believe that the observance of human rights is an effective means of achieving peace in the world. Being ourselves basically peaceful people, we naturally advocate the universal application of human and peoples rights throughout the world.

Mr. Speaker, Hon. Members, the Banjul Charter which we are to ratify today deals specifically with all the areas relating to the subject of human rights of concern to our African Continent. I will not go any further into these issues since my colleague and friend the Hon. Minister of Justice has already done so. I would simply request the House, in pronouncing on the issue, to bear in mind the unstinted international reputation of The Gambia in the area of the practice and observance of human rights, and to be conscious of the constant need for us, both at home and abroad, to maintain the level we have reached and even to surpass it.

Let us consequently not be found lacking in our collective duty to ensure the immediately implementation of the Charter, which as you all know bears the name of our Capital City, Banjul.

I therefore support, unreservedly the motion for the ratification of the African Charter on Human and Peoples Rights by this House.

There being no further debate, the question was put and the motion passed without dissent.

- (ii) "BE IT RESOLVED that this House amends the Statutes of the Compensation Fund of the African Groundnut Council by deleting the existing Article 22 and replacing the said Article by a new Article 22 to read as follows:

The outgoing State can only claim the payment of its share of resources of the Fund after the extinction of obligations entered into by the Fund during its Membership".

The Minister of Finance and Trade: Mr. Speaker at the 5th Meeting of the House in 1982/83 Session when I moved the ratification of the Statutes, it was the Hon. Member for Lower Baddibu who drew attention to the fact that Article 22 and 23 were identical. At the time I pleaded for the House's progress for the ratification of the Statutes but undertook to investigate the matter further and to come back to this House upon my findings. And I am pleased to say that after the meeting the staff of the Ministry proceeded to enquire into this and had information from the Brussels Office of the AGC that in fact Article 22 as stipulated in the agreement that was ratified was not the Article 22 that has been provided for in the statutes. Some typist probably over short into Article 23 typed it for 22 and then continue to type Article 23. And therefore they relayed to us the correct version of Article 22 which is contained in this resolution. And it gives me pleasure to be able to redeem my promise to the House that I would investigate the matter further and report. I have no doubt the Hon. Member for Lower Baddibu and others will welcome this correction and therefore support the motion for the amendment of the statute affected.

The motion was proposed and there being no debate, the question was put and the motion adopted.

4. MOTION ON THE ADJOURNMENT

Vice President and Leader of Government Business: I beg to move, Mr. Speaker that this House stands adjourned sine die. It has been another fruitful meeting whose proceedings you have directed with skill and flair to successful conclusion. We are all deeply indebted to you Mr. Speaker. I must also thank all Members in this House for their positive contribution towards the successful deliberations we have just concluded. Once more this august Assembly has carried out its duty with diligence and public-spiritedness which constitute its hall mark.

Mr. Speaker, the Supplementary Appropriations Bill 1982/83 aside, the present sitting of the House has seen the passage of three important pieces of legislations: the Pensions Increase (Amendment) Act, the Act establishing a Commission for the Reform of the Laws of The Gambia, and The Gambia Law Foundation Act. While the Supplementary Appropriations Act could be considered a routine measure that comes before this House from time to time on the basis of Government's operational requirements, the other three bills we considered here constitute, in terms of their significance, a new landmarks in their own rights. The Pensions Increase (Amendment) Act is a welcome development, having regard to the positive social impact of the measure. This step taken by Government to increase the earnings of pensioners, even under the present unfavourable economic circumstances with which we are all familiar, is of course not out of character with this Government's record. I say so, Mr. Speaker, because the measure is not an isolated one if only we cast our minds back a little. For only last year, and again under economic circumstances that were anything but favourable, this Government did not hesitate to award wage and salary increases of 10% and upwards to all categories of employees. Considering the difficult period during which these increases have been effected, no-one should be left in doubt about the commitment of this Government to the promotion of the welfare of both its current and erstwhile servants.

The Commission for the Reform of the Laws of The Gambia and The Gambia Law Foundation have not for their part Mr. Speaker, come to the assistance of our pockets as such. In terms of social function, however, they are

equally welcome and no less important. Since laws are basically meant to regulate our conduct in society they must be relevant to society's values and beliefs. The development of law in our case must therefore be based on our indigenous culture and reflect changes in attitude and values. In moving both Bills yesterday the Hon. Attorney General and Minister of Justice gave detailed justifications for requirement which I would rather not repeat here. I will just observe that, judging by the unanimous and enthusiastic support given to the Bill here yesterday, the Minister's point is indeed well taken and that we are all convinced that we cannot continue to be governed by Laws which have long since fallen archaic and obsolete in the eyes of even the British whose system we appear to have copied. In this regard, the task of indeginising, reforming and modernising our laws is indeed long overdue. I believe, therefore, that I speak for the entire membership of this august House in thanking the Hon. Attorney General and Minister of Justice for initiating this important development. We thank him equally for his foresight in introducing The Gambia Law Foundation Bill, through which we stand a good chance of attracting funds for the further development of our legal services and, by implication, the rule of law in this country and the democratic process that are so dear to us.

The Government's recent decision Mr. Speaker, to dissolve the Area Councils in the country at the end of their term, and to call for fresh elections is to be seen as another demonstration of our commitment to this same democratic process. The idea of Area Councils has always been to involve our local communities in the administration of their own affairs and in promoting grass-roots development. I would not like to raise here the matter of the decision of the Opposition NCP not to contest these elections for reasons of obvious political expediency. I consider it will be inappropriate to use up this august Assembly's time over this aspect of the matter. Let me only be allowed to say with specific regard to the question of the effectiveness of Area Councils as development agencies that institution building particularly in developing countries, has its up and downs. I say this as a matter of fact and not to render any apology for the present state of Area Councils. Local Authorities in virtually all the developing countries, and even in many of the developed ones, are going through serious financial difficulties. Many have actually collapsed as a result of these problems. That

our Councils have been raging for so many years and still continue to function to some extent is in itself a measure of achievement. It also goes to show that as institutions, the Councils have come to develop roots in our system of democratic Government. This Government will not, therefore, allow this achievement to be belittled; nor will it allow the growth process of these local authorities to be arrested especially when there is nothing better to be set up in their place.

Mr. Speaker, the process of rural development, which we consider a priority and within which falls the Area Councils, will continue without any distraction. In this the commitment of this Government has the strong support of many friends outside who have a great deal of admiration for the way this Government has been performing in this sector. We can see this concretely from the expansion in the volume of inputs we are receiving from bilateral and multilateral sources and additional from the increasing number of NGOs who have come to start operations in this sector thereby supplementing Government efforts for the promotion of rural development and the enhancement of the welfare of our compatriots in the rural areas. I want to believe, Mr. Speaker, that our ability to attract such good will from the international community results from a recognition of the genuine commitment of this Government to rural development. Not only was this priority commitment publicly stated as a Government policy in the Five Year Plan for Economic and Social Development; it was also pursued in earnest. By the end of that Plan Period, we have witnessed the completion of most rural projects and the continuous implementation of others. The commitment continues in the Second Plan during which the emphasis on rural development is indicated by the fact that nearly 50% of the total plan outlay will be on projects that have a direct impact on the rural sector.

In our pursuit of this policy, it should be obvious that since rural development presupposes the full involvement of the beneficiaries, the institutions established to facilitate such involvement cannot be neglected. In actual fact, it was as a result of the felt need for the greater participation of rural people in their development that the Divisional Development Committees were established during the First Plan Period. The development orientation of these Committees has been self-evident since their creation which came many years after

the Area Councils were established. The difference in the orientation of these two institutions, which Government has recognised and plans to address, results, from different prevailing circumstances at the time of their creation. The DDC's came into being under an atmosphere of greater consciousness of the pressing need for development and the recognition of the considerable potential that participation at the grass roots level has for national development. The older institutions, the Area Councils, as fully recognised by Government, have to be reorientated for development promotion. No radical changes appear however to be called for to make this a reality because local Government institutional machinery is well established by law and practice; the problem, as seen by Government, is to make it function effectively. To achieve this objective, however, it will be necessary to examine in depth the factors contribution to the perpetuation of the problems facing Area Councils. Anybody who reads the two chapters in the Second Five Year Plan on Rural and Regional Development on one hand and on Public Administration and Management on the other cannot fail to see Government's full awareness of the problems and the strategy adopted for their solution. Mr. Speaker, I need not remind Hon. Members that the Plan Document predates the very recent Statement issued by the Opposition on the situation of the Area Councils. I only need to give the assurance that the matter is receiving Government's attention and no efforts will be spared in the pursuance of the objectives identified and along the strategy mapped out.

Mr. Speaker, I should like to conclude by re-emphasizing our unflinching adherence to the principles of a multi-party system of Government and the maintenance and enhancement of the proper atmosphere for democratic interaction. It however takes more than one party to play this game. As a system we have chosen it on our own and for ourselves; we are proud of it and want to nurse it to strength. This calls for genuine commitment on all sides to its success. There is therefore need for caution lest, in the process of promoting personal ambition and love for power, the principles we have been trying to nurture so carefully are just stifled.

With these few remarks on Government's efforts in rural community development, the principles that underlie it and the structures being developed to that end, I beg Mr. Speaker to move.

SPEAKER: The Speaker then threw the motion on the floor for debate.

Member for Western Foni: Mr. Speaker, thank you. I have only one point to talk on and that is the question of rice. Mr. Speaker, for sometime now, there is rumour of scarcity of rice. I certainly don't know what the problem is or whether the supply of rice is being held for some reason. But if there is rice in the store, I think it would be appropriate for the GPMB to issue out these rice to the general public.

Mr. Speaker it is a common site nowadays to see people queing in any NTC shop or rice distribution centre. Just at the junction of Allen Street and Albion the last time I was passing there was a fight over the purchase of rice and I don't think we should allow such a thing to happen here. In fact, it was to prevent this sort of scarcity that Government gave GPMB the monopoly of importing rice. But, if the GPMB, is now finding it difficult, to import enough rice, Government should again consider handing it back to the private sector because people are getting really worried about rice. Government or GPMB should inform the public of what is happening, as the rainy season is fast approaching; and if there is not enough rice in stock I think it would be better for GPMB to start importing now because for the past two to three years the tendency has always been that rice gets scarce between August and September every year. So, I suppose this matter would be taken up not only because of the impending rainy season but because of the gravity of the present situation. Thank you very much.

Member for Lower Niuni: Mr. Speaker, Sir, I have not much to say other than to first of all support the Member for Western Foni on this question about rice and wish to appeal to the Minister of Finance to kindly request the GPMB to issue the supply of rice to the Niunis, and Jokadu for people in that area are having to go to neighbouring Karang in Senegal to get few kilos of rice. The situation is really terrible around that end.

To conclude, I wish to thank the Ministry of Works and Communications for commencing work on the Barra/Kerewan/Farafenni road. This time it is not just the cutting of grass but real maintenance. Thank you.

Member for Lower Baddibu: Mr. Speaker, Sir, thank you. I would like to add my voice to those of my Hon. friends who have already spoken in support of the motion on adjournment.

Mr. Speaker, first of all I would like to congratulate the Attorney General for having brought to Parliament the Law Reform Commission and Law Foundation Bills.

Hon. Members and those who were present in Parliament yesterday would observe that very few people said anything at all after the presentation of the Bills by the Attorney General. This was because the Attorney General said all and left no room for any Hon. Member to say anything on top of what he had said and therefore it had to be left at that. The introductions of these Bills are a step in the right direction.

Mr. Speaker, sometime ago while the Hon. Vice President was on a visit to U.K. he had the opportunity of being interviewed by certain pressmen, part of which was relayed over BBC. A point that particularly interested me was when he was asked about the question of detainees (that is those on trial or waiting to be tried) and if my memory serves me right, the Hon. Vice President said the number of detainees was in dozens and not in hundreds. I heard someone down that end alleged that the number were in hundreds, and I would like to know exactly how many detainees are either awaiting to be charged or may not at all be charged but are at present in the Mile 2 Prisons.

If there are some who are not yet charged, what is holding up? At least, something should be done about them so that they will know whether they will be released or face trial.

On the question of the Evaluation of Assets and Prevention of Corrupt Practices, I have a suggestion to make to the Attorney General and this is about the appointment of the Secretary to the Commission. Since in the Law Foundation and Law Reform Bills, the President or the Council appoints the Secretary, would it not be easier, in the case of the Evaluation Bill, if the President or the members of the Commission were empowered to appoint the Secretary to the Commission. I make this suggestion, Mr. Speaker, because I have heard radio announcements inviting applications for the post of Secretary to the Commission Grade 17. Why couldn't the Government or the Attorney General with the help of the Hon. Vice President transfer an officer at Grade 15 or Grade 17 level from any Ministry to serve as Secretary to the Commission. I think this would be quicker than having to wait until the end of this month, the closing date of the advertisement. I think the Government would be widely applauded if say by tomorrow an announcement was made that someone was appointed Secretary to the Assets Commission and that work was to commence immediately.

Mr. Speaker, I can fully remember and I think it is in record that when the Assets Bill was introduced in Parliament, I said some people will not sleep and I still maintain that since that day some people have not been sleeping because they know the types of people who have been selected to serve on the Assets Evaluation Commission. They know the type of Attorney General we have now or will have, if he keeps to his promise to track down those in our society who are bent on embezzling public funds. Mr. Attorney General you have made a lot of promises; you promised that an Assets Commission will be set up, you have fulfilled that promise; you also promised that the Members of the Commission will be named before this sitting of the House and you have fulfilled that promise. I am now asking and I am sure the public also wants to know: when exactly will the Assets Commission start work? Would you dare make another promise on this question?

Mr. Speaker, sometime at the end of last month I and almost everyone saw vehicles loaded with a lot of articles travelling either from Mile 2 or Bakau to Banjul. When I asked I was told that the articles have been confiscated from General Distributors Ltd., some say by the Standard Bank and others, the Government. I would like to know who did the confiscation and secondly whether the hotel buildings belonging to that company were also confiscated. If the latter is the case, why remove the furniture in the hotels. I would like the Hon. Attorney General to clarify this point.

The Hon. Minister of External Affairs told us of Apartheid in South Africa and the struggle for survival in Afghanistan. I believe there is that much struggle for survival in Matabeland. Mr. Speaker sometime last month those who had the opportunity of listening to the news heard of the assassination of Dr. MacCarthy of Malawi. That assassination goes to show that the monstrous devil of silencing the voices of the nationalists who are fighting for the liberation of their people in that part of Africa is still on. I therefore join him in condemning apartheid, racial discrimination etc., in South Africa and the occupation of Namibia. Thank you.

Parliamentary Secretary, Ministry of Agriculture: Allow me to make a brief contribution on the issues before this great House. I merely wish to point out the moral and constitutional benefits of two Acts of Parliament brought before this House for enactment namely, the Law Foundation Act 1983 and the Law Reform Commission Act 1983. Yesterday, I made a brief remark on the Law Foundation Act 1983 and described it as a fundamental contribution to democracy in The Gambia.

Mr. Speaker, our¹ present constitution came into force on 18th February 1965 and will be 21 years old in 1986.

The time has now come for us to review our legal system which is primarily based on British Common Law and to analyse its meaning and relevance in relation to present day situation.

Mr. Speaker, on Human Rights, Banjul has now been internationally recognised as the birth place of the African Charter on Human and Peoples Rights. This is an extremely important charter which we should all be proud of. The very essence of this charter is the recognition and respect for law and democracy, not only in Africa but elsewhere in the world.

The Rule of Law should now not become a dream in Africa. Mr. Speaker, I look forward to the day when a National Human Rights Committee will be set up to propagate and educate the public on their fundamental human rights.

In conclusion, the Law Reform Commission, The Law Foundation Act and indeed The African Charter on Human and Peoples Rights must be taken seriously. Thank you Mr. Speaker.

Parliamentary Secretary, Ministry of External Affairs: I wish to make a very short contribution because my conscience would prick me if I don't stand and express my feelings especially about the Bills that were passed yesterday. At this adjournment debate therefore, I would like to take the opportunity of congratulating the Attorney General and Minister of Justice for introducing these very important Bills yesterday, particularly the one on the Reform of the Laws of The Gambia. In that Bill he has not only spelt out the absurdity of some of our laws but was also able to reveal the antiquated nature of these laws and their applicability to our present day society. Reflecting on the sociological fact that human societies are not static but dynamic, it follows that laws which to a very large extent are written also need to be reform periodically. If we therefore call ourselves progressive and I think we are, then this Bill is a manifestation of that quality.

Mr. Speaker I was further impressed by the comprehensiveness and clarity with which the Bill was presented because I have the conviction that it is we, the representatives of the people, who should give very clear explanation to the people. I think we owe them an obliga-

Furthermore, Mr. Speaker, being aware of the fact that the presentation of these Bills will be on permanent record, our action must be so comprehensive and clearly spelt out as to leave no doubt in the minds of later generations about the wisdom and competence of their forebearers.

In conclusion, if we are to be dynamic as a society and if we are going to be progressive as I think we are, then I think we should see this Bill as a landmark in the annals of Gambia Legal Administration. Thank you.

Minister of the Interior: I would like to thank the Vice President, Ministers, Members of Parliament and members of the public who are present here. Also I would like to congratulate the Attorney General on the able manner in which he introduced the motion on the Charter on Human Rights and the Law Reform Bill. This country and Government committed to maintain Human Rights and Rule of Law, the minority is bound to have its way, whatever is said for or against.

The Member for Lower Baddibu raised the question of detainees and mentioned a BBC interview with the Hon. Vice President while he was in the U.K. As the Vice President said, there were thousands of detainees and thousands have been released and far less than a thousand remains. Currently 60 are on trial, (30 in Kanifing Court and 30 in the Banjul Special Court) and there are far less than a hundred detainees still in detention awaiting trial or otherwise and I want to inform the Hon. Member that a third special prosecutor has been appointed so as to expedite the trials of the other detainees but, justice must take its course.

Mr. Speaker, may I also touch on the Pension Increases (Amendment) Act which also went through Parliament yesterday and which the Hon. Vice President has touched on so ably. This amendment is another manifestation of Government's interest in its citizens, irrespective of their social, political or other status. These increases came at a time as mentioned by the Vice President when the economic situation in this country is so tight and when the Pensioners themselves made no representation to Government. But Government being aware of its obligations to help every

member of the community and on its own initiative decided to award increases to Pensioners who have been loyal to this service. And I think this step should be broadcast all over the country. If Government's achievements are not being broadcast by those who should do so, Government will broadcast its own achievements. Thus, I would also mention that the civil servants made no presentation to Government but when Government felt that there was a need to augment the income of civil servants, it did not hesitate to do so. Moreover, despite falling world market price of groundnuts, Government was able to pay a much higher price to the farming community when it was felt that this was most desirable. Thank you.

Minister of Finance and Trade: Replying to the points raised by the Members for Western Foni and Lower Niumi on rice, he explained that the so called scarcity was due to miscalculation made by the GPMB based on projections by the Ministry of Agriculture. However, the GPMB was aware of the situation and was taking corrective measures.

The Minister was opposed to transferring the importation of rice to the private sector, because with the price of rice being controlled, private importers would not be too keen on maintaining supplies.

Member for Basse: Clarifying a point in his Question No. 243/82/83, he explained that when he said that conditions were deplorable, he was referring to the services.

The Member said that whilst he was inclined to accept the Minister of Finance's assurance on the foreign exchange situation, he was not so convinced that wrong projections were the cause of the present rice shortage, but rather the effects of the re-export trade.

Finally, the member expressed satisfaction on the terms of the Human Rights Charter and then congratulated the Attorney General and Minister of Justice on the introduction of the Law Reform Commission and the Law Foundation Bills.

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Attorney General and Minister of Justice:
Thanked Members for their support during the debate on the Law Reform Commission and the Law Foundation Bills.

Replying to the Member for Lower Baddibu's question on the detainees, he said that in the beginning, the total number of detainees was 1,084 of which 864 have been released on the Orders of the President. On the Member's question about the appointment of Secretary to the Assets Evaluation Commission, the Minister pointed out that the post was not similar to that of Secretary to the Law Reform Commission, for while the latter called for a professional person, the former had to be a man of wide experience in public administration.

On the Member's question about the General Distributors Ltd., going into liquidation, the Minister explained that the Company had defaulted on payments of debts owing to Government and some private Banks; and to recover these debts, the Government had to appoint a Receiver to take over the assets of the Company.

Minister of Agriculture: Replying to the Member for Basse on the re-export trade, said he did not share the member's views on the issue, because the country derived considerable benefits from that activity.

Finally, the Minister appealed again to the business community to invest in agricultural industries.

Other Speakers including the Minister of Health, Labour and Social Welfare and Water Resources and the Environment also replied to points raised during the debate.

Vice President and Leader of Government Business: Winding up the debate, congratulated the Speaker and members on a constructive debate. He also welcomed to the House the newly-elected Member for Eastern Jarra.