

DECREES

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dated 6th July, 1992

N.P.R.C. Decree
No. 4



Sierra Leone

1992

Commissions of Inquiry (Additional Powers)
Decree, 1992

Short title.

[6th July, 1992]

Date of Commencement.

PURSUANT to paragraph 3 of the Proclamation entitled "The Administration of Sierra Leone (National Provisional Ruling Council) Proclamation, 1992", published in the *Gazette* on the 4th of May, 1992, the National Provisional Ruling Council hereby makes and issues the following Decree—

1. (I) Notwithstanding anything to the contrary contained in any law— Investigation *in absentia*.

(a) where a person, whose activities or assets are the subject of a Commission of Inquiry, is outside Sierra Leone; or

(b) where a person, whose activities or assets are the subject of a Commission of Inquiry, is in Sierra Leone, but having been given reasonable notice to appear before the Commission refuses or willfully neglects to appear in obedience to his being required by the Commission to attend; or

(c) where a person, having appeared before a Commission in obedience to the Commission requiring him to attend, subsequently fails or refuses to appear before the Commission when he is required to do so by the Commission;

the Commission may investigate his activities or examine his assets in his absence.

(2) For the purposes of subsection (1), reasonable notice includes notice sent by post to his usual or last known address.

Commission
to have
powers to
punish for
contempt.
Cap. 54,
P.N. No. 20
of 1992.

2. (1) Notwithstanding the provisions of sections 12 and 13 of the Commissions of Inquiry Act, every Commission issued by the National Provisional Ruling Council in exercise of the powers conferred upon it by the Commissions of Inquiry Act, as adapted by the Proclamation entitled "The Administration of Sierra Leone (National Provisional Ruling Council) Proclamation, 1992", shall have power to commit for contempt and shall exercise all such powers as may be exercised by the High Court.

(2) For the purposes of subsection (1)—

(a) conduct or behaviour by any person who in any manner insults, hinders, intimidates, threatens or causes any loss of advantage, benefit, employment or advancement to any person for having been invited to, or for appearing as a witness at, or for assisting, a Commission of Inquiry; and

(b) any abuse of process, publication of matters calculated to prejudice fair investigation or examination by a Commission of Inquiry, publication of matters exempted from disclosure and disobedience of any order of a Commission of Inquiry by any person;

shall amount to contempt.

Power to impose curfew,

2. (1) The National Provisional Ruling Council may, in the interest of public order or public safety, by order impose a curfew throughout Sierra Leone or in any part thereof as shall be specified in such order.

(2) While such order is in force no person shall be out of doors between the hours specified in the order except under the authority of a written permit granted by the Inspector-General of Police or any officer deputed by him in that behalf.

Offence and penalty,

3. (1) A person who contravenes any provision of an order made pursuant to section 2 commits an offence and may be detained by any member of the Armed Forces or the Police Force, who shall take that person immediately to the nearest police station.

(2) A person convicted of an offence under subsection (1) shall be liable to a fine not exceeding ten thousand leones or imprisonment for a term not exceeding one month, or to both such fine and imprisonment.

replaced by
Decree no 1
8 1993

Operation of order,

4. Every order made pursuant to section 2 shall come into operation upon publication in the *Gazette* or upon publication in such other manner as the National Provisional Ruling Council may deem necessary for bringing such order to the notice of all persons.

Persons deemed lawfully detained,

5. Any person detained pursuant to this Decree before its date of publication in the *Gazette* shall be deemed to have been held in lawful custody during the period of such detention.

MADE and ISSUED this 12th day of May, 1992.

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