

**N.P.R.C. Decree
No. 14**



Sierra Leone

1995

**The Political Parties (Regulation of Conduct)
Decree, 1995**

Short title.

**Being a Decree to provide for the conduct of political parties
including their financial affairs and other concerns thereof.**

[14th December, 1995] Date of Com-
mencement.

PURSUANT to paragraph 3 of the Proclamation entitled "The Administration of Sierra Leone (National Provisional Ruling Council) Proclamation, 1992", the National Provisional Ruling Council makes and issues the following Decree—

PART I — PRELIMINARY

Interpretation.

1. In this Decree, unless the context otherwise requires —

(a) "Commission" means the Interim National Electoral Commission;

Act No. 6 of
1991.

"Constitution" means the Constitution of Sierra Leone, 1991;

Decree No. 7 of
1995.

"political party" means any association registered as a political party under the Political Parties Decree, 1995.

(b) the words or expressions —

"executive member"

"non-citizen" and

"symbol"

Decree No. 7
of 1995.

each has the same meaning given to it by the Political Parties Decree, 1995.

PART II — CONDUCT OF POLITICAL PARTIES

Declaration of
assets, ac-
counts and
audit of poli-
tical parties.
Decree No. 7
of 1995.

2. (1) Every political party shall within such time after the issue to it of a final certificate of registration under section 4 of the Political Parties Decree, 1995, as the Commission may prescribe, submit to the Commission a written declaration giving details of all its assets and expenditure including, but without prejudice to the generality of the foregoing, all contributions, donations or pledges of contributions or donations, whether in cash or in kind, made or to be made to the initial assets of the party by its founding members in respect of the first year of its existence.

(2) A declaration submitted to the Commission under subsection (1) shall state the sources of all funds and other assets of the political party and the particulars of the person or firm appointed by the political party as its auditor.

(3) An auditor for the purposes of subsection (2) shall be —

(a) in the case of an individual, a member of the Chartered Institute of Accountants of Sierra Leone; or

(b) in the case of a company or firm, under the supervision of a member of the Institute referred to in paragraph (a).

(4) The declaration shall also contain such other particulars as the Commission may in writing direct.

(5) The declaration shall be supported by a statutory declaration made by the national treasurer and the national or general secretary of the political party.

(6) The Commission shall, within thirty days after receipt of the declaration required by subsection (1), cause it to be published in the *Gazette*.

3. (1) Every political party shall within twenty-one days before a public election submit to the Commission, a statement in such form as the Commission may prescribe, of its assets and liabilities.

Declaration
assets, liabilit
and expendit
in relation
elections.

(2) Every political party shall, within sixty days after a public election in which it has participated, submit to the Commission a detailed statement, in such form as the Commission may prescribe, of all expenditure incurred either by the party or a candidate put up or supported by that political party specifying the manner in which the expenditure was incurred.

7. (1) Every political party shall maintain at its head or national office an accurate and permanent record of the following:—

Records to be maintained at party offices.

- (a) a list of its membership, including the founding members and executive members thereof;
- (b) any contribution, whether in cash or in kind, made by the founding members of the political party;
- (c) a statement of its accounts, showing the sources of its funds and the name of any person who has contributed to the funds, membership dues paid, donations in cash or in kind and all the financial transactions of the political party which are conducted through, by or with the head or national office of the party; and
- (d) any property that belongs to the political party and the time and mode of acquisition of the property.

(2) Every political party shall maintain at each of its provincial offices an accurate record in relation to the requirements under subsection (1) of the matters relating to the province.

(3) The accounts of every political party shall be audited following standard auditing procedure and published once in every year but not later than three months after the 31st of December in each year, by an auditor referred to in subsection (3) of section 2 and a copy of the audited accounts shall be filed by the political party with the Commission within the period of three months referred to in this subsection.

(4) Every member of a political party and also, every member of the public, shall be entitled, upon payment of a fee prescribed by the Commission, to inspect at the offices of the Commission or to be given copies of the audited accounts of a political party filed with the Commission under this section.

(5) Where the Commission feels dissatisfied with the audited accounts of a political party, it shall notify the Auditor-General's

- (a) summon a meeting of members or officers of the political party;
- (b) attend or make a person attend a meeting in the capacity of a member or officer of the political party;
- (c) publish a notice or advertisement relating to a meeting;
- (d) invite persons to support the political party;
- (e) make a contribution or loan to funds held or to be held by or for the benefit of the political party or accept a contribution or loan for or on behalf of the political party; or
- (f) give a guarantee in respect of such funds.

10. (1) Every person who in furnishing particulars or information required to be furnished by a political party or by him under this Decree makes a statement which he knows to be false or which he has no reason to believe to be true or makes a statement reckless, whether it is true or not, commits an offence.

Offences and penalty.

(2) An offence under this Decree, unless otherwise specifically provided for, shall be punishable with a fine of one million leones or a term of imprisonment for one year or to both such fine and imprisonment.

11. (1) Where the registration of a political party is cancelled, the Attorney-General and Secretary of State for Judicial Affairs may apply to the Supreme Court to make such orders as appear to the Court just and equitable for the winding up and dissolution and disposition of the property, assets, rights and liabilities of the political party.

Winding-up of political parties.

12. (1) The National Provisional Ruling Council, on the recommendations of the Commission, may make such regulations as may appear to it to be necessary or expedient for giving effect to the provisions of this Decree.

Regulations.

(2) Regulations made under subsection (1) of this section may prescribe for the contravention of any provision of the regulations a fine not exceeding one million leones or a term of imprisonment not exceeding one year or both, and may also prescribe in the case of continuing offence a fine not exceeding Le10,000.00 for each day on which the offence continues and in addition require the forfeiture of any item employed in the commission of the offence.

MADE and ISSUED this 12th day of December, 1995.

CAPTAIN VALENTINE E. M. STRASSER
Chairman,
National Provisional Ruling Council.