



REPUBLIC OF THE GAMBIA

**FIFTH ASSEMBLY OF THE SECOND REPUBLIC
2022 LEGISLATIVE YEAR
FIRST ORDINARY SESSION
VOTES AND PROCEEDINGS**

MONDAY 14TH FEBRUARY 2022

The Assembly convened *fifteen* minutes after *eleven* o'clock in the morning. Prayers were read, and the Hon. Speaker, Mariam Jack Denton, took the Chair.

ORDER PAPER

1. PRAYERS

2. Communication from the Chair

3. Correction and Approval of Record of Votes and Proceedings of the National Assembly Sitting of Thursday 10th February 2022.

4. BILLS

Standing Order 72 – Consideration Stage of the following Bill:

Public Service Pensions Bill, 2020

(By Her Excellency, the Vice President)

The following Honourable Members were **present**:

1. Hon. Mariam Jack Denton	-	Speaker
2. Hon. Kebba K. Barrow	-	Majority Leader/Kombo South
3. Hon. Sunkary Badjie	-	Foni Brefet
4. Hon. Alhagie S. Darbo	-	Brikama North
5. Hon. Saikou Marong	-	Latrikunda Sabiji
6. Hon. Alfusainey Ceesay	-	Sami
7. Hon. Sainey Touray	-	Jarra East
8. Hon. Saikouba Jarju	-	Busumbala
9. Hon. Alhagi S.B Sillah	-	Niani
10. Hon. Momodou S. Ceesay	-	Janjanbureh
11. Hon. Baba Galleh Jallow	-	Sanimentereh


REPUBLIC OF THE GAMBIA

**FIFTH ASSEMBLY OF THE SECOND REPUBLIC
2022 LEGISLATIVE YEAR
FIRST ORDINARY SESSION
VOTES AND PROCEEDINGS**

MONDAY 14TH FEBRUARY 2022

12.	Hon. Ndey Yassin Secka	-	Nominated Member
13.	Hon. Assan Touray	-	Bakau
14.	Hon. Alhagie Mbow	-	Upper Saloum
15.	Hon. Kajali Fofana	-	Jarra West
16.	Hon. Birom JS Sowe	-	Niamina West
17.	Hon. Amadou Camara	-	Nianija
18.	Hon. Omar Darboe	-	Upper Niumi
19.	Hon. Alagie Jawara	-	Lower Baddibu
20.	Hon. Samba Jallow	-	Minority Leader/Niamina Dankunku
21.	Hon. Halifa Sallah	-	Serrekunda
22.	Hon. Suwaibou Touray	-	Wuli East
23.	Hon. Musa Amul Nyassi	-	Foni Kansala
24.	Hon. Ousman Sillah	-	Banjul North
25.	Hon. Majanko Samusa	-	Nominated Member
26.	Hon. Mahtarr M. Jeng	-	Lower Niumi
27.	Hon. Muhammed Mahanera	-	Sandu
28.	Hon. Kebba Jallow	-	Jarra Central
29.	Hon. Yaya Gassama	-	Kiang East
30.	Hon. Fatoumatta Njai	-	Banjul South
31.	Hon. Muhammed Ndow	-	Banjul Central
32.	Hon. Momodou Camara	-	Foni Bintang Karanai
33.	Hon. Sainey Jawara	-	Lower Saloum
34.	Hon. Momodou LK Sanneh	-	Deputy Speaker
35.	Hon. Lamin J. Sanneh	-	Brikama South
36.	Hon. Bakary Njie	-	Bundunka Kunda
37.	Hon. Foday N.M Drammeh	-	Tumana
38.	Hon. Bakary Camara	-	Kiang Central
39.	Hon. Sulayman Saho	-	Central Baddibu
40.	Hon. Alhagie Drammeh	-	Jeshwang
41.	Hon. Salifu Jawo	-	Jokadu
42.	Hon. Alhaji Sankung Jammeh	-	Foni Jarrol


REPUBLIC OF THE GAMBIA

**FIFTH ASSEMBLY OF THE SECOND REPUBLIC
2022 LEGISLATIVE YEAR
FIRST ORDINARY SESSION
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MONDAY 14TH FEBRUARY 2022

43. Hon. Ya Kumba Jaitoh	-	Nominated Member
44. Hon. Abdoulie Ceesay	-	Old Yundum
45. Hon. Fatou K. Jawara	-	Tallinding Kunjang

The following Honorable Members were **absent with permission**:

46. Hon. Sidia S. Jatta	-	Wuli West
47. Hon. Billay G. Tunkara	-	Kantora
48. Hon. Dembo KM Camara	-	Illiassa
49. Hon. Kaddy Camara	-	Foni Bondali
50. Hon. Alhagie H. Sowe	-	Jimara
51. Hon. Alhagie Darboe	-	Lower Fulladu West
52. Hon. Lamin F.M Conta	-	Kombo East
53. Hon. Omar Ceesay	-	Niamina East
54. Hon. Ousman Touray	-	Sabach Sanjal
55. Hon. Madi MK Ceesay	-	Serrekunda West
56. Hon. Muhamed Magassy	-	Basse
57. Hon. Dawda Kawsu Jawara	-	Upper Fulladu West

Vacancy:

58. Kiang West [Deceased]

1. Communication from the Chair.

The Hon. Speaker delivered a statement communicating the decision of the Assembly Business Committee regarding the conduct of the Hon. Attorney General and Minister for Justice of Tuesday 08th February 2022 sitting.

FORMAL APOLOGY TO THE ASSEMBLY BY THE ATTORNEY GENERAL AND MINISTER OF JUSTICE



REPUBLIC OF THE GAMBIA

**FIFTH ASSEMBLY OF THE SECOND REPUBLIC
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FIRST ORDINARY SESSION
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MONDAY 14TH FEBRUARY 2022

At the invitation of the Hon. Speaker, the Hon. Attorney General and Minister for Justice, *Hon. Dawda A. Jallow*, apologised to the Assembly for his failure to attend to the businesses under his charge for the sitting of Tuesday 08th February 2022.

2. Correction and Approval of Record of Votes and Proceedings of the National Assembly Sitting of Thursday 10th February 2022.

The Hon. Member for Busumbala moved the motion for the Assembly to consider and approve the Record of Votes and Proceedings of the National Assembly sitting of Thursday 10th February 2022.

The Hon. Member for Banjul Central seconded the motion.

The Record of Votes and Proceedings of Thursday 10th February 2022, as corrected, was approved as the true record of proceedings.

3. BILLS

Standing Order 72 – Consideration Stage of the following Bill:

Public Service Pensions Bill, 2020

(By Her Excellency, the Vice President)

CONSIDERATION STAGE: Committee of the Whole Assembly (Order 72)

At thirty-two minutes after eleven o'clock in the morning, the Hon. Speaker resolved the Assembly into Committee of the Whole Assembly.

Consideration at the Committee of the Whole Assembly



REPUBLIC OF THE GAMBIA

FIFTH ASSEMBLY OF THE SECOND REPUBLIC
2022 LEGISLATIVE YEAR
FIRST ORDINARY SESSION
VOTES AND PROCEEDINGS

MONDAY 14TH FEBRUARY 2022

The Committee of the Whole Assembly agreed to consider the Bill clause-by-clause as follows:

1. Question put, that **clause 1** stand part of the Bill with amendment as proposed in the report of the *Joint Committee of The Standing Committee on Public Enterprises and Finance and Public Accounts Committee of the National Assembly on the "Public Service Pensions Bill, 2020*, hereinafter referred as "the Committee's Report".
2. Question put, that *clause 2* stand part of the Bill with amendment, as proposed in the Committee's Report.
3. Question put, that *clause 3* stand part of the Bill **without** amendment.
4. Question put, that *clause 4* stand part of the Bill **with** amendment, as proposed in the Committee's Report.
5. Question put, that *clause 5* stand part of the Bill **without** amendment.

SUSPENSION OF THE COMMITTEE OF THE WHOLE ASSEMBLY

The Consideration stage was suspended for the Assembly resume

SUSPENSION OF THE ASSEMBLY (Order 13)

At *thirty-four* minutes after *twelve* o'clock in the afternoon, the Hon. Speaker suspended the Assembly for 30 minutes.

RESUMPTION OF THE ASSEMBLY

At *thirty-nine* minutes after *one* o'clock in the afternoon, the Assembly resumed.


REPUBLIC OF THE GAMBIA

**FIFTH ASSEMBLY OF THE SECOND REPUBLIC
2022 LEGISLATIVE YEAR
FIRST ORDINARY SESSION
VOTES AND PROCEEDINGS**

MONDAY 14TH FEBRUARY 2022

CONSIDERATION STAGE: Committee of the Whole Assembly (Order 72)

At forty minutes after one o'clock in the afternoon, the Hon. Speaker resolved the Assembly into Committee of the Whole Assembly.

Continuation of the Consideration Stage (Order 72)

RESCISSION OF DECISION ON CLAUSE 4 (Order 29(3) & 53(g))

The Hon. Member for Serekunda moved a motion for the Assembly to rescind its decision on clause 4.

Question put, that the Assembly do agree on the motion.

The Assembly was not divided. The motion was agreed.

6. Reconsideration of Clause 4

Question put, that clause 4 stand part of the Bill with amendment by replacing it with the following:

“Establishment, Administration, and Contribution to the Public Service Pensions Scheme and Fund.

Section 4- Establishment of the Scheme and Fund

- (1) There is established by this Act, a Public Service Pensions scheme and a Public Service Pensions Fund.*
- (2) The scheme is established for the purpose of ensuring payment of pensions, gratuities, and other applicable benefits provided under this Act to public officers.*
- (3) The Fund is established for the remittance of contributions of public service employees towards their pensions and gratuity.*
- (6) The Vice President may make Regulations under this Part for the effective implementation of the Scheme and its Fund.”*

**FIFTH ASSEMBLY OF THE SECOND REPUBLIC
2022 LEGISLATIVE YEAR
FIRST ORDINARY SESSION
VOTES AND PROCEEDINGS**

MONDAY 14TH FEBRUARY 2022

RESCISSION OF DECISION ON CLAUSE 2 (Order 29(3) & 53(g))

The Hon. Member for Serekunda moved a motion for the Assembly to rescind its decision on Clause 2.

Question put, and accordingly agreed to

7. Question put, that Clause 2 stand part of the Bill with amendment by inserting the following:
“Fund” means the Public Service Pensions Fund established under section 4;”
8. Questions put, that clauses 6, and 7 stand part of the Bill with amendment as proposed in the Committee’s Report.
9. Consideration of clause 8 was suspended in accordance with Order 72(10)
10. Questions put, that clause 9 stand part of the Bill with amendment, as proposed in the Committee’s Report.
11. Questions put, that clauses 10, 11, and 12 stand part of the Bill without amendment.
12. Questions put, that clauses 13, 14, and 15 stand part of the Bill with amendment as proposed in the Committee’s Report.
13. Questions put, that clause 16 stand part of the Bill with amendment as proposed in the Committee’s Report.
14. Questions put, that clauses 17 and 18 stand part of the Bill with amendment as proposed in the Committee’s Report.

**FIFTH ASSEMBLY OF THE SECOND REPUBLIC
2022 LEGISLATIVE YEAR
FIRST ORDINARY SESSION
VOTES AND PROCEEDINGS**

MONDAY 14TH FEBRUARY 2022

15. Questions put, that clauses 19, 20, 21, 22, and 23 stand part of the Bill without amendment.
16. Questions put, that clause 24, 25, 26, 27 stand part of the Bill with amendments, as proposed in the Committee's Report.
17. Questions put, that clauses 28, 29, 30, and 31 stand part of the Bill without amendment.
18. Questions put, that clauses 32, and 33 stand part of the Bill with amendments, as proposed in the Committee's Report
19. Questions put, that clause 34 stand part of the Bill without amendment
20. Questions put, that clauses 35 stand part of the Bill with amendments as proposed in the Committee's Report
21. Questions put, that clause 36 stand part of the Bill without amendment
22. Questions put, that clauses 37, 38, 39, 40, and 41 stand part of the Bill with amendments as proposed in the Committee's Report.
23. Question put, that clause 8 stand part of the Bill with amendment by inserting the following:

"8. Establishment and functions of the Directorate of Pensions

- (1) There is established by this Act, a Directorate of Pensions under the Personnel Management Office.*
- (2) The Directorate shall be headed by a Director of Pensions, who shall be appointed by the Public Service Commission.*



REPUBLIC OF THE GAMBIA

**FIFTH ASSEMBLY OF THE SECOND REPUBLIC
2022 LEGISLATIVE YEAR
FIRST ORDINARY SESSION
VOTES AND PROCEEDINGS**

MONDAY 14TH FEBRUARY 2022

(3) The Director of Pensions shall be responsible for the day-to-day administration of the scheme and responsible to the Permanent Secretary on administrative and technical matters.

(4) The Directorate shall-..."

RESUMPTION OF THE ASSEMBLY

At forty-five minutes after three o'clock in the afternoon, the Assembly resumed.

The Hon. Speaker announced that the consideration was completed and informed the Vice President (person-in-charge of the bill) to make sure the whole text of the amended Bill is printed and circulated to Hon Members before the Third Reading.

ADJOURNMENT

At fifty minutes after three o'clock in the afternoon, the Assembly was adjourned until Tuesday 15th February 2022 at 10:00 am prompt.