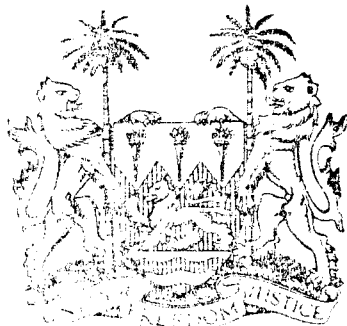


SIGNED this 27th day of April, 1974.

SIAKA STEVENS,  
*President.*

LS

No. 1



1974

Sierra Leone

**The Unlawful Interference with Civil Aviation  
Act, 1974**

Short title.

Being an Act to make provisions with the view to ratification, on behalf of Sierra Leone of, and to give effect to, the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 23rd September, 1971

[2nd May, 1974.] Date of commencement.

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

Offence of  
Unlawful  
Interference  
with Civil  
Aviation.

1. (1) Any person who within Sierra Leone or abroad unlawfully and intentionally—

- (a) performs an act of violence against a person on board an aircraft in flight if that act is likely to endanger the safety of that aircraft; or
- (b) destroys an aircraft or causes damage to such an aircraft which renders it incapable of flight or which is likely to endanger its safety in flight; or
- (c) places or causes to be placed on an aircraft, by any means whatsoever, a device or substance which is likely to destroy that aircraft, or to cause damage to it which renders it incapable of flight, or to cause damage to it which is likely to endanger its safety in flight; or
- (d) destroys or damages air navigation facilities or interferes with their operation, if any such act is likely to endanger the safety of an aircraft in flight; or
- (e) communicates information which he knows to be false, thereby endangering the safety of an aircraft in flight,

shall be guilty of the offence of unlawful interference with Civil Aviation and liable on conviction to imprisonment for life.

Local juris-  
diction where  
offence com-  
mitted  
abroad.

(2) Where an offence punishable under paragraphs (a), (b), (c) and (e) of subsection (1) has been committed outside Sierra Leone by a person who is found in any part of Sierra Leone, the offence shall be deemed to have been committed in that part of Sierra Leone, and proceedings in respect thereof may be brought in any court in Sierra Leone which would have jurisdiction if the offence had been committed in that part of Sierra Leone for which the court acts:

Provided that for the purpose of extradition, the offence shall be treated as if it had been committed not only in the place in which it occurred but also in territories of—

- (a) the State of registration of the aircraft involved;
- (b) the State in which the said aircraft has landed with the alleged offender on board; and
- (c) the State in which the lessee, if any, of the said aircraft, has his principal place of business, or if he has no such place of business, his permanent residence, provided the aircraft has been leased without crew.

(3) Paragraphs (a), (b), (c) and (e) of subsection (1) shall not apply, if—

(a) the aircraft is used in military, customs, or police service; or

(b) both the place of take-off and the place of landing are in the territory of the State in which the aircraft is registered.

(4) For the purposes of this section the period during which an aircraft is in flight shall be deemed to include any period from the moment when all its external doors are closed following embarkation until the moment when any such door is opened for disembarkation, and, in the case of a forced landing, any period until the competent authorities take over responsibility for the aircraft and for persons and property on board.

2. Where there is reason to believe that an offence punishable under section 1 has been committed—

(i) with respect to aircraft registered in a State other than Sierra Leone; and

(ii) by a person who is found in Sierra Leone, the Attorney-General shall cause—

(a) such measures, including custody, to be taken so as to ensure the presence of that person:

Provided that any such measure will only be continued for such time as it is necessary to enable any criminal or extradition proceedings to be instituted;

(b) a preliminary enquiry to be made into the circumstances of the alleged offence;

(c) that person to be assisted in communicating immediately with the nearest appropriate representative of the State of which he is a national;

(d) the detention, if any, of that person, and the reasons thereof be notified immediately to the States specified in the proviso to subsection (2) of section 1 and, if he considers it advisable, to any other interested State;

(e) the findings of the preliminary enquiry mentioned in sub-paragraph (b), and any decisions as to whether he intends to bring proceedings in a court in Sierra Leone to be promptly reported to the States mentioned in the preceding paragraph.

When subsection (1) not applicable.

Aircraft in flight.

Powers of Attorney-General where offence committed.

Where offender is found in Sierra Leone.

3. Where a person who has committed outside Sierra Leone an offence punishable under paragraphs (a), (b), (c) or (e) of subsection (1) of section 1 is found in Sierra Leone and is not extradited, the Attorney-General shall decide on whether or not to bring criminal proceedings against him, in the same manner as in the case of any ordinary offence of a serious nature under the laws of Sierra Leone.

Assistance to requesting States in criminal proceedings

4. (1) Subject to the provisions of any bilateral or multilateral treaty in force between Sierra Leone and the requesting States, the Attorney-General shall accord the greatest measure of assistance, in accordance with the laws of Sierra Leone, to the competent authorities of a State in connection with criminal proceedings brought by them in respect to an act which, if committed in Sierra Leone, would be an offence punishable under section 1.

Attorney-General's report to I.C.A.O.

(2) Where an offence punishable under section 1 has been committed in Sierra Leone, the Attorney-General shall report to the Council of the International Civil Aviation Organisation, as promptly as possible, any relevant information in his possession concerning—

- (a) the circumstances of the offence;
- (b) any action taken in accordance with section 3;
- (c) any measure taken against the alleged offender; and
- (d) the results of any extradition proceedings or other legal proceedings, as the case may be.

D.C.A.'s action in respect of affected aircraft.

5. If the Director of Civil Aviation has reasonable grounds to believe that an offence within the meaning of section 1 has been committed or is about to be committed, he shall, in consultation with the Minister of Transport and Communications, take all appropriate measures with the view—

- (a) to restore control of the aircraft to its lawful commander or preserve his control thereof; and
- (b) if the aircraft lands in Sierra Leone, to facilitate the continuation of the journey of the passengers and crew as soon as practicable, and to return without delay the aircraft and its cargo to the persons lawfully entitled to possession.

Extradition of offender based on reciprocity.

6. (1) Except as otherwise provided in any treaty in force between Sierra Leone and the requesting State, a person alleged to have committed an act which, if committed in Sierra Leone would be an offence under section 1, shall be extradited to the requesting State if the latter grants reciprocity.

(2) Any offence punishable under section 1 shall be deemed to be included in the list of extraditable offences contained in the Fourth Schedule to the Extradition Act, 1962. <sup>Act No. 60 of 1962.</sup>

Passed in Parliament this *5th* day of *March*, in the year of our Lord one thousand nine hundred and seventy-four.

M. MUNU,  
*Acting 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.

M. MUNU,  
*Acting Clerk of Parliament.*