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CHAPTER 1.

INTERPRETATION.

An Ordinance to amend and consolidate the Interpretation Ordinance, 1933. 13 of 1945.
2 of 1953.
25 of 1954.
13 of 1957.
28 of 1957.

[1ST JANUARY, 1946.]

1. This Ordinance may be cited as the Interpretation Ordinance. Short title.

2. This Ordinance shall apply to the Colony and Protectorate and its provisions shall apply to this Ordinance and to all Ordinances in force at the date of this Ordinance and to all Ordinances hereafter enacted. Application.

3. In every Ordinance, unless the context otherwise requires— Interpreta-
tion of terms.
“act” used with reference to an offence or civil wrong includes a series of acts, and words which refer to acts done extend to illegal omission;

“administrative officer” means and includes every Provincial Commissioner of a Province, District Commissioner, Assistant District Commissioner and every cadet in the Administrative Service of the Government of Sierra Leone;

“Assistant District Commissioner,” bears the meaning assigned thereto by section 2 of the Protectorate Ordinance; Cap. 60.

“British possession” means any Dominion, India, or any British Colony or Protectorate, or any protected state or any territory in respect of which a mandate is being exercised by Her Majesty’s Government in the United Kingdom or the Government of any part of Her Majesty’s dominions;

“Chapter,” “Part,” “section,” and “schedule” denote respectively a Chapter, Part and section of, and schedule to, the Ordinance in which the word occurs, and “sub-section” denotes a sub-section of the section in which the word occurs;

Cap. 60.

“Chief,” used in relation to the Protectorate, bears the meaning assigned thereto by section 2 of the Protectorate Ordinance;

“Chief Justice” means the Chief Justice of the Supreme Court;

“Colony” means the Colony of Sierra Leone;

“commencement” used with reference to an Ordinance means the day on which the Ordinance comes into force, and “commence” has a meaning corresponding with that of “commencement”;

“common law” means the common law of England;

“constable” includes any member of the Sierra Leone Police Force;

25 of 1954.

“Crown Agents” means the Crown Agents for Oversea Governments and Administrations or the person or persons for the time being acting as Crown Agents for Oversea Governments and Administrations in England or any of them, and save where the context otherwise requires, all references to the Crown Agents for the Colonies shall be deemed to be references to the Crown Agents as herein defined;

2 of 1953.

“district,” used in relation to the Protectorate, bears the meaning assigned thereto by section 2 of the Protectorate Ordinance;

2 of 1953.
Cap. 60.

“District Commissioner” bears the meaning assigned thereto by section 2 of the Protectorate Ordinance;

2 of 1953.
Cap. 79.

“District Council” means a District Council constituted in terms of section 2 of the District Councils Ordinance;

2 of 1953.

“Executive Council” means the Executive Council of Sierra Leone;

“Gazette” means *The Sierra Leone Royal Gazette*;

13 of 1957.

“Gold Coast” shall be construed, with effect from the 6th day of March, 1957, as referring to Ghana;

“Governor” includes the Officer for the time being administering the Government of Sierra Leone;

“Governor in Council” means the Governor acting with the advice of the Executive Council, but not necessarily in such Council assembled;

“Government,” “the Government,” “the Colonial Government” mean the Government of Sierra Leone;

“Government Notice” means any public announcement not of a legislative character made by, or by command of, the Governor or by a public officer;

“Headman,” used in relation to the Protectorate, bears the meaning assigned thereto by section 2 of the Protectorate Ordinance; 2 of 1953.
Cap. 60.

“Her Majesty’s dominions” includes all British Protectorates and British Protected States and all territories administered by the Government of any part of Her Majesty’s dominions under the trusteeship system of the United Nations; 28 of 1957.

“His Majesty,” “Her Majesty,” “King,” “Queen,” “Crown” mean the Sovereign for the time being of the United Kingdom and his or her heirs and successors;

“House of Representatives” means the House of Representatives of Sierra Leone;

“land” includes messuages, tenements and hereditaments, houses and buildings of any tenure;

“legal practitioner” means a person admitted and enrolled to practice as a barrister and solicitor in the Supreme Court;

“Legislative Council” means the Legislative Council of Sierra Leone, as formerly constituted, provided that with effect from the 1st day of July, 1957, a reference in any Ordinance to the Legislative Council or to a Legislative Councillor shall be construed as a reference to the House of Representatives and to a member of the House of Representatives, respectively; 2 of 1954.
13 of 1957.

“Magistrate” includes a Police Magistrate;

“Minister” means the member of the Executive Council for the time being charged with the responsibility for the department or subject to which the context refers;

“month” means calendar month;

“native” means any person who is a member of a race, tribe or community settled in Sierra Leone (or the territories adjacent thereto), other than a race, tribe or community—

(a) which is of European or Asiatic origin; or

(b) whose principal place of settlement is in the Colony;

“non-native” means any person other than a native;

“oath,” “swear,” and “affidavit” include and apply to the affirmation or declaration of any person by law allowed to make an affirmation or declaration in lieu of an oath;

“ Order in Council ” means an order made in pursuance of powers conferred by Ordinance on the Governor in Council;

“ Ordinance ” means any enactment by the Legislature of the Colony, and shall include Orders in Council, orders, rules and bye-laws made under an Ordinance, and an Ordinance may be cited for all purposes by its short title, if any;

2 of 1954.
Cap. 60.

“ Paramount Chief ” used in relation to the Protectorate bears the meaning assigned thereto by section 2 of the Protectorate Ordinance;

“ person ” includes any company or association or body of persons, corporate or unincorporate;

Cap. 150.

“ Police Officer ” includes all members of the Sierra Leone Police Force, established under the provisions of section 3 of the Police Ordinance, of and above the rank of sub-inspector;

“ prescribed ” means prescribed by or under the Ordinance in which the word occurs;

Cap. 60.

“ Protectorate ” bears the meaning assigned thereto by sub-section (2) of section 2 of the Protectorate Ordinance;

2 of 1954.

“ Province,” used in relation to the Protectorate, bears the meaning assigned thereto by section 2 of the Protectorate Ordinance;

Cap. 60.

“ Provincial Commissioner,” used in relation to the Protectorate, bears the meaning assigned thereto by section 2 of the Protectorate Ordinance;

Cap. 60.

“ public holiday ” means any day which, under the provisions of any Ordinance in force, is to be observed as a public holiday;

“ public officer ” includes any person who is appointed to discharge a public duty whether or not he receives compensation therefor and whether or not he is under the immediate control of the Governor;

“ public notice ” means a notice published in the *Gazette* under this title, or published in such manner as may be prescribed by law;

“ Railway ” means the Sierra Leone Railway;

“ registered medical practitioner ” means a person registered in Sierra Leone as a medical practitioner under the law for the time being relating to the registration of medical practitioners;

“ regulations ” includes rules and bye-laws;

“ rules ” include regulations and bye-laws;

“ rules of court ” means, when used in relation to any court, rules made by the authority having for the time being power to make rules and orders regulating the practice and procedure of such court, together with the forms necessary thereto;

“ Rural Area,” used in relation to the Colony, means the Rural Area of the Colony as constituted under section 3 of the Rural Area Ordinance; 2 of 1954.
Cap. 75.

“ Rural Area Council,” used in relation to the Colony means the Rural Area Council established in terms of section 4 of the Rural Area Ordinance; 2 of 1954.
Cap. 75.

“ rural district,” used in relation to the Colony, means a rural district constituted under section 3 of the Rural Area Ordinance; 2 of 1954.
Cap. 75.

“ rural district council,” used in relation to the Colony, means a rural district council established in terms of section 4 of the Rural Area Ordinance; 2 of 1954.
Cap. 75.

“ sale ” and “ sell ” include exchange, barter and offering or exposing for sale;

“ Secretary of State ” means Her Majesty’s Principal Secretary of State for the Colonies;

“ ship ” includes every description of vessel used in navigation and not exclusively propelled by oars or paddles;

“ Sierra Leone ” includes the Colony and Protectorate;

“ sign ” in reference to the signing of any document includes making a mark;

“ statutory declaration ” means a declaration made by virtue of the provisions of the United Kingdom Act, known as the Statutory Declarations Act, 1835; 5 and 6 Will.
4, c. 62.

“ summary conviction ” means conviction before a Magistrate;

“ Supreme Court ” means the Supreme Court of Sierra Leone; 2 of 1954.

“ territorial waters ” means any part of the open sea within three nautical miles of the coast of Sierra Leone, measured from low water mark;

“ vessel ” includes floating craft of every description;

“ will ” includes a codicil;

“ writing ” includes printing, typewriting, photographing, lithographing and any other mode of representing or reproducing words or figures in a visible form;

“year” means a year reckoned according to the British calendar.

Interpretation of masculine, feminine, singular and plural words.

4. In every Ordinance, unless a contrary intention appears—
- (a) words importing the masculine gender include females, and
 - (b) words in the singular include the plural and words in the plural include the singular.

Forms.

5. Whenever forms are prescribed in any Ordinance slight deviations therefrom, not affecting the substance or calculated to mislead, shall not invalidate them.

Terms defined in Ordinances to have same meaning in subsidiary legislation.

6. When terms defined in an Ordinance are used in any rule, order, Proclamation or bye-law under such Ordinance, such terms shall have the meanings assigned to them by the Ordinance, unless they are otherwise defined for the purposes of such rule, order, Proclamation or bye-law or are inconsistent with the subject or context.

Imperial Acts to be read with necessary modification.

7. Whenever by any Act of Parliament, Imperial Order in Council or Ordinance any Act of Parliament is extended or applied to Sierra Leone, such Act shall be read with such verbal alterations as to names, localities, courts, officers, persons, moneys, and otherwise as may be necessary to make the same applicable to the circumstances:

Provided that whenever under any Act of Parliament so extended or applied—

(a) power is given to any person or authority to make rules thereunder the power to make such rules may, when local circumstances require the making of rules, be exercised by the Governor in Council;

(b) power is given to any Court to impose a sentence of penal servitude for any offence thereunder the Act shall be deemed to give the Court power to impose a sentence of imprisonment with hard labour for a period not exceeding the maximum period of penal servitude provided by such Act;

(c) the great or other seal is mentioned in any such Act of Parliament it shall be read as if the seal of the Supreme Court were substituted therefor.

Rights of Crown.

8. No Ordinance shall in any manner whatsoever affect the rights of the Crown, unless it is therein stated, or unless it

appears by necessary implication that the Crown is bound thereby.

9. (1) No Ordinance enacted before the first day of July, 1953, shall apply to the Protectorate unless it is so provided by the Ordinance itself or is extended thereto by Ordinance.

Application of Ordinances. 2 of 1954.

(2) Every Ordinance enacted on or after the first day of July, 1953, shall apply to both the Colony and the Protectorate unless otherwise stated therein or in any other Ordinance.

10. Every Ordinance shall be deemed and taken to be a public Ordinance and shall be judicially taken notice of as such unless the contrary be expressly provided and declared by such Ordinance.

Ordinances to be deemed public Ordinances.

11. All Ordinances shall be divided into sections, if there be more enactments than one, and such sections shall be deemed to be substantive enactments without any introductory words.

Division of Ordinances into sections.

12. Where an Ordinance confers power on any authority to make orders, rules or bye-laws the following provisions shall have effect with reference to the making and operation of such orders, rules or bye-laws unless a contrary intention appears—

Construction of power to make orders, rules and bye-laws.

(a) any order, rule or bye-law may be at any time amended, varied, rescinded or revoked by the same authority and in the same manner by, and in which it was made;

(b) There may be annexed to the breach of any order, rule or bye-law such penalty not exceeding ten pounds, or such term of imprisonment, not exceeding three months, with or without hard labour, or both, as to the order, rule or bye-law making authority may seem fit, and such order, rule or bye-law may direct whether such breach shall be prosecuted summarily or otherwise.

(c) No order, rule or bye-law shall be inconsistent with the provisions of any Ordinance.

(d) All orders having legislative effect and all rules and bye-laws shall be published in the *Gazette*, and shall have the force of law upon such publication thereof, or from the date named therein, subject to disallowance by Her Majesty.

13. When power is given to the Governor or to the Governor in Council to issue a Proclamation or notification, it shall include the power of amending, revoking or suspending the said Proclamation or notification, and of declaring the date of its coming into force and also of substituting another therefor.

Extent of power to issue Proclamation.

Coming into force of Proclamation.

14. Proclamations and notifications of the Governor or of the Governor in Council shall come into operation on the date of their publication in the *Gazette*, unless otherwise specified.

Effect of repeal of repealing Ordinance.

15. When any Ordinance, repealing wholly or in part any Ordinance, is itself repealed, such last repeal shall not revive the Ordinance or any provisions thereof before repealed, unless words be added reviving such Ordinance or provisions.

Repealed provisions in force till new provisions commence.

16. When any Ordinance shall be made, repealing wholly or in part any Ordinance, and substituting other provision or provisions, the provision or provisions repealed shall remain in force until the substituted provision or provisions shall come into operation by force of the latter Ordinance.

Effect of repeal.

17. (1) When an Ordinance repeals and re-enacts, with or without modifications, any provision of an Ordinance, references in any other Ordinance to the provision so repealed shall be construed as references to the provision so re-enacted.

(2) Where an Ordinance repeals an Ordinance, the repeal shall not—

(a) revive anything not in force or existing at the time at which the repeal takes effect; or

(b) affect the previous operation of any Ordinance so repealed or anything duly done or suffered under any Ordinance so repealed; or

(c) affect any right, privilege, obligation or liability acquired, accrued or incurred under any enactment so repealed; or

(d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any Ordinance so repealed; or

(e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid; and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed as if the repealing Ordinance had not been passed.

Repeal of Ordinances to repeal all orders, rules and bye-laws made thereunder.

18. Where an Ordinance is repealed, all orders, rules and bye-laws made thereunder shall be deemed to be repealed also, unless expressly saved by the Ordinance by which such repeal is made.

19. (1) Any Ordinance, Charter, Commission, Royal Warrant, Order in Council, Order of the Queen in Council, Royal Instruction, Treaty with Native Chiefs, Proclamation, Order, Rule, Bye-law, Letters Patent, Appointment, Public Notice, Government Notice, Governor's Order may be *prima facie* proved in any legal proceedings by producing a copy thereof—

Proving of Ordinances, Orders, etc., in legal proceedings.

(a) contained in any printed collection of Ordinances purporting to be printed and published by authority; or

(b) contained in any issue of the *Gazette*; or

(c) purporting to be printed at the Government Printing Office or by the Government Printer or deemed to be so printed.

(2) It shall be lawful for the Governor, from time to time by Order, to direct that matter printed for the Government by named persons not in its employ shall be deemed to be printed by the Government Printer.

20. Whenever reference is made to a series of sections of any Ordinance or to any parts of an Ordinance, the reference shall be deemed to include all the sections or parts mentioned in the reference, and a similar construction shall be adopted in regard to any reference to a series of rules or parts of any rules.

Construction of references to series of sections or rules.

21. Whenever in any Ordinance a reference is made to another Ordinance, such reference shall, unless the context otherwise requires, be deemed to include a reference to such last-mentioned Ordinance as the same may from time to time be amended.

Provision with respect to amended Ordinance.

22. (1) When by this or any Ordinance, whenever passed, any section or schedule, or any word or words is, or are, directed to be inserted in, or omitted from, any previous Ordinance, or any section or schedule thereof, or to be substituted for, or deemed to be substituted for, or inserted, in lieu of any section or schedule, or any word or words forming part, or the whole, of any section or schedule, of any previous Ordinance, then, in all copies of the Ordinance so amended and subsequently printed by authority, it shall be lawful for the Governor to direct that the section or schedule or word or words shall be inserted or omitted in accordance with such direction, and all necessary consequential amendments of marginal notes, headings and divisions shall be made, and references shall be made in the margin to the section or sections of the Ordinance by which such amendments are made:

Power in Governor to direct amended Ordinances to be printed as amended.

Provided that no amendment shall by force of such direction only have any retrospective operation.

(2) Whenever the provisions of any Ordinance which relate to the practice or procedure of any Court have been or shall hereafter be abrogated in pursuance of any rule-making power on that behalf by Ordinance conferred, then, in all copies of such Ordinance printed by authority, it shall be lawful for the Governor to direct that the provisions abrogated shall be omitted, and reference shall be made in the margin to the rules whereby such abrogation was made.

(3) When any amended Ordinance is reprinted under the provisions of this section, unless the Secretary of State shall otherwise order, the original number of the Ordinance so reprinted shall be retained, and if any section, sub-section or schedule or division of a schedule has been repealed, the remaining sections, sub-sections, schedules or division of schedules shall not be renumbered, and the fact that any section, sub-section, schedule or division of schedule has been repealed, shall be stated, and reference made in the marginal notes to the Ordinance by which such repeal effected.

Construction
as to exercise
of powers
and duties.

23. When a power is conferred or a duty imposed, the power may be exercised and the duty shall be performed as occasion arises.

Signification
of Orders of
the Governor.

2 of 1954.

24. When, in terms of the powers conferred upon him by any Ordinance, the Governor has made any rule or order or has given any direction, it shall be sufficient, unless it is otherwise provided in the said Ordinance, for such rule, order, or direction to be issued under the hand of any member of the Executive Council:

Provided that any proclamation or warrant issued by the Governor shall be issued under the hand and seal of the Governor himself.

Power to
appoint
member of
board, etc.,
temporarily.

13 of 1957.

25. Where by or under any Ordinance a power is conferred on the Governor or any public officer or body to appoint any person to be a member of any board, commission, committee or similar body, the Governor or such public officer or body, as the case may be, may, if during any period owing to absence or inability to act from illness or any other cause any member so appointed is unable to act as such, appoint some other person to act temporarily for such member and during the period of incapacity.

Power to
appoint
chairman,
etc.

26. Where by or under any Ordinance a power is conferred on the Governor or any public officer or body to appoint any

board, commission, committee or similar body, the Governor or such public officer or body, as the case may be, may, unless the contrary intention appears, appoint a chairman, a vice-chairman and a secretary of such board, commission, committee or similar body. 13 of 1957.

27. (1) Where by or under any Ordinance any board, commission, committee or similar body, whether corporate or unincorporate, is established, then, unless the contrary intention appears, the powers of such board, commission, committee or similar body shall not be affected by— Powers of a board, etc., not affected by vacancy, etc. 13 of 1957.

(a) any vacancy in the membership thereof;

(b) the fact that it is afterwards discovered that there was some defect in the appointment or qualification of a person purporting to be a member thereof, or

(c) the fact that there was any minor irregularity in the convening of any meeting thereof.

(2) This section shall, in so far as it is applicable to any District Council, have effect from the 30th day of December, 1950.

28. Where, under any Ordinance, power is given to the Governor or any public officer or body to appoint any persons to be members of any board, commission, committee or similar body, the Governor or such public officer or body as the case may be, may, in the absence of any provision to the contrary, so appoint, by his official designation, any public officer, and, on such appointment and until such appointment shall be cancelled or otherwise determined, the person for the time being holding the office in question shall be a member of such board, commission, committee or similar body. Power of Governor to appoint public officer as such to serve on board. 13 of 1957.

29. Where by any Ordinance the Governor or any public officer or body is empowered to appoint or name a person to have and exercise any powers or perform any duties, the Governor or such public officer or body may either appoint a person by name, or direct the person for the time being holding the office designated by the Governor or such public officer or body to have and exercise such powers and perform such duties; and thereupon or from the date specified by the Governor or public officer or body, the person appointed by name or the person holding the office aforesaid shall have and may exercise such powers or perform such duties accordingly. Appointment of officers by name or office.

Acting
appoint-
ments.

30. The Governor shall have power to appoint a person to act in the stead of a public officer who is unable to discharge the duty of his office, and subject to any special order of the Governor, the person so appointed shall have all the powers, duties and liabilities of such public officer, and wherever any public officer is mentioned or referred to by his title of office, subject as aforesaid, the person so acting in his stead shall also be intended.

Solicitor
General.

31. The Solicitor General may perform any of the duties of the Attorney General and shall discharge such portion thereof as may be, from time to time assigned to him by the Attorney General, subject to any special instructions from the Governor, and in respect of such duties he shall have the same powers as the Attorney General, and subject to the provisions of this section, where the expression Attorney General occurs, the Solicitor General shall also be intended.

Power of
Governor to
delegate
authority
vested in
him by
Ordinance.

32. Where by any Ordinance the Governor is empowered to exercise any powers and/or perform any duties he may, unless by law expressly prohibited from so doing, depute any person by name or the person for the time being holding the office designated by him to exercise such powers and/or perform such duties on his behalf, subject to such conditions, exceptions and qualifications as the Governor may prescribe by notice in the *Gazette*, and thereupon or from such date as may be specified in the notice the person so deputed shall have and exercise such powers and/or perform such duties subject as aforesaid:

Provided that no such delegation of powers and/or duties shall have effect until notified in the *Gazette*:

Provided also that nothing in this section contained shall authorise the Governor to depute any person to make rules under any power in that behalf conferred on him by Ordinance.

Making of
rules, etc.,
between
passing and
commence-
ment of
Ordinances.

33. When by any Ordinance, which is not to come into force immediately on the passing thereof, a power is conferred on the Governor or the Governor in Council or any person or body to make rules or issue orders with respect to the application of the Ordinance, or with regard to the appointment of any officer or the establishment of any office thereunder, or with respect to the person by whom, or the time when, or the place where, or the manner in which, or the fees for which, anything is to be done under the Ordinance, the power may be exercised at any time after the passing of the Ordinance but the rules or orders

so made or issued shall not take effect till the commencement of the Ordinance.

34. Where by or under any Ordinance a power to make any appointment is conferred, then, unless the contrary intention appears, the authority having power to make the appointment shall also have power to remove, suspend, dismiss, reappoint or reinstate any person appointed by it in exercise of the power.

Power to appoint to include power to suspend or dismiss.

35. Any Ordinance which amends another shall, so far as is consistent with the tenor thereof, be construed as one with the amended Ordinance; and the amended Ordinance may, in the amending Ordinance, be referred to as the Principal Ordinance.

Amending Ordinance to be read with amended Ordinance.

36. In computing time—

Rules for computing time.

(a) a period reckoned by days from the happening of an event, or the doing of any act or thing, shall be deemed to be exclusive of the day on which the event happens or the act or thing is done;

(b) if the last day of the period is a Sunday or a public holiday (which days are in this section referred to as excluded days) the period shall include the next following unexcluded day:

Provided that nothing in this section shall affect the operation of section 14 (1) (a) of the Bills of Exchange Ordinance;

Cap. 227.

(c) when any act or proceeding is directed or allowed to be done or taken on a certain day, then if that day happens to be an excluded day, the act or proceeding shall be considered as done or taken in due time if it is done or taken on the next unexcluded day;

(d) when an act or proceeding is directed or allowed to be done or taken within any time not exceeding six days, excluded days shall not be reckoned in the computation of the time.

37. In the measurement of any distance for the purposes of any Ordinance, that distance shall, unless the contrary intention appears, be measured in a straight line on a horizontal plane.

Distance.

38. Whenever the fiat of the Governor or of the Attorney General is necessary before any prosecution or action is commenced, any document purporting to bear the fiat of the Governor or the Attorney General shall be received as *prima*

Evidence of signature of Governor or Attorney General to fiat.

facie evidence in any proceeding without proof being given that the signature to such fiat is that of the Governor or the Attorney General.

Rules of construction as to manner in which offences are to be prosecuted.

39. (1) Where—

(a) by any Ordinance any act or omission is made an offence and it is not expressly provided that such offence shall be prosecuted summarily, or

(b) by the common law or any Imperial Statute in force in Sierra Leone an offence is indictable, or

(c) by any law an offence is expressly made cognisable by the Supreme Court,

such offence shall be prosecuted before the Supreme Court by information in the name of the Attorney General.

Meaning of information.

(2) Unless a contrary intention appears, "information" shall mean an information containing the charge against the accused signed by the Attorney General, or by a person appointed to prosecute by the Governor, and every information purporting to be signed as aforesaid shall be presumed to have been so signed, until the contrary is shown, proof whereof shall lie on the person objecting to the same.

(3) When legal proceedings are directed to be brought in the name of, or by, or on behalf of, any public officer, it shall not thereby be intended that such public officer shall be required to appear personally before the Court before which such proceedings are taken.

Penalties prescribed to be deemed maximum penalties.

40. Whenever in any Ordinance a penalty is prescribed for an offence against such Ordinance, the same shall indicate that such offence shall be punishable, upon conviction, by a penalty not exceeding (except as may be otherwise provided in the Ordinance) the penalty prescribed.

Provisions as to offences under two or more laws.

41. Where an act or omission constitutes an offence under two or more Ordinances, or under an Ordinance and under a Statute, or under an Ordinance or Statute and at common law, the offender shall, unless the contrary intention appears, be liable to be prosecuted and punished under either or any of those Ordinances or Statute or at common law, but shall not be liable to be punished twice for the same offence.

Application of fees, fines and forfeitures.

42. (1) Where by or under any Ordinance any person is required to pay any charge or fee for any act or thing done or document issued, or signature or seal affixed to any document,

by any public officer or department, or where any person is adjudged by any court, or other authority duly authorised by law, to pay or forfeit any sum of money, such charge or fee and such sum of money shall be paid into the Treasury and form part of the general revenue of Sierra Leone unless otherwise provided; and if any such charge or fee, or if any commission on money received or taken possession of, realised, or otherwise dealt with, is required to be paid to any public officer or department, such officer or department receiving the same shall pay it into or account for the same in due course to the Treasury.

(2) Where by or under any Ordinance any thing or any animal is adjudged by any court, or other authority duly authorised by law, to be forfeited, it shall, unless otherwise provided, be forfeited to the Crown; and the net proceeds thereof, if it is ordered by competent authority to be sold, shall be paid into the Treasury and form part of the general revenue of Sierra Leone unless otherwise provided.

(3) Nothing in this section shall affect any provision in any Ordinance whereby any shares of fines or penalties or forfeitures, or of proceeds of forfeitures, are expressed to be recoverable by any person, or may be granted by any authority to any person.

43. Where any Ordinance authorises or requires any document to be served by post, whether the expression "serve," "give" or "send" or any other expression is used, then, unless the contrary intention appear, the service shall be deemed to be effected by properly addressing, prepaying, and posting a letter containing the document, and, unless the contrary is proved, to have been effected at the time at which the letter would be delivered in the ordinary course of post.

Meaning of service by post.

44. Save as is otherwise expressly provided by any Ordinance, whenever any act or thing is required to be done by more than two persons, a majority of them may do it.

Power of majority of more than two persons.