SIGNED this *26th* day of *February, 1980.*

SIAKA STEVENS,
President.

LS

No. 3

1980

Sierra Leone

The Rice Corporation (Repeal) Act, 1980

Short title.

Being an Act to provide for the transfer of assets, liabilities, duties, powers, rights and obligations of the Rice Corporation to The Sierra Leone Produce Marketing Board; To provide for the repeal of the Rice Corporation Act, 1965; And for matters connected therewith or incidental thereto

[*6th April, 1979*] Date of Commencement.

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

1. This Act shall be deemed to have come into operation on the 6th day of April, 1979 (hereinafter referred to as "the appointed date"). Commencement.

Interpretation. Act No. 25 of 1965.

2. In this Act, unless a contrary intention appears—

"Rice Corporation" means the Rice Corporation established under the Rice Corporation Act, 1965;

"installation" means the whole of any mill, plant or apparatus designed or used for any one or more of the following purposes—

(*a*) the parboiling and drying of rice;

(*b*) the milling of rice;

(*c*) the bagging and storage of rice;

and includes all buildings, workshops, wharves, slipways and all necessary salesrooms, stores, buildings and land, prime movers and any other machinery or equipment used in connection therewith;

"Minister" means the Minister for the time being charged with responsibility for Trade and Industry;

"Produce Marketing Board" means the Sierra Leone Produce Marketing Board established under the Sierra Leone Produce Marketing Board Act;

Cap. 229.

Transfer and Vesting of property, rights, duties, etc.

Act No. 25 of 1965.

Cap. 116.

3. With effect from the appointed date—

(*a*) all immovable property vested in the Rice Corporation under sub-section (1) of section 21 of the Rice Corporation Act, 1965 or acquired for the Rice Corporation by virtue of Public Lands Act in accordance with the provisions of section 36 of the Rice Corporation Act, is hereby transferred to and vested in the Produce Marketing Board;

(*b*) all the rights, debts, liabilities and obligations of the Rice Corporation are on that day hereby transferred to the Produce Marketing Board;

(*c*) all equipment, installations and other movable property of the Rice Corporation are hereby transferred to and vested in the Produce Marketing Board;

(*d*) all contracts, deeds, bonds, agreements and other instruments which subsist or have effect on that day and to which the Rice Corporation is a party, other than any contract of employment with any officer or servant of the Rice Corporation, have effect against or in favour of the Produce

Marketing Board as fully and effectively as if instead of the Rice Corporation, the Produce Marketing Board had been a party thereto.

Duties of the Produce Marketing Board.

4. With effect from the appointed date, it shall be the duty of the Produce Marketing Board to—

(*a*) take over, operate, maintain and manage the undertakings transferred to the Produce Marketing Board by this Act;

(*b*) establish, manage and work such installations as it may deem it expedient to establish;

(*c*) maintain and where necessary develop any premises, workshops, depots, stores, sales centres and any other things necessary for rice and for the efficient operation of the Produce Marketing Board;

(*d*) engage in any requisite constructional activities in connection with the functions conferred upon it by this Act whether ancillary to its own needs, to those of the Government or, subject to the approval of the Minister, to those of the general public;

(*e*) carry on any business usually associated with an undertaking engaged in the planting, cultivation, harvesting, import, export, purchase, transportation, milling, sale or distribution of rice.

Importation, exportation and dealing of rice.

5. The Produce Marketing Board shall have the right to import and export rice in all forms into and out of Sierra Leone.

Powers of the Produce Marketing Board.

6. (1) For the purposes of section 5, but without prejudice to the generality thereof, the Produce Marketing Board may—

(*a*) acquire, construct, manufacture, maintain or repair anything required for the purpose of this Act;

(*b*) carry on the business of—

(i) the purchase of husk and cleaned rice,

(ii) the milling of parboiled or raw rice,

(iii) the transportation and distribution of rice,

(iv) the wholesale and retail sale of rice;

(*c*) make and maintain such roads, culverts and bridges as it may deem necessary for the purposes of this Act;

(*d*) determine and impose charges for any services performed by the Produce Marketing Board for the purposes of this Act;

(*e*) establish centres for the collection, purchase and storage of rice;

(*f*) establish rice sales centres;

(*g*) sell, let or otherwise dispose of any of its properties which appear to the Produce Marketing Board to be unnecessary for the purposes of this Act;

(*h*) enter into agreements with any person—

(i) for the supply, construction, manufacture, maintenance or repair by that person of any property, movable or immovable, necessary or desirable for the purposes of this Act;

(ii) for the operation or the provision of any facilities which may be operated or provided by the Produce Marketing Board.

(*i*) engage in any other lawful activity connected with rice subject to the approval of the Minister.

(2) The Produce Marketing Board shall exercise the powers and functions under this Act in addition to, and not in derogation of the powers and functions already vested in it under the Sierra Leone Produce Marketing Board Act.

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Officers and servants of the Rice Corporation.

7. (1) All Officers and servants of the Rice Corporation shall be deemed to have retired or to have had their services terminated with effect from the 15th of July, 1979.

(2) All officers and servants referred to in sub-section (1) shall where appropriate be entitled to receive payment in lieu of earned leave or pension or gratuity or salary in lieu of notice of retirement, as the case may be.

Pending suits and appeals to be continued by or against the Produce Marketing Board.

8. With effect from the appointed date, all suits appeals or other legal proceedings instituted by, or against, the Rice Corporation in respect of—

(*a*) any immovable property transferred to and vested in the Produce Marketing Board by paragraph (*a*) section 3;

(*b*) any right, debt, liability or obligation of the Rice Corporation transferred to the Produce Marketing Board by paragraph (*b*) of section 3;

(*c*) all equipment, installation and other property transferred to and vested in the Produce Marketing Board by paragraph (*c*) of section 3; and

(*d*) any contract, deed, bond, agreement or other instrument which has effect against or in favour of the Produce Marketing Board by virtue of paragraph (*d*) of section 3.

and pending on that day shall not abate or be in anyway prejudicially affected by reason of the operation of the provisions of paragraph (*a*), (*b*), (*c*) or (*d*) of section 3, and accordingly be construed and enforced by, or against the Produce Marketing Board.

Acquisition of rice. Section 11 of Act No. 12 of 1978.

9. (1) The Minister may, subject to section 11 of the Constitution, whenever it shall appear to him necessary in the interest of development or for the proper utilisation of rice in such a manner as to promote the public benefit or public welfare, acquire for the Produce Marketing Board any rice in the possession of any person in Sierra Leone.

(2) All expenses and compensation payable in respect of the acquisition of rice, acquired for the Produce Marketing Board under this section shall be paid by the Produce Marketing Board.

Regulations to continue in force.

10. All Regulations in force on the appointed date shall continue in force, as though such Regulations were made under this Act.

Power to make Regulations.

11. The Minister may from time to time make Regulations governing the rice trade and may in particular without prejudice to the generality of power—

(*a*) the price at which any quantities of rice may be bought or sold by any person;

(*b*) the maximum quantities of rice which any person may hold in stock at any time;

(*c*) the quantities of rice which may be sold to the public;

(*d*) the penalties not exceeding a fine of two thousand leones or imprisonment for a period of two years which may be imposed for the breach of any Regulations made under this section.

Validation of Acts in the Interim Period.

Act No. 25 of 1965.

12. All powers and functions as may have been exercised under the Rice Corporation Act, 1965 by the Produce Marketing Board on behalf of the Rice Corporation with effect from the date of commencement of this Act shall be deemed to have been and to be valid and effectual as if this Act has been in force during this period.

Repeal of Act No. 25 of 1965.

13. The Rice Corporation Act, 1965 is hereby repealed.

Passed in Parliament this *15th* day of *January* in the year of our Lord one thousand nine hundred and eighty.

J. W. E. DAVIES,
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.

J. W. E. DAVIES,
Clerk of Parliament.