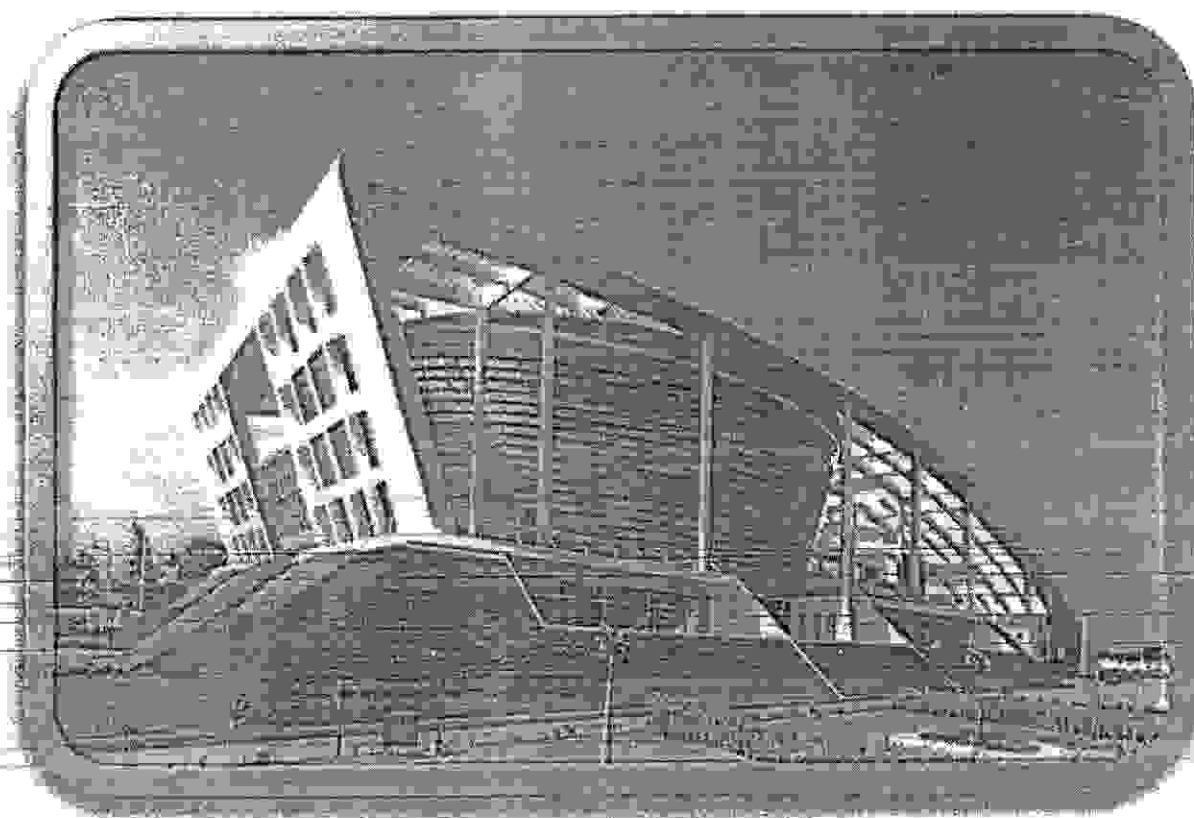




**National Assembly, New Assembly Building, Reverend Pyne Lane, Banjul, The
Gambia**

PARLIAMENTARY DEBATES

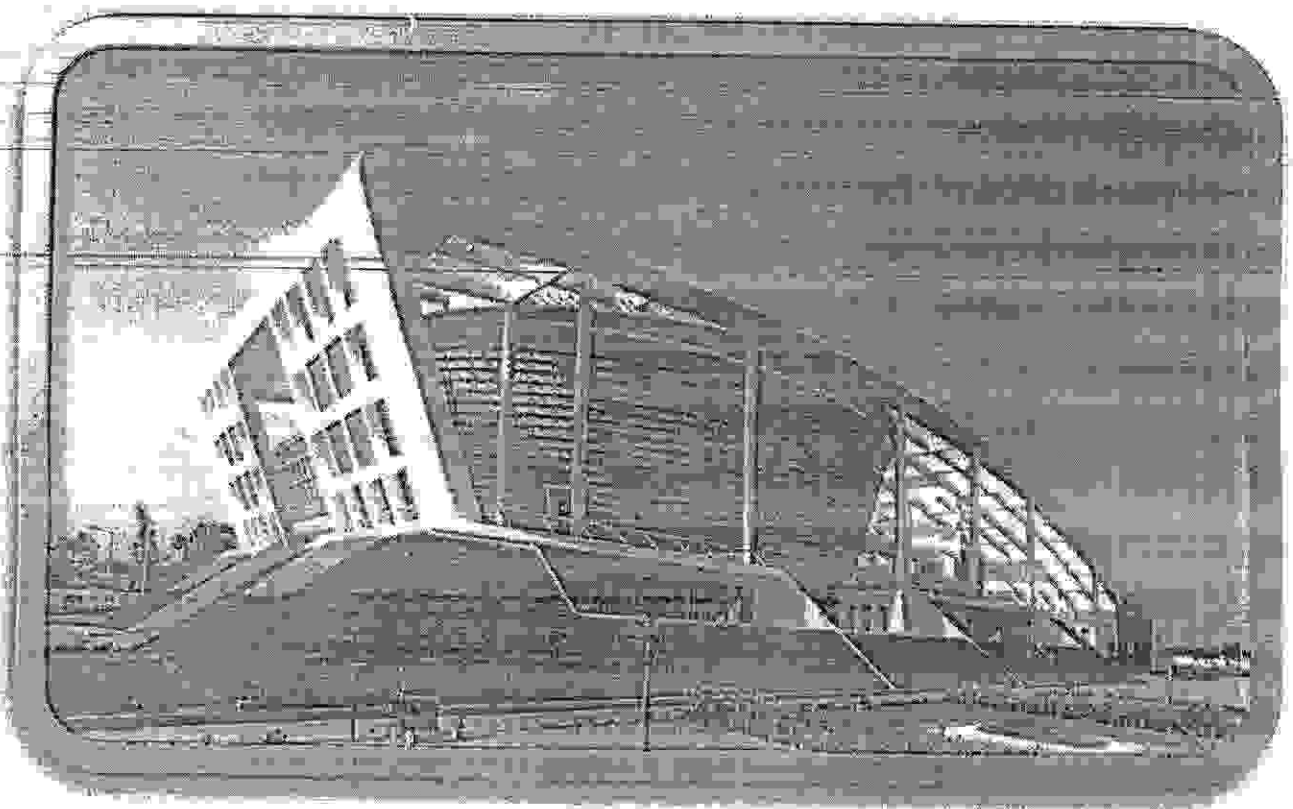
[HANSARD]

OFFICIAL HANSARD REPORT

THIRD SESSION – SECOND MEETING

WEDNESDAY 19th JUNE, 2019

SESSION – 2019



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

PARLIAMENTARY DEBATES

[HANSARD]

OFFICIAL HANSARD REPORT

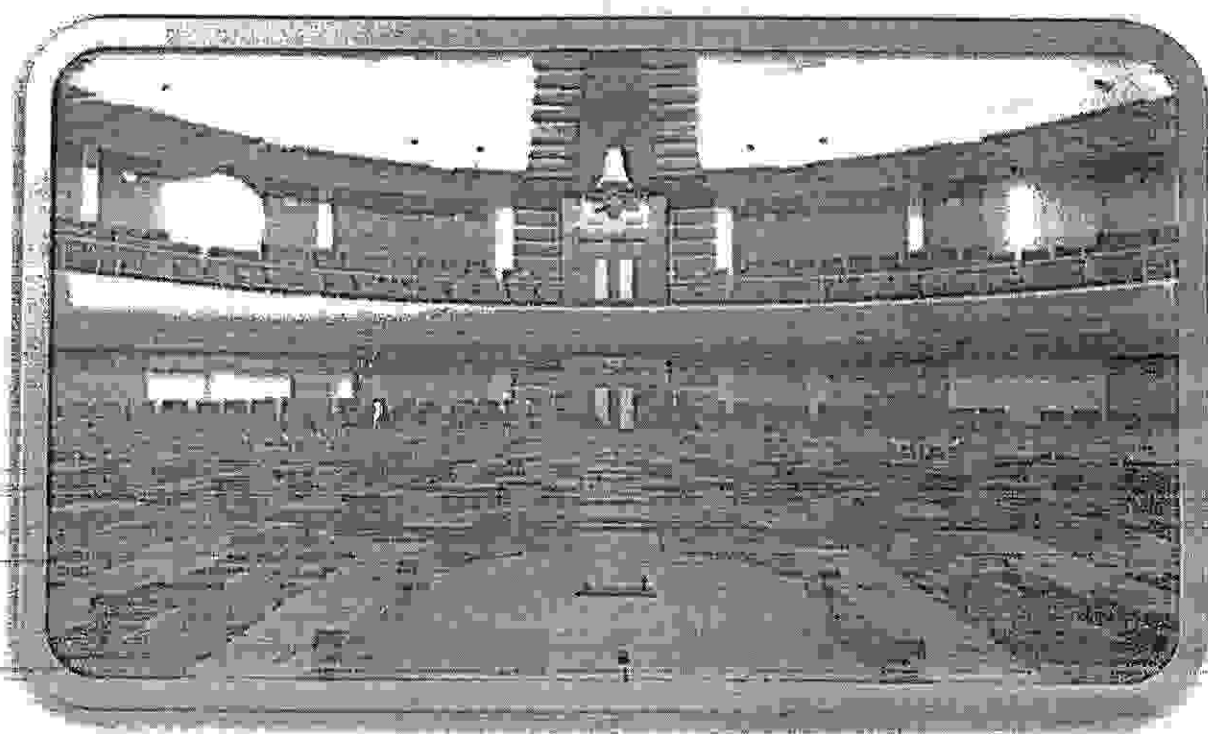
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Third Meeting of the second Session of the Fifth Assembly

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 - iii. Hon. Minister for Finance and Economic Affairs**
- 4. Motion: Be it resolved that this august Assembly do consider and ratify the Motion for the increment of remuneration for the Members of the Commission of Inquiry into the financial activities of public enterprise bodies and officers as regards their dealings with former President Jammeh to an additional amount of D200,000 [Two Hundred Thousand Dalasi] each. By the Attorney General and Minister for Justice.**



THE CHAMBERS OF THE NATIONAL ASSEMBLY OF THE GAMBIA

OFFICIAL HANSARD REPORT OF THE PROCEEDINGS OF THE HOUSE

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

Wednesday 19th June, 2019

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

[The House met at 10:00 a.m. in New Assembly Building, Reverend Pye Lane, Banjul].

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

The House was called to Order

2. CORRECTION OF RECORD OF VOTES AND PROCEEDINGS OF THE NATIONAL ASSEMBLY SITTINGS OF TUESDAY 18TH JUNE, 2019.

HON. SUNKARY BADJIE [FONI BREFET]: I rise to move that the record of votes and proceedings of the National Assembly Sitting of Tuesday 18th June 2019 be considered and adopted.

THE SPEAKER: Any seconder?

HON. ALFUSAINY CEESAY [SAMI]: I rise to second the motion.

[Question proposed, put and agreed to]

HON. ALHAGIE H. SOWE [JIMARA]: Page 1, laying of papers and report said by Honourable Momodou L. K. Sanneh Deputy Speaker.

HON. OMAR DARBOE [UPPER NIUMI]: Honourable Alhagie Jawara was absent yesterday and his name is "captured in the present list on page one".

HON. MOMODOU S. CEESAY [JANJANBUREH]: Honourable Sainey Jawara was present and his name is captured in the "absent with permission page 3 number 12".

THE SPEAKER: Anymore on page 3?

HON. ASSAN TOURAY [BAKAU]: Page 4, report of the Selection Committees on the nomination, the word "nomination" letter "I" is missing.

HON. SIDIA S. JATTA [WULI WEST]: Page 5, Report of the Selection Committee on the Nomination of the Gambia Cuba Parliamentary Friendship Group. You were not nominating the Parliamentary Group

but you were nominating members of that Parliamentary Association. So "it should read; Report on the Selection Committee on the Nomination of Members".

THE SPEAKER: Anymore on 4?

HON. ALHAGIE DARBOE [LOWER FULLADU]: Page 5, "Nomination of the Members".

THE SPEAKER: Page 7?

HON. ALHAGIE DARBOE [LOWER FULLADU]: Page 7, Question No. 3/2019 by the "Honourable Member", not "Honourable Minister".

THE SPEAKER: Page 8?

HON. ALHAGIE DARBOE [LOWER FULLADU]: Page 8, Question No. 100 by the Honourable Member for Bakau and there is an omission, the question was orally answered by the Honourable Minister as it is on the Order Paper, is missing.

HON. SUWAIBOU TOURAY [WULI EAST]: The parliamentary question was already answered by the Honourable Minister as placed on the Order Paper, but when it comes to the supplementary it does not indicate as placed on the Order Paper.

THE SPEAKER: Usually not on the Order Paper, that is why they are call supplementary. so probably it might be a correct reflection if we say supplementary as placed on the Order Paper as if they were, when in actual fact, they were not on the Order Paper. So, we would take a second look at that and have it corrected. Page 9?

HON. SIDIA S. JATTA [WULI WEST]: Page 9, Honourable Majanko Samusa moved a Motion that the Assembly "defer" not "defers".

HON. ALGAHIE DRAMMEH [JESHWANG]: Page 9, on the last sentence, it says at this juncture Honourable Majanko Samusa Nominated Member moved a motion that the Assembly "defer" the report, the word "defer" is correct, it should not be in the past tense.

HON. ALHAGIE S. DARBOE [BRIKAMA NORTH]: I also want to portray that point, in this case the request was made for the motion to be deferred, therefore the simple tense is "defers" that stand to be correct. The request was to defer the motion but not actually it had been deferred. He is trying to request for the motion to be deferred, in this case the tense is correct.

HON. MUHAMED MAGASSY [BASSE]: Thank you very much Honourable Speaker. The Nominated Member here moved a motion for the Assembly to "defer", both the word defer and defers can follow the word Assembly in this context because it is a collective noun and in the present tense form.

HON. BILLAY G. TUNKARA [KANTORA]: Let us maintain "the Assembly defer" and remove the "S" addition, that suffices.

THE SPEAKER: This is a grammatical issue, we have quite a number of teachers here but I have my own point of view of course, I have to go by the general agreement of the Assembly.

HON. BABA GALLEH JALLOW [SANIMENTERENG]: I also believe that since the expression is in the present tense and it involves the Collective Noun 'Assembly' both the verb defer and defers can follow it.

HON. SUWAIBOU TOURAY [WULI EAST]: If we follow our reports, we always see the common clause; "the Assembly sit" not the Assembly "sits" beyond 2 o'clock. Both expressions are correct in the present tense since collective nouns can be singular and plural.

HON. ALFUSAINY CEESAY [SAMI]: Honourable Speaker, what I want to say is that plural verbs do not take "S", Singular verbs do take "S" to indicate the Third Person Singular. The word Assembly is a collective noun and can take both singular and plural verbs in the present tense, therefore, both "the Assembly defer" and "the Assembly defers" are acceptable grammatically.

THE SPEAKER: Honourable Members, with all due respect we are going into grammar over this. If we cannot agree now then I suggest we proceed otherwise it will go over and over again.

HON. SUWAIBOU TOURAY [WULI EAST]: Page 10 second paragraph, where it says that the draft revised Standing Orders 2019 be referred, the next word "to back", the "to" should be removed. In the question put and agreed to, in the first line, the same problem is there "referred back instead of "referred to back". And when you come down adjournment on the question put, there is "be it resolve that this August Assembly do stand adjourn, you should put "ed" there.

THE SPEAKER: Anymore on page 10?

HON. BABA GALLEH JALLOW [SANIMENTERENG]: I stand to be corrected on where you have Honourable Sidia S. Jatta Member for Wuli West and Chairperson of the Standing Order Committee

moved a compromised motion. Was it Honourable Member for Serekunda or Honourable Member for Wuli West? I think it was Member for Serekunda who moved a compromised Motion.

HON. ALHGIE S. DARBOE [BRIKAMA NORTH]: I think there were two compromised motions. The first one was by the Honourable Member for Serekunda and the last one was the one raised by Honourable Member for Wuli West. For record purpose, the one raised by Honourable Member for Serekunda and been seconded should be captured then this one also by comes next.

THE SPEAKER: If we go by the record, I think it should be in order that we capture the first compromise motion that was proposed by the Honourable Member for Serekunda that should come up first and then we bring in the agreement for the other Honourable Nominated Member and Serekunda and that is when the Honourable Sidia S. Jatta's paragraph should now come in. But there should be a paragraph indicating that, the first compromise motion was by the Honourable Member for Serekunda. Table office can you please capture that so that the record will be correct thank you.

HON. MUHAMED MAGASSY [BASSE]: I just want to make an observation in point of procedure. In our Standing Order, it is clearly mentioned that National Assembly Members should be called by their names of their Constituencies. Reports indicate that we call National Assembly Members by their names and the names of their constituencies, procedurally, what is recommended? Thank you.

THE SPEAKER: That is the procedure, so I do not know why it happened this time around. Well I also do not know.

HON. OUSMAN TOURAY [SABACH SANJAL]: Thank you Honourable Speaker. I think during that process, a vote was taken and it is not reflected on the report.

[Question proposed put and Agreed to]

[The Votes and Records of Proceeding of the National Assembly Sitting of Tuesday 18 June, 2019, as Adopted with Amendments].

3. i. Questions for oral Answers by Honourable Minister for Interior.

HON. KEBBA JALLOW [JARRA CENTRAL] REPRESENTING HON. SALIFU JAWO [JOKADU]: Honourable Speaker, can the Honourable Minister for Interior inform this august Assembly as to when the construction work at Kuntaya Police Station will be completed?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Honourable Speaker, the Kuntaya Police station is a community-initiated project and at the moment the work is stagnant due to funding challenges but the Gambia Police Force will take over the project in six months' time if the situation remains the same.

[Supplementary Question/S]

HON. KEBBA JALLOW [JARRA CENTRAL]: It is a follow up question Honourable Speaker, I am made to know by the Honourable Member for Jokadu that this construction had been going on for the last six years. So he is urging the Honourable Minister to take up responsibility for the completion of the Police Station at Kuntaya.

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Thank you, it is well noted and I can even tell you that further steps have been taken. Some two months ago, I called the Station Officers from all the Police Stations throughout the Gambia and had a personal meeting with them without the intervention of their superiors. One of the Station Officers mentioned Kuntaya Police Station and I told him personally that the Ministry of Interior will ensure that this station is completed. Above all, I contacted a contractor who personally said he will help in the construction of one of the Police Stations in The Gambia and as I promised the Police Officer that Kuntaya Police Station would be one of that.

HON. MOMODOU S. CEESAY [JANJANBUREH]: Honourable Minister, I would want to know why you mentioned a duration of six months and not now.

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: This is from the Police perspective, the police said in the next six months because it is budgeted for that but come next six months which would be in December it would be part of their annual budget. Thank you.

HON. SUWAIBOU TOURAY [WULI EAST]: Honourable Speaker, we would want to know the policy of the Ministry of Interior regarding community-initiated Police Stations. This is because many police units are located across the country but they do not have stations and are living with communities. If you remember, I was dealing with you on Makamasere and they have also put a lot of money there but the process is stagnant. I am just requesting from the Ministry of Interior to take up from there to deal with the community to see how it can be successfully completed. Thank you.

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: As the Minister responsible for Internal Security, I thought it is prudent that any community that requested for a Police Station, more so those

that have taken the initiative to embark on the project, the Ministry is duty-bound to ensure that such a project is completed regardless of whether there is a policy or not. Recently, I had called an internal donor conference. I called so many institutions to look at National Security and take it as a concept because without security there cannot be development. So, most of them thought it necessary to render their support and in so doing, we would look at the issues according to priorities. I think there is so much work that needs to be done in most of the stations.

HON. SIDIA S. JATTA [WULI WEST]: You have indicated in your answer regarding the projects the community initiated, my question is, was there any consultation done with you before the actual work started? As you know that Police Station is not just building but also police personnel. So, was there any consultation done to this effect?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: I would not know because if I am right, as someone was saying, this project started some six years ago when I was barely one-and-a-half-year old in my tenure. Definitely, I would not know unless I ask and get back to you.

HON. SULAYMAN SAHO [CENTRAL BADDIBU]: Honourable Speaker, can the Honourable Minister inform the august gathering whether he is aware of a Police Station under construction at Njabakunda?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Thank you, you all know the security issues concerning budget. If I tell you the Njabakunda Station have been budgeted for, I would not do justice to myself. If it had been budgeted for, it would have been completed by now.

HON. MUHAMMED MAHANERA [SANDU]: Honourable Minister according to your answers, the Police Station in Sandu (located in Diabugu), virtually have no station. The station they used was abandoned by the Forestry Department and it is a water runway which was abandoned by the Forestry Department. We made a complaint to you that we need a station but the promise that was given to the people of Sandu was that Arezki before completing their project the Laminkoto- Passamasi road will construct a station there. I want to know how far is that plan?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Honourable Speaker, In as much as work is in progress with Arezki on the constructions of that highway, we cannot say they are not going to construct it, they will but it subject to certain issues but it will be done in tandem with their work progress. They have to prioritise by either continuing with their work or stop it and go on with the

station. Actually, the reality is they have to continue on their work. We are also cognisant of the fact that where our police station is located, it is definitely a waterway.

THE SPEAKER: Actually, Honourable Member, the last thing that I would want to do is to disallow this supplementary question but let us be mindful it has to relate to the original question. I know as a representative of the people of Sandu, you are very concerned about their general welfare but I think this should have been the subject of a completely new question and then the Honourable Minister would probably have been in a better position to respond adequately so that next time in as much as we relate let us try to milk it as much as possible or as close as possible to the original question asked.

HON. ALHAGIE S. DARBOE [BRIKAMA NORTH]: Honourable Speaker, this is a follow-up question in response to the Minister regarding the supplementary question of the Member for Wuli West that he would not know because he is new in the office unless he finds out. At this point I would like to know whether since he assumed office, whether he had embarked on a familiarization tour of institutions including the police stations under his office. And if so, what was the situational report of the Kuntaya Police Station?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Thank you Honourable Speaker. Indeed I had made a familiarization tour immediately I assumed office sometime in 2018 probably February, March or April I cannot remember correctly but concerns were raised throughout the country including Kuntaya. They talked about the community initiative, I could remember, and I told them subject to the budget. I was also made to understand that there was no budget allocated for this thing and it was a Community-Initiative this is what they told me.

THE SPEAKER: Honourable Member for Illiassa

HON. DEMBO KM CAMARA [ILLIASSA]: Thank you very much Honourable Speaker. Honourable Minister, I would really want to know the present situation of the Illiassa Police Post which has been there three months back.

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Thank you Honourable Member, the police are working on it, we have put certain measures in place which in due course we will handle it accordingly. I will be calling to notify you on that issue.

Question No. 108/2019 by Honourable Member for Kiang Central

HON. BAKARY CAMARA [KIANG CENTRAL]: Honourable Speaker, can the Honourable Minister for Interior inform this august Assembly whether his Ministry intends to increase the number of traffic officers on the road since taxi drivers are requesting multiple fares especially during peak periods?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Honourable Speaker, it is the ultimate intention of the Office of the Inspector General of Police to increase the number of traffic officers on the road to ensure free flow of traffic. The office of the IGP is also doing everything possible to tackle the menace of hoisting fares by commercial drivers.

[Supplementary Question/s]

HON. BAKARY CAMARA [KIANG CENTRAL]: Honourable Speaker this is a great concern. I certainly want to know how soon as average commuters suffer in this country suffer on daily basis along Tabokoto-Westfield, Westfield-Lamin, then Brikama, You keep on paying fares over and over before you reach your final destination. So how soon are you going to work to make sure that this problem is solved?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Thank you, it is not only a matter of police involvement or increasing of traffic officers, this is a collaborative effort of everyone in as much as the increase in traffic fares is concerned. Moreover, if you look at it police are there just to enforce whatever it is being agreed it is our duty to enforce the laws. It depends on us putting up a committee as well because we cannot just jump and do things without consulting other Ministries since there are so many stakeholders involved in the increase or reduction of fares. Thank you.

HON. SUWAIBOU TOURAY [WULI EAST]: The issue of commercial drivers raising fares is not an easy thing to settle. So, will the Ministry of Interior be willing to consult with other stakeholders and see how best to address the situation because it is not easy, you ask me to pay D5 for Tabokoto, From there you said Lamin, and from Lamin Farato, and from Farato to Brikama. Instead of paying D20 you end up paying D40 along the way it is not an easy matter. Thank you Honourable Speaker In order to look at this issue closely and find the best possible way to address it. Will you be willing to call for a stakeholders' meeting? Thank you.

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Thank you Honourable Member for Wuli East, I think part of my answer is what I had already mentioned that collaborative effort of all

stakeholders including the Ministry of Interior is needed and I am telling you we will do that. Thank you.

THE SPEAKER: Honourable Members can I sit on the side so that I can record them. I thank you.

HON. AMADOU CAMARA [NIANIJA]: Thank you very much Honourable Speaker. Honourable Minister, the issue here is about Taxi Drivers raising fares from time to time. Would you consider, in the long-term, having designated places for garages because I think in this country the only proper designated garage that we have proper here is Brikama but the rest is all you take a vehicle anywhere but like if we have specific designated garages whereas if you take a vehicle like you know that you are going to this place . Are you thinking along that line as a Ministry?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: That is not the responsibility of the Ministry to look into where destination will be or so but I think as I said earlier on it is a concern for each and every one of us. I am quite sure when we call on the stakeholders' meeting issues of this nature will be considered. Thank you.

Honourable Speaker, I withdraw my question that has been asked by the Honourable Member for Wuli East

THE SPEAKER: Thank you

HON. SUNKARY BADJIE [FONI BEREKET]: Honourable Speaker, would the Honourable Minister consider it prudent to collaborate with other stakeholders to review the existing laws or come up with transport policies in a bid to address this menace. As the Honourable Member rightly put it, this is a big problem to lot of commuters.

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: I think we are all on the same page again. I have made mentioned of something it all have to be as a result of the Stakeholders meeting which I know transport as you mentioned is outside the domain of the Ministry of Interior but as a government we have to really sit and brainstorm and see the best way forward, Thank you.

HON. NDEY YASSIN SECKA [NOMINATED]: Thank you very much Honourable Speaker. I think my question has been addressed. The only thing that I wanted to include is that whenever the taxi drivers increase their fares, when you ask them, they said that the cost of the fuel is so high. So I think

it is better for the Ministry of Interior to have a consultative meeting with other stakeholders. Thank you

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Noted, with Thanks.

HON. LAMIN J. SANNEH [BRIKAMA SOUTH]: Thank you Honourable Speaker, Honourable Minister, the issue of price inflation as far as these taxis are concerned is very common. Do you have any other alternative other than engaging the stakeholders regarding this issue since we are getting into the rainy season where certain roads become completely difficult for it to be motor able and this kept on increasing and it is resulting to lot of public outcry. Sometimes you have to intervene in order to be talking between the drivers and the customers. Do you have any alternatives?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Well it is all about engagement as I said. We just have to continuously engage with the stakeholders as well as the commercial drivers. It is all about engagement, there is nothing else that we can do as one of the Honourable Members have mentioned. Increase on fuel, they say increase of price. So it is something that we have collaboratively engaged. It is all about consultation.

HON. OUSMAN SILLAH [BANJUL NORTH]: Thank you very much Honourable Speaker, Honourable Minister, well, I think you would agree with me on that issue, I think you have responded to my concerns that in order to address the menace of hoisting fares, you need to be engaging with drivers and their representatives. Do you not think that is the way forward? Are you doing that?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Yes, that is right!

HON. OUSMAN SILLAH [BANJUL NORTH]: And are you doing that?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Thank you!

HON. SULAYMAN SAHO [BADDIBU CANTRAL]: Honourable speaker, can the Honourable Minister inform this august gathering whether they have any future plans to reduce the number of checkpoints on the highway particularly in rural Gambia.

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Indeed, we have plans to reduce the checkpoints. We have been talking about free movement of goods and services, trade and so forth which is fundamental. The reality is, we have to consider our Internal Security, it is paramount because we all know how volatile situations are. What is more important is the patrols but we cannot talk of

patrols because of our inadequate resources. So definitely that one is out. Allow us to use these checkpoints for now and I think it is making a difference. Thank you.

THE SPEAKER: QUESTION NO 109/2019 BY THE HON. DEPUTY SPEAKER

HON. MOMODOU LK SANNEH [DEPUTY SPEAKER]: Thank you for giving me the floor. Honourable Speaker, can the Honourable Minister for Interior inform this august Assembly about the total number of ID Cards issued and total amount of monies collected so far, since inception?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Honourable Speaker, GMD 30, 531, 150.00 is collected in respect of ID card and forms. Total number of cards issued amounts to 65,251 from 1st October 2018 to 31st may, 2019. NB: Money collected may exceed the number of ID Cards issued as not all paid applications are successful.

[Supplementary Question/s]

HON. MOMODOU LK SANNEH [DEPUTY SPEAKER]: Honourable Speaker, considering the cost of ID card, was it that interviews are conducted after payments or before payments?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Payments are made before the interview.

HON. MOMODOU LK SANNEH [DEPUTY SPEAKER]: Honourable Speaker, why payments are made before the interview since there should be an interview to know actually whether this applicant or this application, the person applying is entitled to before making any payment. Because ID cards is about D450 which is a lot of money.

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Honourable Speaker, it is indeed well known that we expect Gambians to apply for Identity Card. So evidently, we believe that whoever is paying or doing the payment for the production or issuance of an ID Card must be a Gambian. So, it is all the same paying before or interview before. I believe it is time-consuming if we have to interview you and found out that you are not a Gambian you are wasting our officers' time. And indeed, Instead of interviewing one person wasting at least 10/15 minutes you could have interviewed three people who are genuine Gambians. Thank you.

HON. FAKEBBA N.L. COLLEY [KIANG WEST]: Honourable Speaker, can the Honourable Minister inform this august Assembly as to where these forms are sold and if so, how much?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Forms are sold for D50 only. Thank you.

HON. MADI M.K. CEESAY [SEREKUNDA WEST]: Honourable Minister, do you know all the monies that are paid do not all go into the Government coffers? Would the Honourable Minister willing to bring at a later date to this office, the breakdown of how much of these monies are paid to Government coffers and how much is paid to SEMLEX coffers respectively? Thank you.

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Thank you, I do believe as you rightly said I will bring you that but to be honest we all know the one that is due for Government coffers goes to Government coffers, the one that is due for SEMLEX goes to SEMLEX account because it is an account which is opened and Government also we have our account. But as you rightly said at a later date, it is no problem we can provide you with that information. Thank you.

HON. LAMIN J. SANNEH [BRIKAMA SOUTH]: Honourable Speaker, with regards to the amount of money that is attached to the issuance of these Identity Cards, which I believe decentralizing it would have enabled some of our people in the URR and other regions not to be paying fares to come down here and getting this thing. It is like a double fires for them. Do you have any intention of decentralizing it up to that level?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Thank you, I am quite sure you are very pleased that we have opened for Brikama. Definitely, going forward is a process and we are going to open in almost all the regions as well we will be making some sub stations where people will be going and I think if you look at the question and answer it is mentioned there.

THE SPEAKER: Honourable Member for Brikama South, I think you should have reserved your Supplementary Questions and wait for question number 112 because in essence most of have been captured, thank you.

HON. SUWAIBOU TOURAY [WULI EAST]: Honourable speaker, we are representing the Gambian people and ID Card is concentrated on this side but you can have a genuine Gambian applying and paying but not providing the appropriate documents on time. Is there any provision for refund for such type of genuine applicants?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: No, there is no provision for refund but for genuine Gambians if you are rejected due to certain issues, it is still there, it can be there for five years and whenever you fulfil that requirement there is no subsidiary payment, D450 instant.

HON. OUSMAN SILLAH [BANJUL NORTH]: Honourable Minister, would you agree with me that the reasons for paying this amount by applicants is because of the issuance of an ID card? So why applicants should be punished because they are not Gambians. Some of them do possess Voters Cards and these are the things that they present. If you look at our laws, there are some people who are not qualified to be Gambians going strictly by the Constitution but they do vote because that what happens. So they go with that belief and then make the application. Do you not think it is fair for the payments to be effected as a result of the issuance of the ID card and not for the interview. Does that not amount to the punishment of applicants?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Well, We have various opinions differ but my opinion on this thing is like what I have said. If you are rejected for certain reasons, you go and bring other documents that are required, you come and we found out that you are not a Gambian yet you applied for ID card, why should we refund you. In fact, we could have prosecuted you and that the procedure is we prosecute you because of presenting false documents.

HON. DEMBA SOWE [NIAMINA WEST]: Honourable Minister you just said in your answer that ID Cards are made for Gambians only. And I think also the Police Officers should also be Gambians and I have seen a situation where a Police Officer is rejected from getting an ID Card. What is your take on that?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: That might be an unfortunate incident but definitely we expect all serving officers to be Gambians but where a police is rejected it might be as a citizen also well, We do not have to segregate because you are an officer, if you do not bring the required documents you are subjected to be asked to bring further documents or so.

THE SPEAKER: Thank you, Honourable Member for Jimara.

HON. ALHAGIE H. SOWE [JIMARA]: I withdraw the question until 112.

THE SPEAKER: Niamina west.

HON. DEMBA SOWE [NIAMINA WEST]: I want to make a follow up question. Honourable Minister, you said it might be a mistake, what I do know is that this Police Officer provided all documents that are needed but he was asked to go and bring his father's ID Card.

THE SPEAKER: Honourable Sowe, I think that is an incident that you need to tackle separately, it is quite different from what is being discussed. It appears to be an issue with the authorities, so let us move on with the question. Honourable Member for Bakau. Please let us have one meeting, thank you.

HON. ASSAN TOURAY [BAKAU]: Thank you Honourable Speaker. Honourable Minister why do we have to keep changing our national documents every five years?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Why do we have to change our national documents every five years? I do not understand that question honestly.

THE SPEAKER: Is not lack of understanding of the question, my take on that is they are asking the Honourable Minister question number 109, which required the Honourable Minister of Interior to inform the august Assembly about the total number of ID cards issued and the total amount of monies allocated so far since inception? It is not talking about the change.

HON. ASSAN TOURAY [BAKAU]: The ID card is a national document.

THE SPEAKER: I know it is a national document but if you want other details with regards to ID cards especially why it is changed every five years, I think it can be asked in another question where it will be addressed. There are other questions talking on ID cards so be disallowed, thank you. Honourable Member for Upper Saloum.

HON. ALHAGIE MBOW [UPPER SALOUM]: Thank you Honourable Speaker, would the Honourable Minister for Interior inform this Assembly about the revenue that is generated from unsuccessful applicants? How is this shared between the Government of the Gambia and SEMLEX?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Thank you, the revenue sharing ratio is 40:60, 40 to the Government of the Gambia and 60 to the Company SEMLEX thank you.

THE SPEAKER: Probably it is said that you may not be able to provide that now but maybe if you want the total you can repeat your question then.

HON. ALHAGIE MBOW [UPPER SALOUM]: What I am saying is the revenue generated from the unsuccessful applicants who have paid but the ID Card is not printed, how is it shared? Since there is no ID card that is printed is it the responsibility of SEMLEX?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: This is an automatic process immediately you pay it goes to the account, so naturally we share forthwith 60:40. Unless if you Can you tell us your way forward on such?

THE SPEAKER: Honourable Member for Wuli West.

HON. SIDIA S. JATTA [WULI WEST]: I am really not happy with the answer you gave about paying before you are really sure that you will get the ID card. I think once somebody buys the form you go for your interview and if you are not qualified they should not accept payment. Imagine you pay D450 without even knowing that you are going to get an ID card, is that not an intention of ripping off? Do you not think it is more prudent to pay after because for passports, you are interviewed when you are certified that you are going to get it then you pay. You do not pay before being interviewed.

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Thank you very much Honourable Speaker. In most cases you what we put on the documents, non-refundable.

THE SPEAKER: Please can we exercise some decorum please we appreciate that thank you.

HON. SIDIA S. JATTA [WULI WEST]: I agree with that but it is not the issue. The issue is why should I pay for something that I am not sure of getting? I should be certain that I am going to get it before I pay for it that is my issue. That is why in passports you are not paying before interview you pay after interview when you are certain that you are going to get it. The same should apply in this case because you do not have to take money from people without being sure that I am going to get what I am asking for.

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: With the passport you go and pay in full.

THE SPEAKER: Its answer is recorded thank you. Honourable Member for Lower Fulladu.

HON. ALHAGIE DARBOE [LOWER FULLADU]: Thank you very much Honourable Speaker, Honourable Minister do you not think that decentralizing the issuance of ID Cards is necessary to ease the burden of travelling all the way from URR to Kombo to get the ID Card?

THE SPEAKER: Sorry there is a question touching on that, so can you reserve it for that. On that point let us move on to Question No. 110/2019 by the Honourable Member for Serrekunda, I am not sure if he is given authority. Halifa, ok thank you and sorry Table Office my attention was not drawn to the fact that authority had been given, thank you.

HON. SIDIA S. JATTA [WULI WEST]: Thank you Honourable Speaker. Can the Honourable Minister for Interior inform this National Assembly as to how many citizens are required by law to be in possession of ID Cards and the number of months agreed with the company responsible to complete the issuing process in 2019? If not, how many cards are to be issued annually and why?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Thank you Honourable Speaker, first the law requires every Gambian who is sane and with full capacity to apply to get an ID card by submitting application with the required and relevant supporting documents for issuance. The population of all sane Gambians aged 18 years and above are legally bound to possess National ID Card.

Regarding the duration agreed with the company [SEMLEX] for the issuance of ID Cards to citizens is 5 years. The issue of how many cards are to be issued annually cannot be answered at this point as this was not provided for in the definite terms in the contract document. This is because the number of cards to be issued is dependent on the number of citizens whose applications are successful than you.

[SUPPLEMENTARY QUESTIONS/S]

THE SPEAKER: Supplementary questions, yes Wuli West.

HON. SIDIA S. JATTA [WULI WEST]: The duration of issuing the ID cards is 5 years as agreed with SEMLEX and they are also talking about decentralization and all that but the problem is the company that is being given this contract does not have the technical means to issue ID cards on decentralized bases, do you not think so?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: They have the technical means that is why we are decentralizing the process if I could understand.

HON. SIDIA S. JATTA [WULI WEST]: How many cards are they capable of issuing a day?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: It depends on the applicants.

HON. SIDIA S. JATTA [WULI WEST]: When they come to the National Assembly with 58 Members, how many days did they take you to issue ID cards here?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Well, remember there is a process involved in the registration and the production is not done at the same day.

HON. SPEAKER: Thank you Honourable Member for Sami.

HON. ALFUSAINY CEESAY [SAMI]: Thank you very much Honourable Speaker for giving me the floor. Honourable Minister, how soon is your Ministry planning to decentralize this ID Card because people all the way from the provinces when they apply for ID Card they cannot stay here to wait until it is ready and after if you go there you want to receive those ID Cards on their behalf it is not accepted.

THE SPEAKER: Honourable Member for Sami as I said, I get the attention of some few Honourable Members that there is a specific question touching on that. So, I would rather ask the supplementary questions relating to the decentralization of ID Cards be suspended for the time being because you it is coming otherwise, you will ask the supplementary question now and then when the original question comes up then it will be repeated. So, I think it is better to wait for the substantive question and then you can bring in as many supplementary questions as may be necessary to address that issue. I think it is already fair and I think it is only proper at the time, thank you.

HON. MAJANKO SAMUSA [NOMINATED]: Honourable Speaker, I am not seeing any unfairness pertaining to the question. The question we have been referring to has not come up but that should not stop anybody from asking a supplementary question.

[Observation]

HON. ALHAGIE S. DARBOE [BRIKAMA NORTH]: I just want to draw the attention of the Honourable Nominated Member, perhaps he might not be in the Assembly when similar supplementary questions were asked and we do refer to the said question that we had a similar question pertaining to the same issue and they all understood. This is about decentralization and that particular question is also about decentralization, I think it will be proper if we wait until when that proper decentralization question comes and whoever has an issue pertaining to that, you can ask.

HON. MAJANKO SAMUSA [NOMINATED]: Honourable Speaker I still maintain my position. There is no provision for that in the Standing Orders. Honourable Speaker can you refer us to the standing Orders that said so?

THE SPEAKER: Honourable Member for Basse please your supplementary question, thank you.

HON. MUHAMED MAGASSY [BASSE]: Honourable Speaker thank you very much. Mine might not be a question but an observation. When we are at ECOWAS at the Ordinary Session, the Director did mention that it is only Senegal and another country which have fulfilled the Biometric ID Cards within the ECOWAS zone. Honourable Samba Jallow, Minority Leader (sorry he is not here), said the Gambia also has fulfilled it. In fact, he even brought his ID Card out and saw it to the Director. The Director said we know you have Biometric ID card but it is not ECOWAS-friendly, so this is it, to call the attention of the Honourable Minister who is here before us to hear what ECOWAS said. I do not know whether they have anything to tell us even if it is not this time but later on.

THE SPEAKER: I think there is an important issue that the Honourable Members of the ECOWAS Parliament should have brought to the attention of the Ministry long time ago but anyway I am sure it is well noted. Can I call on the Honourable Member for Foni Jarrol?

HON. SANKUNG S. JAMMEH [FONI JARROL]: Thank you Honourable Speaker. To me I stand to be corrected by the Minister's answer to the question. To me the question is saying how many citizens are required by law to be in possession of ID Cards? And now in your answer you are telling us who are qualified to get these ID Cards. The question is asking how many citizens so far are required by law to get ID Cards. If there is statistics we do follow then we will be able to tell you so, so number required so that when it comes to the proper giving out of these documents, we know exactly this year 2013 this is the number of Gambians that are qualified to get ID Cards that is how I am seeing it anyway, thank you.

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Thank you, it is well noted but may I tell you also that if you look at the population of the country statistically, 60% of the population are youths, but there are categories that you would not know at least from 18 years and above that is what will determine the age but for that one, we have to go through statistics which I think is doable. If that is the issue, we will find out whether we can provide you with an adequate answer on that.

THE SPEAKER: Yes, nominated Member Ndey Yassin, thank you.

HON. NDEY YASSIN SECKA [NOMINATED]: Thank you very much Madam Speaker, I think to me the question is somehow simple because if it is during election time we know in the constituency the number of people who are supposed to vote and at the same time those that have voted and those

who did not vote. So why is it that we cannot do the same as far as the issuance of ID Card is concerned?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Thank you, I think that could be different because the time before the election you would know. In fact, even that you cannot know because if someone is 17 years now by next year the person will be 18 years. So, if you disqualify the person at the age of 17 and next year or even the same year like if it is June or December that he would be 18 years he is eligible to get an ID Card. And now if you ask me that type of question for me to answer you definitely it would be difficult, but it is well noted.

THE SPEAKER: Thank you Honourable Member for Upper Falladu West.

HON. DAWDA KAWSU JAWARA [UPPER FALLADU WEST]: Thank you Honourable Speaker. Honourable Speaker, in the Minister's response to the question, he did mention that the contractual period with SEMLEX for the issuance of this ID card to citizens is 5 years. I just want the Minister to clarify whether the 5 years as it was captured in the amended contract is 5 years effective from the initial contract. If you remember Honourable Minister, the initial contract has elapsed by 3 years so there is only 2 years left for SEMLEX to do their job. I just want you to clarify that point for us whether it is going to be a new 5-year contract or the completion of the first 5 years?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: No, it is going to be a new five-year contract because the production of ID Cards started in October and it depends on the date and time we signed the contract period.

HON. DAWDA KAWSU JAWARA [UPPER FALLADU WEST]: Honourable Speaker, then there is a conflict between what the Minister is saying and what is in the amended version of the contract. I suggest the Minister should come back to us again after referring back to the contract document to advise this august Assembly as to what is the case because we have as a Committee on Defence and Security the amended version of the contract and it did not say that.

THE SPEAKER: Honourable Member for Banjul North.

HON. OUSMAN SILLAH [BANJUL NORTH]: Thank you very much Honourable Speaker. Honourable Minister, I think our interest is to know whether you did some demographic computation to be able to reach to the conclusion as to how much the government expects to get annually as revenue from this

40% that it is supposed to get from the application fees. Is that done? I think that is the task. For us to know how much we are getting from this in terms of revenue?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Thank you, definitely that is not done and that is why I am saying I will get back to you.

THE SPEAKER: Honourable Member for Wuli West, let us allow Banjul North to follow up.

HON. OUSMAN SILLAH [BANJUL NORTH]: Thank you very much Honourable Speaker, Honourable Minister is it legitimate for SEMLEX to be getting 60% of the Application fees when there are some unsuccessful applicants who are not issued with ID cards? I think the very essence of the payment is for the issuance of ID cards and that is why they are getting the 60%. So, is it legitimate for them to be getting the 60% when no ID card is issued especially with regard to the unsuccessful applicants?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: It is legitimate because we said the contract we signed is shared, the contract share ratio is 40:60. So we have signed it and so it is legitimate unless you have observation and the way forward. Whatever you think might be better is welcome and will be noted.

THE SPEAKER: Let me allow Honourable Member for Wuli East, I have my list.

HON. SUWAIBOU TOURAY [WULI EAST]: Thank you Honourable Speaker. Honourable Minister this question is very important because if we know the estimated number of people that is required to have this document then at the end of the day we should be able to know how many actually get it and how many do not get it. The fact that the price of the ID card is above the means of other people, what would happen to those poor people who are genuine Gambians and require to get this card by law and cannot afford the cost? Thank you.

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: I think you have answered the question if you do not have the means that is it. I am sorry unless if you can subsidize your people at times.

THE SPEAKER: I am sure those of them from Wuli East will come to you. Honourable Nominated Member Samusa.

HON. MAJANKO SAMUSA [NOMINATED]: Thank you Honourable Speaker, I just want to ask the Honourable Minister regarding the decentralization process, D450 for an ID Card and the way at the manner in which the issue of these ID Cards is going it is very slow and as we all know this is a

transitional government and the next election is in 2021. Madam Speaker, we are almost half way into 2019, Could the Honourable Minister tell us how speedily are they going in decentralizing the stations in the various regions?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Thank you, our objective as a Ministry responsible for the issuance of Identity Cards is that before the end of the year every region will have central point where ID Cards will be issued thank you.

THE SPEAKER: The issue of decentralization is very important so let us move on so that we can get to the decentralization question.

QUESTION NO 111/2019 BY THE HONOURABLE MEMBER FOR SERREKUNDA WEST.

HON. MADI M.K CEESAY [SERREKUNDA WEST]: Thank you very much Honourable Speaker. Honourable Speaker, can the Honourable Minister for Interior inform this august Assembly about the list of all persons who acquired Gambian citizenship through naturalization from 01st January to 31st December 2015, indicating the date and country of origin.

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Thank you Honourable Speaker, there is no response due to the fact that from the time I assumed office to date, we did not approve of any naturalization and the records also we are unable to get records of naturalized number of people who have naturalized from 1994 to date. We will try our utmost best to provide you with the Information as soon as we are able to compute them, thank you.

THE SPEAKER: What I am saying is when I fail to see any response this morning, I could not understand why. I had to consult my technocrats so that they will explain to me the reason but they said that maybe the Minister will explain why there is no response. As for me, I did not understand why there was no response. That is just what I have to say but of course, I would allow Honourable Members to make their comments and observations so you can come on Member for Basse.

HON. MUHAMED MAGASSY [BASSE]: Honourable Speaker thank you very much. I just want to call our attention to Standing Order clause 17 questions which reads; "Question may be put to the Vice President or Secretaries of State relating to public affairs for which they are charged with the responsibility, proceedings pending in the Assembly or any matter of administration for which they are responsible". So, this is the reason why National Assembly Members are sending questions to the Executive Members to come and answer. I think if a member struggles to comply with these provisions,

then if a Minister is answering, for record purpose, to my understanding he should give respect to the Parliament the answer should not stop at no response by putting dots...

What he has explained here orally should be put in the document for record purposes and we should know whoever makes reference to our answer to this question will know that the Minister was not in a position to give answers at that particular moment but this is the situation so this is my take thank you.

THE SPEAKER: At least it ought to have been indicated in the answer, that the response is not available or the data as at the time of the answer, but subsequently it will be made available to Honourable Members so that we will get it on records because all our proceedings are recorded in the Hansard. I do not know whether the proper thing to do is for him to go back and let us have that record. What he has said will be reflected on the Hansard record and when we get the printed version, we will all see the reason for the no response thank you. Yes, Honourable Member for Wuli West.

HON. SIDIA S. JATTA [WULI WEST]: Honourable Speaker, the best practice in my view would be if a Minister cannot answer a particular question, he or she should get in touch with the Table Office in that regard. They should not come the way it is put, that is terrible! I see no reason why the Minister did not get in touch with you to indicate whatever difficulties he was having in answering this question rather than just putting it the way it is on this paper. I think the practice should be established that if they cannot answer any question, they should get in touch with the Table Office.

THE SPEAKER: In addition to getting in touch with the Table Office, it could simply be put that the adequate response is not available at the moment but will be provided later in addition. I think that is a proper way and everything will be recorded, thank you.

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: We sincerely apologise as it is commonly said that "to err is human" and I accept the error, though expensive. It is my responsibility but I believe as we go forward we will not definitely do such mistakes again, thank you.

THE SPEAKER: Thank you, Member for Wuli East

HON. SUWAIBOU TOURAY [WULI EAST]: Thank you very much Honourable Speaker. Honourable Speaker, the issue of naturalization is an important one because many people are entitled to this but they may not know how to go about it. Will your Ministry be willing to engage in some kind of sensitization so that people that are entitled to naturalization can actually know how to go about it? I think it is the procedure that they do not know, thank you.

THE SPEAKER: In this instance, it is just to note the potential if I may use that word, there would be supplementary questions to be asked because since there was no response, we may not know the follow ups. So really it will just be a waste of time, I stand to be corrected, but that is my own understanding. So, let us shelve the supplementary questions and wait for his response thank you. In this case we can go on to question No 112/2019 by the Honourable Member for Basse.

HON. MUHAMED MAGASSY [BASSE]: Honourable Speaker thank you very much. Honourable Speaker, can the Honourable Minister for Interior inform the National Assembly why the issuance of national documents such as ID Cards and Passport to Gambians living in the diaspora still remain a challenge and what are the Ministry's plans to ameliorate this in the soonest?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Honourable Speaker, starting with the ID card, the government through the Ministry of Interior is putting contingencies to achieve this legitimate objective. However, at the moment, the priority is to get the ID Card operation decentralized in all regions. For this, I wish to inform the Honourable Members that Banjul and Kanifing are already in operation since October and November respectively, Brikama is also going to be opened for operations hopefully by the mid of June, 2019 which have already started.

In addition to these three, we have also started negotiations with some building owners in Farafenni, Jarra Soma, Bansang and Basse with a view to operationalizing the issuance of the ID cards in all these regions. We are hopeful that in a very short time, all these regions will be fully equipped with the machinery and manpower to issue citizens ID Cards.

Given the size of West Coast Region, North Bank Region, and Central River Region, there are also plans to further supplement the main stations with secondary outlets in Sibanor, Kerewan in Baddibu, Kaur in Lower Saloum and Central River Region respectively.

On the issue of the Passport, we are aware as a Ministry of the cogent need of our citizens for the Passport issuance to be decentralized. May I also inform this august Assembly that the government through the Ministry is seriously considering this option with a view to even providing citizens in the diaspora this vital services, thank you.

THE SPEAKER: Can you allow the Honourable Member for Basse.

HON. MUHAMED MAGASSY [BASSE]: Honourable Speaker, thank you I thank the Honourable Minister for the efforts. First of all observation, I think the Honourable Minister gave us some

information that my concern was for people living in the diaspora and then in the last paragraph, the way I underline the Minister's answer is considering and if you say 'considering' it would mean that you do not have any plan yet. So the Minister is informing us that his Ministry has not planned to issue national documents to Gambians living abroad.

I want to share this information with the Minister which are part of my findings. I am aware as at now that 5 Embassies are included in this Gambian E-Passport issuance and those Embassies are Madrid, London, Brussels, Washington, Abuja and Uganda. I am also aware that the arrangement system was installed in Madrid since 2015 and as we speak, it is not in use. I am also aware that operators of the Gambian Immigration Department who are paid to go and issue these ID Cards in Madrid have not gone as we speak. So, if these information are accurate, can you please help me understand each other why the situation is not as it should be, thank you.

HON. EBRIMA MBALLOU [MINISTER FOR INTERIOR]: Thank you Honourable Member for Basse. As part of the contract between the Government of The Gambia and Africard, those responsible for the production of passport, made mention in one of the clauses, that they will be providing ID Cards to the diaspora which is part of the contract agreement. Since I assumed office we have been liaising with these people and up to now I could not get answers from them concerning this clause referring to the issuance of Passports to the diaspora. By deed of that, we wrote back to these people for a meeting so that we look into the contract because if they are not able to provide passport to the diasporans, they fail to fulfil a very key component of the contract that is the Diasporans. But background to this was also the reason why we are providing a machine-readable passport to the diaspora for them to have a national document but in as much as the world is so much technological, the machine-readable passport are not recognizing it so we thought we should stand on our toes to ensure that this thing is corrected immediately. I am very much aware of the issues you mentioned they were one time discussed during my own personal investigation thank you.

THE SPEAKER: I remember asking the Honourable Member for Lower Fulladu, am I right? Yes, to reserve his supplementary questions on decentralization until we come to this question. If you still want the floor, I can allow you to ask questions touching on decentralization because the Minister have touched on it in his response so you can go ahead thank you.

HON. ALHAGIE DARBOE [LOWER FULLADU WEST]: Yes, I think I will withdraw.

THE SPEAKER: Ok thank you. The next person was Honourable Member for Sami.

HON. ALFUSAINY CEESAY [SAMI]: Thank you very much. I just want to add some words to it. The reason I am saying how soon because our people are suffering a lot. You leave all the way from the provinces to come here to look for an ID card, you cannot stay in the Kombos until the ID Card is ready and when you assign somebody to collect your ID card on your behalf, you are told that the applicant must come in person to collect it. Our people are suffering a lot. We want the Minister to try very hard and decentralize this to the communities so that they would not pay D1000 or more to come for ID Card alone, thank you.

THE SPEAKER: Thank you. Can an Honourable Member please move that we sit beyond 1 o'clock? Yes, Wuli East?

HON. SUWAIBOU TOURAY [WULI EAST]: I rise to move that this Assembly sit beyond 1 o'clock.

HON. AMADOU CAMARA [NIANIJA]: Thank you very much. I rise to second the motion.

[Question Proposed, Put and Agreed To]

[For the House to sit beyond 1 o'clock]

HON. ALHAGIE H. SOWE [JIMARA]: Thank you Honourable Speaker. It is just going to be a similar supplementary question. Honourable Speaker, this ID Card issue is a very serious one which is affecting the people we are representing in Rural Gambia. I can remember sometime back the question was asked as to when the Ministry is going to decentralize the issuance of ID cards and the answer was that places like Basse will start very soon but then as I speak in Basse, the Immigration Officers who are representing your Ministry there have no office much more a space where they will be issuing ID Cards. I do not know whether your Ministry is aware of that or not, if so, what will you do regarding that?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Thank you. You see in whatever we do there is a process. The Ministry of Interior is responsible for identifying offices for our Ministry but also there is a committee under the office of the Vice President call CORA that also oversees these things such as paying the rents and so forth. In the process there are so many things that one has to fulfill before the payment is done for the office to be allocated. So that is what is holding us but nonetheless the Immigration Officers are housed but we are trying our utmost best to ensure that we secure a place for the issuance of ID Card at the Jah Oil. Mr. Jah has provided us free of charge for the station

that is the production of ID Card. While, we are also looking at emergency measures to ensure that our Immigration Office is erected in Basse, thank you.

THE SPEAKER: Honourable Member for Janjanbureh.

HON. MOMODOU S. CEESAY [JANJANBUREH]: Indeed, Honourable Minister all the National Assembly Members are lamenting on the decentralization process and in your response, you mentioned 'short-term' if I can read. "We are hopeful that in a very short time" how soon will it be by December, or in 2020?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: This time around we have identified and discussed with landlords, honestly. It is something that we are giving a top priority if you can remember sometime last year, I said by January latest Brikama will start production of ID cards. But sometimes man proposes, God disposes but definitely it was my view that January would have found Brikama producing the ID card. We were entangled with processes and procedures that were beyond my Ministry, this we have addressed and hopefully it will not happen this time around, thank you. I said as soon as possible but by December 2019 decentralization process will be completed.

THE SPEAKER: Thank you Honourable Deputy Speaker.

HON. MOMODOU L. SANNEH [DEPUTY SPEAKER]: Thank you very much Honourable Speaker. Honourable Speaker, In the Minister's response, he said they have started negotiating with some building owners in Farafenni, Jarra Soma, Bansang, Basse for the issuance of ID Cards. Now, this is a joint venture according to the Minister's answer Gambia Government 40% and SEMLEX 60%. What is the content of the contract as to who will pay the rent where SEMLEX will occupy?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Thank you very much Honourable Deputy Speaker. Part of the contract, in one of the clauses, it is the responsibility of the Gambia Government to provide office space so that is why we are paying for the offices, thank you.

HON. MOMODOU L. SANNEH [DEPUTY SPEAKER]: Honourable Speaker, 60% and 40% share percentage and yet Gambia Government is to be responsible for paying the rent. What is the essence? I think if it is agreed in the contract that 60% goes to SEMLEX, it should be a joint venture, the rent payment should have been arranged in a way that half of the rent be paid by SEMLEX and half paid by the Gambia Government. I think this should have been one of the conditions in the agreement that it

pays 40% to Gambia Government 60% to them and at the same time negotiate somebody's private building for rent who could charge a huge amount of money, is really a problem Honourable Minister.

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Thank you. Remember that it is a contract and that they (SEMLEX) are going to provide all the equipment and all the machineries. We are saying after the five year tenure all these things are going to be transferred to the Government of the Gambia so I think where we are not able to provide these equipment at least as part of our counterpart contribution of the Government of the Gambia, it is prudent that we also provide space for them to facilitate the production of this ID Card, thank you.

THE SPEAKER: Honourable Member for Kantora.

HON. BILLAY G. TUNKARA [KANTORA]: Thank you very much Honourable Speaker for giving me the floor. This is my first intervention as well, so permit me to lay my foundation before my answer. I was opportune to join a public transport, GTSC bus, from Basse to Serekunda and a Police Officer in my presence alighted a lady from the bus and asked her to pay "Laissez-Passer" for which I intervened by telling the officer that I think the Interior Minister did communicate to all of you that you should not collect "Laissez-Passer" especially from these Gambians travelling within their own country and should not be restricted in the first place. He responded saying that there is no policy as far as they are concerned that is preventing them from collecting "Laissez-Passer" from these people. So please communicate to the Minister that they should provide us with a policy document that we can use as a regulatory document to act upon in order to stop these officers from collecting "Laissez-Passer".

In essence, now that the issue of ID Card has become a nightmare in terms of accessing it for now by people from Rural Gambia, can you consider passing either a communication or press release to all Police Stations in this country not to collect "Laissez-Passer" from the Gambian citizens travelling within their own country? Thank you.

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Thank you Honourable Tunkara. I think sometime ago we discussed that but it is something that is well noted but do remember how people behave. This is something that we are not tolerating and issues of this nature will be addressed because I do believe that things that should not be done should not be practised. Thank you, it is well noted and I tell you it will definitely be addressed, thank you.

THE SPEAKER: Member for Illiassa.

HON. DEMBO KM. CAMARA [ILLIASSA]: Thank you very much Honourable Speaker. Honourable Minister, I am really not comfortable because in my constituency is isolated. Why do you jump Kerewan which is the headquarter of the whole North Bank Region and I do not know why?

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Thank you very much. We did not jump Kerewan.

HON. DEMBO KM. CAMARA [ILLIASSA]: Kerewan should be the first before Farafenni.

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Thank you, it is well noted but I have spoken to the National Assembly Member Honourable Juwara concerning that issue and it was in his presence that the issue was addressed and I am also pleased to inform the august Assembly that Kerewan is a regional headquarter and under normal circumstances the production and issuance of ID Cards would be stationed in Kerewan, thank you.

HON. DEMBO KM. CAMARA [ILLIASSA]: Honourable Speaker, what I am saying is that for the first phase, now Kerewan is going to be the last one. According to your answer, in addition to these three, you are also negotiating with some building owners in Farafenni, Jarra Soma, Bansang and Basse with a view to operationalizing the issuance of ID cards there. It should be fair enough to start at Kerewan not Farafenni.

HON. EBRIMA MBALLOW [MINISTER FOR INTERIOR]: Honourable Camara it is well noted. I am telling you that "*Julo bula bala aning baa bula julola abey killing*" what is key here whether they will get it or not but I am telling you the issuance and production of ID Card will be at Kerewan, it is our priority.
[Not Clear]

THE SPEAKER: I am sure the Honourable Member for Basse and Wuli East would be happy that they are using local Language but the official language is English. Honourable Member for Kombo East.

HON. LAMIN F. M. CONTA [KOMBO EAST]: Thank you very much Honourable Speaker. Could the Honourable Minister indicate where in Brikama the production of ID Card is exactly located? Thank you.

HON. EBRIMA MBALLOW [MINISTER]: It is unfortunate, when they were going to the site... I know it is in Brikama. Being a former Governor of Brikama, I cannot really remember where exactly but definitely the production has started. National Assembly Member, sorry. It is unfortunately that I could not tell you because I was also engaged on other issues when they were trying to do this. Thank you, but it is in Brikama anyway.

THE SPEAKER: Thank you very much. Honourable Members may I just remind you that, if we all raise our constituency tags at the same time, I have to record it but I cannot call everybody at the same time. You have to go one by one so let us exercise some patience and know that everybody will have an opportunity, thank you.

HON. NDEY YASSIN SECKA [NOMINATED]: Thank you very much Honourable Speaker. Allow me to be somehow different please. Honourable Minister, I think the cart is put before the horse, to me, because when you were issuing this ID card, it was announced over the radio that this it is happening. Do you not think that this decentralization should have started before announcing that issuing of ID cards will be taking place? That is my first question. The other question is, now we are talking about Brikama. You are not telling people, nobody is hearing anything neither on the radio nor on the TV that this is what is happening. I think, can you make any revision maybe not to allow this to happen again? This is really alarming and many people are calling us telling us about this issuance of ID cards. Thank you.

THE SPEAKER: Can we also ask one supplementary question at a time, so that everybody will have an opportunity.

HON. NDEY YASSIN SECKA [NOMINATED]: The first question I have is that, why did you not negotiate for decentralization before telling people that you are going to issue ID cards, only in the Greater Banjul Area?

HON. EBRIMA MBALLOW [MINISTER]: Thank you, it is well noted Honourable Member. Actually what is key, if we could all remember, what brought us to this concerning the issuance of an ID card, it was the greatest concern for every citizenry in this country at that time. So we thought it was necessary to tell people immediately this is what is happening concerning Banjul and Kanifing for the production of this document. Before Brikama, we informed people that Brikama will be operational, Basse will be operational, and dates were not given. We did mention that from Kanifing and Banjul, Brikama will be the next target and this is what happened, thank you.

HON. NDEY YASSIN SECKA [NOMINATED]: My second question is that, since you told people that this will happen and it did not happen until now. I am just asking this through your answer that you are telling us now Brikama has started and some people are asking where in Brikama, why can you not do the same announcement to let people know that something is happening in Brikama? Thank you.

HON. EBRIMA MBALLOW [MINISTER]: Thank you it will be done Honourable Member. I think during the political rally in Brikama, it was openly mentioned that the production of the ID card in Brikama will be operational on Monday. And this past Monday it has started. Definitely, going forward, whichever location is due for operational we will inform the citizenry accordingly. Thank you.

HON. AMADOU CAMARA [NIANIJA]: Thank you very much Honourable Speaker. I think partial, the Honourable Minister has responded to my concern by the supplementary from the Honourable Deputy Speaker but you can just shed more light that after the five years contract, what happens?

HON. EBRIMA MBALLOW [MINISTER]: Thank you very much. I think these are very important questions. I for one, I am not of the belief of renewing contracts in as much as our people are able to do what is expected of them. That is why trainings are ongoing. I am very hopeful, the passport, at the expiration of the contract for the passport, we are not going to renew any contract with regards to that. At that time, we are of the belief that the people there will be qualified to do the same work that those people are doing and so too is the production of ID card. Thank you.

HON. OUSMAN SILLAH [BANJUL NORTH]: Then this is confirmed, a documentary evidence. So is this a normal practice, if not would you investigate and take the appropriate action? And also by extension, to be taken note of by the Minister of Foreign Affairs and the Attorney General and Minister of Justice. This is happening right now in Spain, an area called Shaal where you have the highest concentration of Gambians in Europe and many of them are from URR.

THE SPEAKER: This is a completely new question and I think it is important that we should have brought this up as a substantive question but it is important that it is addressed.

HON EBRIMA MBALLOW [MINISTER]: Honestly, I think I have spoken about the machine readable passport. I said some countries do not accept it but the biometric passport, I am not aware of any country who rejects our biometric passport. However, the question is noted and I will definitely find out, thank you.

HON. MAJANKO SAMUSA [NOMINATED]: Thank you very much Honourable Speaker, for giving me the floor. Could the Honourable Minister highlight on this point whereby SIMLEX cannot provide the Diaspora the passport. If they cannot provide the passport, would this not affect the contract? And if affected, what would be the move of the State, because this is part of the contract? The contract did not say whether you are in The Gambia or in the Diaspora. The contract is the Passport and the ID card must be provided by SIMLEX. So in the event where, Honourable Minister, SIMLEX until now cannot provide the passports for our Diaspora, it is very important. As the Honourable Minister has said, this matter is a key issues. Will this not affect the contract? Thank you Honourable Speaker.

HON. EBRIMA MBALLOW [MINISTER]: Thank you Honourable. The contract for the production of passport is not with SIMLEX. The contract for the production of passport is with AFRICARDO and I did mention that we are reaching to them for a meeting, for them to either go by that or otherwise. We will have the meeting as soon as possible, because there is a stipulated date on that. It is our concern and the concern of every Gambian and we all know the contribution of the Diaspora in our economy so we have seen no reason why that would not be facilitated, thank you.

HON. MAJANKO SAMUSA [NOMINATED]: Honourable Speaker, I am not in the view of accepting, the answer given by the Honourable Minister as far as my supplementary question is concerned. What I know is that AFRICARDO and SIMLEX is the same house that has been issuing passport. I have seen the contract because I am in the Defence and Security Committee, the document that we have is SIMLEX. I cannot understand when the Honourable Minister is here giving us different names of Institutions. I am not been understanding, can you ...

HON. EBRIMA MBALLOW [MINISTER]: Honourable I will tell you, the production of Identity Card is awarded to SIMLEX. The production of Passport is being handled by AFRICARDO. Please take note of that and please find out.

THE SPEAKER: If my memory serves me right, this SIMLEX issue was referred to a Committee – Defence and Security and they are yet to table the report. Maybe most of these issues can be handled. I am just thinking aloud, that just dawned on me now.

HON. LAMIN J. SANNEH [BRIKAMA SOUTH]: Thank you Honourable Speaker, part of my question has been addressed but I just want to seize this opportunity to make some clarification with regards to the location of the office where they issue ID Card in Brikama, which is directly behind the Garage, close to Doctor Bojang's Clinic. I was there personally on Monday to attend the official opening. With regards to the information, I was involved from the very beginning up to last Monday, thank you.

HON. SULAYMAN SAHO [CENTRAL BADDIBU]: Thank you Honourable Speaker. We have to thank the Minister for coming up with that initiative of decentralizing the issuance of ID Card. Honourable Speaker, I want the Honourable Minister to fast-track the issue of Kerewan since Kerewan's location is strategic and it will help people mainly Nuimi, Jokadu and Central Baddibu to have access to ID Cards. We therefore appeal to your Ministry to ensure that the negotiation is fast-tracked so that we can have a place to issue the ID Card, thank you.

HON. MUHAMED MAGASSY [BASSE]: Thank you very much. The Honourable Minister did inform us that there is a place in the contracting documents that clearly stated that Gambian living abroad should be issued Passports but the contracting party is not showing any willingness to comply with this clause. As far as the Ministry is concerned, if you just say to us "Yes, we try to plan a meeting" and the information that I have shared with you, you authenticated those information and they date back to 2015, four years down the line. So, if we are still knowing from you that you are still negotiating a meeting with them while this is something that they have been signatory to, we really want to know definitely, the stand of your Ministry. And maybe because it is a national issue, the Parliament has a part to play. We can tell you that the concerns of the nationals should be put into consideration. Thank you Honourable Speaker.

HON. EBRIMA MBALLOW [MINISTER]: Thank you Honourable. I have personally taken up the issue of this Diaspora Passport. I will tell you, we have written to them and I have my stance in the event that they did not come. Whatever I need to do, I will discuss with the Defence and Security Committee concerning this thing, thank you.

HON. FAKEBBA N. L. COLLEY [KIANG WEST]: Thank you very much. Is the Minister telling us that the equipment of SIMLEX, after its contract expires will be owned by The Gambia? If so, is this embedded in the contract policy?

HON. EBRIMA MBALLOW [MINISTER]: Thank you, it is. The contract is a BOT contract. After the expiration of the contract, it is the responsibility of the Ministry and the Government of The Gambia to continue providing ID Card for its citizenry thank you.

HON. ALHAGIE MBOW [UPPER SALOUM]: Thank you very much Honourable Speaker and Honourable Minister. Honourable Speaker, in his responses, I think he is saying this the third time about this BOT contract, which is Build, Operate and Transfer. Now with this kind of contract, especially with technology, it is a little bit different from the others and I think I did mention this to the former Interior Minister here. At the end of 5 years, the equipment that are transferred to you, basically they have reached their useful life. In terms of depreciation, they are also closer to zero. The software that is actually used, those are licenced, you are licenced to use, basically you are not buying the software. So essentially to me, they are not transferring anything to you because what they are transferring is just the residual value of this equipment. The software you have to keep paying, especially if the software is a billed on their own then something called AMC, which is the Annual Maintenance Charge will also apply. So for me essentially, they are not transferring anything to you by BOT and I think I did mention this to the previous Minister of Interior for them to be really be very careful when they are negotiating this kind of contracts as far as technology is concerned. But it looks like it is being repeated again. Would you really consider to look into those things, because in terms of technology licences, you are not purchasing, you are licenced to use, meaning you have to pay licence at the end of every year, thank you.

HON. EBRIMA MBALLOW [MINISTER]: Thank you. As we all know, contracts are subject to review and before the review process consultations will be done concerning the merit and demerits of all that is inclusive in the contract. More so the buying of whether platform or technological what we have just mentioned. Most of these technological things are really bought separately. So we are of the belief that in the event we are reviewing this contract, we will put those things in place. Be rest assured of it. That is why even this AFRICARDO contract, I thought it is necessary we review it before its expiration. That is why I am calling for them, thank you.

THE SPEAKER: May I take the opportunity to thank the Honourable Minister for the answers provided to the Honourable Members for the questions that they asked. Honourable Minister, thank you very much and we can now release you. Thank you.

Questions for Oral Answers continue: Attorney General and Minister for Justice

THE SPEAKER: Thank you very much. Questions for which due notices were given to the Honourable Attorney General and Minister for Justice by Honourable Members for oral reply. Question number 71 of 2019 by the Honourable Member for Serrekunda West.

HON. MADI CESSAY [SEREKUNDA WEST]: Thank you very much Honourable Speaker. Honourable Speaker, can the Honourable Attorney General and Minister for Justice, inform this august Assembly, the status of the Anticorruption Bill to be brought before this august Assembly as promised by the President during his 2018 state of Nation Address.

HON. ABUBACAR BA TAMBEDOU [MINISTER OF JUSTICE]: Honourable Speaker, Honourable Members, the Government of The Gambian places high premium on the accountability and anticorruption agenda of the transitional reform program of The Gambia. Accordingly, an Anticorruption Bill has been drafted by my Ministry since 2018 with a view to submitting it to this august Assembly in December 2018. However, in order to ensure that the Bill meets international standards, we forwarded the Bill to the United Nation Office on Drugs and Crime for final review. Upon review, the UNODC recommended a number of amendments which my Ministry was in the process of incorporating into the final Bill, which is now being submitted to Cabinet for approval. We hope to submit the Bill before the National Assembly before the end of the year, thank you.

THE SPEAKER: Any supplementary question on this?

HON. SUWAIBOU TOURAY [WULI EAST]: Honourable Speaker, thank you. My concern Honourable Minister is the role of the Ombudsmen, is kind of fused with the role of the Anti-Corruption Commission. So I am not sure how we are going to balance the two: are you going to increase the pace of the Ombudsman to incorporate some of these roles or are you going to do away with the role of the Ombudsman and just maintain the Anti-Corruption Commission.

THE SPEAKER: I think Honourable, that amounts to anticipation. I think we should be reading our Standing Orders. We cannot anticipate what is going to happen in the future. The question, if I read it correctly, is about the Bill. When will it be brought to the National Assembly? You can ask question about it but really to anticipate especially on the jurisdiction of the Ombudsman, which is a separate entity, I do not know. Maybe if you can bring it in line for me to understand.

HON. SUWAIBOU TOURAY [WULI EAST]: Honourable Speaker my concern is, we have the Ombudsman institution but we are now about to create another institution which is Anti-Corruption Commission, which may overlap. That is my concern, so how do we resolve this two in the Bill? In case ... just pre-empting what may happen, just so that we do not...

HON. ABUBACAR BA TAMBEDOU [MINISTER OF JUSTICE]: Thank you very much Honourable Speaker. I thank the Honourable Member for Wuli East for his question. Perhaps what will assist me in responding to his question is, if the Honourable Member can identify with specificity the areas of overlap between the Anti-Corruption Commission and the Ombudsman that may perhaps help me to respond to his concerns. Is there any particular area of the Ombudsman's work or the potential work of the Anti-Corruption Commission, that we think overlap? Fundamentally they have different mandates but if you can be more specific in terms of what you have in mind that may assist me to respond to you more meaningfully.

HON. SUWAIBOU TOURAY [WULI EAST]: Thank you. I am just saying that in many countries, we have the Ombudsman playing the role of anti-corruption as well. So to maintain the Ombudsman and at the same time create another institution – Anti-Corruption Commission, it looks like two parallel institutions. That is what I am saying. What are we going to do with the two? I am just thinking maybe we increase the Ombudsman to take over the anti-corruption role and just do away with this other institution. Or, we do away with the Ombudsman and maintain the anti-corruption institution to incorporate the role of Ombudsman that is what we are saying.

HON. ABUBACAR BA TAMBEDOU [MINISTER OF JUSTICE]: Honourable Speaker, perhaps in order to assist the Honourable Member for Wuli East in this regards, I will share my own experiences. I believe fundamentally, in most jurisdictions, it is the function of the office of the National Human Rights Commission that tends to overlap with the Office of the Ombudsman, not the office of the Anti-Corruption Commission as such. I believe now that we have a National Human Rights Commission, the Constitution that is currently being reviewed will look at the position of the Ombudsman, vis-à-vis the National Human Rights Commission, and decide whether it is useful to maintain both or one should subsume the other. But in terms of the Anti-Corruption Commission, I think the whole of the Ombudsman as it is currently is different fundamentally from the Anti-Corruption Commission that we envisage, which will have the powers of prosecution for corruption and related offences. So they are fundamentally different. Perhaps the Honourable Member for Wuli East is referring to a National Human Rights Commission, vis-à-vis the office of the Ombudsman.

HON. OUSMAN SILLAH [BANJUL NORTH]: Thank you very much Honourable Speaker. Honourable minister I appreciate the process being taken, especially with regards to wider consultations. I also appreciate the fact that, there is need for harmonization in our laws and international laws but the issue of sending it to the United Nations Drug Organisation, I hope it does not derogate on our sovereignty. I want you to assure us that it does not because I would understand that you invite them to come and be part of the review process in a larger multi-sectorial consultation rather sending it to them. So I just want your assurance.

HON. ABUBACAR BA TAMBEDOU [MINISTER OF JUSTICE]: I thank the Honourable Member for Banjul North for his concerns and request for assurance. I can assure him that the process is entirely Gambian-led and whatever recommendations were made by the UNODC were subjected to review by ourselves. Those that we believe will be helpful to our anti-corruption commission have been adopted. Those that we did not believe were helpful, we went back to them and engaged in further consultations,

sought further clarifications. Just to go to the point that we have the final say. They have the expertise we do not and they have the experience certainly from other countries. We wanted to tap into that rich experience to better guide our own process here. But I can reassure the Honourable Member that this is completely Gambian-led and it did not infringe on our sovereignty at all.

THE SPEAKER: Thank you for those questions responded to, raised by the Honourable Members. We could now release you on the question and answer, but we want to take the opportunity, since you are already in the podium there and with the agreement of the Honourable Members, we invoke clause 10 [3] to have the order of business to revise it. So that we allow him to lay his Motion before we proceed with the Honourable Minister of Finance and Economic Affairs, who has quite a number of questions.

4 . MOTION

Be it Resolved that this August Assembly do consider and approve the motion for the Increment of Remuneration for the Members of the Commission of Enquiry Into The Financial Activities Of Public Enterprises, Bodies And Officers As Regards Their Dealings with former president Jammeh to an additional amount of two hundred thousand dalasis each, [By the Honourable Attorney General and Minister for Justice].

HON. ABUBACAR BA TAMBEDOU [MINISTER OF JUSTICE]: Thank you Honourable Speaker. Honourable Members, I beg to move that this August Assembly consider and approve the increment of remuneration for the Commissioners appointed by the President of The Republic, to the Commission of Enquiry into the Financial Activities of Public Enterprises, Bodies and Offices as regards their dealing with former President Yahya Jammeh, to an additional amount of Two Hundred Thousand Dalasi each. Objection reason for the motion. Honourable Speaker and Members will recall that His Excellency Adama Barrow, President of The Republic, established the said Commission on 12 July 2017, pursuant to Section 200 of the 1997 Constitution and Section [2] of the Commission of Enquiring Act and appointed Mr Surahata Janneh as Member and Chairman, Mr. Bai Mass Saine as Member and Miss. Abiosseh George as Member.

Honourable Speaker and Members will recall that paragraph of eight [8] of the Establishment Order of 12 July of 2017, provided for the Commission to complete its enquiring within a period of three months of its sitting. However, it also gave the Commission the power to continue beyond that period if in its opinion it is necessary to do so.

The commission had extended its temporal mandate on three previous occasion, in February, May and August 2018. The Commission's last extension in August 2018, was based on its belief that it could conclude its report writing by 10 January 2019. This proved to be unrealistic and the commission was

compelled to extend its mandate for two extra months from January to March. When it submitted its report to His Excellency the President. The Commission now requests payment for work done for the period February and March 2019 as conveyed in the attached letter.

Honourable Speaker and Members, we therefore request that this august Assembly consider and approve the remuneration to the Commissioners of an additional amount of Two Hundred Thousand Dalasi each, based on the extension of the duration of the Commission's mandate to a final two additional months from January to March 2019, which enabled them to conclude their report writing and the submission of same to His Excellency The President.

Honourable Speaker and Members, this request is being made pursuant to Section [16] Subsection [1] of the Commission of Inquiring Act, Cap 30 Vol: [5] of the Laws of The Gambia, which states and I quote: "*Subject to Subsection [2] of this section, Commissioners appointed under this Act, are not entitled to any remuneration beyond the actual expenses incurred in holding the enquiry, unless such a remuneration is specifically voted by the National Assembly*".

It is for these reasons Honourable Speaker that I beg to move that this Assembly consider and approve the remuneration of the Commissioners as requested. I thank you.

THE SPEAKER: Any seconder?

HON. SUWAIBOU TOURAY [WULI EAST]: Thank you very much Honourable Speaker, I rise to second the Motion. I just want to add that the fact that the Commission has already done their work, we are duty-bound to refund them their dues. Honourable Speaker, I would have appreciated definitely for the Honourable Minister to come to us at the right time, so that we approve before they do their job but now that the job is done, it looks like we have no option but to settle them. I am with the opinion, that we simply just consider and approve the request and I thank you for giving me the floor.

THE SPEAKER: Now I put the question, it has been moved and seconded, that this Honourable Assembly do consider the Motion for the increment of remuneration for the Members of the Commission of Enquiry into the Financial Activities of Public Enterprises, Bodies and Officers as regard to their dealing with the former President Jammeh for an additional amount of Two Hundred Thousand Dalasi each.

[Question Proposed, Put and Agreed to]

HON. OUSMAN SILLAH [BANJUL NORTH]: Thank you very much Honourable Speaker. Honourable Minister, as for me, it is going to be very difficult to support the remuneration of the Commissioners to be charged from the Consolidated Fund. I know it is difficult for someone to do a job and at the end of the day, particularly a job that is supposed to be remunerated (a job that is not *pro bono*) to be told that you are not going to be paid. I am not saying that we should not pay them but my argument is

that, it should not be charged from the Consolidation Fund. As the matter of principle, it has been stated here over and over again at this Assembly, that we have done it once, twice, I think thrice that we are not going to entertain any more payments, we want this to be done once and for all. It is taking time and resources and that definitely something has to be done. We have been getting assurances from the Honourable Attorney General and Minister of Justice that they will be doing that but unfortunately that is not being done, that has not been the case.

In fact, I have also seen the Addendum of the Commissioners and I really agreed with their position and what I suggest is, the Commission has already started accruing resources, they have started selling some properties, if you look at the Addendum. This indicated that over... With your permission Honourable Speaker, they are arguing that they are reminding, of course the Honourable Minister that total expenditure on the commission was about 50 million Gambian Dalasi. This is far less than the One Hundred and Seven Million in cash totally recovered and let the mansion be over one million in assets, potentially recoverable by Government. This One Hundred and Seven Million Dalasi, I have no problems if they are paid from there because they have already started, based on their recommendations, they have started getting resources. So this is something, as a matter of principle that I can accept.

Also Honourable Minister, this Assembly should have, as matter of right, accessed the report. We have not been copied the report. I do not know of any other Member from here but I have not received any report as regards the findings of the Commission. In fact, even before supporting this we should have had the report of the Commission regarding the outcome of their enquiry and their recommendations. So, we are not opportune to access this report. I would also want the Minister, if they can be expedited for Honourable Members to have access to this report. Thus my position, for me I am supporting the payment of the service but to be charged from what they have generated as a result of their work, that One Hundred and Seven Million Dalasi that has been recovered as a result of their work. Concerns have been raised here also, particularly with the Counsels. We understand that the Lead Counsel is receiving more than the Commissioners. I am not sure whether payments are also due for the Lead Counsel but definitely huge sums are being wasted so to speak. For the Commissioners definitely, I will support that they are paid but to be paid elsewhere. Thank you very much Honourable Speaker.

HON. SIDIA S. JATTA [WULI WEST]: I think my problem has been raised by both previous speakers. What I would want to request from the Honourable Minister is this, by virtue of he being the Attorney General of The Republic, he should help this institution to ensure respect for law, so that... **[Interruption]** I would have requested him to have come here to seek approval for such a thing before expenditure was being called. I think this has happened several times, I think there should be a stop to it. I am not opposed to paying, like the Honourable Member for Wuli East said but I want that to be emphasized and respected. That expenditure must be allowed before it is incurred. What the Honourable Member for Banjul North is saying, for me it has other legal implications because what authority do they have to spend from what they are generating and this has legal implication. In any case, they cannot do that unless they come again to seek approval. So it is like the same thing. So I

am not opposed to the sum being withdrawn from the Consolidated Fund but I want the Minister guarantee and ensure that this would not happen again.

HON. MUHAMMED MAGASSY [BASSE]: Honourable Speaker, thank you very much. I think from here, we will all learn from our mistakes. Honourable Speaker to my understanding, this is a right move. The reason is when it is constitutional, based on Section [200] of the 1997 Constitution that has given this mandate of operation to do so. And secondly, the mistake that we have to rectify here from today, is that it is time-boundless because on the paper, the last paragraph on page [1], the last one saying "However it also gave the Commission the power to continue beyond the period". They have the power to continue beyond the period. And if they do have the power to continue beyond the period, anytime the work is done the workload needs to be paid. They have done work, they are requesting for the work that they have done to be paid for. So I think, according to him, the Constitution or the Commission of Enquiry Act did indicate clearly that no money can be withdrawn from the Consolidated Revenue Fund if it is beyond the time limit, if it is not approved by the Parliament. If we agree that the Constitution has given this mandate to appraise them and we agree that the mandate given to the Commission is boundless, so therefore whatever work they have done we have to remunerate them for the work. That is in line. I think what you have to tell the Minister now, I could remember the last time the Motion appeared here, Member for Banjul South, did ask a question ... for you to appear before us and the Minister did say "This will be my last day to appear before you for such" but he has come. Yes, he has to come but do you know why he has to come? Because of this sentences that I have read, however it also gave the permission and power to continue beyond that period.

So anytime this sentences is there, at any moment the Commissioner having this mandate even after today, they still have the power to continue beyond the mandate. So anytime, they do the work, if they come here, obviously we have to pay for the work done. So this is my position ...*poor recording*..

HON. AMADOU CAMARA [NIANJIA]: Thank you very much Honourable Speaker. I just definitely put myself in the position of the Honourable Minister reading this letter, felt otherwise actually. But anyway to me, since the request was made from them and as the Honourable Member Basse rightly highlighted, you should have come earlier. This is the Parliament for the people and by the people and if anything that comes here before us, that is in line with law and that is genuine, definitely do not have two minds, even though you once promised us but you have come back actually not by yourself but actually by them requesting and also doing something which you know that is very good. I am not certain because I have not laid my hand on the report but if you just look at last paragraph from the letter they have brought, definitely everything is explained and we expect more to be recovered. So I see no reason why we should go otherwise on this and I believe everybody is on the same line. I just felt it for you, I said I have to add my voice to this so that I can also add my support to it. Definitely we will consider it on my part and I also urge my Honourable Colleagues to also consider this definitely. Thank you very much.

HON. ALHAGIE MBOW [UPPER SALOUM]: Thank you very much Honourable Speaker and thank you Honourable Minister. I know it is not an easy task for you to stand here before us today, to ask again and I feel for you. However Honourable Speaker, I want to make this in very clear that items, that I stand to support the payment of this to the Commissioners, because of the work they have done and because of the fact that they could not complete on time and it was necessary for them to put up the finalisation of their work in terms of the report that they need to generate.

Honourable Speaker, I think it is also clear in the Public Financial Act of 2014, that the Ministry for Finances is responsible to exercise control of the implementation of the government budget including any adjustments to the current year. Meaning the Ministry for Justice could have gone directly to the Ministry of Finance to ask for finance to pay for these people because they are still in the current year budget. The same Financial Regulation we also have in our country, Honourable Speaker, gives the power to the Minister of Finance to make virement where possible within the same budget entity or among different budget entities. And I think this needs to be very clear. For the Minister to come over here to ask for funding for this people to be paid, I think it is in line and I think he needs to be commended because he could have gone directly to the Minister of Finance and the Minister of Finance can go ahead and pay and there will be an infringement law, because our law are very clear. You look at the Public Finance Act, the Financial Regulation is also very clear on that. He has the mandate to do so.

Honourable Speaker to go further, I think the monies that are actually collected from the sale of properties or from the receipt of rental, I think we all understand this ownership. So I am not so sure how lawfully can the Minister take monies that are in the receivership account to go and paid for something else. He is not the Minister of Finance and if you look at the receivership accounts there are certain responsibilities of the Government and there are certain responsibilities of the persons that are interested with a particular account. So I wonder how the Minister of Justice can take money from this receivership account to pay for additional cost for this particular Commission. I really doubt if he has the mandate to do so. I think the mandate he has is to come and ask before us as Deputies and also to ask from the Ministry of Finance. Now it is up to the Minister of Finance to say no I cannot fund this or yes I can, because he has the right constitutionally to do that because he is the main Government Financier if I may say, custodian of all the assets and liabilities of this government. So I think what the Minister is doing is in line and I stand to support fully for this to be paid. And again, it is very clear that this is actually the final approval that he is asking. I want to urge my colleagues to critically look at this with objectivity, also with conscience Honourable Speaker, so that we can let this thing go because it does not infringe on any law on our land.

HON. ALHAGIE S. DARBOE [BRIKAMA NORTH]: Thank you very much Honourable Speaker. The Minister is requesting for the payment of Two Hundred Thousand to each of the Ex-Commissioners. I want to believe that it was an arrear we owe to the said Commissioners for the extra two months without pay. If that is the case, the Minister is now compelled, based on the attached letter the request made by the Ex-Commissioners for their arrears to be paid. Quoting the Commission of Enquiry Act

that mandated, before any such payment is made for the National Assembly to approve it. One has to commend the Minister for acting in accordance with the law, despite all that pressure that he may have been subjected to from March up to June without paying the Commissioners, only for him to comply with the provision of the law. These are the situations that we, as law makers, that we always try to defend not to put the cart before the horse. Pray that we come here and request for the formalization, I think that had been our concern on previous issues. If the Minister acted this way, one should be commending, we have always seen him being proactive as far as this matter of extending and requesting for the remuneration based on the extension. It is unfortunate that this could have occurred since March, when we had a session, not to put the Ex-Commissioners in this kind of situation where they have worked and no payment received. That is very unfortunate. We have always seen the Minister very proactive to make sure this is done and avoided but unfortunately it happens this way. We have no problem for the request, there is mandate for extension to be done and there is provision that before any such payment is made, even though it might have been earlier, it must come before the National Assembly and this is truly what the Minister has complied to. Thank you, I am commending you for that.

HON. DAWDA KAWSU JAWARA [UPPER FULLADU]: Thank you Honourable Speaker. I think there is not much to say after listening to Honourable Member for Basse and my honourable friend here from Brikama North. This is an open and short case, only that I will invoke kind words of the Honourable Member for Upper Saloum: objectivity and conscience. I think there will be more case to definitely approve this today if at all the objectives of this Commission of Enquiring is adhered to.

I heard of an announcement from the Ministry of Justice or the AG Chambers recently announced about some of the actions his Ministry is talking in recovering some of the losses that the government incurred by the former President and his associates. My only concern is, why the piecemeal approach? It is going to be a little bit of... or in a way it is going to seem, as I said it, as a subjectivity than an objectivity. Whoever is found to be wanting or has adverse opinion on this particular exercise by the Commission should equally be held responsible, not taking one person and leaving the others. That is the only point I want to add to this, thank you.

HON. MAJANKO SAMUSA [NOMINATED MEMBER]: Thank you Honourable Speaker, for giving me the floor to associate myself with the previous speakers. Honourable Speaker, I am really delighted with the request made by the Honourable Minister for Justice asking for the settlement of the arrears.

Honourable Speaker, I do not think we should waste much time to pass this because there is nothing that we can do, it is in line. I just want to register my dismay definitely with the Minister. I am very much surprised to see this attachment, this letter from the Commissioners. This is my disappointment because Honourable Minister has never had any problem in this august House as said by the previous speakers. So things of this kind I am appealing to him, whether of this Commission or another issues, we are here for the Executive, we are partners. Whatever issues that we have and should be settled by this august House, I have not seen any problem or any waste of time it should take you to come to

this august House, because this does not tell well on the Ministry of Justice. For us, it does not affect us but the Honourable Minister, the problem he has with this august House is when we happen to come across this. This is my disappointment, I am just registering that. Other than that, nothing and I am also associating myself with previous speakers to pass this request, thank you.

HON. MOMODOU S. CEESAY [JANJANBUREH]: Thank you Honourable Speaker, mine is of a similar concern with the Honourable Nominated Member. If you look at paragraph 2 and 3 of this attachment, I do not think this is diplomatic anywhere. It does not tell well. You as a Minister, your relationship with this National Assembly is very cordial. On the other hand, I think the Commissioners shall be a little bit more diplomatic than this. So what causes the delay when you were trying to request for this payment? What warrants them to write a strong letter like this or undiplomatic letter like this?

HON. DEMBA SOWE [NIAMINA WEST]: Thank you very much Honourable Speaker, I am definitely in support of this motion because when it was tendered here for the establishment of the Commission of Inquiry, I personally stood here and said that we extend it because the period allocated is not enough given the 22 years of rule. It will not be easy to gather all the information.

I was part of the last Commission of Inquiry that was set by the former regime for the PPP in the First Republic and I know how long it took us. It took us about four years to complete it and that is why I said the duration is not enough. I must agree with the various speakers like Honourable Alhagie Darboe that definitely this is not what should have been written to him, it should have come earlier so that we deal with the situation and approve their payment because after submitting their report since March, they are yet to be paid. It is definitely something that should not be after all the good work that they have done. Thank you very much I support the motion.

THE SPEAKER: I hope there are no interventions left. Please can I have the last list?

HON. SULAYMAN SAHO [BADDIBU CENTRAL]: Honourable Speaker, by looking at the motion, it is self-explanatory and I think all the Honourable Members will concur with us that we need to support the motion for the simple reason that the job has been done though the expected time was not met. Notwithstanding, the report was made available to the President so I think we need to support the motion for the payment of the remaining months. I do not think that is an issue, we really support the motion for the payment of the commissioners. Thank you.

HON. MOMODOU L.K SANNEH [DEPUTY SPEAKER]: Thank you very much Honourable Speaker for giving me the floor. Honourable Speaker, this motion in my opinion is a very straight forward motion

and the Ministry of Justice has indicated all the legal requirements on this motion with regards to the payment of the Commissioners. I think this motion is a straight forward motion as I said. Nonetheless, the Justice Minister always expects that when it comes to this Parliament he will not get it easy because already a real Parliament is in place whereby parliamentarians have the right to express their opinions and this is exactly what is happening. On that note Honourable Speaker, I am very happy that the Justice Minister brings this motion here at this time even if it is late but at least am appealing to all Honourable Members for us to approve it so that the Justice Minister can be empowered to pay Commissioners engaged to carry out this job. I thank you very much for giving me the floor.

HON. MUHAMMED NDOW [BANJUL-CENTRAL]: Thank you Honourable Speaker for giving me the floor. Honourable Speaker, I first of all would like to applaud the Janneh Commission of Inquiry for a job well done. Looking at the total expenditure of the Commission is **Fifty Million Dalasi** and they have already received **One-Hundred and Seven Million** in cash and **One Billion** in assets. Looking at the total expenditure, it is 5% of what has already been recovered in assets that is over **One Billion** so it is a very good job that they have done.

I am not talking about the (D107,000,000) **One Hundred and Seven Million** but the amount that they are supposed to pay them is (D600,000) **Six Hundred Thousand Dalasi** for three Commissioners. I am in support of that because that is equal to **0.5%** of the said amount of **One Billion Dalasi**, so I really support the motion. Thank you very much.

HON. BAKARY NJIE [BUNDUNGKA KUNDA]: Thank you very much Honourable Speaker for giving me the floor. I would also like to thank the Commission for a job well done. I could understand the concern of the Minister after having gone through the letter that was attached and sent to the Attorney General and Minister of Justice. I want the Minister to clarify certain things before I give my backing to this remuneration.

On the first page it is stated that paragraph 8 of the Establishment Order of 12th July 2017 provides for the Commission to complete its inquiry within three months of its first sitting. However, it has given the Commission the power to continue beyond the period if it has the opinion to do so.

Now, what I was expecting from the Honourable Minister was to come and tell us about these extra two months and why was it not necessary to go beyond the last mandate we gave them. It should be on a genuine reason that they should go beyond the time given to them so that we can allocate **[D200,000]** each for these three Commissioners. I also want to know, Honourable Minister, if this

[D200,000] meant for each of them is included in this Fifty Million or is it not part of the Fifty Million? That is what I want you to clarify other than that, I want to give my backing to the motion. Thank you.

THE SPEAKER: At this point, I would like to call on the Honourable Minister to respond to the issues that have been raised by the Honourable Members who took the floor. Thank you.

HON. ABUBACARR BA TAMBEDOU [ATTORNEY GENERAL AND MINISTER FOR JUSTICE]:

Thank you very much Honourable Speaker and all the Members who have commented, raised concerns, asked questions and gave support for the motion. I would like to address two fundamental issues before I respond to specific questions. Honourable Speaker and Honourable Members, when I appear before you, I am not just a conduit of information but as a responsible Government Official and when I give you my assurance I want to keep my words. I have appealed before you on three occasions and on each occasion I have given you assurance that this is the last time I will appear before you and those assurances were based on what I received from the Commission. I felt discomfort to come back to this National Assembly after I gave assurances on three different previous occasions. That is the discomfort I felt which led to my delay in coming here.

There were series of exchanges between the Commission and me on this matter. The request was sent to me by the Commission before they submitted their report. I responded by saying that having to come on three occasions before the National Assembly to give assurances that they have completed a task, I cannot do that anymore. You can certainly see in the attached letter that the Commission did take note of the discomfort I had to appear before the National Assembly, simply because I do not want to be seen as someone who will give assurances over and over without keeping my words. I engaged the Chairman recently after the submission of the report and I had a discussion with him and after that discussion, this letter was sent to me and I thought in the end I have acted in the most responsible way I could. I will appear before this National Assembly because they are entitled to the work done, rather than to pay for the work done. There is no doubt about that and no one is arguing regarding that but I would appear with much reluctance before the National Assembly to request for their pay. I have made this very clear to them and to this Assembly as well today and that is partly the cause of this delay to come here. It is not out of disrespect for the Commission or this Assembly, it is out of respect for this House.

Here we are now they are requesting for their pay. They should be paid their money and that brings me to the second issue which was raised by the Honourable Member for Wuli East and West. It is not

about my coming to seek approval for something that should have been approved prior to the Commission extending its mandate no, the Commission exclusively has the power to extend its mandate not the National Assembly, not I as Attorney General.

And so, if they extend their mandate all I could do is to come to you Honourable Members and request for payment for the extension of their mandate and now it is up to the National Assembly to decide whether to approve that payment or not. It is only after they extended their mandate that I will have the opportunity to appear before you and request for remuneration for the period they have extended.

In this case, they submitted their report on the 29th March and at that point, I had not yet made up my mind to appear before you to request for payment because I needed to engage with the Commission Chairman following our exchanges about the previous reassurances that occurred in May. I believe I was here in June to request for this payment. I cannot pay them without your approval according to law and there is nothing I can do. I cannot just be a conduit of information, I should act responsibly at all times including my utterances so that is why we are here right now on this matter.

On the question from the Honourable Member for Banjul North regarding the payment and where it should be paid, is it from the money collected? The Honourable Member for Banjul is informed that the Commission does not have power to use any of the funds that it has generated during its activities; that is the first point.

The second is that every penny, every Dalasi that has been generated by the Commission should be paid into the Consolidated Revenue Fund. It is the money that belongs to the Gambian State. It is up to the Minister of Finance who is here to determine how he is going to work with his financial magic to pay the Commissioners their money. Their responsibilities were to lodge some of these monies in an account which will ultimately be transferred to the Consolidated Revenue Fund.

In fact, I have issued request to all Commercial Banks in the country which had frozen bank accounts to transfer those monies that have been forfeited to the state to an account given to us by the Ministry of Finance and I believe that is going to be the Consolidated Revenue Account.

In terms of access to the report, I am afraid the Members will have to wait for two things. First you have to wait for the next 3 months because the President His Excellency has up to 6 months and weeks to publish the report if he so chooses to do so and if he does not, he will give his reasons. As we did with the Faraba Banta Commission Report, I believe that report was shared with this Assembly as well. I hope that this Janneh Commission report will also be shared. There are lots of recommendations in

the report, some of them can be implemented immediately others need review and we have not yet completed the review of the report. It is still ongoing but as for the parts that we have completed, we could take immediate action because let us remember that the Constitution provides that; 'the White Paper should contain measures that have been taken by the Government' and so all of these measures will ultimately feature in a White Paper that the government will have at the end of the 6 months period. So far, we are approaching this in stages, the first stage was when we made announcement inviting all those against whom adverse findings were made to contact the Ministry of Justice. The second stage was into the measures we took based on the recommendations of the Commission and there will be other actions as well between now and June and hopefully the White Paper will contain all of these measures in the end.

Finally Honourable Speaker and Honourable Members of this august Assembly unless I was mistaken, I believe I have answered the general concerns about the delay and the Commission's demand for payment, perhaps I conclude with a question by the Honourable Member for Bundungka Kunda about why the 2 months extension, I refer the Honourable Member for Bundungka Kunda to page 2 of the motion in the first paragraph details the reason why the two-month extension was made by the Commission and as to your question on whether or not this request for payment is included in the [50 Million] no, it is not, that is why we are here. I have not sanctioned the payment of any amount to the Commission without seeking the approval of the National Assembly; not in the past, not now.

The Commission has concluded its work and it is no longer in existence. The Attorney General's Office will pick up the residual activities of the Commission, they have been dissolved on the day they submitted their report to His Excellency the President and so this is where we are Honourable Members. I once again urge you to approve the payment for the Commissioners so that we can close this chapter and move on to other equally important matters of the state. I thank you all.

THE SPEAKER: Thank you Honourable Minister and also I wish to thank all Honourable Members who have taken part in the debate and I then now put the question. Be it resolved that this Honourable Assembly do approve the motion for the increment of remuneration for the Members of the Commission of Inquiry in to the Financial Activities of Public Enterprises, Bodies and Offices as regards their dealings with Former President Jammeh to the additional amount of [D200,000] Two Hundred Thousand Dalasis each.

[Question Proposed, Put and Agreed to]

3. QUESTION FOR ORAL ANSWERS

[BY: THE HONOURABLE MINISTER FOR FINANCE AND ECONOMIC AFFAIRS]

THE SPEAKER: Question for which due notices were given to the Honourable Minister for Finance and Economic Affairs by the Honourable Members for oral reply.

QUESTION: NO. 114/2019 [BY: HONOURABLE MEMBER FOR BUNDUNGKA KUNDA]

HON. BAKARY NJIE [BUNDUNGKA KUNDA]: Honourable Speaker, can the Honourable Minister for Finance and Economic Affairs indicate to this august Assembly that out of the **\$1.4 Billion USD** pledged during the Donors' Round Table Conference in Brussels in 2017, how much has been received by the Government of The Gambia, and if there is any, how much of it is grant?

HON. MAMBURAY NJIE [MINISTER FOR FINANCE AND ECONOMIC AFFAIRS]: Honourable Speaker, on the disbursements, the Ministry of Finance is currently doing the 1st Annual Progress Report (APR) of the NDP which will provide comprehensive information on the amount of pledges disbursed as of December 2018. However, **USD\$ 50 Million** has been received from European Union, **USD\$ 7 Million** has been disbursed from African Development Bank (ADB).

USD\$ 50 Million Agence Francaise de Development and **USD\$ 18, Million SDR** from World Bank. Other grant elements have been coming through other channels which have not been captured in our system but will be affirmed after the completion in the APR.

HON. BAKARY NJIE [BUNDUNGKA KUNDA]: Thank you very much Honourable Speaker, Honourable Minister can you let us know when the APR report compilation will be completed and if it is completed, can we get the breakdown of it as to what is loan and what is grant? Thank you.

HON. MAMBURAY NJIE [MINISTER FOR FINANCE AND ECONOMIC AFFAIRS]: Yes, it will be completed soon actually we have the draft and all the breakdown as I said will be very comprehensive as all the elements of loans and grants will be highlighted.

THE SPEAKER: Honourable Minister how soon do you think we will get that?

HON. MAMBURAY NJIE [MINISTER FOR FINANCE AND ECONOMIC AFFAIRS]: I cannot give you a definite date because we are doing the final editing.

THE SPEAKER: Thank you, actually we appreciate your coming here because we are made to understand that you came very early this morning. Thank you.

HON. MAMBURAY NJIE [MINISTER FOR FINANCE AND ECONOMIC AFFAIRS]: Honourable Speaker, some of the discussions were also channeled through other sectors and these are the information that did not come early enough for us to input them but we will be able to provide it soon.

HON. DAWDA KAWSU JAWARA [UPPER FULLADU WEST]: Thank you very much Honourable Speaker, it is going to be a question but I think just reading through the Minister's response the first Annual Progress Report is going to be submitted tomorrow. I think there you inform us of all the disbursements because when I went through your responses to the answer in as much as you try to give us an idea of some of the funds that have been received but it just leaves me with query as to how you missed. Some of the most significant ones especially the World Bank 41 Million support for us on energy?

I think tomorrow you will give us more information on this but the 41 Million on Energy, 30 Million on Education, 30 Million on Social Protection and another 56 Million on Budget support were all key budget support from our donor partners which I thought would have been captured in this short answer you gave us. Thank you.

HON. SAINY JAWARA [LOWER SALOUM]: Thank you Honourable Speaker, can you please tell us what these amounts are used for in the development activities of the National Development Plan? The amount that was received, if there is any?

HON. MAMBURAY NJIE [MINISTER FOR FINANCE AND ECONOMIC AFFAIRS]: Yes, for any pledge the amount disbursed is specific to a project that is the conditionality. So in the comprehensive report, everything will be there and everything will be captured.

HON. MUHAMED MAGASSY [BASSE]: Honourable Speaker thank you. I am struggling to get the answer as to how much is a grant because I think that is the fundamental question, how much is a grant? But in the answers I do not see anywhere that the Honourable Minister tells us the amount he has stated is a grant? Or how much is a grant out of this amount? Secondly, I think if you read it again **USD\$18, 300, 00** not 3 zeros.

HON. MAMBURAY NJIE [MINISTER FOR FINANCE AND ECONOMIC AFFAIRS]: Thank you, according to our calculation and according to the pledges almost 50% are in grants, 50% in loans but as I said because it is coming through other channels, we cannot actually establish the actual figures until we see the documentations. You can make a pledge and actually disburse it and at the time of disbursement, it sometimes go through another legal reform, prison reform, these are things that they deal directly with the sectors so we are compiling this and everything will be captured in the first annual report which will be very comprehensive and detailed. According to the pledges 50% is grant and 50% loan but what we are doing is that we are front-loading grants. What I am requesting is grants first before I go to the loans and the condition from our end is that the loan must be concessionary. It has to contain 50% plan because we have made a pledge that for loan we do not have to take it. If we have a choice we cannot meet because of our current debt burden, we cannot consume anymore additional debt that does not have this 50% concession.

THE SPEAKER: But please can I take additional interventions so that I can list them down. I have Brikama North anymore before I close the list. Okay, very well thank you.

HON. SUWAIBOU TOURAY [WULI EAST]: Thank you very much Honourable Speaker. Honourable Speaker, I can say that I am a bit impressed with the disbursement so far received. However, I agree that there must be some challenges in trying to get these pledges disbursed. What is the procedure in making follow-up to these pledges and what are the experiences in terms of the challenges? Thank you.

HON. MAMBURAY NJIE [MINISTER FOR FINANCE AND ECONOMIC AFFAIRS]: Between the time the pledges were made, all these other countries have their own budget cycles and the pledge was made a year ago and by the time you go to the next budget cycle, they have to present it to their own National Assembly but it must be you who have to attach a bankable project. It is not like a blanket thing that they just come and give you. It has to have a bankable project submitted together with it. So the procedure is, once the pledge is done, we will make a follow-up and then ask for the pledge and then indicate the sector that you are going to fund. We will have a project that will be submitted and then negotiate based on that.

What we are currently doing now is we are trying to be focused. We have a unit that is the Directorate of Planning that is 100% focused on it and we are recruiting a Gambian who has a wealth of experience because we have been doing a lot. In order to focus 100%, we identified a Gambian with a wealth of experience who should be able to do 100% follow-up.

What we have achieved so far historically is that, I have been through many pledge stations but the performance of this one is totally different we have outperformed all the other previous pledges because the commitment that has been made so far is above 50% and that is significant within the timeframe that you are talking about.

HON. ALHAGIE S. DARBOE [BRIKAMA NORTH]: Thank you Honourable Minister, I need clarification and I understand that the Honourable Member for Basse has the same concern but I could not get your response very well. The figure in the second paragraph, the second line USD\$ [18,300,00] or [18, 300,000]?

HON. MAMBURY NJIE [MINISTER FOR FINANCE AND ECONOMIC AFFAIRS]: No is USD\$ 18, 300, 000.

QUESTION: NO. 115/2019 [BY: HON. MEMBER FOR JANJANBUREH]:

HON. MOMODOU S. CEESAY [JANJANBUREH]: Honourable Speaker, can the Honourable Minister for Finance and Economic Affairs tell this august Assembly how much money does The Gambia owe to the ACP/EU as contribution arrears?

HON. MAMBURAY NJIE [MINISTER FOR FINANCE AND ECONOMIC AFFAIRS]: Honourable Speaker, current arrears for 2019 is 29,000.00 Euros.

HON. MOMODOU S. CEESAY [JANJANBUREH]: Honourable Minister, this is from which year to which year?

HON. MAMBURAY NJIE [MINISTER FOR FINANCE AND ECONOMIC AFFAIRS]: As far as our data is concerned, it is up to 2019 that is the most current one because we have been paying all along that is why it is 29,000.00 but the specific date we do not have it here but as I am presenting this even this 29,000.00 is out of what is being processed for payment. So I will not be able to give you exactly the number of years as we have not been paying the full amount because of our current financial situation. We just pay some amount that can help us maintain our voting right. Right now, we are actually processing a payment.

HON. SAINY JAWARA [LOWER SALOUM]: I want to ask how they do the payment, do they pay quarterly or yearly, that is what I want to know?

HON. NDEY YASSIN SECKA [NOMINATED]: Thank you very much Honourable Speaker. Honourable Minister, is there any mechanism as you are saying that we are not paying. I know that you are talking about financial constraints but are you making any dialogue with them so as to enable us have some relief from the problem that we have. Thank you.

HON. MAMBURAY NJIE [MINISTER FOR FINANCE AND ECONOMIC AFFAIRS]: Thank you, we are paying and what happened regarding the payment is that, you have to have a payment plan that you should honour. Did I answer your question?

HON. NDEY YASSIN SECKA [NOMINATED]: Yes, part of it has been answered because sometimes they really consider those who have economic problems. So I am asking whether we have been discussing with them and you know what happened after the impasse and many other things in the previous regime. Are you looking for any possible dialogue or any possible negotiation that can be made for us?

HON. MAMBURAY NJIE [MINISTER FOR FINANCE AND ECONOMIC AFFAIRS]: No, I think these are commitments that we made since the First Republic so what is important is we are able to convince them, given our current financial situation in the past and our debt burden. We just made a lump sum payment and then the rest will be on a very flexible payment plan.

HON. MUHAMMED NDOW [BANJUL CENTRAL]: Thank you Madam Speaker, I want to ask the Honourable Minister about the reasons why they did not pay but he answered that they have been paying but now what I observed is that the Ministry is only giving consideration to some of these international delegations. Last week the APU delegation went to Central Africa, but to be quite honest they told us that we did not pay since 2006 until last year that we paid. It was an issue there so I am asking whether priorities are given to only few Government Delegations.

HON. MAMBURAY NJIE [MINISTER FOR FINANCE AND ECONOMIC AFFAIRS]: No, there was no priority given to any Organisation. I think our problem is maybe those are cases in the future that we will have to address during budgetary session. Sometimes we are not privy to the membership of some of these organizations and I think I will propose maybe even for National Assembly ratification because sometime sectors will go and make commitment to these organizations and by the time the Ministry of Finance is in the picture, they are fully fledged members. These are some of the issues that we are confronted with and that now if we examine and look at the total number of International Organisations that we belong to, it is huge.

Now we have to be strategic. Do we really continue in all of these things or do we have to revisit the whole thing and then see some of the Organisations that we really do not have to be in, if the need arises.

THE SPEAKER: Honourable Minister, I can assure you that the National Assembly has taken it upon itself through the Office of the Clerk to engage the Ministry of Finance with regard to arrears owed by the delegations or other organizations which the National Assembly are Members. Actually, there is no discrimination whether it is ECOWAS or PAC or ACP/EU. We have engaged them and that is the reason why there has been some payments toward the arrears and you also your APU last payment was 2006 until 2018. We will continue to engage with it and also to add up to what the Honourable Nominated Member Secka has raised. I think we also engage the International Parliamentary Union so that we can have some of our dues waived. We are trying to work out something behind the scene.

HON. MUHAMMED NDOW [BANJUL CENTRAL]: I know it is nothing like discrimination and I really understand but I ask him if he is giving priority to others. Maybe The Gambia can benefit more from EU or ECOWAS and the like that could be the case but I am not saying that they have been discriminating. Thank you.

QUESTION: NO. 116/2019 [BY: HON. MEMBER FOR JANJANBUREH]:

HON. MOMODOU S. CEESAY [JANJANBUREH]: Honourable Speaker, can the Honourable Minister for Finance and Economic Affairs tell this august Assembly as to when the Government of The Gambia will settle its contribution arrears of ACP/EU?

HON. MAMBURAY NJIE [MINISTER FOR FINANCE AND ECONOMIC AFFAIRS]: Honourable Speaker, part of the payment is being processed.

HON. MOMODOU S. CEESAY [JANJANBUREH]: Honourable Minister, I am sure you do not know how embarrassing it could be when you are part of a group and they start telling you that you have not paid especially when they start indicating how much your country has paid and when will the balance be settled?

HON. MAMBURAY NJIE [MINISTER FOR FINANCE AND ECONOMIC AFFAIRS]: Honourable Speaker, we manage our expenditure based on the revenue we have and these are revenues that are mostly from our account that is the Consolidation Revenue Fund. So every month we sit down with the Cash Management Committee chaired by the Permanent Secretary and the allocation will be done. If I

tell you today that these have been allocated and will be paid I might be giving you wrong information until and unless the actual payment is made I cannot tell you. I just assure you of their good intention to pay. Being processed means that the allocation has been done but the actual payment is not yet done, it is a month to month cash allocation basis.

HON. KADDY CAMARA [FONI BONDALI]: Thank you very much Honourable Speaker, Honourable Minister, as far as this Committee is concerned, our Head of Delegation used to challenge these people very well and we do not want to go there only to be embarrassed in the midst of those people. Could your Ministry please promise us that it will effect half payment before October prior our going into the session again.

HON. MAMBURAY NJIE [MINISTER FOR FINANCE AND ECONOMIC AFFAIRS]: Honourable Speaker, I think I will just have to invite the Honourable Members of the Committee to the Ministry on Monday so that I can tell you definitively this is the amount we are going to pay.

MADI KM CEESAY [SEREKUNDA WEST]: My concern has been taken care of by the Honourable Members.

THE SPEAKER: Can we move to question number 117 by the Honourable Member for Kantora but he is out. I will move onto 118.

QUESTION: NO. 118/2018 [BY: HONOURABLE MEMBER FOR KIANG WEST]:

HON. FAKEBBA NL COLLEY [KIANG WEST]: Honourable Speaker, can the Honourable Minister for Finance and Economic Affairs tell this august Assembly the amount of funds received by GRA on behalf of NAQAA as education and training levies between the period 1st January 2018 to 31st December, 2018 and the amount paid to NAQAA?

MAMBURAY NJIE [MINISTER FOR FINANCE AND ECONOMIC AFFAIRS]: Honourable Speaker, the amount received by GRA on behalf of NAQAA is GMD **31,370,877.40** from 1st January to 31st December 2018 and this amount has been paid to NAQAA.

HON. FAKEBBA NL COLLEY [KIANG WEST]: Does GRA retain only percentage of the amount taken on behalf of NAQAA after collection?

HON. MAMBURAY NJIE [MINISTER FOR FINANCE AND ECONOMIC AFFAIRS]: What I know is that the amount to save is the actual amount paid to them I am not aware of any percentage being retained.

HON. LAMIN FM CONTA [KOMBO EAST]: Thank you Honourable Speaker. Apart from education levies, did GRA collect any other fund from NAQAA?

HON. MAMBURAY NJIE [MINISTER FOR FINANCE AND ECONOMIC AFFAIRS]: I am not aware of any other funds because everything is collected and paid to them but I am not aware of any other fees as far as the Ministry is concerned, we are not aware.

THE SPEAKER: We can take few more additional supplementary questions.

HON. ALHAGIE MBOW [UPPER SALOUM]: That is just a point of information about NAQAA. They do collect some of the other fees on their own because I am aware that they collect on their own. Thank you.

QUESTION NO. 119/2019 [BY: HON. MEMBER FOR BAKAU]:

HON. ASSAN TOURAY [BAKAU]: Honourable Speaker, can the Honourable Minister for Finance and Economic Affairs tell this august Assembly why State-Owned Enterprises and Institutions are allowed to hire/contract the services of External Auditors instead of the National Audit Office?

HON. MAMBURY NJIE [MINISTER FOR FINANCE AND ECONOMIC AFFAIRS]: Honourable Speaker, the National Audit Office has complained of capacity constraints and due to lack of capacity they recommended the SOE's to hire external auditors.

HON. ASSAN TOURAY [BAKAU]: Honourable Minister has your Ministry engaged the National Audit Office to help increase capacity to enable them undertake audit of SOE's?

HON. MAMBURY NJIE [MINISTER FOR FINANCE AND ECONOMIC AFFAIRS]: Yes, we have constantly been in contact with them and as I speak to you they have actually been recruiting among the best staff. They have been poaching from the Accountant General's Department and they did complain to me but my response is I think if we have a good Audit Institution it is better than any other because that is very important. Yes, we have been consulting and encouraging them to build capacity.

HON. ALAGIE JAWARA [LOWER BADDIBU]: Thank you Honourable Speaker. Is it constitutional that the National Audit Office should be the umbrella body to hire the auditors to audit Public Enterprises.

Why is it that Public Enterprises hire auditors for themselves? Do you not think that it will hinder transparency in the process?

HON. MAMBURY NJIE [MINISTER FOR FINANCE AND ECONOMIC AFFAIRS]: Honourable Speaker as far as I know, and as a former Public Enterprise Managing Director, no Public Enterprise will hire the contract of service from Audit Firm without the approval of the Auditor General.

HON. ALAGIE JAWARA [LOWER BADDIBU]: Honourable Speaker, it is a constitutional mandate and I understand in fact in the Minister's response that there is a capacity constraint at the Auditor General which we all know. It is the Auditor General's Office that has the power and the mandate to hire external firms in order to audit Public Enterprises but not they themselves to hire their own auditors. Can the Minister clarify?

HON. MAMBURY NJIE [MINISTER FOR FINANCE AND ECONOMIC AFFAIRS]: As far as I know, they do not go and hire directly. They will request the services from the Auditor General and then the Auditor General will do the screening recommend and appoint Audit Firm to go and audit the Public Enterprises. If there is something contrary, maybe they will have to consult the Auditor General. I know that the Public Enterprises cannot go directly and get services of any other Audit firm without going to the Auditor General.

THE SPEAKER: Honourable Member for Basse I was expecting that FPAC Members would probably come especially the Vice Chair to clarify that issue.

HON. MUHAMED MAGASSY [BASSE]: Honourable Speaker, as far as oversight functions are concerned, this capacity gap at the Office of the Auditor General is really affecting our job because Public Enterprises cannot submit their financial statements if it is not audited and most of the time the backlog they did experience is related to lack of auditing. Therefore in relation to the concern raised by the Member for Bakau, you should urge the Honourable Minister for Finance to put this in consideration so that these capacity gap in the Office of the Auditor General will be addressed. Thank you.

HON. MAMBURY NJIE [MINISTER FOR FINANCE AND ECONOMIC AFFAIRS]: Just for your information regarding the capacity gap that they have been encountering, I think Government Accounts have been in arrears for so many years. They have doubled their efforts now and I think even 2017 and almost 2018 they have been able to recover. I think there has been lesser focus on Government accounts, otherwise, over the period they should be able to address all of this. The capacity is

improved because they have better incentives, work environment and the Auditor General has been doing very well according to our own appraisal standard.

HON. ALHAGIE MBOW [UPPER SALOUM]: Thank you Madam Speaker, I can confirm the aggressive nature of the Auditor General in hiring because my company is a victim. They took my best staff so it is not only the Ministry of Finance but I am also a victim but it is okay because I concur with the Honourable Minister that an effective National Audit system is going to help us a lot. I equally want to ask the Minister if the Internal Audit Unit as well can also be capacitated so that they can do their job prior to those transaction processes getting to the National Audit Office. I think they can stop some of these issues being queried by the National Audit Office before they get to them. I think that also could help.

HON. MAMBURAY NJIE [MINISTER FOR FINANCE AND ECONOMIC AFFAIRS]: It is about programming, sometimes it is us the various sectors that will request and are stretched all over. For this year, we are trying to make sure in their program even if you have additional request that priority should not be given. These are issues that we are confronted with and we are making sure it will not happen again. They have been doing a lot even going out of their own comfort zone to address or arrest certain crisis situations.

HON. MOMODOU CAMARA [FONI BINTANG]: Thank you very much Honourable Speaker. I think Honourable Speaker the Member for Basse talked about the backlog of cases which happened to our FPAC Committee and it is as a result of auditing. When you call the Auditor General and ask him why, he is always complaining of capacity as well as finance. I think the Ministry of Finance should assist them financially so that they can have the capacity.

HON. MAMBURAY NJIE [MINISTER FOR FINANCE AND ECONOMIC AFFAIRS]: Honourable Speaker, if there is a cake we have to slice it and is not like we have a blank cheque for the National Assembly or for the Judiciary, what we have been doing, I think the Auditor General will confirm that, we have been very accommodating and I think we have been doing good augmentation for them to be able to do that.

In addition to that sometimes the problem is also with the State-Owned Enterprises. If the books are not ready the auditors cannot come in. These are issues that they are also being confronted with. They will come and do their own initial investigation and realize that the proper accounts have not been kept. So for the State-Owned Enterprises, what we will be doing is that we will be having performance

contract and in the event that you cannot do your books properly in time for auditing you will be sanctioned.

THE SPEAKER: Are you a Member of the FPAC Committee? I am not surprised and also from Lower Baddibu that is why he has been raising his tag and it has just dawned on me that he is in fact the Vice Chairman.

HON. ALAGIE JAWARA [LOWER BADDIBU]: Thank you very much Honourable Speaker. Honourable Speaker with your indulgence, I just want to refer the National Assembly to the Clause of the Constitution 156 C, the function of Auditor General, Honourable Speaker, with your permission, I would like to read the clause C; *"At least once in every year audit and reports on the Public Accounts of The Gambia, the accounts of all Offices and authorities of the Government of The Gambia. The accounts of the Court, the accounts of the National Assembly and the accounts of the Public Enterprises should be audited by the Auditor General."*

And according to the Minister's response, he said the National Audit Office has complained of capacity constraints and due to lack of capacity they recommended the SOEs to hire External Auditors and this tells me that there is no transparency in this because if I recommend you to account me then there must be a contractual relationship between me and you. Do you not think that these would have an effect or leakage in the audit process, what is your take on that?

HON. MAMBURY NJIE [MINISTER FOR FINANCE AND ECONOMIC AFFAIRS]: I am not sure. I think they are very professional and the reports generated from Audit Firms will have to be securitized by the Auditor General's Office. So it is not like they have hands off, no. For the transparency aspect, they have to make sure whatever is being audited they have to securitize it before releasing it.

QUESTION: NO. 120/2019 [BY: HONOURABLE MEMBER FOR SEREKUNDA REPRESENTED BY HONOURABLE MEMBER FOR WULI WEST]:

HON. SIDIA S. JATTA [WULI WEST]: Honourable Speaker, would the Honourable Minister for Finance and Economic Affairs indicate to this august Assembly the amount of money received by the Gambia Government as grant from the British Government in particular and the European Union in general since President Barrow came to office in 2017, the condition as attached to the grants and further give an assessment as to how UK's withdrawal from the EU could impact on The Gambia in terms of trade and grants?

HON. MAMBURY NJIE [MINISTER FOR FINANCE AND ECONOMIC AFFAIRS]: Honourable Speaker, Government of The Gambia has received \$1.7 Million USD from the British Government and \$164.64 Million USD from the European Union (grant). These grants were given based on good governance which has been improving over the years.

I think the deficit there is that we did not actually capture what will be the impact the withdrawal of the EU. As at now we would not know. We guess if anything, it will be a hypothetical situation. We are closely monitoring to see what will happen. Just to bear in mind that for the British Government they are also key members in most of these other Organisations like the IMF, World Bank and they do contribute. So indirectly, if we talk about World Bank, African Development Bank grants, their money is also in there.

HON. SIDIA S. JATTA [WULI WEST]: Honourable Minister do they really attach conditions to these grants and what are the conditions?

HON. MAMBURY NJIE [MINISTER FOR FINANCE AND ECONOMIC AFFAIR]: Yeah, most of the grants, the conditions are improvement in good governance. I think more than 70% of what they talked about is good governance.

HON. DAWDA KAWSU JAWARA [UPPER FULLADU WEST]: Thank you Madam Speaker. In the Minister's response, he said that these grants were based on good governance which has been improving over the years in The Gambia. As a Minister responsible for all the Economic Affairs of this Country, certain utterances by certain high officials not in government might hamper your effort in trying to attract more funds for the government especially the pledge by the EU as you mentioned in the question. What measures are you putting in place in making sure that all these pledges are turned in to fruition and not hampered by certain policies that the government is uttering? I hope you understand the question?

HON. MAMBURAY NJIE [FINANCE MINISTER]: Honourable Speaker our task, we look at our terms of references and laser focus on really the issues of the good governance vis-à-vis the economic policy management. We try to make sure we pass the transparency test i.e. having a very transparent budget. That is, any revenue that we earn is clearly deposited and when the expense is also made it is visible. Yes, there are opinions being expressed and I think in every developing country or even developed countries there are always issues that can be controversial. From our own point of view, we

really laser focus on our own terms of reference. Other issues yes, it might have some impact or effect on what we do but we are much more concentrated on what we do and we try to do best on what we are doing.

HON. SULAYMAN SAHO [CENTRAL BADDIBU]: Honourable Minister, yes! We know your terms of references but we believe that your office or your institution is there to advise the government in terms of good governance, in terms of financial discipline. So in that vein, would you be able to inform the office whether you will be in a position to advise senior government officers in order not to make certain remarks or utterances that can jeopardise your efforts? This is what we mean.

HON. MAMBURAY NJIE [FINANCE MINISTER]: Well, anything that will jeopardise my work, it will be addressed and it does not have to be in a public forum. We always want to make sure that whatever you say and if it has an impact on it, by all means, we laser focus on what we do. If you make opinion that will directly affect our task, it might make our task difficult, we do talk to them.

HON. ALAGIE JAWARA [LOWER BADDIBU]: Thank you very much Honourable Speaker. Honourable Speaker, the Minister talked about the grants coming due to good governance. As a political science student, good governance is a broad term. I will like you to be specific, good governance in what way? Whether it is economic policy management, human rights or financial discipline, can you be specific?

HON. MAMBURAY NJIE [FINANCE MINISTER]: I think it is a barometer and every donor, be it multilateral, poly lateral or bilateral they have their own barometers and it varies. Most of them, when it comes to the Ministry of Finance, they want to see my budget, they want to see my macroeconomic fundamentals whether they are not dislocated, how we are doing all of these. So it varies from country to country, from institution to institution and according to the barometer. When we pass the transparency or accountability test that is how the grants are given. It is not like a blank cheque that they give. They really do the assessment, not only externally but they also come locally and this is why when they come, they talk to the National Assembly Members, private sectors, NGOs and they talk to various aspects of the society to be able to make a conclusion and that will be submitted to their Board. It is not a simple process. It is a very difficult one.

HON. ALHAGIE S. DARBOE [BRIKAMA NORTH]: Thank you very much Honourable Speaker. Honourable Minister, it appears the last part of the question pertains to the assessment of UK's withdrawal from [EU], how that could impact to The Gambia in terms of trade and grants. It appears nothing has been made mention about that and the other thing, I just want clarification. The initial question pertaining to the pledges that were made, it was mentioned that about **USD\$ 50 million** already received from [EU] and now here we have USD\$ 164.64 million, whether this USD\$ 50 million pledge is inclusive in this USD\$ 164.64 million?

HON. MAMBURAY NJIE [FINANCE MINISTER]: Honourable Speaker, it is a package and the package goes by disbursements. This hundred and sixty-four million? I do not think it is included, the fifty million as far as I know, it is not included. The assessment of the full impact is difficult right now, because formally they have not actually withdrawn. So this is why it is difficult to make any impact assessment. We are monitoring to see exactly what the impact will be but it is difficult right now. It will be premature for us to come up with any figures.

MOMODOU S. CEESAY [JANJANBUREH]: Thank you Honourable Speaker. Looking at this particular question, it looks like there are four questions that were asked in one. I will go through them one after the other. It says, the amounts received from the British government, the European Union and then it says the conditions attached to the grant, which is not mentioned here and the impact of UK's removal from the EU. So all those four questions, I think you only answered the amounts that were given and the other part of the questions were not answered.

HON. MAMBURAY NJIE [FINANCE MINISTER]: I think out of the four, we have answered 3: that is the [1.7] million and the [164] and the good governance. The only thing that we lack, we cannot ascertain right now, is the impact of the withdrawal. But in terms of the assessment, we cannot do any assessment because we do not know actually – we do not want to predict or try to pre-empt what the impact will be.

THE SPEAKER: Question number **121** of **2019** by the Honourable Member for Upper Saloum.

HON. ALHAGIE MBOW [UPPER SALOUM]: Thank you Honourable Speaker. Honourable Speaker, can the Honourable Minister for Finance and Economic Affairs confirm to this august Assembly if all the financial institutions in the country charge Value Added Tax [VAT] on all commissions and in particular on turnover, arrangement fees for loans, legal fees, SWIFT charges, negotiation fees, foreign currency sales, etc.

HON. MAMBURAY NJIE [FINANCE MINISTER]: Honourable Speaker, as far as we know, the [VAT] is charged on all financial transactions except turnover, which is charged on corporate income tax.

HON. ALHAGIE MBOW [UPPER SALOUM]: Thank you very much Honourable Speaker. Honourable Speaker, I made some sampling on my own from different Banks about lending banks to be exact. What I realized is, this particular bank actually did not charge [VAT] on the services that I just asked for. Then Bank number 2 also, did not charge anything on [VAT] and they are supposed to. Bank number 3 also I checked through their authentic statement that is given to me, they did not actually charge. Then the 4th bank also did not charge for [VAT] and out of the 11 Honourable Speaker, 4 did not charge anything but three were just partial. My question to the Honourable Minister is, do you have any plans to ensure that our revenue collection actually is maximised? I stood here the last time Honourable Speaker, if you remember, when I made a recommendation to the Ministry, that there is a need to have a Revenue Assurance Unit at GRA, who will be looking at the issues like this. So I want to confirm from the Honourable Minister, whether you will still consider that, because for me we are losing millions. When you look at it, some of the banks are charging and some are not charging and there is nothing coming out of it. You know I was in the sectors but I thought it is essential. Some of the banks, actually their compliance is 100% and probably you know those banks but some of them are not charging. Some of them are charging this one and leaving the others and this is actually lost revenue to government and this thing came into effect since 2012.

HON. MAMBURAY NJIE [FINANCE MINISTER]: Honourable Member, one thing I can assure you is that GRA, the recommendation that you made; they are aware. They are going digital, and big digitalization, all of these things will be captured. In terms of the [VAT] charges, the banking sector is very competitive. Maybe, it is possible that those banks doing the transaction for them to have competitive edge. I say maybe it is possible; they might decide not to charge the customer the [VAT] and pay it through the GRA, it is possible but we will investigate because compliance is key. As far as

I know, they are telling me that the banks are complying, we will further investigate on how that because it has to be reflected somewhere, you are right. Maybe they are competing, some of them might decide I will not charge the customer, I will take that responsibility to pay GRA. So we will investigate. Thank you.

HON. ALHAGIE MBOW [UPPER SALOUM]: My only concern Honourable Speaker is, if we have to leave this in the hands of the commercial banks to decide on what they want to do, I think we will be in trouble. Just like the issues we have currently in the telecom sector, where we are the mercy of the GSM companies because basically tell government this is actually how much we generate in term of revenue and this is how much belongs to you. The government does not have anywhere of actually measuring those revenues. So for me also, I think we really need to step up in terms of our revenue collections, because these are simple things that they control. Just to say because I was the one responsible for one of the banks and I was tasked by our Compliance Unit to change the parameters to be able to capture these taxes I am talking about. So, it is not something that is really very difficult to do but it is just about ensuring that those banks are compliant because most of them already have this software that can actually do it. So basically, it is just about changing their parameters and I think this is something that we really need to look at with urgency. Because 2012 until now really I think it is about 7 years. If they did not have the system to be able to do it, they should been able do it in terms of compliance.

THE SPEAKER: I think those are suggestion that you are making to the Honourable Minister.

HON. MAMBURAY NJIE [FINANCE MINISTER]: Honourable Speaker, I just want to assure the Honourable Member. The main reason why we are going digital and they are acquiring the latest state-of-the-art technology. Yes, what you have been saying is manual. They have been doing it manually but they did not have the sophistication really to capture the submissions that they have made but I can assure you that it is virtually on right now and they have been able to discover a whole lot.

THE SPEAKER: Question number 117 of 2019 by the Honourable Member for Kantora.

HON. BILLAY G. TUNKARA [KANTORA]: Thank you very much Honourable Speaker for giving me the opportunity to ask a question. Honourable Speaker, can the Honourable Minister for Finance and Economic Affairs, give an update to this august Assembly on the entire salary scale restructuring.

HON. MAMBURAY NJIE [FINANCE MINISTER]: Honourable Speaker, [PMO] has sampled one thousand jobs that reflect all other jobs within the civil service and a questionnaire was administered where one thousand job holders were interviewed and job description developed for those jobs which are currently shared back with the sample job holders to confirm if it relates to their job description.

Upon receipt of those job descriptions from the job holders, the jobs will be scored and ranked then a new grading structure will be developed in July. Similarly, the World Bank is currently recruiting a Consultant who will validate what [PMO] has done, interview, scoring and rankings of the job. Upon validation, they will advise government on different pay options.

HON. BILLAY G. TUNKARA [KANTORA]: Thank you very much Honourable Minister for the response. If I get you right, can this current valuation be put into effect come next budget session?

HON. MAMBURAY NJIE [FINANCE MINISTER]: Honourable Speaker that is our intention. I think I made a pronouncement during the last budget speech, that of course with the suggestion and recommendation from this august National Assembly, that the gap between the lowest paying grade and the upper, we have to narrow it down and it is in that spirit that this exercise is being conducted.

THE SPEAKER: Any more supplementary questions on this?

HON. DAWDA KAWSU JAWARA [UPPER SALOUM]: Thank you Honourable Speaker. Honourable Speaker in the Minister's response, he did mention the exercise conducted by the [PMO], where one thousand job holders were interviewed and job descriptions were developed. What is your plan in a case where you find more people doing one job in the department and some of their services are not needed? What is the contingency plan in that kind of circumstance?

HON. MAMBURAY NJIE [FINANCE MINISTER]: Honourable Member that will be a joint decision. I will have to come back to this august National Assembly to reveal – the classification is disguised

unemployment, where you have over-staffing. We will have to come back to this National Assembly to present to you this report and with the recommendation, then we will come up with the way forward. It is our intention to really take the bull by the horns to make sure that we will not tolerate such things again, including ghost employees.

HON. MAJANKO SAMUSA [NOMINATED]: Thank you Honourable Speaker for giving me the floor. Honourable Speaker, the restructuring of the salaries, I want to ask the Honourable Minister because 2018-2019 budget, some 50%, 100% increase has been given to workers but Honourable Speaker, I want the Honourable Minister to clear this august House, particularly this National Assembly staff. We here, in this august House during the budget session we approved the increase of their allowances, the staff of the National Assembly. Honourable Speaker, I want the Honourable Minister, with his indulgence, to throw light on that because up till now, these staff are not realising what we have approved here. And it is this August House, Honourable Speaker, that we can lay this thing before the Honourable Minister. These are very poor low-income earners. Other people are realizing their allowances but the National Assembly Staffs are not. Really I feel pity and all National Assembly Members share the same sympathy that we have for them, thank you Honourable Speaker.

HON. MAMBURAY NJIE [FINANCE MINISTER]: Honourable Speaker, I think what this reveals is the checks-and-balances in the system. We are responsible for recurrent and development budget but manpower budget is under the Personnel Management Office [PMO] and we do not actually have control over that. This reveals, that the Ministry of Finance, with all the faults that they blame us, this is beyond us. It is under the [PMO] and they are the ones who even own the manpower budget, they are the one who will make the decision that we do not have control over. We continue to do the consultations with them, to try to explain but I think we will just have to see what we can do to resolve it but it is beyond the Ministry of Finance. We will continue to try to resolve it.

HON. MAJANKO SAMUSA [NOMINATED]: Thank you Honourable Speaker. Honourable Minister, I am pleased to hear your response but we still need your indulgence please help us because these are our arms. We are also relying on these staffs, without their efforts we also cannot be effective as we should. So definitely we are partners with these people. Please help us.

HON. MAMBURAY NJIE [FINANCE MINISTER]: Honourable Speaker, I think I am a witness to this and I have been here for almost up to 2am and I have seen the staff running around and I appreciate it. Some of them do not even have vehicles and they have to struggle to come to work and go back and we have been quietly really appealing to the [PMO] but we will continue to do it together including the Secretary General. We will continue to do that.

THE SPEAKER: I am happy that you have mentioned it and you know the steps that the National Assembly Authority is taking and also to make sure. I mean there is need for various institutions to know the parameters.

HON. MAMBURAY NJIE [FINANCE MINISTER]: Yes, I only hope it would not affect the Ministry of Finance, because we are not in this, we are just appealing to them.

[Laughter]

THE SPEAKER: Well anyway, we are taking it up to the highest level. I can assure you that and I ensure Members of the Authority are aware of that, thank you.

HON. MUHAMED MAGASSY [BASSE]: Thank you very much Honourable. There is a proverb in France that says that *"If an opportunity is before you, you exploit the opportunity"*. Many efforts have been done as you said, from the Authority. But hence the Authority does not lay its report before the Members, they may not know what the Authority has been doing. But hence we are before a situation and the question is on salaries and salary goes with allowances and the Government cannot do any expenditure, that Government cannot revenue any taxes, if they did not get approval of the Parliament through the Ministry of Finance. Ministry of Finance is the focal person of the government, if it comes to approve the estimate on the expenditure and review in this Parliament. According to the Constitution, if an Act of Parliament is passed, it is a law and if it is a law, law needs to be executed by who, by the executing officer by the executive body of the Government. Our role is now in the exercise and oversight function and that is to check and balance the Executive, how are they expending or how are they making that revenue?

So hence this allowance is being approved here, meaning that we have given the go ahead, through the Honourable Minister, to do this expenditure I do not see any reason why that expenditure should not be done. PMO are not answerable to the Parliament. If they do answer to the Parliament, it is going to be through a line Ministry. So may I know from the Honourable Minister, [PMO] is under what line Ministry? So that we know exactly that Minister concerned, so that we can call him and lay our concerns before him, so that this problem of allowances across the country will be resolved. This is my take, thank you.

HON. MAMBURAY NJIE [FINANCE MINISTER]: Honourable Speaker, as far as I know, they are not under any line Ministry. They are under the Executive.

THE SPEAKER: Any more interventions?

HON. MUHAMED MAGASSY [BASSE]: I just want to have a clarification. The answer of the Minister, do you want to inform us, lack of paying allowances, it is under the responsibility of PMO or it should be under the responsibility of the Ministry of Finance. We just want to have the clarification.

HON. MAMBURAY NJIE [FINANCE MINISTER]: Honourable Speaker, it is under the Manpower Budget, which is under the [PMO], not the Ministry of Finance.

THE SPEAKER: Thank you very much Honourable Minister for Finance and Economic Affairs, for those answers provided to this august Assembly and also to thank the Honourable Members of the National Assembly for all their contribution to this sitting.

ADJOURNMENT

[Question Proposed Put and Agreed To]

[The House Stands Adjourned to Thursday 20th June, 2019]