

BASED ON (2/1/1996)

N.P.R.C. Decree
No. 1



1996

Sierra Leone

The Electoral Laws (Abridgement of Nomination Requirements) Decree, 1996

Short title.

Being a Decree to alleviate the qualification requirements for the nomination of candidates for the presidential and parliamentary elections of 1996.

[18th January, 1996.]

Date of Commencement.

WHEREAS by paragraph (d) of section 41 of the Constitution 1991, it is provided that, "No person shall be qualified for election as President unless he is qualified to be elected as a member of Parliament";

Act No. 6 of 1991.

Decree No. 15
of 1995.

AND WHEREAS, by paragraph (c) of section 75 of the Constitution 1991, a person is qualified for election as a member of Parliament if, among other things, he "is an elector whose name is on the register of electors under the Franchise and Electoral Registration Decree, 1995";

AND WHEREAS, it is necessary for the expedition of the nomination of candidates for the presidential and parliamentary elections to be held in 1996 that the qualifications in the provisions of the Constitution referred to in the foregoing be alleviated on account of time constraints;

NOW, THEREFORE, pursuant to paragraph 3 of the Proclamation entitled "The Administration of Sierra Leone (National Provisional Ruling Council Proclamation, 1992", the National Provisional Ruling Council makes and issues the following Decree —

Alleviation of
qualification
for nomina-
tion of candi-
dates.

Decree No.
15 of 1995.

1. The requirement in paragraph (c) of section 75 of the Constitution which implies that a person may not be nominated as a candidate for election as the President of Sierra Leone or, as the case may be, as an ordinary member of Parliament, unless his name is on the register of electors under the Franchise and Electoral Registration Decree, 1995, shall be deemed to have been complied with if the candidate is able to establish his eligibility for registration as an elector under subsection (1) of section 14 of that Decree.

Voter regis-
tration card to
be issued.

Decree No.
15 of 1995.

2. A candidate under section 1 shall be given the voter registration card referred to in subsection (3) of section 14 of the Franchise and Electoral Registration Decree, 1995, if he establishes the requirements of eligibility referred to in section 1.

Cancellation
of nomina-
tion.

Decree No.
15 of 1995.

3. Any nomination accepted under this Decree shall be cancelled if before the day of the elections, the name of the candidate concerned is not on the Register of Electors referred to in section 27 of the Franchise and Electoral Registration Decree, 1995.

Objections to
nominations
to be made to
the High
Court.

4. (1) Where in any enactment coming into force after 1st October, 1991, any right is conferred on an elector to object to the nomination of a candidate for election as President of Sierra Leone or, as the case may be, as an ordinary member of Parliament, that right may be exercised by

filing in the High Court a notice of the objection together with the grounds thereof, and the High Court shall hear and determine the matter as if it were an election petition presented after an election.

Provided that an objector under this section shall not be required to pay any security for costs or any court fees whatsoever.

(2) For the purposes of subsection (1), the repeal of the Electoral Provisions Act, 1962 effected by section 69 of the Electoral Provisions Decree, 1995 shall have effect as though Part VI of that Act were excepted from the repeal, and accordingly, the provisions of that Part shall continue to have effect as if they had not been repealed, and shall be read with such modifications and adaptations as are necessary to enable those provisions to be applied to objections in respect of both presidential and parliamentary nominations.

Act No. 14 of
1962.
Decree No. 10
of 1995.

MADE AND ISSUED this 17th day of January, 1996.

BRIGADIER JULIUS MAADA BIO
Chairman,
National Provisional Ruling Council.

DECREE

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dated 15th February, 1996.

THE STANDARDS DECREE, 1996

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