

SIAKA STEVENS  
*President.*

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Sierra Leone

1984

**The Control of Goods (Amendment) Act, 1984**

Short title.

Being an Act to amend the Control of Goods Act, 1962 (Act No. 6 of 1962)

[23rd February, 1984] Date of commencement.

BE IT ENACTED by the President and Members of Parliament this present Parliament assembled, as follows:—

1. Section 4 of the Control of Goods Act, 1962 (Act No. 6 of 1962) is hereby amended—  
Section 4 of Act No. 6 of 1962 amended.

(a) by the substitution for paragraph (k) of sub-section (1) thereof of the following paragraphs—

“(k) providing for matters relating to evidence, and for the burden of proof, in any proceedings under this Act; and

(l) providing for any matters that appear to him necessary for giving full effect to the provisions of this Act.”; and

(b) by the substitution for sub-section (2) thereof of the following new sub-section—

“(2) Rules made under this section may prescribe for the contravention of any such rule, any of the following penalties—

(i) where an individual is convicted on indictment, imprisonment for a term not exceeding seven years or a fine not exceeding ten thousand leones or both; and in the case of second or subsequent offence, imprisonment not exceeding ten years or a fine not exceeding twenty thousand leones or both;

(ii) where an individual is convicted summarily, imprisonment not exceeding three years or a fine not exceeding one thousand leones or both; and in the case of a second or subsequent offence, imprisonment for term not exceeding five years or a fine not exceeding two thousand leones or both;

(iii) where a body corporate is convicted on indictment, a fine not exceeding ten thousand leones; and in the case of a second or subsequent offence, a fine not exceeding twenty thousand leones;

(iv) where a body corporate is convicted summarily, a fine not exceeding two thousand leones;

(v) in the case of a continuing offence, a further fine in each case not exceeding two hundred leones for each day on which the offence continues.”

2. The principal Act is hereby amended by the insertion immediately after section 4 thereof of the following new section—

4A (1) Any person who hoards any controlled goods shall be guilty of an offence and liable—

(a) on conviction on indictment, to imprisonment not exceeding seven years, or a fine not exceeding ten thousand leones or both;

(b) on summary conviction, to imprisonment not exceeding five years or a fine not exceeding two thousand leones or both;

and the court convicting the accused may order the forfeiture to the State of any controlled goods in connection with which the offence was committed.

(2) Without prejudice to the general effect of subsection (1) of this section, any of the following circumstances shall constitute the offence of hoarding under that subsection—

(a) where a person keeps or obtains any controlled goods of any one kind in quantities unreasonably in excess of his immediate requirements; or

(b) where any person keeps or obtains any controlled goods in a manner likely to create or contribute to a shortage of those goods available to the public; or

(c) where any person who normally carries on the business of selling any controlled goods refuses without reasonable excuse, proof of which shall be on him, to sell any such goods to a person who reasonably requires them and offers to buy them; or

(d) where any person who normally carries on the business of selling any controlled goods refuses to sell any such goods except upon condition that other goods are bought therewith; or

(e) where any person having indicated that any controlled goods cannot be sold by reason of the fact that he is not empowered to sell them or that their owner is absent, sells or offers for sale any of those goods or other goods displayed

Offence  
hoarding.

therewith unless he shows sufficient cause satisfactory to the court for so selling or offering for sale.

(3) For the purposes of this section a person shall be deemed to keep or obtain any controlled goods who keeps or obtains them himself or causes another person to keep or obtain them on his behalf.

(4) In considering whether goods have been kept or obtained for the purposes of paragraph (a) or (b) of sub-section (2) of this section, account shall be taken of any other similar goods kept or obtained by the person charged; and it is immaterial that such goods are kept in several places or have been obtained in separate lots or upon separate occasions."

Section 5 of principal Act amended.

3. Section 5 of the principal Act is hereby amended by the substitution for paragraphs (a) and (b) respectively of sub-section (2) thereof of the following new paragraphs—

"(a) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine not exceeding one thousand leones or both, or

(b) on summary conviction, to imprisonment for a term not exceeding six months or a fine not exceeding two hundred leones or both."

Section 7 of principal Act amended.

4. Section 7 of the principal Act is hereby amended by the substitution for the words "on conviction on information" in both places where they occur in sub-section (1) thereof, of the words "on conviction on indictment."

Passed in Parliament this 14th day of February in the year of our Lord one thousand nine hundred and eighty-four.

R. C. O. GILPIN-JACKSON  
Acting Clerk of Parliament.

THIS PRINTED IMPRESSION has been carefully compared by me with the Bill which has passed Parliament and found by me to be a true and correctly printed copy of the said Bill.

R. C. O. GILPIN-JACKSON  
Acting Clerk of Parliament.