

commits an offence and is liable on conviction to a fine not exceeding Le10,000,000 or to a term of imprisonment not exceeding one year or to both the fine and imprisonment”.

Passed in Parliament this *6th* day of *June*, in the year of our Lord two thousand and seven.

A. A. KEMOKAI,  
*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.

A. A. KEMOKAI,  
*Clerk of Parliament.*

## ACT

SIGNED this *26th day of July*, 2007

ALHAJI AHMAD TEJAN KABBAH,  
*President.*



No. 16



Sierra Leone

2007

## A BILL ENTITLED

**General Law (Business Start-up)  
(Amendment) Act, 2007.**

Short title.

**Being an Act to amend certain enactments in order to eliminate barriers to the expeditious establishment, growth and development of business in Sierra Leone.**

[ ] Date of commencement.

- (e) a representative each of the Employers federation; the Sierra Leone Chamber of Commerce and Industry and Sierra Leone Labour Congress; and
- (f) a representative of the Sierra Leone Association of Non-governmental Organisations, without a right to vote.

Application for permit.

**34C** (1) An employer intending to employ a non-citizen shall apply to the Committee for a permit in the prescribed form, not less than six months before the intended arrival in Sierra Leone of the person for whom the application is made.

(2) The application shall specify the work and any special requirements for the performance of the work, especially education and work experience.

Issuance of permits.

**34D** (1) Subject to this section, the Committee shall, when satisfied with the application, approve the grant of a permit to the person in respect of whom the application referred to in section 34C is made and submit it for the signature of the Minister.

(2) The Committee shall, in approving the granting of an application consider whether or not-

- (a) the person has a valid passport or other travelling document which establishes to its satisfaction his identity and nationality;
- (b) there are no Sierra Leonean workers who are able, willing, qualified and available to take and perform the work for which the application has been made;
- (c) the granting of the permit will not adversely affect the wages and working conditions of Sierra Leoneans working in the organization;
- (d) the applicant has not laid off any employees within the period of three months prior to the application unless the action is justified;
- (e) the carrying out of the operations of the applicant will be substantially disrupted without the services of the person in respect of whom the application is made;

“PART VIA — WORK PERMITS

**34A** In this Part- Interpretation.

“Committee” means the Work Permit Committee established by section 34B;

“employer” means a person or group of persons, including a local council, governing body of an unincorporated association, partnership, or any other institution or organization for whom one or more persons work or have worked under a contract of employment or otherwise;

“Minister” means the Minister responsible for labour;

“permit” means an authorization issued to a non-citizen to work in Sierra Leone for a specified period;

“project tied worker” means a worker admitted to Sierra Leone for a specified period either individually or on the basis of an employment relationship with an employer carrying out a defined project which, by its nature, is limited in time.

**34B** (1) There is hereby established a committee to be known as the Work Permit Committee. Establishment of Work Permit Committee.

(2) The Committee shall consist of-

- (a) a representative of the Ministry responsible for labour not below the rank of Deputy Secretary, who shall be the chairman;
- (b) the Chief Immigration Officer or the Deputy Chief Immigration Officer,
- (c) a representative of the Ministry responsible for trade not below the rank of Deputy Secretary;
- (d) a representative of the Ministry responsible for Development and Economic Planning not below the rank of Deputy Secretary;

Amendment  
of certain  
enactments.

For the purpose of promoting the expeditious start-up and establishment of business in Sierra Leone the following enactments are amended for the purposes stated against each such amendment:-

(a) in order to remove the need to seek permission from the Bank of Sierra Leone before a company is registered by the Registrar-General, section 10 of the Exchange Control Act, is hereby repealed;

*Cap. 265.*

(b) in order to remove the prohibition of persons who are not legal practitioners from drawing up or preparing the memorandum and articles of association of companies, the Legal Practitioners Act, 2000 is hereby amended by the repeal and replacement of the definition of “instrument” appearing in section 1 thereof by the following definition:-

*Act No. 15 of 2000.*

“instrument” means any document relating to real or personal estate or any estate or interest therein and any proceeding in law or equity but does not include-

- (a) a will or other testamentary instrument;
- (b) an agreement under hand only;
- (c) a power of attorney; or
- (d) a transfer of stock containing no trust or limitation thereof;”

(c) for the purpose of granting a work permit to a non-citizen and entitling the non-citizen who has been granted a work permit, to reside in Sierra Leone, the Non-Citizens (Registration, Immigration and Expulsion) Act, 1965 is hereby amended by the insertion immediately after Part VI thereof of the following new Part:-

*Act No. 15 of 2000.*

- (f) the applicant will take timely and significant steps designed to recruit and retain Sierra Leonean workers;
- (g) the granting of the permit will be consistent with the laws of Sierra Leone relating to labour;
- (h) the applicant has or intends to design a programme for the transfer of skills to Sierra Leoneans through appropriate training facilities.

**34E.** (1) Subject to subsection (2), a permit granted under subsection (1) of section 34D shall entitle the employee to reside and work in Sierra Leone and shall be for a period of three years and may be renewed annually thereafter.

*Effect and duration of permit.*

(2) Where the application is in respect of a project—tied worker the Committee may grant a permit for a duration of less than five years; and such permit shall not be renewed.

**34F.** There shall be payable as fee for a permit granted under this Act such sum as the Minister may prescribe.

*Fees.*

**34G.** Any person aggrieved by a decision of the Committee not to grant a permit shall, within fourteen days after being notified of the decision, appeal against the decision to the High Court.

*Appeal.*

**34H.** (1) Subject to subsection (2), this Part shall not apply to diplomats and technical experts working for international organizations.

*Exemptions.*

(2) In the case of technical experts, the exemption shall apply only if an agreement between the Government of Sierra Leone and the international organisation concerned stipulates that such experts shall be exempted from this Part.

**34I.** (1) Any person who-

*Offence.*

- (a) employs a non-citizen in respect of whom a work permit has not been granted; or
- (b) engages in any trade, business or occupation without a permit granted under this Part,