

ACT

Supplement to the Sierra Leone Gazette Extraordinary Vol. CXX, No. 64
dated 13th December, 1989

SIGNED this 12th day of December 1989.

J. S. MOMOH
President.

LS

Repealed by Act 4/90

No. 5



Sierra Leone

1989

The Currency Control and Economic Sabotage
Act, 1989

Short title.

Being an Act to restore economic stability and control in Sierra Leone
by prohibiting the hoarding of local currency and arresting economic
and commercial sabotage.

[15th December, 1989] Date of Commencement.

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

1. This Act shall come into operation on the 15th day of
December, 1989. Commencement.

Interpreta-
tion.

2. In this Act, unless the context otherwise requires—

"Currency hoarding" includes the keeping, possessing or obtaining of the national currency referred to in this Act above the prescribed amount for longer than a period of three days.

"Foreign Currency" means any currency other than the Leone.

Currency
hoarding
prohibited.

3. No person shall hoard the national currency above the prescribed amount of one hundred thousand leones for more than a period of three days, the proof of which period shall lie on such person:

Provided that—

- (a) a licenced diamond dealer or exporter may have in his possession or keep an amount not exceeding five hundred thousand leones;
- (b) a licenced gold dealer or exporter may possess or keep an amount not exceeding two hundred and fifty thousand leones; and
- (c) a licenced produce dealer may hold or keep an amount not exceeding two hundred and fifty thousand leones.

Local
currency to
be deposited
with banks.

4. Every person shall deposit amounts of leones above the prescribed amount at a bank within three days after such moneys come into his possession, the proof of which period of possession shall lie on such person.

Offence and
penalty for
keeping and
hoarding the
national cur-
rency.

5. Any person who contravenes any of the provisions of sections 3 or 4 shall be guilty of an offence and liable—

- (a) On summary conviction to a fine of not less than two hundred and fifty thousand leones or to imprisonment for a term not exceeding two years or to both such fine and imprisonment;
- (b) On conviction on indictment to a fine of not less than five hundred thousand leones or imprisonment for a term not exceeding five years or to both such fine and imprisonment;
- (c) On the conviction of such person whether summarily or on indictment for an offence against the

Interpretation.

2. In this Act, unless the context otherwise requires—

“Currency hoarding” includes the keeping, possessing or obtaining of the national currency referred to in this Act, above the prescribed amount for longer than a period of three days.

“Foreign Currency” means any currency other than the Leone.

Currency hoarding prohibited.

3. No person shall hoard the national currency above the prescribed amount of one hundred thousand leones for more than a period of three days, the proof of which period shall lie on such person:

Provided that—

- (a) a licenced diamond dealer or exporter may have in his possession or keep an amount not exceeding five hundred thousand leones;
- (b) a licenced gold dealer or exporter may possess or keep an amount not exceeding two hundred and fifty thousand leones; and
- (c) a licenced produce dealer may hold or keep an amount not exceeding two hundred and fifty thousand leones.

Local currency to be deposited with banks.

4. Every person shall deposit amounts of leones above the prescribed amount at a bank within three days after such moneys come into his possession, the proof of which period of possession shall lie on such person.

Offence and penalty for keeping and hoarding the local currency.

5. Any person who contravenes any of the provisions of sections 3 or 4 shall be guilty of an offence and liable—

- (a) On summary conviction to a fine of not less than two hundred and fifty thousand leones or to imprisonment for a term not exceeding two years or to both such fine and imprisonment;
- (b) On conviction on indictment to a fine of not less than five hundred thousand leones or imprisonment for a term not exceeding five years or to both such fine and imprisonment;
- (c) On the conviction of such person whether summarily or on indictment for an offence against the

provisions of sections 3 or 4 the Court shall order a forfeiture of the whole amount so found to the State.

6. Any person who—

Economic
sabotage.

- (a) unlawfully deals in any foreign currency or in the national currency in a manner likely to damage the economy of Sierra Leone; or
- (b) does any act with intent to destabilise the economy of Sierra Leone; or
- (c) by any wilful act or omission or recklessly causes any loss, damage or injury to the property of the Government or a Public Corporation whether economic or otherwise; or
- (d) in the course of any transaction or business with the Government or a Public Corporation, intentionally or recklessly causes or causes to be done any damage, injury or loss, whether economic or otherwise, to the Government or a Public Corporation:

shall be guilty of an offence and liable—

- (i) On summary conviction to a fine of not less than two hundred and fifty thousand leones or to imprisonment for a term not exceeding seven years or to both such fine and imprisonment;
- (ii) On conviction on indictment to a fine of not less than five hundred thousand leones or to a term of imprisonment not exceeding fourteen years or to both such fine and imprisonment.

7. (1) Any police officer not below the rank of Superintendent who has reasonable grounds for suspecting or believing that currency above the prescribed amount is being kept or hoarded either on the person, including anything he may be carrying, or in a vehicle or that any act of economic sabotage is being or has been or is about to be committed may, without warrant and using such force as is reasonably necessary, stop and search—

Power to
search
persons,
vehicles and
premises.

- (a) any person so suspected; or

(b) any such vehicle,

in order to make any arrests that may be necessary or to seize any currency above the prescribed amount that may be found, and a receipt shall be issued for any amount so seized.

(2) Any police officer not below the rank of Superintendent who has reasonable grounds for suspecting or believing that currency above the prescribed amount is being kept or hoarded in any premises contrary to the provisions of sections 3 or 4 or that any act of economic sabotage is being or has been or is about to be committed contrary to section 6 may with warrant and using such force as may be reasonably necessary enter and search any such premises, in order to make any arrests that may be necessary or to seize any currencies that may be found, and a receipt shall be issued for any amount so seized.

Power of
Police to
admit to
bail.

No. 32 of
1965.

8. (1) Notwithstanding any provision contained in this Act or in section 79 of the Criminal Procedure Act, 1965 any police officer or constable in charge of a Police Station shall within twenty-four hours of arrest of any person take bail by recognisance conditioned for the appearance of an accused person before the Magistrate's Court, on a day and at a place to be mentioned in such recognisance, whether the accused person was arrested under a warrant endorsed for bail as provided by section 29 of the Criminal Procedure Act, 1965 or without warrant on a charge of having committed any offence under this Act.

(2) A recognisance so taken shall be of full and equal obligation on the parties entering into the same, and liable to all proceedings for the forfeiture and levy of recognisances provided for by section 129 of the Criminal Procedure Act, 1965.

(3) Any police officer or constable referred to in subsection (1) shall enter in a book, kept for that purpose in every Police Station, the name, residence and occupation of the person entering into recognisance, and of his surety or sureties, if any, with the condition of the recognisance, and the sums deposited or acknowledged.

(4) Any book referred to in subsection (3) shall be laid before the Magistrate present at the time when and place where the recognisor is required to appear, and such Magistrate may enlarge the recognisance to such further time as he may appoint.

Accessories
and abettors.

9. (1) Without prejudice to the operation of any enactment, any person who attempts to commit, conspires with any person to commit, incites, suborns or counsels any other person to commit

or does any act preparatory to the commission of an offence against any of the provisions of this Act shall be deemed to be guilty of an offence against that provision and shall be punished in like manner as for the said offence.

(2) Any person who knowingly and wilfully aids, abets, counsels, causes, procures, or commands the commission of an offence punishable under this Act shall be liable to be dealt with, indicted, tried and punished as a principal offender.

10. Where any person is accused of committing any offence under this Act, the offence may be enquired into and tried at any place in Sierra Leone to which the accused is first brought or to which he may be taken thereafter.

11. The President may make regulations for the better carrying into effect the provisions of this Act.

Power to
make regu-
lations.

Passed in Parliament this 8th day of December, in the year of our Lord one thousand nine hundred and eighty-nine.

C. B. FOFANA,
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.

C. B. FOFANA,
Acting Clerk of Parliament.