

SIGNED this 22nd day of July, 2010.

DR. ERNEST BAI KOROMA,
President.



No. 6



2010

Sierra Leone

**The Sierra Leone National Commission on Small Arms
Act, 2010.**

Short title.

**Being an Act to establish a National Commission for the control
of the proliferation and the illicit circulation of small arms and light
weapons, their ammunitions and other related materials and to provide
for other related matters.**

[] Date of com-
mencement.

ENACTED by the President and Members of Parliament in this present
Parliament assembled.

ACT

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THE SIERRA LEONE NATIONAL COMMISSION ON SMALL ARMS ACT, 2010

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PART I –PRELIMINARY

Interpretation.

1. In this Act unless the context otherwise requires–

“Advisory Committee” means the Sierra Leone National Commission on Small Arms Advisory Committee established by section 11;

“Chairman” means the Chairman of the Sierra Leone National Commission Advisory Committee appointed under section 11;

“Commission” means the Sierra Leone National Commission on Small Arms established by section 2;

“Commissioner” means the Commissioner of the Commission appointed under section 3;

“Convention” means the ECOWAS Convention on Small Arms and Light Weapons, their Ammunitions and Other Related Materials, done at Abuja, on 14th June, 2006;

“Deputy Commissioner” means the Deputy Commissioner appointed under section 3;

“ECOWAS” means the Economic Community of West African States comprising Heads of State and Government of the Member States to the ECOWAS Treaty;

“small arms” include small arms and light weapons;

“Minister” means the Minister responsible for presidential and pulic affairs.

PART 11—ESTABLISHMENT OF COMMISSION

Establishment
of Commis-
sion.

2. (1) There is hereby established a body to be known as the Sierra Leone National Commission on Small Arms.

(2) The Commission shall be a body corporate having perpetual succession and shall be capable of –

- (a) acquiring, holding and disposing of movable and immovable property;
- (b) suing and being sued in its corporate name; and
- (c) performing all such acts as bodies corporate may by law perform.

(3) The Commission shall have a seal, the use of which shall be authenticated by the signatures of –

- (a) the Commissioner; or
- (b) the Deputy Commissioner and any other officer of the Commission authorized, either generally or specifically, by the Commission in that behalf.

3. The Commission shall have–

- (a) a Commissioner who shall be the head of the Commission ; and
- (b) a Deputy Commissioner,

Commis-
sioner and
Deputy
Commis-
sioner.

both of whom shall be appointed by the President from among persons with the professional and other qualifications relevant to the functions of the Commission subject to the approval of Parliament.

4. (1) The Commissioner and Deputy Commissioner shall each hold office for a term of five years and shall be eligible for re-appointment for another term of five years only.

Tenure of
Commissioner
and Deputy
Commissioner.

(2) The Commissioner or Deputy Commissioner may be removed from office by the President only for inability to perform the functions of his office, whether arising from infirmity of body or mind or for stated misconduct.

(3) The Commissioner or Deputy Commissioner may resign his office by written notice addressed to the President.

(4) A resignation notice submitted by the Commissioner or Deputy Commissioner is effective upon being received by the President or by a person authorized by the President to receive it.

Functions of
Commis-
sioner.

- 5.** (1) The Commissioner shall be responsible for—
- (a) the day-to-day administration of the Commission;
 - (b) management of funds and other property of the Commission;
 - (c) implementing the policies of the Advisory Committee and carrying out the functions of the Commission;
 - (d) the supervision and discipline of the other staff of the Commission; and
 - (e) performance of such other functions as the Advisory Committee may assign to him.

(2) In the absence of the Commissioner, the Deputy Commissioner shall have power to perform all the functions of the Commissioner and in the absence of the Commissioner and Deputy Commissioner, any senior officer of the Commission appointed by the Commissioner in that behalf, shall perform the functions of the Commissioner.

Remunera-
tion of
Commis-
sioner and
Deputy
Commis-
sioner.

6. The Commissioner and Deputy Commissioner shall be entitled to such salaries, allowances and other benefits as may be determined by the President subject to the approval of Parliament, but such salaries, allowances and other benefits shall not be varied to their disadvantage.

Other staff of
Commission.

7. The Commission shall appoint other staff as may be required for the efficient performance of the functions of the Commission.

8. The Commission may engage the services of consultants and experts as it may consider necessary for the efficient performance of the functions of the Commission. Consultants and experts.

9. (1) The object for which the Commission is established is to regulate and supervise the manufacture, trade and use of small arms and light weapons, their ammunition and other related materials. Functions of Commission.

(2) Without prejudice to the generality of subsection (1), it shall be the function of the Commission to—

- (a) set in place programmes of action to prevent, combat and eradicate the illicit manufacture, trade and use of small arms and light weapons in all its aspects;
- (b) educate and sensitize the public and provide information on the dangers associated with the illicit manufacture, trade and use of small arms and light weapons;
- (c) ensure that obligations under the ECOWAS Convention are complied with;
- (d) establish and maintain an Arms Register for transmission to the ECOWAS Secretariat;
- (e) provide appropriate recommendation to the ECOWAS Secretariat on exemptions to be granted under the Convention;
- (f) mobilize resources for programme activities of the Commission;
- (g) advise the Minister on the formulation of policies and strategies as contained in the Convention and any other relevant international conventions to which Sierra Leone is a party;

- (h) receive and study periodic reports from the Sierra Leone Police on the registration and licensing of arms; and
- (i) perform any other functions related to the object of the Commission.

Independence
of Commis-
sion.

10. In the performance of its functions under this Act, the Commission shall not be subject to the direction or control of any person or authority.

PART III—ADVISORY COMMITTEE

Advisory
Committee.

11. (1) The Commission shall have an Advisory Committee which shall consist of—

- (a) a Chairman who shall be appointed by the President subject to the approval of Parliament;
- (b) one representative of the Ministry of Foreign Affairs and International Co-operation not below the rank of Deputy Secretary;
- (c) one representative of the Ministry of Internal Affairs and Local Government not below the rank of Deputy Secretary;
- (d) one representative of the Sierra Leone Armed Forces not below the rank of Lieutenant Colonel;
- (e) one representative of the Sierra Leone Police not below the rank of Chief Superintendent;
- (f) one representative of the Attorney-General's Office not below the level of Principal State Counsel;
- (g) one representative of the National Revenue Authority (Customs & Excise) not below the rank of Principal Collector;

- (h) one representative of the Office of National Security not below the rank of Director;
 - (i) one representative of the Civil Society of Sierra Leone appointed by the Coalition of Civil Society Movements in Sierra Leone;
 - (j) one representative of the National Council of Paramount Chiefs appointed by that body;
 - (k) one representative of the National Youth Commission appointed by that body;
 - (l) one representative of the Women's Forum of Sierra Leone appointed by that body; and
 - (m) the Commissioner, who shall be in attendance and shall be secretary to the Advisory Committee.
- (2) The Advisory Committee shall, in addition to any other function—
- (a) advise the Commission on any aspect of the mandate and functions of the Commission and
 - (b) annually assess the work of the Commission and advise the Commission on it.
- (3) The Chairman of the Advisory Committee shall be appointed for a term of five years and shall be eligible for re-appointment for one additional term only.

PART IV—FINANCIAL PROVISIONS

12. The activities of the Commission shall be financed by a fund consisting of— Funds of
Commission.

- (a) moneys appropriated by Parliament for the purposes of the Commission; and

- (b) gifts, grants or donations from any person or authority that are not likely to compromise the independence of the Commission.

Accounts and
Audit.

13. (1) The Commission shall keep proper books of accounts and proper records in relation to them in a form approved by the Auditor-General.

(2) The books of account kept under subsection (1), shall within three months after the end of each financial year, be audited by the Auditor-General or an auditor appointed by him.

Financial
Year.

14. The financial year of the Commission shall be the same as the financial year of Government.

Annual
Report.

15. (1). The Commission shall as soon as possible but not later than three months after the end of each financial year, submit to the Minister a report of the activities, operations, undertakings, properties and finances of the Commission for that year, including the Auditor-General's report.

(2) The Minister shall, within thirty days of the receipt of the report referred to in subsection (1), lay a copy of the report before Parliament.

Passed in Parliament this *22nd* day of *June*, in the year of our Lord two thousand and ten.

VICTOR A. KAMARA,
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 correct printed copy of the said Bill.

VICTOR A. KAMARA,
Clerk of Parliament.