



# **THE GAMBIA**

## **National Assembly**

### ***In Brief***



***Bringing the National Assembly  
closer to the People***

**March 2020**



# **THE GAMBIA** National Assembly *In Brief*

*Bringing the National Assembly  
closer to the People*

*March 2020*

## **Brief History about the National Assembly of The Gambia**

The legislature of The Gambia is an old Institution dating back to the early 1940s. It all began with the adoption of the 1947 Sir Andrew Backworth Wright Constitution. The said Constitution did not last long as the Legislative Council (Amendment) Order 1 revised it in 1951.

The new Council included the Governor, three (3) ex-officio members, three (3) nominated members, four (4) protectorate members and two (2) elected members for Bathurst city and one (1) for Kombo St. Mary Division. A presiding Officer was appointed by the Governor to preside on his behalf at proceedings of the council.

In 1953 Governor Sir Percy Harris appointed a Consultative Committee from a cross section of the society to advice on the future Constitution of The Gambia, in relation to The Gambia's attainment of self-government within the Commonwealth. The Committee consisted of some members of the said Council, as well as members of the public including Trade Unionist.

The Committee, after a careful study of both the 1947 and 1951 Constitutions in May 1953, recommended among others, that the people of The Gambia should be given an increased say in the management of their own affairs. A report was submitted to the then Secretary of State for Colonies Hon. Oliver Littleton.

This report of the Committee plus representations from the political parties formed the basis of The Gambia Constitution Order in Council 1954.

The 1954 Constitution reconstituted the Legislative Council and it consisted of five (5) official members and sixteen (16) un-official members.

For the first time in the History of the Legislature, Gambians were appointed Ministers, namely:

Rev. J.C. Faye (Works and Communication)

Mr. P.S. Njie (Education)

Mr. I.M. Garba Jahumpa (Agriculture)

The Governor remained the Presiding Officer, attended Council deliberation on formal occasions, and addressed it on the State Openings. The office of the Speaker was created to replace the Vice Presiding Officer and Sir John A. Mahoney; a Gambian nominated member of the Legislature was appointed the first Speaker.

Four of the members were ex-officio namely: the Colonial Secretary, Financial Secretary, the Attorney General and the Senior Commissioner. The fifth official member appointed by the Governor was a Gambian public officer, in the person of Dr. SHO Jones, the then Director of Medical Services. All the sixteen (16) other members except two were elected.

Three (3) elected members represented the municipalities of KMC and the protectorate was represented by Chiefs (District Seyfolu). Bathurst City and Kombo St. Mary's elected the remaining three (3) protectorate representatives or members. From a list of nine (9) names submitted by Bathurst City Council and the Kombo Rural Authority, the Governor appointed the remaining two (2) Members after consultation with Members of the council.

Three years after the 1954 Constitution, there was need for The Gambia to move further in constitutional development.

In 1958 an All-Party Committee was formed to submit proposals for a new Constitution. The conclusions of this Conference and the views of the parties were embodied in The Gambia (Constitution) Order in Council, 1960 and by section 2 of this new constitution; a House of Representative was established to replace the Legislative Council. Membership of the House now consisted of the Governor, the Speaker, the Civil Secretary, the Financial Secretary, the Attorney General and the Commissioner of Local Government. There were three (3) nominated members and twenty-seven (27) elected members. The Speaker was to be appointed by the Governor after consultation with Members of the council. Seven (7) of the elected members represented Bathurst and Kombo St. Mary's. Eight (8) of the twenty (20) Protectorate members were elected by the District Chiefs and the remaining twelve (12) by the Protectorate community.

The Constitution was again amended two years later and the membership to the legislature was increased from twenty-seven (27) to thirty-six (36). A year later in October, 1963, another constitutional amendment was made to usher in internal self-rule.

It was at this juncture that organised party politics earnestly began, with the formation of the Democratic Party, The Gambia Muslim Congress Party and the United Party. The People's Progressive Party sprung up from the Protectorate Society and was initially called the People's Protectorate Party. The political activism manifested at this time was galvanised by the statement made by the then British Prime Minister Sir Harold Macmillan during his visit to South Africa. Where he made a historic statement that "a wind of change was blowing across Africa". The Gambia Muslim Congress and the Democratic Party merged to be the Democratic Congress Alliance.

Following the objection by the political leaders of PPP and DCA who signed a joint petition over the appointment of a Chief Minister; an "ALL PARTY CONFERENCE" was convened in Bathurst from 04th – 11th May, 1961 to discuss The Gambia's constitutional development.

An All-Party Conference was again convened in London from the 24th – 27th July, 1961. At this conference, the increased responsibility for the Gambian Ministers and constitution of the House of Representative to directly represent the people was resolved.

This development led to a new Constitution granted by The Gambia (Constitution) Order in Council 1962. The new Constitution reconstituted the House of Representatives to consist of thirty-two (32) elected members based on universal adult suffrage. Seven (7) of the elected members represented the colony and the twenty-five (25) the protectorate. The Chiefs representation was reduced to four (4) and were to be elected by the Chiefs Assembly as an Electoral College. The Attorney General continued to be an ex-officio member with a vote. The nominated members were not to be more than two. The Speaker was to be appointed by the Governor after consultation with the Premier. Provision was also made for a Deputy Speaker to be appointed by members of the House from among themselves. Another important change was made when a registered voter could be a candidate in either the colony or protectorate. The leader of the party with a majority in the House was to be appointed Premier.

Under the 1963 Constitution, the Executive Council became the Cabinet and Sir Dawda Kairaba Jawara became the first Prime Minister and was responsible for among other things selecting his Ministers. The Cabinet was now made accountable to the House and the collective responsibility of the Cabinet became an integral part of our political dispensation.

The Gambia became Independent in February, 1965. The House of Representative then composed of a Speaker, thirty-two (32) elected members, four (4) members representing Head Chiefs and two (2) nominated members.



In 1970 after a referendum, The Gambia became a Republic and a new Constitution was adopted, (that is the first Republic, 24th April, 1970 – 22nd July, 1994.) The name of the Legislature was changed from the House of Representative to Parliament. It comprised thirty-two (32) elected members, four (4) Head Chiefs, the Attorney General and three nominated members.

## **The Birth of the National Assembly**

Following the 22nd July, 1994 military takeover, the AFPRC government set-up a National Consultative Committee to draft a new Constitution for the Second Republic. The Constitution was approved in a referendum in August, 1996 and came into force on January, 16th, 1997. Thus, the current name “National Assembly” came into being.

## **The Assemblies of the Second Republic of The Gambia are as follows:**

First Assembly	- 1997 - 2002
Second Assembly	- 2002 - 2007
Third Assembly	- 2007 - 2012
Fourth Assembly	- 2012 - 2017
Fifth Assembly	- 2017 - 2022

## **Composition of the Fifth Assembly**

Currently, the National Assembly comprises of fifty-eight Members – fifty-three (53) elected members and five nominated members.

The 1997 Constitution made it a requirement for the establishment of a National Assembly, which shall come into existence following a general election four months after the date of election of President.



*Photo: The Fifth Assembly in Session.*

## Party representation in the Fifth Assembly

- a. Alliance for Patriotic Reorientation and Construction (APRC) - 5
- b. Gambia Democratic Congress (GDC) – 5
- c. Independent - 9
- d. National Reconciliation Party (NRP) -5
- e. Peoples’ Progressive Party (PPP) -2
- f. Peoples Democratic Organisation for Independence and Socialism (PDOIS) – 4
- g. United Democratic Party (UDP) 23

## Speakers of the National Assembly to date

Hon. Sir John Mahoney	- 1954-1962
Hon. Sir Alieu Sulayman Jack	- 1962-1972
Hon. Dr. S.H.O. Jones	- 1972-1977
Hon. Sir Alieu Sulayman Jack	- 1977-1983
Hon. Alh. Momodou Baboucarr Njie	- 1983-1994
<b>NB:</b> July 1994 to December 1996 Parliament was in abeyance	

Hon. Alh. Mustapha B. Wadda	- 1997-2002
Hon. Sheriff Mustapha Dibba	- 2002-2006
Hon. Mrs. Belinda Bidwell	- 2006-2007
Hon. Mrs. Fatoumatta Jahumpa-Ceesay	- Jan., 2007-June, 2009
Hon. Mrs. Elizabeth FY Renner	- July, 2009-October, 2010
Hon. Abdoulie Bojang	- Nov., 2010-2017)
Hon. Mrs. Mariam Jack-Denton	- April, 2017-To date

## **Clerks of the National Assembly to date**

Mr. OC Njie	-	1959-1961
Mr. Asn Davies	-	1961-1963
Mr. HR Monday JN	-	1963-1964
Mr. Hatib Semega Janneh	-	1964-1966
Mr. Saihou Sissoho	-	1966
Mr. Francis AJ Savage	-	1966-1967
Mr. Saihou Njie	-	1967-1968
Mr. Abdoulie Sallah	-	1968-1978
Mr. Papa Jeng	-	1979-1980
Mr. Tamsir Mbye	-	1980-1981
Mr. Edi Bright	-	1981-1986
Mr. Rudolph Sowe	-	1986-1993
Mr. Dodou S Njie	-	1993-1994
Mr. Saihou M Jobe	-	1998-2000
Mr. Momodou Sellu Jallow	-	2001-2005
Mr. Dodou CM Kebbeh	-	2005 -2018
Mr. Momodou A Sise	-	2018 to date

## **Life and operations of the National Assembly**

The term of member of the National Assembly is five (5) years from the first sitting day after general election of Members of the National Assembly to the date immediately preceding the day appointed as the first session.

The National Assembly is the Supreme Law-making body and also the highest oversight and representative body of the people of The Gambia.

One of the most significant features of the National Assembly is that Cabinet Ministers are strictly separated from the National Assembly. The Assembly also is administratively autonomous from the mainstream civil service; and it is supervise by the National Assembly Authority.

## **Sessions of the National Assembly**

The first session of the National Assembly after a general election shall be held in such place in The Gambia as the President may, by Proclamation, appoint. The President may also request the Speaker to summon a session of the National Assembly in the event of a declaration of a state of public emergency under section 34 of the Constitution.

Other than these, the National Assembly determine the times of its Sessions, provided that there shall be a Session of the National Assembly at least once each year.

## **Sittings of the National Assembly**

***Sittings of the National Assembly are held quarterly every year:***

March	–	First Ordinary Session
June	–	Second Ordinary Session
September	–	Third Ordinary Session
December	–	Fourth Ordinary Session

However, there is provision for extra-ordinary sitting when requested by the President or when requested by one-quarter of all members of the National Assembly.

Unless the National Assembly otherwise directs for good cause, the sittings of the National Assembly are open to the public.

## **Functions of the National Assembly**

The National Assembly has three broad functions, i.e. Law making, Oversight and Representation.

## **Additional functions of the National Assembly**

The National Assembly has additional powers such to—

- (a) receive and review reports on the activities of the Government and such other reports as are required to be made in accordance with this Constitution;

- (b) review and approve proposals for the raising of revenue by the Government;
- (c) examine the accounts and expenditure of the Government and other public bodies funded by public moneys and the reports of the Auditor General thereon;

## **Language in the National Assembly**

The business of the National Assembly shall be conducted in the English language or any other language prescribed by an Act of the National Assembly.

## **Voting in the National Assembly**

Except as otherwise provided in the 1997 Constitution, a majority of votes of the members present and voting shall determine any matter proposed for decision in the National Assembly.

The person presiding in the Assembly have neither an original nor a casting vote and if on any question before the National Assembly the votes are equally divided, the motion is deemed rejected.

Any member who has a direct pecuniary interest in any matter proposed for discussion in the National Assembly shall declare the same to the Speaker and the vote of any such member on such a matter shall be disallowed and he or she shall be deemed not to have voted.

## State of the Nation Address

The President is required under section 77(1) of the 1997 Constitution to, at least once each year, attend a sitting of the National Assembly and address a session on the condition of The Gambia, the policies of the Government and the administration of the State, known as the **State of the Nation Address (SoNA)**.



*Photos: H.E. The President addressing the National Assembly, 2018*

At such session, the President addresses the National Assembly and inform them about the policies, programmes and legislations which Government proposes to follow during the year.

## Committees

After the first Session of the National Assembly after each general election, the Committee of Selection chaired by the Speaker is appointed to prepare a list of Members and Chairpersons to compose the various standing and Select Committees of the National Assembly.



Committee perform critical roles in the discharge of Assembly functions. In the discharge of its functions, Committees do not have independent authority of the Assembly but report its finding and work to the plenary for approval and or adoption. There are three types of Committees that is Standing, Select and Ad-hoc Committees.

A Standing Committee is a Committee with continued existence. A Select Committee is a Committee appointed to deal with a particular subject and exist at the convenience of the Assembly at each term. Lastly, an Ad-hoc Committee is a temporal Committee of the Assembly appointed to deal with a specific issue or task assigned and cease to exist once the issue is solved.

***Bringing the National Assembly closer to the People***

S/N	Standing Committees	S/N	Select Committees
1.	Selection	1.	Health, Women, Children, Refugee, Disaster & Humanitarian Relief
2.	Public Appointments	2.	Education, Training and ICT
3.	Standing Orders	3.	Local Government & Lands, Ombudsman and IEC
4.	Privileges and Ethics	4.	Agriculture and Rural Development
5.	Finance & Public Accounts	5.	Environment, Sustainable Development and NGO Affairs
6.	Defence & Security	6.	Tourism, Arts, Culture, Youth and Sports
7.	Foreign Affairs	7.	Monitor the Implementation of Government Projects
8.	Assembly	8.	Trade, NEPAD, Regional Integration, WTO, WB and LDC
9.	Human Rights and Constitutional Matters		
10.	Public Enterprises		
11.	Subsidiary Legislation		
12.	Assembly Business		
13.	Public Petition		
14.	Bureau of Committees		

## Procedure in the National Assembly

The Speaker preside at any sitting of the National Assembly or in his or her absence the Deputy Speaker or in the absence of both the Speaker and the Deputy Speaker, such member of the National Assembly as the National Assembly may elect for that purpose shall preside.



*Photo 1: Chambers of the National Assembly*



*Photo 2: Speaker presiding during sitting*

The quorum of the National Assembly at the commencement of any sitting is one-half of all the members. If, subsequently thereto any member makes objection that there are present in the National Assembly (besides the person presiding) less than one quarter of all the members and the person presiding is so satisfied, he/she shall immediately adjourn the sitting.

## The Mace

The Mace is the symbol of authority of the Assembly in Chambers, which is administered by the sergeant-at-arms. It is placed flat on the upper mace box on the Clerk's Table during sittings of the Assembly, except during consideration stage of a Bill or at Committee of the Whole Assembly when it is brought down to the lower mace box.

This signifies the informal nature of the proceedings and that the rule of debate is relaxed. During this period, Hon. Members can speak more than once to any issue under consideration in the Chamber.

## Leadership of the Assembly

**Speaker** – the Speaker is the first Officer of the Assembly. He or she is one of the three highest officers of the State, ranking third in the official order of precedence after the President and the Vice President.

The Constitution prescribed that the Speaker shall preside in the Assembly at sittings or in his or her absence the Deputy Speaker or in their absence a member elected by the Assembly for that purpose.

He or she has the responsibility to interpret the Standing Order of the National Assembly in the Assembly.

He or she is expected to be impartial and does not take part in the debate on the floor of the Assembly. In addition, he or she is the Chairperson of the National Assembly Authority.

**Majority Leader** – The Majority Leader is elected from the party that has the highest number of seats in the Assembly. He or she is the leader of the Minority group/caucus in the Assembly. He or she, by convention, is a member of the National Assembly Authority.

**Minority Leader** - The Minority Leader is elected from the party that has the second largest number of seats in the Assembly. He or she is the leader of the Minority group/caucus in the Assembly. He or she, by convention, is a member of the National Assembly Authority.

**Clerk** – The National Assembly appoints the Clerk. He or she is the principal adviser to the Speaker and Members of the National Assembly on matters of procedure and practice. He or she is also the Head of the National Assembly Service and the principal accounting officer.

The Clerk authenticates Bills passed by the Assembly for Presidential assent. In the discharge of his or her duties, the Clerk demonstrates non-partisanship and impartiality.

## **National Assembly Authority**

National Assembly Authority is the body mandated to supervise the National Assembly Service. The authority shall consist of –

- a) The Speaker as Chairperson;
- b) Four other members of the National Assembly appointed by the Speaker acting in accordance with the advice of a Committee of the National assembly; and;
- c) The Clerk of the National Assembly who shall be secretary to the Authority

## **National Assembly Service**

National Assembly Service exist to provide services and support for the National Assembly. The National Assembly Authority appoints staff of the National Assembly Service after consultation with the Public Service Commission.

The Clerk of the National Assembly is the administrative head of the National Assembly Service and the Principal adviser to the Assembly.



*Photo: The Clerk and a Table Clerk during a Sitting of the Assembly*

## **Departments and Units of the National Assembly Service**

- Clerk of the National Assembly
- Deputy Clerk, Legislative Business and Programmes
- Deputy Clerk, Finance and Admin
- Hansard
- Table Office
- Committee Secretariat
- Library and Research
- Communication and ICT
- Maintenance and Technical Services

- Legal Office
- Protocol
- Accounts
- Procurement
- Printing
- Records Office

## **Immunities and Privileges of the National Assembly**

Members have freedom of speech and debate in the Assembly and that freedom shall not be impeached or questioned in any court or place outside the National Assembly.

No civil or criminal proceedings shall be instituted against a member of the National Assembly in any court or other place outside the National Assembly by reason of anything said by him or her in the Assembly.

No civil or criminal process issuing from any court or other place outside the National Assembly shall be served on or executed in relation to a member of the National Assembly while he or she is on his or her way to, attending or returning from any proceeding of the National Assembly.

Neither any member of the National Assembly nor the Clerk of the National Assembly shall be compelled while attending the National Assembly to appear as a witness in any court or place outside the National Assembly.





*Photo: Inside Chambers of the National Assembly*





**Produced By:** Table Office  
Office of the Clerk  
Assembly Building, Reverend Pye Lane,  
Banjul, The Gambia

March 2020

**Funded by:**



**WFD**



**UK Government**