Supplement to the Sierra Leone Gazette Vol. CXV, No. 67

dated 4th October, 1984

SIGNED this *18th day of September, 1984.*

SIAKA STEVENS
President

LS

No. 10 1984

Sierra Leone

The Minerals (Amendment) (No. 2) Act, 1984

Short title.

Being an Act to amend the Minerals Act (Cap. 196)

[*20th September, 1984*]

Date of commencement.

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

Insertion of a new section 49A.

The Minerals Act (Cap. 196) is hereby amended by the insertion immediately after section 49 thereof of the following new section—

"Penalties for smuggling gold and diamond.

49A (1) Any person who smuggles or attempts to smuggle any gold or diamond out of Sierra Leone shall be guilty of an offence and liable—

(*a*) on conviction on indictment, to a fine not less than twenty thousand leones but not exceeding one hundred thousand leones or

imprisonment not less than three years but not exceeding ten years or to both such fine and imprisonment; or

(*b*) on summary conviction, to a fine of not less than five hundred leones but not exceeding two thousand leones or imprisonment not less than one year but not exceeding five years or to both such fine and imprisonment.

(2) In addition to any other penalty imposed in relation thereto, where an offence is committed under this section—

(*a*) any gold or diamond in connection with which the offence was committed shall be forfeited to the State; and

(*b*) any licence or permit held by the person convicted shall be revoked by the court.

(3) For the avoidance of doubt, the provisions of this section shall not prevent the accused or any gold or diamond or other article or thing involved in the commission of any act referred to in sub-section (1) of this section from being dealt with under any other enactment; and the provisions of this section shall be deemed to be addition to any other enactment relating to the matter:

Provided that this sub-section shall not be taken to permit the accused person to be punished more than once in criminal proceedings in respect of the same act.

(4) For the purposes of this section, a person shall be deemed to smuggle any gold or diamond who—

(*a*) exports any gold or diamond the exportation of which is prohibited by any enactment; or

(*b*) exports any gold or diamond the exportation of which is subject to any licence, permit or condition, whether or not such condition is endorsed on any licence or permit, where such exportation is affected without or in contravention of such licence or permit or contrary to or without fulfilling any such condition.''.

Passed in Parliament this *10th* day of *September* in the year of our Lord one thousand nine hundred and eighty-four.

R. C. O. GILPIN-JACKSON,
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.

R. C. O. GILPIN-JACKSON,
Acting Clerk of Parliament.