

Signed this 17th day of February, 1984.

SIAKA STEVENS  
President.

LS

No. 2



1984

Sierra Leone

**The Petroleum (Amendment) Act, 1984**  
Being an Act to amend the Petroleum Act (Cap. 236)

Short title.

[23rd February, 1984] Date of commencement.

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

The Petroleum Act, (Cap 236) is hereby amended by the substitution for section 4 thereof of the following new sections—  
Cap. 236 amended.

“Penalty for offences under rules.

4. (1) Any person who is guilty of an offence under any rule made under this Act shall, on summary conviction, be liable to a fine not exceeding two thousand leones or a term of imprisonment not exceeding five years or both; and in case of a continuing offence, to a further fine not exceeding one hundred leones in respect of each day on which the offence continues.

(2) Where a person so convicted is the holder of a licence granted under any rule made under this Act, the Court convicting him may, in addition to any other penalty imposed by it, revoke the licence or suspend it for such period as the Court may determine.

(3) Any such Court may also forfeit to the State any article or other thing in connection with which the offence was committed and shall, where the offence is in connection with the keeping of any petroleum without the licence required in relation thereto under any rule made under this Act, order the forfeiture of the said petroleum to the State.

Smuggling of petroleum.

5. (1) Any person who smuggles or attempts to smuggle any petroleum out of Sierra Leone shall be guilty of an offence and liable—

(a) on conviction on indictment, to a fine not exceeding twenty thousand leones or imprisonment not exceeding seven years or both; or

(b) on summary conviction, to a fine not exceeding two thousand leones or imprisonment not exceeding five years or both,

and any petroleum in connection with which the offence is committed shall be forfeited to the State.

(2) For the avoidance of doubt, the provisions of this section shall not prevent the accused or any petroleum 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 in addition to any other enactment relating to the matter.

(3) For the purposes of this section, a person shall be deemed to smuggle any petroleum who—

- (a) exports any petroleum the exportation of which is prohibited by any enactment, or
- (b) exports any petroleum the exportation of which is subject to any condition or permit, and such exportation is effected contrary to any such condition or without, or in contravention of, such permit.

6. (1) Where an offence is committed by a body of persons then—

Offences  
by bodies of  
persons.

- (a) where the body of persons is a body corporate, every person who at the time of the commission of the act constituting the offence was a director or officer of that body shall be deemed to be guilty of that offence; and
- (b) where the body of persons is a firm, every person who at the time of the commission of the act constituting the offence was a partner of that firm shall be deemed to be guilty of that offence.

(2) No person shall be deemed to be guilty of an offence under sub-section (1) of this section if he proves that the act in respect of which he is charged was committed by some other person without his consent or connivance and that he exercised all due diligence to prevent the commission of that act as he ought to have exercised having regard to all the circumstances."

Passed in Parliament this 8th day of February 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.*