

N.P.R.C. Decree  
No. 2



1994

Sierra Leone

**The National Provisional Ruling Council (Expropriation of Specified Companies) Decree, 1994** Short title.

**Being a Decree to expropriate certain specified companies and for other related matters**

*[7th February, 1994]* Date of Commencement.

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—

- 1. In this Decree unless the context otherwise requires—  
     "Secretary of State" means the Secretary of State responsible for Trade, Industry and State Enterprises. Interpretation.

Expropriation of specified companies.

2. Notwithstanding any enactment or agreement to the contrary, all interests, rights or shares owned by any person in the companies set out in the First Schedule are expropriated to the Government and people of Sierra Leone.

Termination of lease-hold agreement.

3. The leasehold agreements entered into between the Government of Sierra Leone and Antoine A. D. Yazbeck in respect of the hotels set out in the Second Schedule to this Decree are terminated.

Petitions.

4. (1) Any person whose interest in any of the companies listed in the First Schedule has been expropriated may, within thirty days after the commencement of this Decree, petition the Secretary of State setting out the details of his interest.

(2) The Secretary of State shall, within thirty days of receiving the petition and in consultation with—

(a) the Attorney-General and Secretary of State for Judicial Affairs; and

(b) the Principal Liaison Officer responsible for Trade, Industry and State Enterprises make such an order relating to compensation, restoration of such interest or confirmation of the expropriation.

Appeal to the High Court.

5. (1) Any person who is aggrieved by any order of the Secretary of State may within thirty days of such order appeal to the High Court.

(2) Where on the expiration of the period specified in subsection (1) no appeal has been filed in respect of the order, the Secretary of State may proceed to deal with the company in such manner as he thinks fit.

## FIRST SCHEDULE

(Section 2)

1. Mining and General Services Co. Ltd.
2. Spring Water Bottling Plant Co. Ltd.
3. National Workshop.
4. Quarry Enterprises Limited.
5. Sierra Leone Cement Factory.

SECOND SCHEDULE

(Section 3)

1. Mammy Yoko Hotel.
2. Lungi Airport Hotel.

MADE and ISSUED this 7th day of February, 1994.

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

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EXPLANATORY NOTE

*(This Note is not part of this Decree but is intended to indicate its general purport.)*

The companies listed in the First Schedule and which are of great importance to the economic development of Sierra Leone have, as a result of neglect and bad management, either become non-operational or are operating at a very low non-economic capacity.

This, coupled with the fact that taxes payable to Government have remained unsatisfied for a very long time, has necessitated the expropriation of these companies by the Government.

This expropriation will thus enable the Government, where necessary, to transfer ownership of these companies to restore their viability and profitable operation.