

SIGNED this 12th day of June, 1982.

SIAKA STEVENS,
President.

LS

No. 5



Sierra Leone

1982

The Sierra Leone Housing Corporation Act, 1982 Short title.

Being an Act to provide for the Establishment of a Housing Corporation to be known as the Sierra Leone Housing Corporation and for connected purposes

[24th June, 1982] Date of commencement.

WHEREAS the Government of Sierra Leone (hereinafter referred to as "the Government") is determined to set up a National Housing Corporation to assist in the provision of houses in an effort to improve the living standards of the people:

AND WHEREAS it is desirable that the Housing Corporation aforesaid shall be set up by statute ratified and confirmed:

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

PART I—PRELIMINARY

Interpreta-
tion.

1. In this Act, unless the context otherwise requires—

“Board of Directors” means the governing policy-making authority for the Corporation;

“Chairman” means the person appointed to be Chairman under section 3 and includes any temporary Chairman so appointed;

“Corporation” means the Sierra Leone Housing Corporation established under section 2;

“Fund” means the capital amount with which the Government shall finance and sponsor the Corporation;

“General Manager” means the General Manager of the Corporation;

“Housing Development” means any building construction whether new, rehabilitated or to be completed which is designed and financed pursuant to the provisions of this Act for the purpose of providing healthy dwelling houses with proper sanitary and safe conveniences and recreational facilities;

“Housing Development Costs” means the sum total of all costs incurred in a housing development scheme approved by the directors as reasonable and necessary;

“Income Guideline” means the income groups and categories of persons and families eligible for housing and loan assistance as laid down by the Corporation;

“Joint Ventures” means the participation in or association by the Corporation in any land or housing project as may be approved by the Corporation;

“Land Development” means the process of constructing roads and other services on land mainly for residential housing development;

X "Minister" means the person for the time being charged with responsibility for matters relating to lands, housing and Country Planning;

"Republic" means the State of Sierra Leone.

PART II--ESTABLISHMENT OF CORPORATION

2. (1) There is hereby established a body to be known as the Sierra Leone Housing Corporation. Establishment and incorporation of the Corporation.

(2) The Corporation shall be a body corporate with perpetual succession and shall have power to acquire, hold and dispose of property whether movable or immovable, to enter into contracts, to sue and to be sued in its corporate name and to do all things necessary for the purpose of this Act.

3. (1) The Corporation shall have a common seal and the affixing of the seal shall be authenticated by the signature of the Chairman or some other member of the Corporation authorised either generally or specially, by the Corporation to act for the purpose. Common Seal and authentication of documents.

(2) Every document purporting to be an order or instrument issued by the Corporation and to be sealed with the seal of the Corporation authenticated as provided by this section or to be signed by the Secretary, shall be received in evidence and be deemed to be such order or instrument without further proof, unless the contrary is shown.

(3) In appropriate cases the seal may be affixed to documents outside Sierra Leone.

(4) Notwithstanding any rule of law to the contrary the Corporation may enter into contracts and transact business in all respects in the same manner as a private individual.

4. (1) The Board of Directors of the Corporation shall consist of-- Constitution of the Board of Directors.

(a) a Chairman;

(b) six appointed members comprising--

- (i) one member who is a recognized Banker;
- (ii) one member representing the building and construction industry;
- (iii) one member who is a professional economist;

- (iv) three members of the public;
 - (c) the Governor of the Bank of Sierra Leone or his representative;
 - (d) the Financial Secretary or his representative;
 - (e) the Permanent Secretary, Ministry of Lands, Housing and Country Planning;
 - (f) the Director of Housing and Country Planning.
- (2) The Chairman and the appointed members shall be citizens of Sierra Leone appointed by the President on the recommendation of the Minister and shall hold office subject to such conditions as the President may determine.

(3) Where the Chairman or any appointed member is for good reason temporarily unable to perform his functions and until such time as the President appoints some other person to act for the Chairman or such member, the Corporation may appoint a person so to act.

(4) Every appointment or termination thereof under this section and every cessation of membership or removal from office under section 6 shall be effected in writing under the hand of the Minister and notice thereof shall be published in the *Gazette*.

Cessation of membership of and removal from the Board.

5. (1) If the Chairman or any appointed member at any time after his appointment—

- (a) accepts or continues to hold office or employment with the Board; or
- (b) is made bankrupt; or
- (c) becomes of unsound mind or otherwise; or
- (d) fails to attend three consecutive meetings of the Board (unless such failure be occasioned by any reasonable cause allowed by the Board); or
- (e) resigns his office by written notice to the Minister;
- (f) in any of the cases mentioned in paragraphs (a) to (d),

he shall forthwith cease to be a member of the Board and the Board shall report the fact and the date of such cessation to the Minister, and in the case mentioned in paragraph (e) the Minister may accept or reject the resignation at his discretion.

(2) If at any time it appears to the President upon the recommendation of the Minister, that the removal from office of the Chairman or any appointed member of the Board is necessary in the interest of the effective and economic performance of the functions of the Corporation the President may remove from office the Chairman or any such member without assigning any reason therefor.

6. The Chairman and other members of the Board shall hold office for three years from the dates of their appointments but shall be eligible for re-appointment.

7. No member of the Board shall be personally liable for any debt or obligation of the Corporation.

8. (1) Subject to the provisions of this Act, the Board may make Standing Orders regulating its procedure generally and in particular regarding—

(a) the holding of meetings and the notices to be given of such meetings;

(b) the proceedings thereat;

(c) the keeping of minutes and the custody, production and inspection of such minutes;

(d) the custody and use of the common seal.

(2) The quorum at any meeting of the Board shall be seven members, one of whom shall be the Chairman or the temporary Chairman.

(3) A decision of the majority of the members present and voting at a meeting of the Board shall be deemed to be a decision of the Board.

(4) In the event of an equality of votes the Chairman shall have a casting vote in addition to his deliberative vote.

(5) The Board shall meet for the despatch of business at such times and places as the Chairman may from time to time appoint, but not less than four times a year.

9. Any member having a personal interest, whether pecuniary or otherwise, direct or indirect, in any company or concern with which the Corporation proposes to make any contract, or has any interest in such contract, shall disclose to the Board the fact of such interest and the nature thereof, and such disclosure shall be recorded in the minutes of the Board and such member shall take no part in any deliberation or decision of the Board relating to such contract.

Remuneration of members.

10. The Board shall pay to the members thereof such remuneration, fees and allowances for expenses as may be determined by the Minister after consultation with and the prior approval of the Minister of Finance.

PART III—FUNCTIONS, DUTIES AND POWERS.

Duties of the Corporation shall—

11. (1) Subject to the provisions of this Act, the Corporation shall—

- (a) develop land for residential and other community purposes;
- (b) construct houses and provide loans for construction of houses and building materials for all income families in Sierra Leone:

Provided that no more than ten *per centum* of the resources of the Corporation shall be for high income families and no more than thirty *per centum* for middle income families sixty *per centum* being used solely for low income families;

- (c) build low cost houses for middle and low income families;
- (d) take over, operate and manage all the housing estates owned by the Government;
- (e) for the purpose of carrying out the provisions of this Act, establish criteria and procedures for determining the eligibility of occupants and rental or carrying charges, including criteria and procedures with respect to periodic review of occupants' incomes and adjustment of rental or carrying charges;
- (f) give preference to the promotion and development of Sierra Leone Manufacturers and enterprises engaged in either direct or indirect production and sale of building materials, home appliances, fixtures and other related items necessary for improving the living conditions of middle and low income citizens within the Republic;
- (g) to the greatest extent possible, give preference to public corporations, hire and utilize co-operatives, non-profit organizations, in the performance of its duties as authorized by this Act.

(2) For the purposes of estimating the income categories of the population, the Corporation shall use the most current official Sierra Leone statistical data available for any specific town or area of its operations.

12. In addition to any of its duties under this Act, the Corporation may—

Powers of
the Corpora-
tion.

- ✓ (a) acquire, hold and dispose of real and personal property;
- (b) acquire, construct, maintain or repair anything required for the purposes of the Corporation;
- (c) appoint officers, agents and employees, prescribe their duties and qualifications and fix their remuneration;
- (d) make and alter income guidelines for the determination of persons and families eligible for assistance under the Corporation's scheme;
- (e) purchase mortgage securities or interests owned by eligible persons and families;
- (f) make loans for the repayment of which is secured by mortgage, or security interests, to participate in the making of secured loans, to undertake commitments, to make secured loans to acquire and contract to acquire mortgage or participations therein owned by mortgage lenders and to enter into advance commitments with mortgage lenders for the purchase of the said mortgage or participations;
- ✓ (g) sell or transfer mortgage or security interests at public or private sale, negotiate modifications or alterations in mortgage or security interest in default or commence any action, protect or enforce any rights conferred upon it by any law, mortgage, security agreement, contract or other agreement such as to bid for and purchase property which was the subject matter of such mortgage or security interest at any foreclosure or at any other sale, acquire or take possession of any such property, and exercise any or all rights as provided by law for the benefit or protection of the Board or the parties to the mortgage;

- (h) collect fees and charges in connection with its loan commitments and servicing, including, but not limited to re-imbusement of costs of financing **as the Corporation** shall determine to be reasonable and as shall be approved by the Board;
- (i) make and execute contracts for the servicing of mortgages acquired by the Corporation pursuant to this Act, and pay the reasonable value of services rendered to the Corporation pursuant to those contracts;
- (j) subject to the provisions of the Banking Act, 1970 establish a home savings and loan scheme to encourage and facilitate wider home ownership by eligible persons and families;
- (k) accept gifts, grants, loans and other aids from the Government of Sierra Leone or any International Agency, or any persons or corporation, foundation or legal entity, and agree and comply with any conditions attached to such financial assistance not inconsistent with the provisions of this Act;
- (l) procure insurance against any loss in connection with its programmes, property, and other assets;
- (m) provide technical assistance and advice and enter into contracts as and when it may be necessary to do so;
- (n) develop construction manuals and carry out studies and analyses of housing needs within the Republic and ways of meeting such needs, including data with respect to population and family groups and the distribution thereof according to income groups, the amount and quality of available housing and its distribution according to rentals and sale prices, employments, wages and other factors affecting housing needs and the meeting thereof;
- (o) do and perform all acts and things under this Act and carry out its purposes under, through, or by means of its officers, agents or employees or by contracts with any person, firm or corporation; and

Act No. 11 of
1970.

- ✓ (p) lease real or personal property and accept funds for and participate in other governmental programmes to assist the provision of housing;
- (q) enter into agreement with any international body or organization, corporation or institution of Government and with mortgagors and mortgagees for the purpose of planning and regulating and providing for the financing and refinancing construction, reconstruction or rehabilitation, leasing, management operation, sale or other disposition of any residential housing undertaking with the assistance of the corporation under this Act;
- (r) proceed with foreclosure action, to own, lease, clear, reconstruct, rehabilitate, repair, maintain, manage, operate, assign, encumber, sell or otherwise dispose of any real or personal property obtained by the Corporation due to the default on any mortgage loan held by the Corporation in preparation for the disposal of such properties, take assignments of leases and rentals, proceed with foreclosure actions, and take other actions necessary or incidental to the performance of its corporate duties;
- (s) import directly from overseas if necessary bulk supplies and equipment, in order to ensure the lowest possible costs for land improvements and housing construction;
- (t) as shall be necessary or convenient to carry out and effectuate the purposes and provisions of this Act, conduct research and promote development in housing, building technology and related fields;
- (u) as shall be necessary, carry on all or any of the following enterprises, namely, builders and contractors, decorators, merchants and dealers in stone, sand, lime, bricks, timber, and hardware and other building requisites, brick and tile makers, carriers and house agents.

13. (1) The Minister may, after consultation with the Corporation give the Corporation directions of a general character as to the discharge by it of its functions in relation to matters appearing to the Minister to affect the public interest, and the Corporation shall give effect to any such directions.

Powers of the
Minister in
relation to
the Corpora-
tion.

(2) The Minister may, after consultation with the Corporation, give the Corporation specific directions for the purpose of remedying any defect which may be disclosed in the general arrangements of the Corporation for the discharge of its functions under this Act, and the Corporation shall give effect to any such directions.

(3) The Corporation shall afford the Minister facilities for obtaining information with respect to the property and functions of the Corporation, and shall furnish him with returns, accounts and other information with respect thereto and afford him facilities for the verification of information furnished in such manner and at such times as he may require.

PART IV—OFFICERS AND SERVANTS OF THE CORPORATION

Appoint-
ment of
General
Manager and
delegation
of functions.

14. (1) There shall be an officer of the Corporation to be known as the General Manager who shall be the chief executive officer, and shall be responsible for the execution of the policy of the Corporation and the transaction of its day to day business.

(2) The General Manager shall be appointed by the Board with the approval of the Cabinet.

(3) The Corporation shall delegate to the General Manager the power to exercise supervision and control over the acts and proceedings of all servants of the Corporation in matters concerning the accounts and records of the Corporation and subject to any restriction which may be imposed by the Corporation, the power to dispose of all questions relating to the service of the said servants and their discipline, pay, privileges and allowances.

(4) The Corporation shall delegate to the General Manager such of its functions as are necessary to enable him to transact efficiently the day to day business of the Corporation and for this purpose the Corporation may from time to time issue written instructions under its common seal.

(5) The General Manager shall not be a member of the Board of Directors but shall have the right to be present at all or any meetings of the Board, except when any matters involving him personally are being discussed, and shall be furnished with copies of all notices, agenda and minutes of all meetings of the Corporation.

15. There shall be appointed an officer of the Corporation to be known as the Secretary. Appointment of Secretary.

16. Subject to the provisions of this Act, the Corporation shall employ such servants and agents as it may think necessary for the due discharge of its functions under this Act, upon such terms and conditions of service as it may determine. Employment of Servants and agents.

✓17. The Corporation may from time to time for the better administration of the Corporation, issue orders and regulations concerning the conditions and terms of employment of its officers and servants. Powers to make regulations relating to staff and administration.

PART V—TRANSFER OF ASSETS

18. Upon a date to be appointed by the Minister by Notice in the *Gazette* (hereinafter called the Vesting Day) the assets described in the First Schedule shall vest in the Corporation by virtue of this Act. Transfer of assets and vesting day. First Schedule.

19. The President may, by Order, add any assets to the assets described in the First Schedule and any assets so added by an Order made under this section shall be deemed to vest in the Corporation by virtue of this Act from the date the Order comes into force. President may add assets to First Schedule.

20. (1) After the Vesting Day the Corporation shall, in respect of any monies advanced by the Government to the Corporation to provide for working capital, create an advance account in favour of the Government equivalent to the total amount of such advance. Advance account for working capital.

(2) The advance account created under subsection (1) shall be subject to such conditions as to interest and repayment as the Minister of Finance may from time to time determine.

21. (1) The Government may provide a free reserve of such an amount as may be agreed upon between the Government and the Corporation as at the Vesting Day, having regard to the total value of the assets vesting in the Corporation on the day by virtue of this Act. Provision for free reserve.

(2) When any assets are vested in the Corporation by an Order made under section 19 the amount of free reserve created under this section may be increased to a sum agreed upon between the Government and the Corporation, having regard to assets so vested.

Compensation for assets transferred by issue of stock.

22. After any assets are transferred to the Corporation by the Government under the provisions of this Act, the Corporation shall create in respect of the value of the assets so transferred stock of an amount to be agreed upon by and between the Government and the Corporation, and such stock shall be issued to the Government and shall bear interest at such rate and from such date as shall be in like manner agreed.

Transfer of rights and liabilities under contracts etc. Second Schedule.

23. Subject to the provisions of sections 25 and 26 all contracts, deeds, bonds, agreements, instruments, debts, credits and working arrangements to which the provisions of the Second Schedule apply shall have effect in favour of and against the Corporation as therein mentioned, and to the extent therein mentioned, as if instead of the Government the Corporation had been named therein or had been a party thereto.

Pending proceedings and causes of action.

24. Any proceeding or cause of action pending or existing immediately before the Vesting Day by or against the Government in respect of the assets transferred under the provisions of this Act may be continued or enforced by or against the Government as if this Act had not been enacted.

PART VI—POWER TO BORROW AND RAISE CAPITAL

Power to borrow money for capital purposes, issue securities, give guarantees and charge assets.

25. (1) The Corporation may for the purpose of performing its functions under this Act, from time to time with the prior approval of the Minister of Finance—

- (a) borrow money or raise capital in any currency and from any source for—
 - (i) the provision of working capital;
 - (ii) the redemption of any stock it is required or entitled to redeem;
 - (iii) any other expenditure properly chargeable to capital account;
- (b) issue any stock;
- (c) give any guarantee;
- (d) create or maintain any mortgage or charge either fixed or floating over the whole or any part of its property;

(2) Money borrowed or capital raised under the provisions of this section shall be appropriated to the purpose for which the money or the capital has been borrowed or raised and shall be secured upon the property and funds of the Corporation.

26. The Corporation may, from time to time—

- (a) with the prior approval of the Minister after consultation with the Minister of Finance, borrow by way of overdraft or otherwise such sums as it may require for meeting its current obligations and discharging its functions under this Act. Power to borrow money and incur indebtedness for other purposes.
- (b) incur indebtedness to persons for the supply of goods or services in the normal course of the Corporation's business.

27. The Government may guarantee in such manner and upon such terms as it may think fit, the payment of the interest and principal, or either of them of any loan proposed to be raised by the Corporation. Government may guarantee loans made to the Corporation.

PART VII—GENERAL FINANCIAL PROVISIONS,
ACCOUNT, AUDIT, AND ANNUAL REPORT

28. The Corporation shall so exercise and perform its functions under this Act— General duty of the Corporation in financial matters.

- (a) as to secure that the total revenues, excluding capital and other non-revenue receipts, in any financial year of the Corporation shall be sufficient as nearly as may be to meet—
- (i) all taxes (if any), salaries, allowances, working expenses and other outgoings properly chargeable to revenue account in that year, including depreciation and interest payable;
 - (ii) any sums falling to be paid in such year in respect of repayment of the principal of any money borrowed by the Corporation to the extent that such repayments exceed provision for depreciation;
 - (iii) any provisions that the Corporation is bound or considers it prudent to make for the redemption of stock issued by the Corporation;
 - (iv) such sums as the Corporation may think proper to set aside in that year for reserve funds, extensions, renewals and like purposes; and
- (b) as to secure reasonable returns on any of its capital invested.

Application of Revenue. 29. (1) The revenue of the Corporation for any financial year of the Corporation shall be applied in defraying the following—

- (a) the remuneration, fees and allowances of the members of the Corporation;
- (b) the salaries, fees, remuneration, pensions, superannuation allowances and gratuities (including any payment to the Government on account of pensions and gratuities under section 33) of the officers, agents and servants and technical and other advisers of the Corporation;
- (c) operating expenses and expenditure on, or provision for, the maintenance of any of the property of the Corporation and the discharge of the functions of the Corporation properly chargeable to revenue account;
- (d) interest on any stock issued and on any loan raised by the Corporation;
- (e) sums required to be transferred to a sinking fund or otherwise set aside for the purpose of making provision for the redemption of stock or the repayment of other borrowed moneys;
- (f) depreciation charges;
- (g) any other expenditure authorised by the Corporation and properly chargeable to revenue account.

(2) The balance of the revenue of the Corporation shall be applied to the creation of general or specific reserve funds to be used for maintaining and improving the financial soundness of the Corporation and for financing further development.

Investment of Funds. 30. Any funds of the Corporation not immediately required to be expended in the meeting of any obligations or the discharge of any functions of the Corporation may be invested in such manner as may be approved by the Minister of Finance.

Accounts and Audit. 31. (1) The Corporation shall keep proper books of account and other records in relation to the business of the Corporation and shall prepare in respect of each financial year of the Corporation a statement of accounts in a form which shall conform to the best commercial standards.

(2) The statement of accounts shall be in such form and contain such particulars as the Minister in consultation with the Corporation may from time to time direct and which present an accurate view of the financial position of the Corporation and of the results of the Corporation's operations for the year to which it relates.

(3) The accounts of the Corporation shall be audited by independent auditors who shall be members of a recognised body of qualified accountants to be appointed annually by the Corporation with the approval of the Auditor-General.

(4) As soon as the accounts have been audited, which shall be not more than six months after the end of each financial year of the Corporation, the Corporation shall send copies of the statement of accounts referred to in sub-section (1) to the Minister and the Minister of Finance together with a copy of any report made by the auditors on the statement or on the accounts of the Corporation.

(5) The Minister shall cause a copy of every such statement and report to be laid on the Table in Parliament.

32. (1) The Corporation shall not later than three months ^{Annual} after the end of each financial year of the Corporation, submit ^{report.} to the Minister a report on the exercise and performance by it of its functions during the year and on its policy and programme.

(2) The report of the Corporation for any year shall set out any direction given by the Minister to the Corporation during that year unless the Minister has certified in writing to the Corporation that it is against the public interest to do so.

(3) The Minister may give directions as to the form of the reports to be made under this section and the Corporation shall comply with any such directions.

(4) The Minister shall cause a copy of every such report to be laid on the Table in Parliament.

PART VIII—EMPLOYMENT, SECONDMENT AND TRANSFER OF PERSONNEL

33. (1) The provisions of this section shall apply to officers ^{Employment} who on the Vesting Day— ^{or Second-}

(a) are within the provisions of any enactment or ^{ment of} Government General Order relating to pensions ^{established} or gratuities, and ^{officers.}

(b) have either—

(i) accepted employment with the Corporation;
or

(ii) been selected by the Corporation with the agreement of Government for secondment to the service of the Corporation:

Provided that nothing in this section shall be construed so as to preclude an officer to whom it applies from applying at any time within any period of secondment to be posted to a Government department in accordance with the terms and conditions of service attaching to the appointment held by such officer at the Vesting Day, and, upon any such application being made, the same consideration shall be given thereto as though the applicant had not been seconded.

(2) Within the period of one year from the commencement of his secondment the Corporation shall offer to each officer seconded to the service of the Corporation permanent employment with the Corporation, upon terms and conditions generally not less favourable than those attaching to the appointment under the Government held by such officer at the Vesting Day.

(3) Every officer to whom the provisions of this section apply who has accepted or who accepts permanent employment with the Corporation shall, for all purposes other than contribution under any Widows' and Orphans' Pension Scheme as hereinafter mentioned, be deemed to have ceased to be in the service of the Government on the Vesting Day:

Cap. 173. Provided that such officer shall not become entitled to receive any pension or gratuity under the Pensions Act merely because he is deemed to have ceased to be in the service of the Government under this section.

(4) For the purposes of such permanent employment the Corporation shall establish in respect of all officers to whom this section applies a scheme or schemes of pensions, retiring allowances or gratuities not less favourable than the scheme or schemes of pensions, retiring allowances or gratuities, applicable to such officers under any Act or Government General Orders in force at the date of the Vesting Day. For the purpose of this sub-section a scheme of pensions does not include widows' and orphans' pensions schemes.

(5) Upon the expiration of the period of one year specified in subsection (2) any seconded officer who has not accepted permanent employment with the Corporation under the provisions of this section, and who cannot continue to be employed by the

Government in any suitable capacity shall be deemed to have retired from the service of the Government in consequence of the abolition of his office, or, if such officer is, at that date, entitled to any period of leave, on such later date as will enable him to take such leave and the provisions of any Act relating to pensions or of any Government General Orders relating to retiring allowances or gratuities applicable to such officer shall apply accordingly:

Provided that the Corporation may, with the consent of the officer, at any time before the expiration of such period of one year terminate the secondment of any officer who does not desire to accept permanent employment with the Corporation and, in such case, the provisions of this sub-section shall apply as if the said period of one year had expired on the date of such termination.

(6) The Corporation shall pay, in respect of any period of secondment of any officer to whom the provisions of this section apply who does not accept permanent employment with the Corporation under the provisions of this section, such contributions to the cost of the pension, retiring allowance or gratuity of such officer as shall be agreed between the Government and Corporation.

34. Every officer who accepts permanent employment with the Corporation and who, at the vesting day, was a contributor to a widows' and orphans' pension scheme shall continue to contribute to such scheme and shall be entitled to benefit under such scheme to all intents as if his service with the Corporation were service with the Government: Widows' and Orphans' pensions.

Provided that, if at any time the Corporation established a widows' and orphans' pension scheme any such officer may elect to contribute to such last mentioned scheme.

35. Where any officer or employee of the Government of Sierra Leone is seconded or transferred to the corporation on a date subsequent to the vesting day the appropriate provisions of this Part shall apply to such officer or employee and shall be read as though that date were the Vesting Day. Transfer or Secondment after the vesting day.

PART IX—SUPERANNUATION, PENSIONS AND GRATUITIES

36. (1) The Corporation shall establish a scheme or schemes for the payment of superannuation allowances, pensions or gratuities to officers and servants of the Corporation, who retire from the service of the Corporation, or otherwise cease to hold office, in such circumstances as may be set out in any such scheme or schemes. Superannuation and pension schemes, etc.

(2) The following provisions shall apply to any scheme established under subsection (1)—

- (a) no assurance on the life of any contributor under any such scheme and no moneys or other benefits payable under any such assurance, and no pension, gratuity or other allowance granted under any such scheme shall be assignable or transferable, or liable to be garnished, attached, sequestered or levied upon for or in respect of any debt or claim whatsoever, other than a debt due to the Corporation or to the Government;
- (b) no donation or contribution to a fund established under any such scheme or interest therein shall be liable to be attached, sequestered or levied upon for or in respect of any debt or claim whatsoever other than a debt due to the Corporation or the Government;
- (c) no such donation or contribution or interest shall be subject to the debts of the contributor, nor shall such donation, contribution or interest pass to a receiver on the bankruptcy of such contributor, but if such contributor is adjudicated a bankrupt or is declared insolvent by a court, such donation or contribution or interest shall, subject to the provisions of this Act, be deemed to be impressed with a trust in favour of the dependants or the contributor or any other person entitled thereto under the provisions of the scheme;
- (d) the bankruptcy of a contributor shall not affect the making of deductions from the salary of the contributor in accordance with any such scheme, but such deduction shall continue to be made notwithstanding the provisions of any Act, and the portion of salary so deducted shall not be deemed to form part of his after acquired property;
- (e) subject to the provisions of any such scheme, all moneys paid or payable out of any fund established under any such scheme on the death of a contributor shall be deemed to be impressed with a trust in favour of the persons entitled thereto and shall not be deemed to form part of his estate or be subject to the payment of his debts.

(3) The Corporation may establish a scheme or schemes for the payment of allowances, pensions or gratuities to the dependants of any officer or servant of the Corporation who dies while in the service of the Corporation or after leaving such service in any of the circumstances which may be set out in such scheme or schemes, and the provisions of subsection (2) shall apply to any scheme as though such scheme were a scheme established under subsection (1) and any scheme established under this subsection may be incorporated within a scheme established under subsection (1).

PART X—PROVISIONS RELATING TO LAND

37. (1) When the Corporation is unable to acquire by private treaty or agreement any land in the Western Area required for the purposes of this Act the Minister may order proceedings to be taken for the compulsory acquisition of such land in accordance with the provisions of the Public Lands Act for public work within the meaning of that Act, any land so acquired shall be vested in the Corporation by a certificate under the hand of the Minister describing the land and stating it is so vested. Acquisition of Land. Cap. 116.

(2) When the Corporation is unable to acquire by private treaty or agreement the leasehold of any land in the Provinces required for the purposes of this Act, the Minister of the Interior may authorise any person to execute in the name and on behalf of the Chiefdom Council in whose Chiefdom such land lies, a lease of such land to the Corporation on such terms and conditions as shall appear to him to be fair and reasonable, and any such lease shall, notwithstanding that any consent or approval required by section 3 of the Provinces Land Act has not been obtained be as effective for all purposes as if the said lease had been duly granted by the Chiefdom Council. Cap. 122.

(3) All expenses and compensation payable in respect of the acquisition of land acquired for the Corporation under this section shall be paid by the Corporation.

PART XI—OFFENCES

38. If any person wilfully hinders or obstructs or causes or procures to be hindered or obstructed, any servant of the Corporation employed in doing anything authorised by this Act to be done or in the exercise of any of the powers or authorities in this Act contained he shall be guilty of an offence and shall be liable on summary conviction thereof to a fine not exceeding one hundred Leones or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment. Penalty for obstructing Corporation officials.

Service of documents.

39. Any summons, notice or other document required or authorised to be served on the Corporation in connection with any suit by or against the Corporation shall be served by delivering the same, or sending it by registered post addressed to the Chairman or the Secretary.

Restriction on execution against the property of the Corporation.

40. In any action against the Corporation no execution or attachment or process in the nature thereof shall be issued against the Corporation, but any sums of money which may by the judgment of the Court be awarded to the plaintiff shall be paid by the Corporation from the funds of the Corporation.

Representation of Corporation at hearing of suit.

41. (1) In any suit pending before a Court the Corporation may be represented at any stage of the proceedings by any servant of the Corporation who shall satisfy the Court that he is duly authorised in writing by the Corporation in that behalf.

(2) For the purposes of this Part, "suit" includes action and means a civil proceeding commenced by writ of summons or in such other manner as may be prescribed by rules of Court but does include a criminal proceeding.

PART XII—MISCELLANEOUS PROVISIONS

Stamp duty. Cap. 274.

42. The Minister of Finance may direct that the Corporation be exempt from the payment of any stamp duties under the Stamp Duty Act.

Orders, regulations and rules.

43. In addition to his powers given under this Act the Minister may make Orders, Regulations or Rules for the better functioning of the Corporation and for the carrying into effect the provisions of this Act.

FIRST SCHEDULE

(Sections 18 and 19)

A. ASSETS VESTED IN THE CORPORATION

THE DESCRIPTION		VALUE (Leones)
1.	OAU Village including sixty Villas, Community Facilities and land .. 30 acres	6,000,000
2.	Kissy Public Housing Estate and existing stock .. 314 housing units	1,570,000
3.	Kissy Public Housing Estate vacant Land .. 9 acres	90,000
4.	Parsonage Street State Land .. 5 acres	100,000
5.	Kissy Mess Mess Land—Vacant .. 30 acres	240,000
		8,000,000

B. The working capital for the initial operating expenses of the Corporation shall be an amount not exceeding Le500,000—Five Hundred Thousand Leones.

SECOND SCHEDULE (Section 23)
RIGHTS AND LIABILITIES TRANSFERRED
TO THE CORPORATION

1. The provisions of this Schedule shall apply to the Contracts contracts to which the Government is a party which appear on a vesting in Corporation list to be prepared and agreed between the Government and the Corporation to be listed. Corporation prior to the Vesting Day.

2. (1) The list of contracts so agreed between the Govern- Contracts to ment and the Corporation shall be signed by the Minister and be signed by published in the *Gazette*. the Minister and published in the *Gazette*.

(2) The Corporation shall as soon as may be after the list Parties to of contracts is signed by the Minister as provided in sub-paragraph contracts other than (1), inform in writing the parties other than the Government to Government to be inform- any contract which appears on the said list that, under the ed of the provisions of this Act, the contract shall have effect in favour of effect thereof and against the Corporation in so far as the performance thereof as from the is due on or after the Vesting Day, as if the Corporation had been vesting day. a party to the contract instead of the Government

(3) The provisions of a contract being provisions to which Application this Schedule applies shall have effect in favour of and against of vested the Corporation in so far as the performance thereof is due on or contracts after the Vesting Day, as if the Corporation had been a party to to Corpora- the contract instead of the Government. tion.

Passed in Parliament this 3rd day of March, in the year of our Lord one thousand nine hundred and eighty-two.

J. W. E. DAVIES,
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.

J. W. E. DAVIES,
Clerk of Parliament.