

PUBLIC NOTICE

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THE CONSTITUTION OF SIERRA LEONE, 1978
(Act No. 12 of 1978)

**THE PUBLIC ECONOMIC EMERGENCY (AMENDMENT)
REGULATIONS, 1987**

Short title.

In exercise of the powers conferred upon him by subsection (4) of Section 19 of the Constitution of Sierra Leone, 1978 the President hereby makes the following regulations:—

1. These regulations shall be deemed to have come into operation on the 5th day of November, 1987. Commence-
ment.

2. The Public Economic Emergency Regulations, 1987 are hereby amended by revoking regulation 8 thereof and replacing it by the following new regulation— Amendment
of P.N. No
25 of 1987.

"Export of gold and diamonds. (8) (1) All exporters' licences for gold and diamonds are hereby suspended.

(2) All diamonds in the possession of every dealer or exporter shall be sold to the Government Gold and Diamond Office within seven days of the coming into force of these regulations, the proof of the period of possession shall lie on the dealer or exporter.

(3) All gold in the possession of every dealer or exporter shall be sold to the Bank of Sierra Leone within seven days of the coming into force of these regulations, the proof of the period of possession shall lie on the dealer or exporter.

(4) Any diamond coming into the possession of a dealer or exporter shall be sold to the G.G.D.O. within fourteen days, the proof of the period of possession shall lie on the dealer or exporter.

(5) Any gold coming into the possession of a dealer or exporter shall be sold to the Bank of Sierra Leone within fourteen days, the proof of the period of possession shall lie on the dealer or exporter.

(6) All export of diamonds shall be done by the G.G.D.O.

(7) All export of gold shall be done by the Bank of Sierra Leone.

(8) Any person who contravenes the provisions of sub-regulations (2), (3), (4) and (5) shall be guilty of an offence and liable—

(a) on summary conviction to a fine of not less than twenty-five thousand leones or to imprisonment for a term not exceeding five years, or to both such fine and imprisonment;

(b) on conviction on indictment to a fine of not less than two hundred and fifty thousand leones or to imprisonment for a term not exceeding fourteen years, or to both such fine and imprisonment;

(c) on the conviction of such person, whether summarily or on indictment, for an offence against the provisions of sub-regulations (2), (3), (4) and (5), the Court shall order a forfeiture to the State of one-half of the gold or diamond found in his possession.

(9) Any person who without lawful authority or reasonable excuse, the proof whereof shall lie on him, is found to be in possession of an gold or diamond, shall be guilty of an offence and liable—

(a) on summary conviction to a fine of not less than twenty-five thousand leones or to imprisonment for a term not exceeding five years, or to both such fine and imprisonment;

(b) on conviction on indictment to a fine of not less than two hundred and fifty thousand leones or to imprisonment for a term not exceeding fourteen years, or to both such fine and imprisonment;

(c) where any person is convicted of an offence under sub-regulation (9), whether summarily or on indictment, the Court

shall make an Order for the forfeiture to the State of all the gold or diamond found in his possession”.

3. Regulation 12 of the principal regulations is hereby revoked and replaced by the following new regulation—

Replacement
of regulation
12 of P.N.
No. 25 of
1987.

power of
rest and
order with
without
warrant for
hoarding
and
other essen-
tial commo-
dities.

12. (1) Any police officer in uniform of or above the rank of sergeant or any member of the Republic of Sierra Leone Military Forces in uniform of or above the rank of sergeant may, using such force as may be necessary—

(a) with warrant enter and search any premises; or

(b) without warrant—

(i) stop and search any vehicle; or

(ii) stop and question any person, if

(a) (i) any such premises or vehicle is being used in connection with the hoarding of large quantities of rice or other essential commodities or such person can give information in connection therewith; or

(ii) evidence of any offence against these regulations or any other law is likely to be found on any such premises or vehicle or is likely to be obtained from any such person.

(2) Any evidence so found together with any such vehicle, rice or other essential commodity may be seized or any such person detained by such police officer or member of the Republic of Sierra Leone Military Forces, and where any vehicle, rice or other essential commodity is so seized, a receipt shall be issued in every case.

(3) Any rice or other essential commodities so seized shall be sold to the public and the proceeds of sale paid into revenue unless the Minister otherwise directs.”

Amendment of regulation 15 of P.N. No. 25 of 1987.

4. (1) Regulation 15 of the principal regulations is hereby amended by the insertion of the words "any goods or" immediately before the words "any essential commodity" wherever they appear in that regulation.

(2) For the purposes of this regulation the word "goods" includes all kinds of articles, wares, merchandise and livestock.

Amendment of regulation 20 of P.N. No. 25 of 1987.

5. Sub-regulation (3) of Regulation 20 of the principal regulations is hereby revoked and replaced by the following new sub-regulation—

"(3) Any person who contravenes any of the provisions of sub-regulations (1) and (2) shall be guilty of an offence and liable—

(a) on summary conviction to a fine of not less than twenty-five thousand leones or to imprisonment for a term not exceeding seven years or to both such fine and imprisonment;

(b) on conviction on indictment to a fine of not less than two hundred and fifty thousand leones or to a term of imprisonment not exceeding fourteen years or to both such fine and imprisonment."

Amendment of regulation 45 of P.N. No. 25 of 1987.

6. Regulation 45 of the principal regulation is hereby amended by the addition immediately after sub-regulation (5) at the end thereof of the following new sub-regulation—

"(6) For the purposes of these regulations expressions relating to "bankers' books" include ledgers, day books, cash books, account books, cheques, Financial Secretary's Letters of Payment, Lodgements, valuable security and all other books used in the ordinary business of the bank."

Amendment of regulation 56 of P.N. No. 25 of 1987.

7. Regulation 56 of the principal regulations is hereby revoked and replaced by the following new regulation—

"Procedure. 56. (1) Subject to the provisions of sub-regulation (2) and (3), the Court shall ordinarily apply the provisions of the Criminal Procedure Act, 1965.

Act No. 32 of 1965.

(2) Notwithstanding the provisions of the Criminal Procedure Act, 1965—

(a) Where any person is accused of committing an offence under these regulations, the offence may be enquired into and tried at any place in Sierra Leone to which the accused is first brought and to which he may be taken thereafter.

(b) The Court shall dispense with any rule of law relating to the admissibility of evidence regarding the best evidence rule in relation to documents.

(c) There shall be no *voir dire* in the case of extra-judicial confessions and admissions.

(3) The proceedings of any trial under these regulations shall not be adversely affected by such defects as duplicity on the face of the information or indictment."

MADE this 9th day of December, 1987.

Issued under my hand,

JOSEPH SAIDU MOMOH,
President and Minister of Defence.