

DECREE

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dated 6th June, 1996

N.P.R.C. Decree
No. 11



Sierra Leone

1996

The Maritime Zones (Establishment) Decree, 1996 Short title.

Being a Decree to establish the maritime zones of Sierra Leone in conformity with the United Nations Convention on the Law of the Sea 1982; and for connected purposes.

[6th June, 1996.] Date of Commencement.

WHEREAS the United Nations Convention on the Law of the Sea, referred to in this Decree as "the Convention", was signed by the Government of Sierra Leone on the 10th day of December, 1982 at Montego Bay, Jamaica;

AND WHEREAS the Convention was ratified by the Government of Sierra Leone on the 12th day of December, 1994;

AND WHEREAS it is necessary to give effect to the provisions of the Convention relating to the establishment of the territorial sea, contiguous zone, exclusive economic zone and the continental shelf in order that those provisions of the Convention shall have the force of law in Sierra Leone;

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:—

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

"nautical mile" means a distance of 1852 metres;

"Secretary of State" means the Secretary of State responsible for Marine Resources.

2. The territorial sea of Sierra Leone is that area extending beyond the land territory and internal waters to the belt of sea adjacent thereto, the breadth of which is twelve nautical miles measured from the baseline, being the low-water line along the coast of Sierra Leone, as marked on large-scale official charts.

3. Subject to the provisions of the Convention and other relevant rules of international law, the sovereignty of Sierra Leone extends to the airspace over the territorial sea as well as to its bed and subsoil.

4. It is hereby declared that the waters on the landward side of the baseline of the territorial sea forms part of the internal waters of Sierra Leone.

5. (1) Ships of all States may exercise the right of innocent passage through the territorial sea of Sierra Leone.

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(2) Passage is innocent only so long as it is not prejudicial to the peace, good order or security of Sierra Leone:

Provided that no foreign warship shall enter or pass through the territorial sea except with the prior written consent of, and subject to such conditions as may be specified by the Secretary of State.

(3) No foreign aircraft shall enter or pass through the airspace above the territorial sea except with the prior written consent of, and subject to such conditions as may be specified by the Secretary of State.

(4) A foreign ship or foreign aircraft which contravenes any provision of this section is liable to confiscation or in the alternative the owner shall be liable to pay such other penalty as may be prescribed.

6. (1) The National Provisional Ruling Council may by public notice, prohibit or suspend the innocent passage of any ship through the territorial sea of Sierra Leone if, in its opinion, such prohibition or suspension is necessary in order to safeguard the peace, good order or security of Sierra Leone.

Suspension of innocent passage.

(2) Any ship which contravenes the provisions of any public notice made under subsection (1) is liable to confiscation or, in the alternative, the owner shall be liable to pay such other penalty as may be prescribed.

7. (1) The contiguous zone of Sierra Leone is that area contiguous to the territorial sea and extending up to twenty-four nautical miles from the baseline from which the breadth of the territorial sea is measured.

Contiguous zone.

(2) In the contiguous zone the Government of Sierra Leone may exercise the control necessary to—

- (a) prevent infringement of its customs, fiscal, immigration, sanitary or environmental laws;
- (b) punish any contravention of the laws referred to in paragraph (a) if the contravention is committed within the land territory, the territorial sea or the contiguous zone of Sierra Leone.

Establishment
of exclusive
economic
zone.

8. (1) The exclusive economic zone of Sierra Leone comprises that area of the sea, seabed and subsoil that is beyond and adjacent to the territorial sea of Sierra Leone, the outer limit of which is a line seaward, every point of which is at a distance of two hundred nautical miles from the nearest point of the baseline from which the breadth of the territorial sea is measured.

(2) The area of the exclusive economic zone forms part of the fisheries waters of Sierra Leone.

Sovereign
rights of
Sierra Leone
in exclusive
economic
zone.

9. (1) In the exclusive economic zone, Sierra Leone has—

(a) sovereign rights over—

- (i) the exploration and exploitation, conservation and management of the natural resources, whether living or non-living, of the waters superjacent to the sea-bed and its subsoil;
- (ii) the production of energy from the water, currents and winds; and

(b) jurisdiction over—

- (i) the establishment and use of artificial islands, installations and other structures;

(ii) marine scientific research;

(iii) the protection and preservation of the marine environment;

(c) such other rights and duties as are provided for in the Convention.

(2) No State, international organisation or person, not being a national of Sierra Leone, may within the exclusive economic zone, engage in any activity that impinges upon the rights and jurisdiction of Sierra Leone specified in subsection (1) except with the written consent of the Government.

(3) Any contravention of any provision of this section constitutes an offence.

10. Subject to the laws of Sierra Leone, other States may exercise in the exclusive economic zone the freedom of—

Use of exclusive economic zone by other states.

(a) navigation;

(b) overflight;

(c) laying of submarine cables and pipelines on the continental shelf subject to the jurisdiction of Sierra Leone over such cables and pipelines and the right of Sierra Leone to establish conditions for their laying.

11. (1) The continental shelf of Sierra Leone comprises the seabed and subsoil of the submarine areas that extend beyond the territorial sea throughout the natural prolongation of its land territory to a distance of two hundred nautical miles from the baseline from which the breadth of the territorial sea is measured.

Continental shelf of Sierra Leone

- (d) the prevention of pollution from installation and devices used in exploration or exploitation of the natural resources of the sea-bed and subsoil, regulating the design, construction, equipment, operation and manning of such installations or devices; and
- (e) anything required or necessary to be prescribed.

MADE AND ISSUED this 28th day of March, 1996.

JULIUS MAADA BIO,
Chairman,
National Provisional Ruling Council.