

PUBLIC NOTICE

*Supplement to the Sierra Leone Gazette Extraordinary Vol. CXXVIII, No. 34*

*dated 28th May, 1997*

PUBLIC NOTICE No. 3 OF 1997

*Published 28th May, 1997*

**PROCLAMATION**

ADMINISTRATION OF SIERRA LEONE  
(ARMED FORCES REVOLUTIONARY COUNCIL)  
PROCLAMATION, 1997

Short title

PROCLAMATION TO MAKE PROVISION FOR THE INTERIM ADMINISTRATION OF THE REPUBLIC OF SIERRA LEONE BY THE ARMED FORCES REVOLUTIONARY COUNCIL; ITS ESTABLISHMENT AND CONSTITUTION, AND FOR OTHER MATTERS CONNECTED THEREWITH.

WHEREAS it is a fundamental duty of the Armed Forces of the Republic of Sierra Leone to secure and maintain the safety of the State and public order;

AND WHEREAS the actions and utterances of the erstwhile Government, political parties and their leaders, have created conditions which can lead to tribal factions, bloodshed and tribal warfare;

AND WHEREAS it is necessary and expedient to avert immediately that trend of affairs and for provision to be made for the maintenance of law and order in Sierra Leone and for the proper administration by law, of the State of Sierra Leone;

NOW, THEREFORE, We, the members of the Armed Forces of the Republic of Sierra Leone, in cooperation with the people of Sierra Leone, in order to ensure the maintenance of law and order, domestic tranquillity, the enjoyment of the blessings of liberty, unity and democracy to the people of Sierra Leone and all persons living therein, do hereby proclaim as follows:—

1. (1) There is hereby established a Council to be known as the ARMED FORCES REVOLUTIONARY COUNCIL (hereinafter referred to as "the Council").

(2) The Council shall consist of —

(a) a Chairman;

(b) a Deputy Chairman; and

(c) other members, not exceeding 27 in number.

(3) Subject to subparagraph (2), the Council may, by a majority vote at any meeting, appoint members or terminate the appointment of any member.

(4) There shall be a Secretary-General who shall be appointed by the Council and shall perform such functions as the Council may determine.

Suspension of  
certain provi-  
sions of the  
Constitution.  
Act No. 6 of  
1991.

2. (1) All the provisions of the Constitution of Sierra Leone, 1991, which came into operation on 1st October, 1991, which are inconsistent or in conflict with this Proclamation or any law made thereunder shall be deemed to have been suspended with effect from 25th May, 1997.

(2) Without prejudice to the generality of subparagraph (1) —

(a) the Parliament elected under the said Constitution of Sierra Leone and in existence immediately before 25th May, 1997, is dissolved;

(b) all political parties are dissolved and membership in political parties is prohibited with effect from 25th May, 1997.

3. (1) The Council shall have power for such purposes as it may think fit, and in the national interest, to make laws which shall be known as decrees.

Power of Council to make laws.

(2) Any decree made by the Council may be amended, repealed, revoked or suspended by another decree made by the Council.

(3) Every decree made by the Council shall be deemed to be an Act as defined in section 3 of the Interpretation Act, 1971.

Act No. 8 of 1971

(4) Any decree made by the Council shall be signed by the Chairman or, in the absence of the Chairman, by the Deputy Chairman of the Council.

(5) Subject to any decree made by the Council, all enactments in force in Sierra Leone immediately before 25th May, 1997, shall continue in force;

Provided that any enactment in force in Sierra Leone immediately before 25th May, 1997, which is inconsistent or in conflict with any provision of this Proclamation or any decree made thereunder shall be deemed to have been suspended as from 25th May, 1997.

4. Every decree made by the Council shall be published in the *Gazette* and shall come into operation on the date of such publication or on such other date as may be provided in or under the decree, or in any other enactment.

Publication and commencement of decrees.

5. Subject to any decree made by the Council, the public service of Sierra Leone as it existed immediately before 25th May, 1997, shall continue in existence, and any person holding or acting in any office in the public service immediately before that date, shall continue in office subject to any decree and other enactment in force after that date.

Public Service to continue.

6. Subject to any decree made by the Council, any reference to President, Vice-President, Minister or Cabinet in the Constitution of Sierra Leone which came into operation on 1st October, 1991, or in any enactment

Adaptation of references to President, Minister, etc. Act No. 6 of 1991.

2  
Constitut  
of Armed  
Forces  
Revolutio  
Council.

4  
Detention of  
persons.

continued in existence by virtue of this Proclamation shall, on and after 25th May, 1997, be construed as a reference to the Council or to such person or authority as the Council may by Order appoint.

7. (1) The Council may, where it considers it necessary in the interest of public safety or public order so to do, make an order against any person directing that he be detained.

(2) Subparagraph (1) shall be deemed to have come into operation on 25th May, 1997.

(3) Any order made under subparagraph (1) directing that any person be detained shall not be questioned in any court of law.

Power to  
make  
subsidiary  
legislation.

8. Without prejudice to the generality of paragraph 3, and subject to paragraph 6, any power vested in any person or authority, other than the Council, to make any law under any enactment shall continue to apply accordingly.

Suspension  
of certain pro  
visions of the  
Constitutio  
Act No. 6 of  
1991.

Power to  
amend or  
repeal  
Proclamation.

9. The Council shall have power to amend, repeal or suspend this Proclamation or any provision thereof.

Commencement.

10. This Proclamation shall be deemed to have come into operation on 25th May, 1997.

MADE at Freetown this 28th day of May, 1997.

MAJOR JOHNNY PAUL KOROMA,  
*For and on behalf of the Armed Forces of  
the Republic of Sierra Leone.*