

SIGNED this 30th day of October, 1973.

A 123

S. I. KOROMA,
Acting President.

LS

No. 22



Sierra Leone

1973

The Criminal Procedure (Amendment) (No. 3) Act, 1973 Short title.

[1st November, 1973.] Date of commencement.

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

1. Section 211 of the Criminal Procedure Act 1965 is hereby repealed and replaced by the following new section. Repeal and replacement of section 211 of Act No. 32 of 1965.

“Form of death sentence.”

211. (1) Every sentence of death other than those mentioned in subsection 2 shall direct that the person condemned shall be hanged by the neck until he is dead, but shall not state the place of execution;

(2) in cases where a condemned person is to suffer death—

- 6 and 7 George V C. 50, Cap. 27 (i) under section 23 of the Larceny Act, under the Imperial Statutes (Criminal Law) Adoption Act;
- Act No. 10 of 1963. (ii) under the Treason and State Offences Act, 1963;
- 3 and 4 Eliz 2, c.18 (iii) for mutiny under the Army Act, 1955 of the United Kingdom ;
- (iv) for ritual murder ;

the sentence of death shall direct that the person condemned shall be shot dead in a public place by a firing party appointed for the purpose by the Sheriff.

(3) In a civil prison the sentence of death shall not be carried out by shooting.

Repeal and replacement of section 220 of Act No. 32 of 1965.

2. Section 220 of the Criminal Procedure Act is hereby repealed and replaced by the following new section.

“Form of Order Forms 35 and 36 in Schedule II. 220. The President shall issue an Order under his hand and the Public Seal which may be in one of the forms set out in the Second Schedule, and if the sentence is to be carried out shall state the place which shall be private or public and the time where and when the execution is to be had, and he shall give directions as to the place of burial of the person so executed and if the person sentenced is pardoned, the pardon shall state whether it is free or to what conditions it is subject.”

Repeal and replacement of section 223 of Act No. 32 of 1965.

3. Section 223 of the Criminal Procedure Act is hereby repealed and replaced by the following new section.

“Persons to be present. 223. (1) The Sheriff and the keeper of the prison, the Medical Officer in charge of the prison, the Chaplain of the prison or other Minister of Religion, and such other officers in the prison as the Sheriff requires shall be present at an execution under subsection (1) of section 211.

(2) In cases of shooting under subsection (2) of section 211 in addition to the firing party—the Sheriff, the keeper of the prison where the condemned person was kept, the Medical Officer in charge of the prison, the Chaplain of the prison or other Minister of Religion and such persons as the Sheriff permits shall be present at the place of execution.”

Amendment of Schedule to Act No. 32 of 1965.

4. The Second Schedule is hereby amended by the insertion immediately after Form No. 35 of the following new Form—

“ FORM No. 35A

Order of President to carry out sentence of death.

TO THE SHERIFF OF THE.....
GREETINGS :
President.
SIERRA LEONE

WHEREAS by judgment of the High Court bearing date theday of....., 19..... (name of prisoner) was convicted of murder and was thereupon by the said Court sentenced to suffer death:

NOW, THEREFORE, these are to command you publicly to carry the said sentence into execution by causing the said..... to suffer death by being shot dead by a firing party at..... a place (state place)..... on.....the.....day of.....19..... and to be buried in the..... (cemetery) and for so doing these shall be your sufficient authority; and thereupon without delay return you this order to me endorsed with what you have done therein.

Issued under my hand and the Public Seal of Sierra Leone this.....day of.....19.....”.

Passed in Parliament this 10th day of October, in the year of our Lord one thousand nine hundred and seventy-three.

A. M. DUMBUYA,
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.

A. M. DUMBUYA,
Acting Clerk of Parliament.