



Sierra Leone Independence Act 1961

1961 CHAPTER 16 9 and 10 Eliz 2

An Act to make provision for, and in connection with, the attainment by Sierra Leone of fully responsible status within the Commonwealth. [28th March 1961]

1 Provision for the fully responsible status of Sierra Leone.

- (1) On the twenty-seventh day of April, nineteen hundred and sixty-one (in this Act referred to as “the appointed day”), the Sierra Leone Colony and the Sierra Leone Protectorate (of which the combined area is that specified in the First Schedule to this Act) shall together constitute part of Her Majesty’s dominions under the name of Sierra Leone.
- (2) No Act of the Parliament of the United Kingdom passed on or after the appointed day shall extend, or be deemed to extend, to Sierra Leone as part of the law thereof, and as from that day—
 - (a) Her Majesty’s Government in the United Kingdom shall have no responsibility for the government of Sierra Leone; and
 - (b) the provisions of the Second Schedule to this Act shall have effect with respect to legislative powers in Sierra Leone.
- (3) Without prejudice to subsection (2) of this section, nothing in subsection (1) thereof shall affect the operation in Sierra Leone or any part thereof on and after the appointed day of any enactment, or any other instrument having the effect of law, passed or made with respect thereto before that day.

2 Consequential modifications of British Nationality Acts.

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Annotations:

Amendments (Textual)

F1 S. 2 repealed by [British Nationality Act 1981 \(c. 61, SIF 87\)](#), [Sch. 9](#)

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Sierra Leone Independence Act 1961. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

3 Consequential modification of other enactments.

- (1) F2
- (2) As from the appointed day—
- (a) the expression “colony” in the ^{M1}Army Act 1955, the ^{M2}Air Force Act 1955, and the ^{M3}Naval Discipline Act 1957, shall not include Sierra Leone or any part thereof; and
 - (b) in the definitions of “Commonwealth force” in subsection (1) of section two hundred and twenty-five and subsection (1) of section two hundred and twenty-three respectively of the said Acts of 1955, and in the definition of “Commonwealth country” in subsection (1) of section one hundred and thirty-five of the said Act of 1957—
 - (i) the word “or” (being, in the said Acts of 1955, that word in the last place where it occurs in those definitions) shall be omitted; and
 - (ii) at the end there shall be added the words “or Sierra Leone”.
- (3) As from the appointed day, the provisions specified in the Third Schedule to this Act shall have effect subject to the amendments respectively specified in that Schedule, . . . F3
- Provided that this subsection shall not extend to Sierra Leone or any part thereof as part of the law thereof.

Annotations:

Amendments (Textual)

- F2 S. 3(1) repealed by [Interpretation Act 1978 \(c. 30, SIF 115:1\)](#), [Sch. 3](#)
- F3 Words repealed by [Statute Law \(Repeals\) Act 1969 \(c. 52\)](#), [Sch. Pt. VI](#)

Modifications etc. (not altering text)

- C1 The text of s. 3(2)(a), Sch. 3 para. 7(a) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

- M1 1955 c. 18.
- M2 1955 c. 19.
- M3 1957 c. 53.

4 Short title and interpretation.

- (1) This Act may be cited as the Sierra Leone Independent Act 1961.
- (2) References in this Act to any enactment are references to that enactment as amended or extended by or under any other enactment.

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SCHEDULES

FIRST SCHEDULE

Section 1.

AREA INCLUDED IN SIERRA LEONE

ea in West Africa lying between the sixth and tenth degrees of north latitude and the tenth and fourteenth degrees of west longitude and bounded on the north by the boundary line delimited under the provisions of the Anglo-French Convention dated the twenty-eighth day of June, 1882, the Anglo-French Arrangement dated the tenth day of August, 1889, the Anglo-French Agreement dated the twenty-first day of January, 1895, and the notes exchanged between His Majesty's Principal Secretary of State for Foreign Affairs and the Ambassador of the French Republic, and dated the sixth day of July, 1911, and on the south by the Anglo-Liberian boundary line delimited under the provisions of the Anglo-Liberian Conventions dated the eleventh day of November, 1885, and the twenty-first day of January, 1911.

SECOND SCHEDULE

Section 1.

LEGISLATIVE POWERS IN SIERRA LEONE

- 1 The ^{M4}Colonial Laws Validity Act 1865, shall not apply to any law made on or after the appointed day by the legislature of Sierra Leone.

Annotations:

Marginal Citations

M4 1865 c. 63.

- 2 No law and no provision of any law made on or after the appointed day by that legislature shall be void or inoperative on the ground that it is repugnant to the law of England, or to the provisions of any Act of the Parliament of the United Kingdom, including this Act, or to any order, rule or regulation made under any such Act, and, subject to paragraph 6 of this Schedule, the powers of that legislature shall include the power to repeal or amend any such Act, order, rule or regulation in so far as it is part of the law of Sierra Leone or any part thereof.

- 3 The said legislature shall have full power to make laws having extra-territorial operation.

^{F4}

Annotations:

Amendments (Textual)

F4 Sch. 2 para. 4 repealed (1.1.1996) by 1995 c. 21, ss. 314(1), 316(2), Sch. 12 (with ss. 312(1), Sch. 14 para. 1)

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5 Without prejudice to the generality of the foregoing provisions of this Schedule, section four of the ^{M5}Colonial Courts of Admiralty Act 1890 (which requires certain laws to be reserved for the signification of Her Majesty’s pleasure or to contain a suspending clause) and so much of section seven of that Act as requires the approval of Her Majesty in Council to any rules of court for regulating the practice and procedure of a Colonial Court of Admiralty shall cease to have effect in Sierra Leone.

Annotations:
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Marginal Citations
M5 [1890 c. 27.](#)

6 Nothing in this Act shall confer on the legislature of Sierra Leone any power to repeal, amend or modify the constitutional provisions otherwise than in such manner as may be provided for in those provisions.

his paragraph, the expression “the constitutional provisions” means this Act, any Order in Council made before the appointed day which revokes Parts II to VI of the ^{M6}Sierra Leone (Constitution) Order in Council, 1958, and the Sierra Leone Protectorate Orders in Council, 1951 to 1960, and any law, or instrument made under a law, of the legislature of Sierra Leone made on or after that day which amends, modifies, re-enacts with or without amendment or modification, or makes different provision in lieu of, any of the provisions of this Act, that Order in Council or any such law or instrument previously made.

Annotations:
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Marginal Citations
M6 [S.I. 1958 No. 1259](#)

THIRD SCHEDULE

Section 3.

AMENDMENTS NOT AFFECTING LAW OF SIERRA LEONE

Diplomatic immunities

1 ^{F5}

Annotations:
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Amendments (Textual)
F5 [Sch. 3 para. 1](#) repealed by [Finance Act 1969 \(c. 32\)](#), [Sch. 21 Pt. IX](#)

2 In subsection (6) of section one of the Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) Act, 1952, immediately before the word “and” in the last place where it occurs there shall be inserted the words “Sierra Leone”.

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Annotations:

Modifications etc. (not altering text)

C2 The text of Sch. 3 paras. 2, 4, 8, 9, 16 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

3 **F6**

Annotations:

Amendments (Textual)

F6 Sch. 3 para. 3 repealed by [International Organisations Act 1981 \(c. 9, SIF 68:1\)](#), **Sch.**

Financial

4 In section two of the Import Duties Act, 1958, in subsection (4), after the word “Nyasaland” there shall be inserted the words “Sierra Leone”.

Annotations:

Modifications etc. (not altering text)

C3 The text of Sch. 3 paras. 2, 4, 8, 9, 16 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

5 **F7**

Annotations:

Amendments (Textual)

F7 Sch. 3 para. 5 repealed by [Trustee Investments Act 1961 \(c. 62\)](#), **Sch. 5**

Visiting forces

6 In the ^{M7}Visiting Forces (British Commonwealth) Act 1933, section four (which deals with attachment and mutual powers of command) and the definition of “visiting force” for the purposes of that act which is contained in section eight thereof shall apply in relation to forces raised in Sierra Leone as they apply in relation to forces raised in Dominions within the meaning of the ^{M8}Statute of Westminster 1931.

Annotations:

Marginal Citations

M7 1933 c. 6.

M8 1931 c. 4 (22 & 23 Geo. 5).

7 In the ^{M9}Visiting Forces Act 1952—

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- (a) in paragraph (a) of subsection (1) of section one (which specifies the countries to which that Act applies) the word “or” in the first place where it occurs shall be omitted, and at the end there shall be added the words “Sierra Leone or”;
- (b) in paragraph (a) of subsection (1) of section ten the expression “colony” shall not include Sierra Leone or any part thereof;

until express provision with respect to Sierra Leone is made by an Order in Council under section eight of that Act (which relates to the application to visiting forces of law relating to home forces), any such Order for the time being in force shall be deemed to apply to visiting forces of Sierra Leone.

Annotations:

Modifications etc. (not altering text)

C4 The text of s. 3(2)(a), Sch. 3 para. 7(a) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M9 1952 c. 67.

Ships and aircraft

F88

Annotations:

Amendments (Textual)

F8 Sch. 3 para. 8 repealed (1.1.1996) by 1995 c. 21, ss. 314(1), 316(2), **Sch. 12** (with ss. 312(1), Sch. 14 para. 1)

F99

Annotations:

Amendments (Textual)

F9 Sch. 3 para. 9 repealed (1.1.1996) by 1995 c. 21, ss. 314(1), 316(2), **Sch. 12** (with ss. 312(1), Sch. 14 para. 1)

10 **F10**

Annotations:

Amendments (Textual)

F10 Sch. 3 para. 10 repealed by **Emergency Laws (Re-enactments and Repeals) Act 1964** (c. 60), **Sch. 2**

11 **F11**

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Annotations:

Amendments (Textual)

F11 Sch. 3 para. 11 repealed by Statute Law (Repeals) Act 1977 (c. 18), **Sch. 1 Pt. XV**

12 In the ^{M10}Whaling Industry (Regulation) Act 1934, the expression “British ship to which this Act applies” shall not include a British ship registered in Sierra Leone.

Annotations:

Marginal Citations

M10 1934 c. 49.

Copyright

13, 14. **F12**

Annotations:

Amendments (Textual)

F12 Sch. 3 paras. 13, 14 repealed by Copyright, Designs and Patents Act 1988 (c. 48, SIF 67A), s. 303(2), **Sch. 8**

15 **F13**

Annotations:

Amendments (Textual)

F13 Sch. 3 para. 15 repealed by Family Law Act 1986 (c. 55, SIF 49:3), s. 68(2), **Sch. 2**

Commonwealth Institute

^{F14}16

Annotations:

Amendments (Textual)

F14 Sch. 3 para. 16 repealed (7.1.2003) by 2002 c. 39, ss. 3, 4(2), **Sch. 3**

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Changes and effects yet to be applied to :

- s. 3(2) repealed by [2006 c. 52 Sch. 17](#)
- s. 3(2) repealed by [2006 c. 52 Sch. 17](#)

Commencement Orders yet to be applied to the Sierra Leone Independence Act 1961:

Commencement Orders bringing legislation that affects this Act into force:

- [S.I. 2009/812 art. 3](#) commences ([2006 c. 52](#))
- [S.I. 2009/1059](#) Order transitional provisions for effects of commencing [SI 2009/812](#)
- [S.I. 2009/1167 art. 3 4](#) commences ([2006 c. 52](#))