



## **REPUBLIC OF THE GAMBIA**

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



# **REPORT OF THE SELECT COMMITTEE ON HEALTH, WOMEN, CHILDREN, DISASTER, HUMANITARIAN RELIEF AND REFUGEES OF THE NATIONAL ASSEMBLY OF THE GAMBIA ON THE BIRTHS, DEATHS AND MARRIAGES REGISTRATION (AMENDMENT) BILL, 2020**

October 2020

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## **1. MEMBERS OF THE COMMITTEE**

### **1.1. Members of the National Assembly Select Committee on Health, Women, Children, Disaster, Humanitarian Relief and Refugees**

1. Hon. Ousman Sillah - Chairperson
2. Hon. Fatoumata Jawara - Vice Chairperson
3. Hon. Saikou Marong - Rapporteur
4. Hon. Sulayman Saho - Rapporteur
5. Hon. Amadou Camara - Member
6. Hon. Musa Amul Nyassi - Member
7. Hon. Bakary Camara - Member
8. Hon. Omar Darboe - Member
9. Hon. Kaddy Camara - Member
10. Hon. Ndey Yassin Secka - Member
11. Hon. Momodou L. K. Sanneh - Member
12. Hon. Dawda Kawsu Jawara - Member

### **1.2. Support Staff**

1. Sarata Bojang - Secretary
2. Isatou Sonko - Secretary

### **1.3. Subject Matter Specialists**

1. Sekou Omar Dibba - SMS
2. Aminata L.R. Ngum - SMS
3. Dr. Ayo Palmer - SMS

## 2. ACKNOWLEDGEMENT

The Members of the Select Committee on Health, Women, Children, Disaster, Humanitarian Relief and Refugees wish to acknowledge the positive response of all the stakeholder institutions from government, non-governmental organisations and civil society who were invited to participate in the consultations. Their position papers and presentations reflecting their views and recommendations had really enriched the exercise and its outcome. The participation of the Permanent Secretaries, Deputy Permanent Secretaries of the relevant ministries, the Directors and Assistant Directors of concerned departments, Executive Directors and Programme or Unit heads of NGOs and CSOs, senior officials, among others have been very instrumental in the consultations with their ideas and passion to achieve results.

It would therefore not be an exaggeration to conclude that without their invaluable participation and contributions in the process, as stakeholders in the promotion and protection of the rights of women and children, it would not have been easy for the Committee to complete and present this report for the consideration of the Assembly. They provided the evidence or information needed for inclusion in the amendment bill.

The Committee is obliged to express appreciation to the Office of the Clerk for providing the efficient support staff and logistics which enabled the Committee to carry out exhaustive consultation with all relevant stakeholders.

### 3. INTRODUCTION

After being handed over a copy of the Bill entitled the **Births, Deaths and Marriages Registration (Amendment) Bill, 2020** at the plenary on 22<sup>nd</sup> June, 2020 by the Attorney General and Minister of Justice, the Clerk of the National Assembly read aloud the short title which was deemed to be the First Reading, in accordance with Standing Order 65 of the National Assembly (Revised Edition, 2019).

On 16<sup>th</sup> July, 2020, the National Assembly plenary, following the conclusion of the second reading of the Bill, which witnessed a debate on its principles and merits by the honourable National Assembly Members, referred the said proposed legislation to the Assembly Business Committee (ABC), in accordance with Standing Order 68 (1). Consequently, the ABC committed the said Bill for consideration to the relevant committee which is the Select Committee on Health, Women, Children, Disaster, Humanitarian Relief and Refugees, as provided for by Standing Order 68 (2).

In accordance with Standing Orders 68 (2), 69 (1) and (2), 97 (1) and (3) (b), the Select Committee on Health, Women, Children, Disaster, Humanitarian Relief and Refugees was tasked to review, consult and report to the plenary its findings and recommendations on the draft Women's (Amendment) Bill, 2020.

Immediately following the committal of the Births, Deaths And Marriages Registration (Amendment) Bill, 2020 to the appropriate Committee "for detailed investigation and report..." as per Standing Order 68 (2), the Select Committee immediately set itself to work by convening a planning meeting to adopt the methodology or approach to undertake in order to accomplish the task in accordance with the requirements of the Standings Orders. The Committee agreed to hold consultations and thus identified the key stakeholders from government and non-state institutions and organisations to be engaged to get their views and recommendations on the proposed Bill for consideration and incorporation in its report to the National Assembly.

#### 4. MANDATE

Standing Order 69 requires the Committee not to discuss the principles of the Bill but its details in terms of the clauses. It is thus mandated as follows:

- a) List out witnesses, hold proceedings and take evidence from witnesses.
- b) Record the opinion of the Committee on each clause and schedule of the Bill and apprehend any amendment recommended.
- c) Present Amendments in the order in which they stand in the Bill.
- d) Present a report incorporating the summary of the evidence of the witnesses, the opinion of the Committee on the clauses and attach relevant records of minutes of its proceedings.

#### 5. METHODOLOGY

Since Clause 66 (1) (b) requires a Committee, at the Committee Stage of the process, to engage in “detailed investigation” when considering a Bill committed to it, the Select Committee called witnesses from the identified institutions and organisations. This was after when each of them was provided with a copy of the Bill and thus asked to review and present a written report or position paper on their views and recommendations, if any, for the consideration of the Committee.

After holding the formal meetings at the National Assembly with the stakeholders from Government Ministries, Departments and Agencies (MDAs), Non-Governmental Organisations (NGOs) and Civil Society Organisations and platforms to present and discuss their written reports, the Committee convened a meeting to review and conclude on the positions and validate the Report.

#### 6. BIRTHS, DEATHS AND MARRIAGES (AMENDMENT) BILL, 2020

##### **A BILL ENTITLED**

**AN ACT** to review, amend and repeal the provisions of the Births, Deaths and Marriages Registration Act found to be discriminatory against women and girls in The Gambia in furtherance of the Gambia’s international obligations and in line with the Constitution and for connected matters.

**ENACTED** by the President and the National Assembly.

##### **1. Short title**

This Act may be cited as the Births, Deaths and Marriages Registration (Amendment) Act, 2020.

## **2. Amendment of the Births, Deaths and Marriages Registration Act 1886**

The Births, Deaths and Marriages Registration Act (In this Act referred to as “the Principal Act”) is amended as set out in this Act.

### **3. Repeal of Section 16**

Section 16 is repealed and replaced as follows-

**“16 – The parent of a child to give notice of birth within thirty days.**

(1) the parent of a child shall, within thirty days after the birth of the child, give notice of the birth either verbally or in writing to the registrar or deputy registrar of the district or place in which the birth occurred.

(2) a person who fails to comply with sub-section (1) commits an offence and is liable on conviction, to a fine not exceeding five hundred dalasis, or in default of payment of the fine to imprisonment without hard labour, for a term not exceeding one month.”

### **4. Repeal of Section 17**

Section 17 of the Act is repealed.

### **5. Amendment of Section 18**

Section 18 is amended by –

- i. deleting the words immediately after “both father and mother of a child born”, the words “whether in or out of wedlock”;
- ii. substituting for the words “sections 16 and 17”, the words “section 16”;

### **6. Repeal and Replacement of Section 19**

Section 19 is repealed and replaced as follows –

19. (1) Where a child is born to parents who are not married at the time of birth –

- (a) the Registrar or Deputy Registrar shall not enter in the register the name of any person as father of the child, unless at the joint request of the mother and of the person acknowledging himself to be the father of the child; and
- (b) if the person alleged to be the father of the child refuses to acknowledged himself to be the father of the child, the Registrar or Deputy Registrar shall not enter in the register the name of that person, unless a paternity order is obtained from the Children’s Court confirming the father of the child.

(2) Notwithstanding subsection (1) –

(a) where the person alleged to be the father of the child fails to acknowledge Himself to be the father of the child, or

(b) the mother of the child does not provide the name of the father,

the Registrar or Deputy Registrar shall, at the request of the mother, register the birth of the child with the particulars of the mother.

### **OBJECTS AND REASONS**

This amendment is the first of its kind in Africa for being the trail blazer for the recognition, observance and the domestication of international obligations and commitments relating to women’s rights into domestic laws. Since the enactment of the Women’s Act 2010, significant strides have been made to enforce the law and to protect women in line with the provisions of the Act. Section 25 of the Women’s Act recognised the need for periodic review of legislation every ten years to ensure further compliance with our international obligations as enshrined in the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), and the Protocol to the African Charter on Human and People’s Rights on The Rights of Women in Africa, (The Protocol). This amendment is intended to amend and repeal the provisions of this Act that are discriminatory against women as mandated by section 25 of the Women’s Act.

### **7. Planning Meeting**

The Select Committee held a meeting on 29<sup>th</sup> September, 2020 to identify the relevant stakeholders to be consulted and to plan and adopt a Road Map for the engagements. During the deliberations, members identified the stakeholders to be consulted from the state and non-state institutions/organisations i.e. NGOs and civil society. The meeting agreed to hold sessions at the Assembly with the institutions to get their views and recommendations of the stakeholders on the proposed Women’s Act (Amendment) Bill, 2020 for the consideration of the Committee in its report.

These consultations are in accordance with Clause 69 paragraph 2 of the Standing Orders which states “A Committee to which a Bill is committed shall consider and take evidence on the provisions of the bill and report its opinion thereon to the Assembly.”



## 8. Proceedings

### 8.1. Witnesses

1. Mrs. Rohey Bittaye Darboe - Ministry of Children & Social Welfare (PS)
2. Siaka Marong - Ministry of Children and Social Welfare
3. Fanta Bai Secka -Ministry of Health
4. Lamin B. Fatty - Ministry of Health
5. Naffie Sissoho Bangura -Ministry of Justice
6. Abdoulie Colley -Ministry of Justice
7. Mustapha Drammeh - Ministry of Basic and Secondary Education
8. Mariama A.M Sallah - Ministry of Basic and Secondary Education
9. Isatou S. Jallow - Ministry of Basic and Secondary Education
10. Juldeh Ceesay - Ministry of Finance & Economic Affairs (DPS)
11. Adama M. Jeng - GALGA
12. Mariama K. Sanyang - The Girls Agenda
13. Roya Namati - Paradise Foundation
14. Fatou Faye - Paradise Foundation
15. Isatou Deu Sawaneh - National Women Council
16. Fallu Sowe - Network Against Gender Base Violence
17. Mariama John - Network Against Gender Base Violence
18. Ousman Ceesay -Network Against Gender Base Violence

### 8.2. Select Committee Members in attendance

1. Hon. Ousman Sillah - Chairperson
2. Hon. Fatouma K. Jawara - Vice-Chairperson
3. Hon. Amadou Camara - Member
4. Hon. Musa Amul Nyassi - Member
5. Hon. Kaddy Camara - Member
6. Hon. Ndey Yassin Secka - Member
7. Hon. Omar Darboe - Member
8. Hon. Saikou Marong - Member

#### **Secretaries**

1. Sarata Bojang - Secretary
2. Isatou Sonko - Secretary

### 8.3. Consideration, Scrutiny, Findings and Recommendations

In his welcoming and introductory remarks, the Chairperson commended the stakeholders for responding to the invitation to come and serve as witnesses

He informed the witnesses/stakeholders that the Hon. Minister for Justice has introduced series of bills before the Assembly that were committed to the Committee for further scrutiny, and report its findings and recommendations to the Assembly for considerations and approval. According to him, the Civil Marriages (Amendment) Bill

2020 and the Christian (Amendment) Bill 2020 are amongst the Bills under the scrutiny of the Committee.

Giving a background reflection on the Bills, the Chairperson informed the meeting that the bills were initially consolidated into one, and committed to the Health Committee but later withdrawn by the Ministry of Justice (person in charge of the bills). Subsequently, he said the Bills were later separated and brought back to Parliament in June, 2020 for consideration.

According to the Chairperson, the Committee is mandated to make relevant amendments to the bill. Detailing the methodological approach of the Joint Committee in scrutinizing the Bills, the Chairperson argued that the Committee would garner evidences both oral and written from Witnesses to accord them the opportunity to act and make inform decisions.

Furthermore, the Chairperson reminded the meeting of Standing Order 101 of the National Assembly which clearly states the powers and remits of Committees.

## **1. Evidences of witnesses**

### **- Oral evidence**

All the witnesses that took the floor, including the Registrar of Births at the Ministry of Health, agreed with the proposed amendments on the Births, Deaths and Marriages (Amendment) Bill, 2020.

The witnesses proposed for Clause 16 (2) to read as follows – “A person who fails to give notice of birth within a period of 1 year commits an offence and is liable to a fine of five hundred dalasis, to obtain a birth certificate.”

Some witnesses even proposed that the imprisonment term be increased from one month to one year to serve as a stronger deterrent.

The witnesses also suggested for the word “Parent” in section 16 to be changed to “Father or Mother of a child” as it is too broad and can mean a caretaker.

A witness even proposed for the fine to be D1000 instead of D500.00.

Section 19 (1) b it was also suggested for the Registrar or deputy registrar to seek for Paternity Order from the Children’s Court in the case where the father refusing to acknowledge himself as the father of the child

It was also suggested for the fine to be from 2000 – 5000 dalasis

Section 18 was agreed to be deleted as proposed in the amendment bill.

The representatives of the Ministry of Justice advised that the imprisonment term as stipulated in section 16 (2) be maintained.

## **- Written evidence**

1. Ministry of Women, Children and Social Welfare (MoWC&SW)

In its position paper, the Ministry is asking for the word President to be qualified.

2. Office of the Vice President (OVP)

The OVP

3. Gambia Association of Local Government Authorities (GALGA)

## **2. Conclusions and Recommendations of Committee**

### **BIRTHS, DEATHS AND MARRIAGE REGISTRATION (AMENDMENT) BILL, 2020**

A BILL ENTITLED

[            ]

**AN ACT** to review and amend the provisions of the Births, Deaths and Marriages Registration Act found to be discriminatory against women and girls in The Gambia in furtherance of The Gambia's international obligations and in line with the Constitution and for connected matters.

**ENACTED** by the President and the National Assembly.

#### **- Observation/Conclusion**

The Committee observes that the witnesses are in agreement with the preamble of the Births, Deaths and Marriages Registration (Amendment) Bill, 2020

#### **- Committee's Recommendation**

The Committee recommends that the preamble stands part of the Bill.

#### **1. Short title**

This Act may be cited as the Births, Deaths and Marriages Registration (Amendment) Act, 2020.

#### **- Observation/Conclusion**

The Committee observes that the witnesses are in agreement with Clause 1 on the Short Title of the Bill.

#### **- Committee's Recommendation**

The Committee recommends that the Clause 1 on the Short Title stands part of the Bill.

## **2. Amendment of the Births, Deaths and Marriages Registration Act 1886**

The Births, Deaths and Marriages Registration Act (In this Act referred to as “the Principal Act”) is amended as set out in this Act.

### **- Observation/Conclusion**

The Committee observes that the witnesses are in agreement with Clause 2 to stand part of the Bill

### **- Committee’s Recommendation**

The Committee recommends that the Clause 2 should stand part of the Bill.

## **3. Repeal of Section 16**

Section 16 is repealed and replaced as follows-

**“16 – The parent of a child to give notice of birth within thirty days.**

(1) the parent of a child shall, within thirty days after the birth of the child, give notice of the birth either verbally or in writing to the registrar or deputy registrar of the district or place in which the birth occurred.

(2) a person who fails to comply with sub-section (1) commits an offence and is liable on conviction, to a fine not exceeding five hundred dalasis, or in default of payment of the fine to imprisonment without hard labour, for a term not exceeding one month.”

### **Observation and Conclusion**

The Committee observed that all the witnesses are in support of the repeal of Section 16 and its replacement.

However, some of the witnesses are proposing a further amendment of the section 16 (2) by maintaining the fines but removing the custodial sentence and substituting it with using the fine to enable the convict acquire the birth certificate.

A witness even proposed for the fine to be D1000 instead of D500.00, while another suggested the fine to be within the range of D2000 and D5000.

As for the representative of the Ministry of Justice, the custodial sentence cannot be removed.

It was also proposed by the witnesses that the word “Parent” in section 16 be changed to “Father or Mother of a child” as it is too broad and can mean a caretaker.

The representatives of the Ministry of Justice advised that the imprisonment term as stipulated in section 16 (2) be maintained.

### **Recommendation of the Committee**

The Committee agrees with the proposed amendment to stand part of the Bill.

#### **4. Repeal of Section 17**

Section 17 of the Act is repealed.

#### **Observation/Conclusion**

The witnesses are in support of the repeal of section 17

#### **Recommendation of Committee**

The Committee recommends for the repeal of section 17 as proposed in the amendment bill.

#### **5. Amendment of Section 18**

Section 18 is amended by –

- i. deleting the words immediately after “both father and mother of a child born”, the words “whether in or out of wedlock”;
- ii. substituting for the words “sections 16 and 17”, the words “section 16”;

#### **Observations/Conclusion**

Section 18 was agreed by the witnesses to be deleted as proposed in the amendment bill.

#### **Recommendation of Committee**

The Committee recommends for the amendment of section 18 as proposed by the amendment bill.

#### **6. Repeal and Replacement of Section 19**

Section 19 is repealed and replaced as follows –

19. (1) Where a child is born to parents who are not married at the time of birth –

- (a) the Registrar or Deputy Registrar shall not enter in the register the name of any person as father of the child, unless at the joint request of the mother and of the person acknowledging himself to be the father of the child; and
- (b) if the person alleged to be the father of the child refuses to acknowledged himself to be the father of the child, the Registrar or Deputy Registrar shall not enter in the register the name of that person, unless a paternity order is obtained from the Children’s Court confirming the father of the child.

(2) Notwithstanding subsection (1) –

(a) where the person alleged to be the father of the child fails to acknowledge Himself to be the father of the child, or

(b) the mother of the child does not provide the name of the father,

the Registrar or Deputy Registrar shall, at the request of the mother, register the birth of the child with the particulars of the mother.

### **Observation/Conclusion**

The witnesses support the repeal and replacement of section 19 (1).

It is also proposed that the Registrar or deputy registrar can seek for Paternity Order from the Children's Court in the case where the father is refusing to acknowledge himself as the father of the child.

### **Recommendation of Committee**

Having reviewed the arguments, the Committee recommends for the repeal and replacement of section 19. It further recommends for the insertion of a new provision of section 19 (3) to read:

## **OBJECTS AND REASONS**

This amendment is the first of its kind in Africa for being the trail blazer for the recognition, observance and the domestication of international obligations and commitments relating to women's rights into domestic laws. Since the enactment of the Women's Act 2010, significant strides have been made to enforce the law and to protect women in line with the provisions of the Act. Section 25 of the Women's Act recognised the need for periodic review of legislation every ten years to ensure further compliance with our international obligations as enshrined in the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), and the Protocol to the African Charter on Human and People's Rights on The Rights of Women in Africa, (The Protocol). This amendment is intended to amend and repeal the provisions of this Act that are discriminatory against women as mandated by section 25 of the Women's Act.

### **- Observation/Conclusion**

The Joint Committee recommends for the Objects and Reasons to be redrafted in order for it to capture the specific nature of the issue the Bill is intended to address as required by Standing Order 64 (1) (a), which states:

“(1) Every Bill shall be accompanied by a memorandum signed by the person in charge of the bill containing a statement of the objects and reasons of the Bill, including

-

(a) the nature of the issue the Bill is intended to address;”

It was agreed by the Joint Committee for this task of redrafting the Objects and Reasons to ensure that it is specific to the proposed amendment to be assigned to the team of draftpersons/counsels from the Ministry of Justice.

Below is the version of the Objects and Reasons drafted by the legal draftsperson of the Ministry of Justice which the Committee recommends for adoption:

**“OBJECTS AND REASONS**

The Principal Act provides that a person shall not be forced to enter his name in the register as the father of an illegitimate child without his consent. As a result, many children are left without a father and all the responsibility is on the mother to upbringing the child.

Section 25 of the Women’s Act recognized the need for periodic review of legislation every ten years to ensure further compliance with our international obligations as enshrined in the Convention on The Elimination of all Forms of Discrimination Against Women, (CEDAW), and the Protocol to the African Charter on Human and Peoples Right on The Rights of Women in Africa, (The Protocol).

Gambia is also a party to the Convention on the Rights of the Child and is under obligation to ensure all its domestic legislations in compliance with the Convention.

This Bill seeks to eradicate such an injustice and discrimination against women and children by reviewing and amending the provisions of the Principal Act that are discriminatory against women and children.

.....  
**HON. ABUBACARR MARIE TAMBADOU**  
**ATTORNEY GENERAL AND MINISTER OF JUSTICE”**

## 9. Annexes

### Minutes of Meeting

#### **1. MINUTES OF MEETING OF THE SELECT COMMITTEE ON HEALTH WOMEN, CHILDREN, REFUGEES, DISASTER AND HUMANITARIAN RELIEF TO CONSIDER THE BIRTHS, DEATHS AND MARRIAGES REGISTRATION (AMENDMENT) BILL, 2020**

Date: 13<sup>th</sup> October, 2020

Time: 11:00am

Venue: Committee Room1

#### **In-Attendances**

- |                           |   |                  |
|---------------------------|---|------------------|
| 1. Hon. Ousman Sillah     | - | Chairperson      |
| 2. Hon. Fatouma K. Jawara | - | Vice-Chairperson |
| 3. Hon. Amadou Camara     | - | Member           |
| 4. Hon. Musa Amul Nyassi  | - | Member           |
| 5. Hon. Kaddy Camara      | - | Member           |
| 6. Hon. Ndey Yassin Secka | - | Member           |
| 7. Hon. Omar Darboe       | - | Member           |
| 8. Hon. Saikou Marong     | - | Member           |

#### **Secretaries**

- |                  |   |           |
|------------------|---|-----------|
| 1. Sarata Bojang | - | Secretary |
| 2. Isatou Sonko  | - | Secretary |

#### **Witnesses**

- |                              |   |  |
|------------------------------|---|--|
| 1. Mrs. Rohey Bittaye Darboe | - | Ministry of Children & Social Welfare (PS) |
| 2. Siaka Marong              | - | Ministry of Children and Social Welfare    |
| 3. Fanta Bai Secka           | - | Ministry of Health                         |
| 4. Lamin B. Fatty            | - | Registrar of Births, Ministry of Health    |
| 5. Naffie Sissoho Bangura    | - | Ministry of Justice                        |
| 6. Abdoulie Colley           | - | Ministry of Justice                        |
| 7. Mustapha Drammeh          | - | Ministry of Basic and Secondary Education  |



- |                                |  |
|--------------------------------|--|
| 8. Mariama A.M Sallah          | - Ministry of Basic and Secondary Education    |
| 9. Isatou S. Jallow            | - Ministry of Basic and Secondary Education    |
| 10. Juldeh Ceesay              | - Ministry of Finance & Economic Affairs (DPS) |
| 11. Adama M. Jeng              | - GALGA  |
| 12. Mariama K. Sanyang         | - The Girls Agenda                             |
| 13. Roya Namati                | - Paradise Foundation                          |
| 14. Fatou Faye                 | - Paradise Foundation                          |
| 15. Isatou <b>Diya</b> Sawaneh | - National Women Council                       |
| 16. Fallu Sowe                 | - Network Against Gender Base Violence         |
| 17. Mariama John               | - Network Against Gender Base Violence         |
| 18. Ousman Ceesay              | -Network Against Gender Base Violence          |

## **Agenda**

1. Prayers
2. Introduction/Opening Remarks
3. Review of the Births, Deaths, and Marriages Registration (Amendment) Bills, 2020
4. A. O. B

### **Prayers:**

The meeting was called to order by the Hon. Ousman Sillah, Chairperson of the Select Committee, and individual silent prayers were observed.

### **Introductory/opening remarks:**

The Chairperson of the Committee welcomed everyone to the meeting and highlighted the purpose of the consultative meeting.

The Chairperson informed the meeting that the said bills were referred to the Select Committee on Health, Women, Children, Disaster, Humanitarian Relief and Refugees for further scrutiny and to report its findings and recommendations to the plenary.

The meeting was also informed that the Committee would be adducing evidences both oral and written from the invited witnesses to enable it to make inform decisions.

The Chairperson cited Standing Orders 65, 66, 67, 68, 69, and 101 of the National Assembly which clearly provide for the powers and remits of Committees.

He then opened the floor by inviting the witnesses one after the other to make oral presentations of their positions on the proposed bill and or submit their written positions for consideration by the Committee and annexed as part of the final report to be presented.

All the witnesses that took the floor agreed with the proposed amendments on the Births, Deaths and Marriages (Amendment) Bill, 2020.

The witnesses proposed for Clause 16 (2) to read as follows – “A person who fails to give notice of birth within a period of 1 year commits an offence and is liable to a fine of five hundred dalasis, to obtain a birth certificate.”

Some witnesses even proposed that the imprisonment term be increased from one month to one year to serve as a stronger deterrent.

The witnesses also suggested for the word “Parent” in section 16 to be changed to “Father or Mother of a child” as it is too broad and can mean a caretaker.

For the Fine to be D1000 instead of 500.00

Section 19 (1) b it was also suggested for the Registrar or deputy registrar to seek for Paternity Order from the Children’s Court in the case where the father refusing to acknowledge himself as the father of the child

It was also suggested for the fine to be from 2000 – 5000 dalasis

Section 18 was agreed to be deleted as proposed in the amendment bill.

The representatives of the Ministry of Justice advised that the imprisonment term as stipulated in section 16 (2) be maintained.

## 2. Position Papers

1. Ministry of Women, Children and Social Welfare (MoWC&SW)
2. Office of the Vice President (OVP)
3. Gambia Association of Local Government Authorities (GALGA)