

SIGNED this 11th day of November, 1985.

SIAKA STEVENS
President.

LS

No. 9



Sierra Leone

1985

**The Presidential Elections (Amendment) (No. 2)
Act, 1985**

Short title.

**Being an Act to amend the Presidential Elections Act, 1985
(Act No. 1 of 1985)**

[14th November, 1985.] Date of
commence-
ment.

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

1. The Presidential Elections Act, 1985 (Act No. 1 of 1985) is
hereby amended by the substitution for section 3 thereof of the
following new section—

Section 3 of
Act No. 1 of
1985 replaced.

"Vacancy in
office of
President.

3. (1) The office of President shall become vacant—
- (a) on the expiration of the period mentioned in subsection (4) of section 21 or subsection (1) of section 25 of the Constitution; or
 - (b) if the incumbent dies or resigns or retires from that office, or ceases to hold that office in pursuance of section 30 or 31 of the Constitution:

Provided that the President shall not resign or retire from his office even at the due expiration of his term of office, while a general election of Members of Parliament is pending within the ensuing six months or where a state of public emergency has been declared.

- (2) Any resignation or retirement by a person from the office of President shall be in writing addressed to the Chief Justice and a copy thereof shall be sent to the Speaker."

4 of d. 2. Section 4 of the principal Act as amended by the Presidential Elections (Amendment) Act, 1985 (Act No. 4 of 1985) is hereby further amended by the substitution for the proviso thereto of the following new proviso—

"Provided that—

- (i) where any proceedings have been lawfully commenced or taken for the purposes of the election and assumption of office of a President in accordance with paragraph (a) of this subsection, it shall not be necessary for the said proceedings to be recommenced or retaken whether or not a President has thereby been duly elected, by reason only that a vacancy has occurred in the office of President otherwise than by effluxion of time; and the said proceedings shall, subject to the provisions of this Constitution, be continued and completed in accordance with this Constitution and any law for the time being in force relating thereto, with such modifications as may be necessary; and
- (ii) where the office of President becomes vacant during a period when Parliament is dissolved, the Presidential Election shall be held and completed before the election of Members of Parliament."

Passed in Parliament this 31st day of *October* in the year of our Lord
the thousand nine hundred and eighty-five.

R. C. O. GILPIN-JACKSON, J.P.
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, J.P.
Clerk of Parliament.