

CHAPTER 75.

RURAL AREA.

11 of 1949.
17 of 1952.
31 of 1953.
12 of 1955.
15 of 1956.
22 of 1956.
22 of 1957.
P.N. 100 of
1958.

An Ordinance to make Further and Better Provision for Local Government in the Rural Area of that part of the Colony which includes the Freetown Police and Headquarters Judicial Districts of the Colony.

[15TH FEBRUARY, 1950.]

PART I.—PRELIMINARY.

Short title.*

1. (1) This Ordinance may be cited as the Rural Area Ordinance.

Commence-
ment.

(2) This Ordinance shall come into operation on the first day of January, 1950, or on such later date or dates as the Governor in Council may by Order appoint:

†

Provided that in any such Order the Governor in Council may suspend the coming into operation of any of the provisions of this Ordinance, and such provisions shall not take effect until the Governor in Council shall by further Order so appoint.

Interpreta-
tion.

15 of 1956.

2. In this Ordinance, unless the context otherwise requires—

“alien” means a person who is not a British subject nor a British protected person nor a citizen of the Republic of Ireland;

“annual value” means the amount at which the premises can reasonably be expected to let in the open market in average years;

“assessed annual value” means the annual value of any premises as entered in the Valuation Roll for the time being in force;

“appropriate rural district council” in respect of a particular village committee means the rural district council to which it is subordinate;

“assessed premises” means any premises which appear in the Valuation Roll for the time being in force;

* It should be noted that this is the Rural Area (in the singular) Ordinance. Some sections mention the Rural Areas (in the plural) Ordinance. The latter is Ordinance 26 of 1937 (as subsequently amended) which was Chapter 208 in the 1946 Edition of the Laws and which has now “ceased to have effect” by virtue of section 133 of this Ordinance.

† 15th February, 1950 (P.N. No. 15 of 1950).

“local authority” means the Rural Area Council, a rural district council, or a village committee constituted under section 4;

“occupier” means a tenant, sub-tenant, or any person in the actual occupancy of any premises;

“owner” includes joint owner, lessee, tenant for life, and any other person in the actual possession of or entitled to receive the rents of premises of any tenure or description, and the agent or attorney of such persons or any of them, and any other person who has an interest in or draws the rents;

“premises” means any land together with any building thereon;

“President” means the President of the Rural Area Council;

“proper member” means the member of a local authority appointed to perform a particular duty or function by such local authority;

“proper officer” means the person appointed to perform a particular duty or function by a local authority;

“Rural Area” means the area defined in section 3;

“street” includes any highway and any public bridge and any road, lane, footway, square, court, alley and passage to which the public have access whether a thoroughfare or not;

“Treasurer” means the Treasurer appointed by the Rural Area Council under section 44.

PART II.—CONSTITUTION AND GOVERNMENT OF THE RURAL AREA.

3. (1) The area of the Colony included in—

(a) the Headquarters Judicial District as defined in the Courts Ordinance; and

(b) the Police District of Freetown as defined in the Courts Ordinance, excluding the portion thereof lying within the limits of the City of Freetown as defined in the Freetown Municipality Ordinance

Constitution
of the Rural
Area.

Cap. 7.

Cap. 7.

Cap. 65.

is hereby constituted the Rural Area of the Colony, hereinafter referred to as the Rural Area.

(2) The Rural Area shall be divided into the rural districts set out in the fourth column of the First Schedule hereto.

(3) Each rural district shall be divided into the corresponding village areas set out in the second column of the said Schedule.

Division of
the Rural
Area into
rural districts
and village
areas.

(4) Each village area shall comprise the corresponding village groups set out in the first column of the said Schedule.

PART III.—ESTABLISHMENT AND CONSTITUTION
OF LOCAL AUTHORITIES.

Establishment of local authorities.

4. (1) There shall be established a council in and for the Rural Area hereinafter referred to as the Rural Area Council and a council in and for each rural district hereinafter referred to as a rural district council.

(2) There shall be established a village committee in and for each village area.

(3) The Rural Area Council, rural district councils and village committees are hereby constituted local authorities with the functions, powers, duties and liabilities as are hereinafter provided.

Incorporation of local authorities.

5. (1) The Rural Area Council shall be a body corporate by name of the Rural Area Council of the Colony of Sierra Leone and shall have perpetual succession and a common seal and may sue and be sued in the corporate name and acquire and hold such real and personal property as may be necessary or expedient for carrying into effect the provisions of this or any other Ordinance applying thereto.

(2) Until such time as a common seal is provided for the Rural Area Council the common seal of the Rural Areas Council constituted under the Rural Areas Ordinance shall be and be deemed to be the common seal of the Rural Area Council for all purposes whatsoever.

(3) Every rural district council and village committee shall be a body corporate by name of the rural district council or village committee, as the case may be, with the addition of the name of the rural district or village area as the case may be, shall have perpetual succession and may sue and be sued in the corporate name and acquire such real and personal property as may be necessary or expedient for carrying into effect the provisions of this or any other Ordinance applying thereto.

Composition of Rural Area Council.
15 of 1956.

6. (1) The Rural Area Council shall consist of twelve members two of whom shall be elected to represent each rural district of the Rural Area in accordance with the provisions of this Ordinance by the registered voters of such rural district:

Provided that when a person who is not a member of the Rural Area Council is elected to be President thereof, the Rural

Area Council shall consist of thirteen members including the President.

(2) At the first meeting of the Council after the general elections to be held as directed by the Minister under section 24, and thereafter annually, the Rural Area Council shall proceed to elect one of their number or any person qualified to be elected to a village area committee, to be President. The President shall hold office for one year and shall then retire but shall be eligible for re-election.

7. (1) A rural district council shall consist of twelve members who shall be elected by the registered voters of the village areas comprised in that rural district in accordance with the provisions of this Ordinance, the registered voters of each such village area electing twice the number of members indicated for that village area in the third column of the First Schedule.

Rural district
councils.
15 of 1956.

(2) A rural district council shall elect from among its members a Chairman.

8. (1) A village committee shall consist of six members each of whom shall be elected in accordance with the provisions of this Ordinance to represent the village area concerned by the registered voters in such village area.

Village
committees.
15 of 1956.

(2) Each village committee shall elect from among its members a Chairman.

9. (1) The President of the Rural Area Council shall be the Chairman thereof and shall by virtue of his office be a Justice of the Peace for the Headquarters Judicial District and the Police District of Freetown.

President to
be Chairman
of Rural Area
Council and a
Justice.

31 of 1953.

(2) The chairman of a local authority shall hold office until the happening of any one of the following events, that is to say—

15 of 1956.

(a) he resigns from the office of chairman; or

(b) a general election is held.

(3) The chairman of a local authority shall be the chief executive authority of such local authority.

(4) The chairman of a local authority (other than a President appointed by the Governor) may resign his office at any time by notice in writing addressed to the local authority. Such notice may not be withdrawn without the consent of the local authority.

Appointment
of deputies.

10. The chairman of a local authority may from time to time appoint any member of such local authority to act as deputy president or deputy chairman, as the case may be, in the event of and during the illness or absence from duty of the chairman.

(2) The chairman may terminate any such appointment at any time in like manner.

(3) Any such appointment or the termination thereof shall be recorded in the minutes of the local authority.

(4) A deputy, appointed under this section, may while acting as such, do all acts which the person for whom he is acting, might do provided that a deputy president shall not by virtue of his office act as a Justice.

Qualifications
of members of
local
authority.
22 of 1957.

11. (1) Subject to the provision of sub-section (2) of this section, a person shall be qualified for election as a member of a local authority if he—

(a) is entitled to be registered as a voter under this Ordinance and his name is on the Register of Voters for any village area of that local authority; and

(b) except in the case of a village committee, is literate in the English language.

Disqualifica-
tion for
membership
of Council.
15 of 1956.

(2) Notwithstanding the provisions of sub-section (1) of this section, a person shall be disqualified for election as a member of a local authority and if a member his seat shall become vacant—

(a) if he is an alien; or

(b) if and while he holds any office or place of profit in the gift or disposal of the local authority save as provided in sections 86, 91 and 94; or

22 of 1957.

(c) if he is under sentence of death or is serving, or has within the immediately preceding five years completed the serving of, a sentence of imprisonment (including a sentence of preventive detention or corrective training) without the option of a fine, of or exceeding twelve months imposed by a court in Sierra Leone for any felony or for any offence involving dishonesty and has not received a free pardon; or

15 of 1956.

(d) if he is a lunatic so found under the laws for the time being in force in Sierra Leone; or

(e) if and while he has, directly or indirectly, by himself or a partner any share or interest in any contract or employment with, by or on behalf of the local authority, and has not

(i) if he is a candidate for election, published within one month before the day of election in some newspaper circulating in the Colony a notice setting out the nature of his share or interest in such contract or employment; or

(ii) if he is a member of a local authority, as soon as possible disclosed that interest to that local authority; or

(f) if he is disqualified from membership of a local authority under any law for the time being in force in Sierra Leone relating to offence connected with elections:

Provided that a person shall not be disqualified by reason of his being interested in—

(i) any sale, purchase or lease of land to or from the local authority; or

(ii) any newspaper in which any notice or advertisement relating to the affairs of the local authority is inserted; or

(iii) any agreement with the local authority for the loan of money, or any security for the payment of money by the local authority; or

(iv) any company which contracts with the local authority for lighting or supplying water, or insuring against fire any property of the local authority; or

(v) any company incorporated by, or under, an Act of Parliament, Ordinance or Royal Charter.

(3) The seat of a member of a local authority shall also become vacant—

When member's seat to become vacant.

(a) upon his death; or

(b) if by writing addressed to the Chairman of the local authority, he resigns his seat in the local authority; or

(c) if without leave of the Chairman, he is absent for a period of six consecutive months from the meetings of the local authority; or

(d) if he ceases to be qualified under sub-section (1) of this section.

(4) When the seat of a member of a local authority becomes vacant the President of the Rural Area Council shall forthwith declare the seat of such member to be vacant, and shall forthwith notify the Minister and such member, if practicable, of such declaration of vacancy:

Provided that a member whose seat shall have been declared vacant under this sub-section may, within fourteen days after the date of being notified of such declaration, apply to a Judge

in Chambers to have such declaration set aside. Notice of the intention to make such application and the grounds thereof shall be given to the President of the Rural Area Council within seven days after such declaration. The Order of the Judge in Chambers as to the disqualification or otherwise of the member shall be final and conclusive.

Filling of
casual
vacancies.
15 of 1956.

12. (1) Whenever a casual vacancy has occurred among the members of a local authority a fresh election shall be held in accordance with the provisions of this Ordinance to fill such vacancy on such date as the President of the Rural Area Council may declare:

Provided that, if the vacancy occurs within a period of less than six months before the third anniversary of the date on which the last general election was held in that local authority, the vacancy shall not be filled.

(2) A person elected under this section to fill a casual vacancy shall hold office, subject to the other provisions of this Ordinance, until the first appointed date for the next general election held in that local authority under the provisions of this Ordinance.

Defaulting
local
authorities.

13. (1) If at any time the Rural Area Council is of opinion that a local authority is no longer exercising any of its powers and performing any of its duties under this Ordinance in a manner conducive to the welfare of the Rural Area, the Rural Area Council may, by resolution recorded in the minutes—

(a) where the defaulting local authority is a village committee, authorise the rural district council to which such village committee is subordinate to exercise such powers or perform such duty in place of such village committee for such period as to the Rural Area Council may seem fit; and

(b) where the defaulting local authority is a rural district council, undertake the exercise of such power or the performance of such duty in place of such rural district council for such period as to the Rural Area Council may seem fit,

and the defaulting local authority shall forthwith cease to exercise and perform such powers and duties accordingly.

(2) A resolution passed under this section may provide for the reimbursement by the defaulting local authority of the local authority exercising the power or performing the duty as the case may be of such amount as the Rural Area Council may deem fit.

(3) A resolution passed under this section may be varied, amended or revoked at any time by a subsequent resolution.

(4) Any local authority in respect of whom a resolution is passed under this section may appeal to the Governor in Council whose decision thereon shall be final.

14. If at any time the Governor in Council is of opinion that the Rural Area Council is no longer exercising its powers and performing its duties under this Ordinance in a manner conducive to the welfare of the Rural Area, he shall issue a commission of inquiry in accordance with the provisions of the Commissions of Inquiry Ordinance, appointing commissioners, one of whom shall possess legal qualifications, and after receiving the report of the commissioners on the matter, may appoint a committee of management to exercise during the continuance of such appointment all or any specified duties of the council and the council shall forthwith cease to exercise and perform such powers and duties accordingly.

Powers of Governor in Council.

Cap. 54.

15. (1) Every village group set forth in the first column of the First Schedule hereto may elect a headman who shall exercise within such village group such functions not inconsistent with the provisions of this Ordinance as the village committee may authorise.

Village headman.

(2) A village headman shall be elected on the 1st day of November in each year and shall hold office for one year:

Provided that where a vacancy occurs before the expiry of the term of office of any headman the village committee may appoint an acting headman to hold office until such expiry.

(3) A village headman shall be elected in the manner that was customary under the Headmen Ordinance, 1924.

(4) The electors shall be the persons resident in the village group, whose names are enrolled in the Voters List of the village area within which the village group lies.

(5) Any dispute arising out of an election under this section shall be determined by the village committee, from whose decision there shall be an appeal to the Rural Area Council whose decision thereon shall be final.

PART IV.—VALUATION OF PREMISES.

16. There shall be liable to be assessed in accordance with the provisions of this Part all premises having buildings thereon (including premises owned by or in the occupation of the Rural Area Council) within the boundaries of the Rural Area, except—

Assessment of premises.

(a) any church, chapel, mosque, meeting-house or other premises, or any part thereof, exclusively used for public religious worship;

(b) premises used exclusively as a hospital and not so used for purposes of gain;

(c) premises used principally as a university, college, school or Sunday school and not so used for purposes of gain;

(d) burial grounds and crematoria;

(e) premises declared by a resolution of the Rural Area Council with the approval of the Governor in Council to be exempted from assessment.

Appointment
of valuers and
Assessment
Committee.
17 of 1952.

17. (1) The Rural Area Council shall as soon as may be after the coming into operation of this Ordinance and thereafter in the month of November in every year appoint one or more competent persons to be called valuers at such remuneration, to be paid from the revenue of the Rural Area Council, as it may think fit.

(2) There shall be an Assessment Committee consisting of the President and members of the Rural Area Council and one additional member appointed as provided in sub-section (3).

(3) Whenever the Assessment Committee is considering the valuation of any premises situated in any rural district the rural district council thereof may appoint any person to be an additional member of the Assessment Committee, and such person shall be deemed to be a member of the Assessment Committee for all purposes.

(4) The President, or in his absence a deputy president appointed by him under section 10, shall be the Chairman of the Assessment Committee.

(5) The Assessment Committee shall be deemed to be properly constituted whenever the Chairman and three other members are present at a duly convened meeting thereof.

(6) Valuation Lists showing the assessed annual value of all premises assessable under section 16 shall be prepared by the valuers and approved by the Assessment Committee in accordance with the provisions contained in Part I of the Second Schedule hereto.

18. The Director of Public Works shall transmit to the President, for the information of the valuers, the particulars contained in any notices given to the Director of Public Works in pursuance of section 14 or section 19 of the Freetown Improvement Ordinance, in relation to any premises situate within an urban area so declared under the Freetown Improvement (Extension) Ordinance.

Director of Public Works to transmit particulars given under sections 14 and 19 of Cap. 66. Cap. 77.

19. (1) The first Valuation Roll prepared under the provisions of this Ordinance shall be deposited at the Office of the Rural Area Council on or before a day to be appointed by the Rural Area Council and thereafter a Valuation Roll shall be deposited thereat on or before the 1st day of August in every year. Any person owning or in the occupation of or interested in any assessable premises shall be entitled to inspect the Valuation Roll and to take copies thereof and extracts therefrom free of charge.

Deposit of Valuation Roll.

(2) The President shall forthwith publish a notice of the deposit of the Valuation Roll.

20. Objections to and amendments of any Valuation List shall be determined and made in accordance with the provisions of Part I of the Second Schedule hereto.

Objections to Valuation List.

21. Every Valuation Roll deposited as aforesaid shall be in force until the new Valuation Roll in substitution for the same be deposited.

Valuation Roll to subsist until deposit of new roll.

PART V.—REGISTRATION OF VOTERS.

22. (1) Subject to the provisions of sub-section (3) of this section, every person whether male or female shall be entitled to be registered as a voter for any one village area of a local authority and when registered to vote at the election of a member for that local authority, who—

Qualifications of voters. 22 of 1956.

(a) has attained the age of twenty-one years; and either

(b) (i) has been ordinarily resident in that village area during the whole of the six months immediately preceding the date of registration, and

(ii) is in receipt of a yearly income of at least sixty pounds; or

(c) is and has been for the six months immediately preceding the date of registration, the owner or occupier (jointly or severally) of any house, warehouse, counting house, shop, store or other building (in this Ordinance referred to as

qualifying property) in the village area of which the annual assessed value is not less than two pounds (provided that where any persons are shown to be joint occupiers of any qualifying property, the names of such persons shall only be placed on the list of registered voters if the annual assessed value of such qualifying property, divided by the number of joint occupiers, is not less than two pounds).

15 of 1956.

(2) Both an owner and an occupier and both a husband and a wife may qualify in respect of the same property.

(3) Notwithstanding the previous provisions of this section, no person shall be registered as a voter or, having been registered, shall be entitled to vote at the election of a member of a local authority—

(a) if he is an alien; or

(b) if he is a lunatic so found under the laws for the time being in force in Sierra Leone; or

(c) if he is disqualified from being registered as a voter or voting under any law for the time being in force in Sierra Leone relating to offences connected with elections; or

(d) if he is serving a sentence of imprisonment.

Appointment
of Registration
Officers
and Revising
Officers.

15 of 1956.

23. (1) The Minister may from time to time and as often as he may deem necessary appoint fit and proper persons to be Registration Officers and Revising Officers to prepare and publish, or to revise, as the case may be, registers of voters in the manner prescribed by regulations made under this Ordinance.

(2) Registration Officers and Revising Officers shall comply with any general or special directions not inconsistent with this Ordinance or the regulations made thereunder which may be given by the Minister with respect to the arrangements to be made by such officers for carrying out their registration and revision duties under this Ordinance.

Appointment
of Assistant
Registration
Officers.

(3) Registration Officers may with the approval of the Minister appoint fit and proper persons to be Assistant Registration Officers to assist them in the preparation of the register of voters in accordance with regulations made under this Ordinance.

(4) Subject to the authority direction and control of the Registration Officer, an Assistant Registration Officer shall have all the powers and may perform any of the duties of a Registration Officer under this Ordinance.

24. (1) On such date or dates after the coming into operation of this section as the Minister may by Order declare, there shall be held a general election of the members of each local authority in accordance with the provisions of this Ordinance.

General elections to be held every third year.*
15 of 1956.

(2) On such date or dates in every third year after the general election held under the provisions of sub-section(1) of this section as the Minister may by Order declare there shall be held a general election of the members of each local authority in accordance with the provisions of this Ordinance.

(3) The Minister may declare different dates for different local authorities for the holding of general elections.

25. Subject to the provisions of this Ordinance, the Governor in Council after consultation with the Rural Area Council may make regulations for the election of members of a local authority including, without prejudice to the generality of the foregoing power, the following matters, that is to say—

Regulations as to elections.
15 of 1956.

(a) the registration of voters and the revision of the registers of voters;

(b) the ascertainment of the qualifications of voters and of candidates for election;

(c) the method of nominating candidates;

(d) the holding of elections and the method of voting; and

(e) election petitions.

26. Subject to the other provisions of this Ordinance, the persons who are serving as members of a local authority when this section comes into force shall hold their seats until the first appointed date for the next general election held in the area of that local authority under the provisions of this Ordinance and shall then retire, unless their seats sooner become vacant.

Tenure of office of members.
15 of 1956.

27. Every election not called in question within fifteen days after the publication of the result thereof in the *Gazette* shall be deemed to have been to all intents a good and valid election.

Election valid unless questioned within fifteen days of publication of result.
17 of 1952.

PART VII.—ELECTION OFFENCES.

28. (1) Any person who attempts to prevent, obstruct or disturb any election by force, violence or threats shall be guilty of an offence and liable, on conviction, to imprisonment, with or without hard labour, for a period not exceeding two years.

15 of 1956.

Prevention of election by force.

* The first general elections under the provisions of this section were held on the following dates in 1957, Rural Area Council on 19th November, Rural District Council on 26th November and Village Area Committee on 3rd December. (P.N. 172 of 1957.)

Interference with lawful public meeting to be an illegal practice.

(2) Any person who, at a lawful public meeting held in connection with the election of any person to a local authority, between the date of publication of the notice appointing a day for the holding of an election under regulations made under section 25 of this Ordinance and the date on which the result of the election is published, acts or incites others to act in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was called together shall be guilty of an illegal practice and shall be liable, on summary conviction, to a fine not exceeding fifty pounds or to imprisonment, with or without hard labour, for a period not exceeding six months, and shall be incapable, during a period of five years from the date of his conviction, of voting at any election of a member of a local authority.

Offences in respect of nomination papers, etc.

29. Any person who—

(a) forges or fraudulently defaces or fraudulently destroys any nomination paper, or delivers to any person or authority to whom nomination papers are required, under the provisions of any regulations made under section 25 of this Ordinance, to be delivered, any nomination paper knowing the same to be forged; or

(b) forges or counterfeits or fraudulently destroys any ballot paper or the official mark on any ballot paper; or

(c) without due authority, supplies any ballot paper to any person; or

(d) fraudulently puts into any ballot box any paper other than the ballot paper which he is authorised by law to put in; or

(e) fraudulently takes out of any place of voting or place of election any ballot paper; or

(f) without due authority destroys, takes, opens, or otherwise interferes with any ballot box or packet of ballot papers then in use for the purposes of the election;

shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding fifty pounds or to imprisonment, with or without hard labour, for a period not exceeding six months or to both such fine and imprisonment. Any attempt to commit an offence specified in this section shall be punishable in the manner in which the offence itself is punishable.

Penalty for false answer.

30. Any person who makes a false answer to any question lawfully put to him in pursuance of the provisions of any regulations made under section 25 of this Ordinance knowing it

to be false or not believing it to be true shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding fifty pounds or to imprisonment, with or without hard labour, for a period not exceeding six months or to both such fine and imprisonment.

31. Any person who, being an officer charged with the counting of votes or the making of a return at any election, wilfully falsifies the account of such votes or makes a false return shall be guilty of an offence and liable, on conviction, to imprisonment, with or without hard labour, for a period not exceeding five years.

Falsification
of return at
election.

32. Any person who at an election held under this Ordinance knowingly votes or attempts to vote in the name of some other person, whether that name be that of a person living or dead or of a fictitious person, or who, having voted once at any such election votes or attempts to vote at the same election in his own name shall be guilty of the offence of personation, and every person so guilty or who is guilty of the offence of aiding, abetting, counselling or procuring the said offence, shall be liable, on summary conviction, to imprisonment, with or without hard labour, for a period not exceeding six months.

Personation.

33. (1) Any person who corruptly by himself or by any other person, either before, during or after an election held under this Ordinance, directly or indirectly gives or provides, or pays wholly or in part the expense of giving or providing any meat, drink, entertainment or provision to or for any person, for the purpose of corruptly influencing that person, or any other person to give or refrain from giving his vote at such election or on account of such person or any other person having voted or refrained from voting or being about to vote or refrain from voting, at such election, shall be guilty of the offence of treating and shall be liable, on summary conviction, to a fine not exceeding twenty-five pounds.

Treating.

(2) Every voter who corruptly accepts or takes any such meat, drink, entertainment or provision shall also be guilty of the offence of treating and shall be liable, on summary conviction, to the penalty specified in the preceding sub-section.

34. Every person who, directly or indirectly, by himself or by any other person on his behalf, makes use of or threatens to make use of any force, violence or restraint, or inflicts or threatens to inflict, by himself or any other person, any temporal

Undue
influence.

or spiritual injury, damage, harm or loss upon or against any person in order to induce or compel such person to vote or refrain from voting, or on account of such person having voted or refrained from voting at any election held under this Ordinance, or who by abduction, duress or any fraudulent device or contrivance impedes or prevents the free exercise of the franchise of any voter or thereby compels, induces or prevails upon any voter, either to give or refrain from giving his vote at any such election, shall be guilty of the offence of undue influence and shall be liable, on summary conviction, to a fine not exceeding twenty-five pounds.

Bribery.

35. (1) The following persons shall be deemed guilty of the offence of bribery and shall be liable, on summary conviction, to a fine not exceeding twenty-five pounds—

(a) every person who, directly or indirectly, by himself or by any other person on his behalf, gives, lends, agrees to give or lend, offers, promises or promises to procure or to endeavour to procure, any money or valuable consideration to or for any voter, or to or for any person on behalf of any voter or to or for any other person in order to induce any voter to vote or refrain from voting, or corruptly does any such act as aforesaid on account of such voter having voted or refrained from voting at any election under this Ordinance;

(b) every person who, directly or indirectly, by himself or by any other person on his behalf, gives, procures, agrees to give or procure, offers, promises or promises to procure or to endeavour to procure, any office, place or employment, to or for any voter, or to or for any person on behalf of any voter, or to or for any other person, in order to induce such voter to vote or refrain from voting, or corruptly does any such act as aforesaid on account of any voter having voted or refrained from voting at any election under this Ordinance;

(c) every person who, directly or indirectly, by himself or by any other person on his behalf, makes any such gift, loan, offer, promise, procurement or agreement as aforesaid to or for any person in order to induce such person to procure or endeavour to procure the return of any person as a member of a local authority or the vote of any voter at any election under this Ordinance;

(d) every person who, upon or in consequence of any such gift, loan, offer, promise, procurement or agreement, procures or engages, promises or endeavours to procure, the return of any person as a member of a local authority, or the vote of any voter at any election under this Ordinance;

(e) every person who advances or pays or causes to be paid any money to or for the use of any other person, with the intent, that such money or any part thereof shall be expended in bribery at any election under this Ordinance or who shall knowingly pay or cause to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery at any such election:

Provided always that the provisions of this section shall not extend or be construed to extend to any money paid or agreed to be paid for or on account of any legal expenses *bona fide* incurred at or concerning any election.

(2) The following persons shall also be deemed guilty of the offence of bribery and shall be liable, on summary conviction, to the penalty specified in the preceding sub-section—

(a) every voter, who before or during any election under this Ordinance, directly or indirectly, by himself or by any other person on his behalf, receives, agrees or contracts for any money, gift, loan, valuable consideration, office, place or employment, for himself or for any other person, for voting or agreeing to vote or for refraining or agreeing to refrain from voting at any such election;

(b) every person who, after any election under this Ordinance directly or indirectly, by himself or by any other person on his behalf, receives any money, gift, loan, valuable consideration, office, place or employment for himself or for any other person, on account of any person having voted or refrained from voting or having induced any other person to vote or refrain from voting at any such election.

36. Every person, who is convicted of personation, treating, undue influence or bribery, or of aiding, counselling or procuring the commission of the offence of personation, shall, in addition to any other punishment, be incapable during a period of seven years from the date of his conviction—

Disqualifica-
tion for
personation,
etc.

(a) of being registered as a voter or voting at any election of a member of a local authority;

(b) of being elected a member of a local authority or, if elected before his conviction, of retaining his seat as a member of a local authority.

37. Every person who—

(a) votes, or induces or procures any person to vote at any election under this Ordinance, knowing that he or such

Penalty for
certain
illegal
practices.

other person is prohibited by this Ordinance or by any other law from voting at such election;

(b) before or during an election under this Ordinance knowingly publishes a false statement of the withdrawal of a candidate at such election for the purpose of promoting or procuring the election of another candidate;

shall be guilty of an illegal practice and shall be liable, on summary conviction, to a fine not exceeding fifty pounds and be incapable during a period of five years from the date of his conviction, of being registered as a voter or voting at any election of a member of a local authority.

Fraudulent transfers of property.

38. (1) Every conveyance or transfer of property whatsoever to any person in any fraudulent or collusive manner for the purpose of qualifying him to become a member of a local authority or a voter under this Ordinance shall be deemed and taken as against the parties thereto to be valid and absolute, and every bond, covenant, collateral or other security, contract or agreement, between or with such parties, or any of them, for a reconveyance or transfer or for the revoking, annulling, defeating or otherwise doing away with the effect of such conveyance or transfer, shall be null and void to all intents and purposes whatsoever.

(2) Every party to a conveyance or transfer of property of the nature described in the preceding sub-section and every person, who, by colour thereof or by means thereof, shall give any vote at any election under this Ordinance or sit in a local authority, shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding fifty pounds, and, if a member of a local authority, his seat shall forthwith become vacant.

Infringement of secrecy.

39. (1) Every officer, clerk and agent at a polling place shall maintain, and aid in maintaining, the secrecy of the voting in such place and shall not communicate, except for some purpose authorised by law, before the poll is closed, to any person any information as to the name or number on the register of voters of any voter who has or has not voted at that place, or as to the official mark.

(2) No such officer, clerk, agent or other person whatsoever shall interfere with or attempt to interfere with a voter when making his vote or communicate at any time to any person any information obtained in a polling place as to the candidate for whom any voter in such place is about to vote or has voted.

(3) Every officer, clerk and agent in attendance at the counting of the votes shall maintain and aid in maintaining the

secrecy of the voting, and shall not attempt to obtain at such counting any information as to the voter by whom any vote is given and shall not communicate to any other person any information obtained at such counting.

(4) Every person who acts in contravention of the provisions of this section shall be guilty of an offence and liable, on summary conviction, to imprisonment, with or without hard labour, for a period not exceeding six months.

40. In any prosecution for an offence in relation to the nomination papers, marking instruments and other things in use at an election, the property in such papers, instruments and things, as well as the counterfoils, may be stated to be vested in the Chairman of the local authority.

Property of election material vested in Chairman of local authority.

PART VIII.—ELECTION PETITIONS.

15 of 1956.

41. A petition complaining of an undue return or undue election of a member of a local authority (in this Ordinance called an "election petition") may, at any time within fifteen days of the publication of the result of such election in the *Gazette*, be presented to the Supreme Court by any one or more of the following persons, that is to say—

Presentation of election petition.

(a) some person who voted or had a right to vote at the election to which the petition relates; or

(b) some person who claims to have had a right to be returned or elected at such election; or

(c) some person who alleges himself to have been a candidate at such election.

42. (1) Every election petition shall be tried by a Judge of the Supreme Court in open Court.

Trial of election petition.

(2) At the conclusion of the trial, the Judge shall determine whether the member of the local authority whose return or election is complained of, or any other and what person was duly returned or elected, or whether the election was void, and shall certify such determination to the Minister and a copy of such certificate shall be sent by the Registrar of the Court to the Clerk of the local authority, and upon such certificate being given, such determination shall be final; and the return shall be confirmed or altered, or a new election shall be held, as the case may require, in accordance with such certificate.

(3) The Minister shall declare, by notification in the *Gazette*, whether the candidate whose return or election is questioned or any or what other person, is duly returned or elected, or whether the election is void.

(4) If the election is declared void, the Minister shall by Order appoint another date for the election of a member of the local authority concerned.

P.N. 97 of
1951.
*

(5) The House of Representatives Election Petition Rules shall apply, *mutatis mutandis*, to election petitions presented to the Supreme Court under section 41 of this Ordinance:

Provided that the security for costs to be given by the petitioner shall be to such amount not exceeding seventy-five pounds as the Supreme Court on summons may direct and shall be given either by a deposit of money or by recognisance entered into by not more than four sureties or partly in one way and partly in the other.

Corrupt
practice.

43. (1) No election shall be valid if any corrupt practice is committed in connection therewith by the candidate elected.

(2) A corrupt practice shall be deemed to be committed by a candidate if it is committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

(3) The expression "corrupt practice" means any of the following offences, namely, personation, treating, undue influence or bribery.

PART IX.—MEETINGS OF LOCAL AUTHORITIES.

Standing
Orders.

44. (1) The Rural Area Council may from time to time make, amend or revoke Standing Orders not inconsistent with the provisions of this Ordinance to regulate the proceedings of local authorities.

(2) Until varied or revoked by Standing Orders made under sub-section (1), the Standing Orders contained in Part IV of the Second Schedule hereto shall be in force.

(3) The Standing Orders for the time being in force shall at all times be followed and observed, and shall be binding upon a local authority in so far as they apply to such local authority.

* These Rules are printed in the Volume containing the subsidiary legislation of Chapter 7, and all Rules of Court.

45. The minutes of any meeting of a local authority or of any committee of a local authority purporting to have been approved by the local authority or committee and signed by the presiding member shall be *prima facie* evidence of the matters referred to therein and shall be received in evidence without further proof.

Minutes of council
prima facie
evidence.

46. No act or proceeding of a local authority or of a committee shall be questioned on account of any vacancy in their body or on the ground that a member to be elected or nominated has not been elected or nominated.

Acts of local
authority
valid despite
vacancies.

47. No member of a local authority shall vote or take part in the discussion of any matter before such local authority or a committee in which he has directly or indirectly by himself, his wife, or partner any pecuniary interest, or in which a company of which he is a shareholder has any such pecuniary interest; and no member of the local authority shall receive any salary or shall, save with the approval of the Governor, exact or accept any fee or reward whatsoever for on account of anything done or to be done by him by virtue of this Ordinance, or on any account whatsoever relating to this Ordinance:

Member
interested
not to take
part in
proceedings.

Provided that nothing in this section shall be deemed to debar a President appointed by the Governor from receiving his salary as an officer in the public service.

48. Where any officer or member of a local authority has directly or indirectly by himself, his wife or partner any interest in any contract or offer to contract which is under consideration by the local authority such member shall disclose his interest therein to the local authority.

Disclosure
of interest.

49. (1) Proceedings may be instituted in the Supreme Court against any person acting as a member of a local authority on the ground of his being disqualified under this Ordinance from so acting, by any person who is a registered voter within the area of that local authority:

Proceedings
in respect of
qualification.
15 of 1956.

Provided that proceedings under this section shall not be instituted after the expiration of six months from the date on which he so acted.

(2) Where in proceedings under this section it is proved that the defendant has acted as a member of a local authority, while disqualified from so acting, then the Court shall have all or any of the following powers—

(a) to make a declaration to that effect and to declare that the seat of the defendant in the local authority is vacant;

(b) to grant an injunction restraining the defendant from so acting;

(c) to order that the defendant shall forfeit to Her Majesty such sum as the Court may think fit, not exceeding fifty pounds for each occasion on which he so acted while disqualified.

PART X.—OFFICERS OF LOCAL AUTHORITIES AND ACCOUNTS.

Appointment
of officers.

50. (1) The Rural Area Council may from time to time appoint a Treasurer, a Rural Area Bailiff, bailiffs and such other officers as it may deem necessary and may at any time in its discretion terminate such appointments, subject to the terms of any contract of employment.

(2) A rural district council or a village committee with the approval of the Rural Area Council may from time to time appoint such officers as it may deem necessary and may with the like approval at any time in its discretion terminate such appointments subject to the terms of any contract of employment.

Responsi-
bility for
records.

51. The chairman or such other member or officer appointed in that behalf shall have the charge and custody of and be responsible for all books, deeds, records and other documents and these shall be kept as the local authority may direct.

Rural Area
Bailiff.

52. (1) The Rural Area Bailiff, whilst in the performance or execution of the duties of his office, shall have the like powers, privileges and immunities as the Sheriff of the Colony.

(2) Every bailiff duly appointed may serve or execute any process which by this Ordinance or any other Ordinance is directed to be served or executed by the Rural Area Bailiff.

Security.

53. A local authority may require a member or an officer to give such security as it may think proper for the due execution of such member's or officer's duties:

Provided that this section shall, in relation to a member of a local authority, apply only where such member has charge of funds or the property of the local authority.

Account.

54. Every member or officer of a local authority shall at such times and in such manner as the local authority may direct deliver to the local authority a true account in writing of all matters committed to his charge, and of his receipts and

payments, with vouchers and a list of persons from whom money is due in connection with his office, showing the amount due from each person; and every such member or officer shall pay all money due from him to the proper member or officer.

55. The Governor may, subject to such conditions as he may impose, approve of the appointment of any officer in the service of the Government of Sierra Leone to any office under a local authority:

Appointment of Government officer to an office under the Rural Area Council.

Provided that, as respects pension and other rights as an officer of the Government, such officer shall be deemed to be in the service of the Government whilst so employed:

Provided further that, whenever any pension, gratuity, or retiring allowance, is granted to any such officer, the local authority shall, if so required, pay to the Government an annual or lump sum, as the case may be, which shall bear the same proportion to such pension, gratuity, or retiring allowance as the period during which such officer has been in the employment of the local authority bears to his total pensionable service under the Government.

56. (1) A local authority shall cause to be kept true accounts in accordance with such instructions as the Minister may issue from time to time. Such accounts together with all books, vouchers and papers relating thereto, and together with a balance sheet, shall be laid not later than the 31st day of January in each year before an Auditor appointed by the Governor. The Auditor shall make and sign a report on such accounts and balance sheet; and a duplicate copy of such report shall be sent to the Minister, who shall cause a copy of the balance sheet and Auditor's report to be published in the *Gazette*.

Accounts and audit.

(2) The local authority shall permit the Auditor to check any cash in its possession and to have access to its accounts and all books, vouchers and papers relating thereto at any time during the usual office hours.

(3) The original balance sheet and the accounts in full and the Auditor's report thereon shall be open to inspection at the office of the local authority during office hours by any person whose name appears upon the Voters List on payment of a fee of one shilling.

57. For the purpose of any audit under this Ordinance, the Auditor may by summons in writing require the production before him of all books, deeds, contracts, accounts, vouchers,

Power of auditor to call for books, etc.

receipts and other documents and papers which he may deem necessary, and may require any person holding or accountable for any such books, deeds, contracts, accounts, vouchers, receipts, documents, or papers to appear before him at any such audit or any adjournment thereof, and to make and sign a declaration as to the correctness of the same; and if any such person neglects or refuses so to do or to produce any such books, deeds, contracts, accounts, vouchers, receipts or other documents or papers, or to make or sign such declaration, he shall be liable for every neglect or refusal to a fine on summary conviction not exceeding two pounds.

Power of auditor to surcharge illegal payments.

58. (1) The Auditor acting in pursuance of section 56 shall disallow every item of account contrary to law and shall certify the amount of any deficiency or loss incurred by the negligence or misconduct of any person or of any sum which ought to have been but is not brought into account by any person. The Auditor shall surcharge the amount on the person who has made or authorised the making of the illegal payment or whose default has caused the deficiency or loss or failure to bring to account, as the case may be. On application by any party aggrieved the Auditor shall state in writing the grounds upon which his certificate is based, and also of any disallowance which he may have made:

Provided that on the application of the person surcharged, and notwithstanding that the disallowance and surcharge are correct and legal, the Governor may in his discretion, if he should consider that in all the circumstances of the case he is warranted in so doing, cancel or reduce such allowance and surcharge:

Provided always that any such application shall be made within fourteen days of the person surcharged being notified of the surcharge, or within such further period, if any, as the Governor may allow.

Power of local authority to sue for recovery of payments surcharged.

(2) In case the surcharge is not cancelled by the Governor on an application under the preceding sub-section, and the amount surcharged, or such amount as reduced by the Governor on such an application as aforesaid is not made good to the local authority to the satisfaction of the Auditor within such period not exceeding six months as the local authority may determine after such surcharge is reported to the local authority or, in the event of such an application as aforesaid, within fourteen days of the applicant being notified of the decision of the Governor, the chairman of such local authority shall in the name and on behalf of the local authority sue for the same, and shall, if it appears to the Court that such expenditure of the amount

surcharged, or of such amount so reduced as aforesaid, was not authorised or was in contravention of any provision of this Ordinance, or that any loss or deficiency or failure to bring to account was due to the default of the defendant, be entitled to judgment for the amount surcharged or of such amount so reduced as aforesaid. In any such action as aforesaid the minutes of proceedings kept by the local authority shall be *prima facie* evidence of any facts therein stated. If it does not appear from the minutes what particular members of the local authority concurred in any particular expenditure, every member present at the meeting shall be deemed to have concurred until he proves the contrary.

PART XI.—POWERS AND DUTIES OF LOCAL AUTHORITIES.

59. Within the Rural Area the Rural Area Council shall have and exercise all the rights, powers and duties, conferred or imposed upon the Rural Area Council by this or any other Ordinance.

Functions of Rural Area Council.

60. The Governor in Council may by Order direct that a local authority shall be the authority for carrying out and executing within the area of its jurisdiction the provisions of such Ordinances as may be mentioned in such Order, and in such case such local authority shall have and exercise all the powers, rights, duties capacities, liabilities and obligations within such area exercisable by the Governor and officers under and by virtue of the provisions of such Ordinance, subject however, to such limitations, restrictions or modifications as may be prescribed by the Order:

Powers of Governor and Public officers under other Ordinances may be vested in a local authority.

Provided, however, that notwithstanding any such Order the Governor may exercise or authorise any officers to exercise any of the powers conferred upon the Governor or such officer by any such Ordinance, if it should appear to him that the local authority is neglecting or has refused or neglected to perform or exercise any of the duties or powers imposed or conferred by such Ordinance:

Provided further that no such Order shall be deemed to authorise or empower a local authority to exercise any power or to perform any duty vested in or imposed upon the Governor in Council, or to make any rules under an Ordinance.

61. (1) On or before the 31st day of August in each financial year, the village committee of each village area shall prepare estimates of the anticipated revenue from all sources and of the

Village Committee Estimates.
12 of 1955.

sums required to meet expenses during the following financial year.

(2) In case the estimated revenue of any village committee would otherwise be insufficient to meet the estimated expenditure it shall be lawful for the village committee to provide in the estimates for the imposition of a cess throughout the village area in accordance with the provisions in that behalf contained in Part XVI.

(3) A certified copy of the estimates shall forthwith be sent to the appropriate rural district council who may, subject to the approval of the Rural Area Council and of the Minister, provisionally approve or disapprove such estimates in whole or in part or may before so approving the estimates amend them in any particular:

Provided that before so disapproving any part of such estimates or making such amendment the rural district council shall inform the village committee of their intention so to disapprove or amend as the case may be and shall give the village committee an opportunity of expressing their views on the course proposed.

Rural
District
Council
Estimates.
12 of 1955.

62. (1) On or before the 15th day of September in each financial year, each rural district council shall cause estimates to be prepared of the anticipated revenue from all sources and of the sums required to meet expenses during the following financial year.

(2) The rural district council shall forthwith send to the President a certified copy of the estimates of the rural district council together with the estimates of each village committee subordinate thereto for consideration of the Rural Area Council which may, subject to the approval of the Minister, provisionally approve or disapprove such rural district or village area estimates in whole or in part or may before so approving the estimates amend them in any particular:

Provided that before so disapproving any part of such estimates or making any such amendment the Rural Area Council shall inform the rural district council of its intention to disapprove or amend as the case may be and shall give the rural district council an opportunity of expressing its views on the course proposed.

Rate,
12 of 1955.

63. (1) Every year, at the earliest convenient date on or before the 1st day of October, the Rural Area Council shall meet to consider the estimates of the rural district councils and village committees for the following financial year.

(2) In case the estimated revenue of any local authority would otherwise be insufficient to meet the estimated expenditure it shall be lawful for the Rural Area Council to provide in the estimates for the imposition of a rate throughout the Rural Area in accordance with the provisions in that behalf contained in Part XV. Thereupon the Rural Area Council shall where necessary amend the estimates of each rural district council and village committee accordingly.

64. (1) On or before the 15th day of October in each financial year, the Rural Area Council shall prepare estimates of their anticipated revenue from all sources, and of the sums required to meet expenses during the following financial year.

Rural Area
Council
Estimates.
12 of 1955.

(2) In case the estimated revenue of the Rural Area Council would otherwise be insufficient to meet the estimated expenditure, it shall be lawful for the Rural Area Council to provide in its estimates for a contribution by rural district councils towards the expenditure of the Rural Area Council and to apportion the amount of such contribution between the various rural district councils according to the total rateable value of premises in each rural district. Thereupon the Rural Area Council shall where necessary amend the estimates of each rural district council and village committee accordingly.

(3) The Rural Area Council shall forthwith send a certified copy of their estimates and of the estimates of each rural district council and village committee to the Minister for the consideration of the Minister who may approve or disapprove such estimates in whole or in part, or may before approving such estimates, amend them in any particular.

Approval of
estimates.

(4) Such estimates when approved by the Minister shall be the estimates of revenue and expenditure for the financial year for which they are made, and no expenditure shall be incurred otherwise than in accordance therewith save with the previous written approval of the Minister. Such approval may be either general and subject to such conditions as the Minister may determine, or in respect of specified items in the estimates.

(5) On or before the 1st day of April in each year the rural district councils shall pay their contributions to the revenues of the Rural Area Council as fixed for that year in the estimates approved by the Minister, whether or not such contributions are formally demanded.

Contributions
to Rural Area
Council.

(6) The estimates as approved by the Minister shall be open to inspection during office hours by any person whose name appears in a Voters List compiled in terms of this

Inspection of
estimates.

Ordinance in the case of the Rural Area estimates, at the office of the Rural Area Council and of any rural district council; in the case of rural district estimates, at the office of the rural district council concerned; and in the case of village area estimates, at the office of the village committee concerned and of the rural district council to which such village committee is subordinate.

Duties and powers of Rural Area Council.

65. (1) It shall be the duty of the Rural Area Council—

(a) to act as the channel of communication between the Government and the rural district councils;

(b) to assist, co-ordinate and supervise the rural district councils and village committees in the performance of their duties and functions.

(2) It shall be lawful for the Rural Area Council—

(a) to take all measures necessary for the health, order and good government of the Rural Area;

(b) to undertake any public works necessary or proper in connection with the duties assigned to it;

(c) to give directions to any rural district council for the purpose of ensuring the due performance of its duties under this or any other Ordinance;

(d) to impose and assess rates in accordance with the provisions of Part XV.

Powers of police not to be affected

Nothing hereinabove in this part contained shall operate to affect, alter, or derogate from, the ordinary or special statutory or other lawful powers and functions of the police, whether exercisable under the provisions of any Ordinance to which the Rural Area Council is authorised under section 60 to give effect, or otherwise.

Powers of Rural Area Council to promote building.
22 of 1957.

66. (1) The Governor in Council may by Order empower the Rural Area Council to perform, subject to compliance in each case with any rules made under sub-section (2), all or any of the following functions—

(a) to acquire any type of building material and to dispose of the same to any person ordinarily resident within the Rural Area, in such manner and on such terms and conditions as the Rural Area Council may think fit, subject only to any relevant rule made under sub-section (2) and to the condition in each case that such building materials are to be used in the construction of a specified building within the Rural Area;

(b) to lend money to any person ordinarily resident within the Rural Area on such terms and conditions as the Rural Area Council may think fit, subject only to any relevant rule made under sub-section (2) and to the condition that the money so lent is to be used in the construction of a specified building within the Rural Area;

(c) to guarantee, on behalf of any person ordinarily resident within the Rural Area, the performance of any contract entered into by such person for the purchase of any building material to be used in the construction of a specified building within the Rural Area; such a guarantee may be given in such manner and on such terms and conditions as the Rural Area Council may think fit, subject only to any relevant rule made under sub-section (2);

(d) to do or cause to be done any act or thing which may be necessary to give full effect to any of the functions described in this sub-section.

(2) The Rural Area Council shall make rules for the proper carrying out of its functions under this section. Such rules shall be subject to the approval of the Governor in Council and may, without prejudice to the generality of the foregoing powers, provide for all or any of the following matters, in so far as they relate to the proper carrying out of any of the aforesaid functions—

(a) the method in which contracts are to be made and recorded;

(b) the books of account to be kept;

(c) the safe custody of moneys, documents and materials;

(d) the responsibilities and duties of officers of the Rural Area Council;

(e) the types of houses in respect of which the Rural Area Council may supply building materials, advance money, or guarantee contracts;

(f) the types of building materials which the Rural Area Council may supply or in respect of which the Rural Area Council may advance money or guarantee contracts;

(g) the method in which applications to the Rural Area Council for the supply of building materials, the grant of loans and the guarantee of contracts are to be made, and the manner in which such applications are to be dealt with;

(h) the extent to which security for the due performance of contracts is to be required from applicants for building materials, loans or guarantees, and the nature of such security;

(i) the recovery of debts and the writing off of any debt considered by the Rural Area Council to be irrecoverable;

(j) the inspection of houses in respect of which building materials have been supplied by the Rural Area Council or in respect of materials for which the Rural Area Council has made a loan or guaranteed a contract;

(k) the fees and charges which the Rural Area Council may levy in respect of the performance of any function which it is empowered to carry out under the provisions of sub-section (1);

(l) the imposition of penalties not exceeding a fine of twenty pounds or, in default of payment, imprisonment with or without hard labour for a period of six months for the contravention of any rule made under this sub-section, and the prescription of the Courts which will have jurisdiction to try cases arising out of any allegation of the breach of any such rule.

Duties and powers of rural district councils.

Cap. 129.

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67. (1) It shall be the duty of a rural district council—

(a) to keep clean and maintain roads within the limits of the rural district council (other than roads included in any Order made under section 5 of the Building Lines Ordinance);

(b) subject to the provisions of sections 26 to 30 of the Public Health Ordinance to provide and regulate markets, slaughter-houses and all such matters and things as may be necessary for the convenient use of such markets and slaughter-houses;

(c) to provide for the maintenance and proper custody of all books, deeds, records and other documents whether belonging to them or committed to their care;

(d) to provide for the proper custody of the village funds of each subordinate village committee and for authorised disbursements therefrom;

(e) to levy and recover rates imposed and assessed by the Rural Area Council;

(f) to perform any duties imposed upon them under the provisions of the Impounding Ordinance;

(g) to carry out any lawful orders or directions given to them by the Rural Area Council.

Cap. 192.

* The Public Health (Colony) Ordinance was Cap. 190 of the 1946 Edition. It is to be repealed and replaced and has been omitted from this Edition.

(2) It shall be lawful for a rural district council—

(a) to impose and take stallages, rents and tolls in respect of the use by any person of any market or slaughter-house belonging to or provided by such rural district council;

(b) to issue licences under Part XIII of this Ordinance and to collect the fees therefor;

(c) to provide, establish, lay out, plant, improve, maintain and regulate parks, gardens and other places of resort or recreation within such rural district for the use of the public;

(d) to cause the names of all public roads, streets, lanes and squares to be affixed therein and to cause the houses therein to be numbered;

(e) to plant and maintain trees along the sides of any public road, street, lane or square and to erect guards to protect such trees:

Provided that such roads, streets, lanes or squares shall not be unduly obstructed thereby;

(f) to provide, maintain and regulate water supplies and street lighting;

(g) to provide for the relief of the poor;

(h) with the consent of the Governor to engage in the purchase, distribution and sale of any commodity in the public interest;

(i) to act as the agent of the Rural Area Council for the purposes of this Ordinance;

(j) with the approval of the Governor, to provide for all other matters and services as the rural district council may consider necessary for public safety, health or convenience whether such matters or services are of the same kind as the matters and services hereinbefore enumerated or not.

68. (1) It shall be the duty of village committee to—

(a) keep clean and maintain streets, lanes, squares and public places within the limits of the village area;

(b) provide and maintain cemeteries;

(c) execute minor public works; and

(d) carry out any lawful orders or instructions given to them by the Rural Area Council or the appropriate rural district council.

Duties and powers of village committees.

(2) It shall be lawful for a village committee to impose a village improvement cess in accordance with the provisions of Part XVI.

Power of local authority to issue directions.

69. For the purpose of carrying out its functions under this Ordinance, a local authority may act through—

- (a) the chairman of such local authority;
- (b) any member thereof;
- (c) any officer, servant or duly appointed agent thereof;
- (d) any other local authority subordinate thereto; and
- (e) in the case of a village committee, any headman subordinate thereto,

and is hereby authorised to issue the necessary orders, directions and instructions to effect this purpose.

PART XII.—LOCAL AUTHORITIES' PROPERTY AND CONTRACTS.

Vesting of property in Rural Area Council.

70. All property whether real or personal and including things in action, belonging to the Rural Areas Council (constituted under the provisions of the Rural Areas Ordinance) at the commencement of this Ordinance is hereby declared to be vested in the Rural Area Council established by this Ordinance.

Local authority may acquire property.

71. A local authority may acquire such movable and immovable property as may be necessary or expedient for carrying into effect the provisions of this or any other Ordinance applicable to the Rural Area, but a local authority shall not sell, mortgage, lease or otherwise alienate or dispose of any immovable property so acquired without the previous written consent of the Governor in Council.

Compulsory acquisition of land.

72. When there is any hindrance to the acquisition by purchase of any land or building required for carrying into effect the provisions of this or any other Ordinance applicable to the Rural Area, the Governor in Council upon the application of a local authority and after such enquiry as he may think proper may declare that the land or building is required for a public purpose; and he may direct that proceedings be taken under the provisions of the Public Lands Ordinance, for acquiring the same for the Government, and for determining the compensation to be paid to the parties interested. The Governor may then vest such land or building in the local authority by means of a certificate under his hand and the Public Seal of the Colony to the effect that the same has been made over to the local authority. The compensation for such acquisition, if any, shall in the first instance be paid by the Government; but the local authority shall refund to the Government any compensation so paid and all expenses incidental to such acquisition incurred by the Government.

Cap. 116.

73. (1) A local authority may, with the previous written consent of the Governor, borrow at interest on the security of any corporate land or any funds of the local authority or the rate or of all or any such securities, such moneys as in the opinion of such local authority may be required for any of the following purposes—

Borrowing
at interest.

(a) for acquiring any interest in land;

(b) for erecting buildings;

(c) for the execution of any permanent work or for any other purpose for which capital expenditure is required;

(d) for lending to any other local authority money which may be required by that authority for any of the said purposes;

(2) The Governor may in his discretion attach any conditions to his consent given under sub-section (1) of this section.

(3) A local authority may invest funds of the local authority in such stocks as may be approved by the Secretary of State for the investment of Colonial funds and in such other manner and to such extent as the Governor in Council may from time to time approve.

Investment
of funds.

74. (1) Where the Governor in Council approves a mortgage or charge he may, as a condition of his approval, require that the money borrowed on the security of the mortgage or charge be repaid, with all interest thereon, in thirty years, or any less period, and either by instalments or by means of a sinking fund, or both.

Powers of
Governor in
Council to
impose con-
ditions as to
repayment of
money
borrowed.

(2) In that case the sums required for providing for the repayment of the principal and interest of the money borrowed shall be, by virtue of this Ordinance, a charge on all or any of the following securities, namely, the land comprised in the mortgage (without prejudice to the security thereby created), or any such other corporate land or moneys or the rate, or of any part thereof respectively, as the Governor in Council may direct.

75. Where money borrowed is directed to be repaid by means of a sinking fund, the local authority shall, out of the rents and profits of the land on which, or out of the revenue of the local authority or the rate on which the sums required for the sinking fund are charged under this Ordinance, invest such sums at such times and in such manner as the Governor in Council may direct, and may from time to time, with the like direction, alter or change any such investment.

Provisions as
to sinking
fund.

Provisions for replacing purchase or compensation money.

76. Where purchase money or compensation has been paid in respect of land or any interest therein purchased or taken from a local authority, or in respect of permanent damage to land of a local authority, and the Governor approves of the payment of the money or compensation to such local authority, the Governor may, as a condition of his approval, require provision to be made for investing a sum equivalent to the amount of money so paid.

Investment of proceeds of sale or exchange.

77. Where the Governor in Council approves of the sale or exchange of any corporate land, or of any interest therein, such approval may be subject to such conditions as he thinks fit in relation to the investment for the benefit of the local authority of the money arising from the sale or exchange.

Power to make contracts.

78. A local authority may enter into such contracts as may be necessary or expedient for carrying into effect the provisions of this or any other Ordinance applicable to the Rural Area:

Provided—

(i) that no contract the value whereof exceeds one hundred pounds shall be entered into by the Rural Area Council without the previous written consent of the Governor in Council;

(ii) that no contract shall be entered into by a rural district council or a village committee without the previous written consent of the Rural Area Council where the value exceeds—

(a) in the case of a rural district council, fifty pounds; and

(b) in the case of a village committee, ten pounds.

Contracts by local authority.

79. (1) With respect to contracts made by the Rural Area Council or a rural district council under this Ordinance, the following provisions shall be observed, namely—

(a) Every contract, whereof the value or amount exceeds one hundred pounds, shall be in writing and if made by the Rural Area Council shall be sealed with the common seal of the Rural Area Council and if made by a rural district council shall be signed and sealed by the chairman and one other member.

(b) Every contract made by the Rural Area Council or a rural district council under this Ordinance shall specify the work, materials, matters or things to be furnished, had or done, the price to be paid, and the time or times within which the contract is to be performed, and shall specify some pecuniary penalty to be paid in case the terms of the contract are not duly performed.

(c) Before contracting for the execution of any works under the provisions of this Ordinance, the Rural Area Council or rural district council, as the case may be, shall obtain an estimate in writing of the probable expense of executing the work in a substantial manner.

(d) Before any contract of which the value or amount exceeds twenty-five pounds is entered into by the Rural Area Council or a rural district council, as the case may be, public notice shall be given describing the nature and purpose thereof and inviting tenders for the execution of the works so described and the local authority shall require and take sufficient security for the due performance of the contract.

Such public notice shall, where the contract exceeds one hundred pounds in value or amount, specify a period of not less than two weeks during which tenders may be made.

(2) The common seal of the Rural Area Council shall not be used or affixed to any document except in pursuance of a resolution in that behalf passed at a duly constituted meeting of the local authority and recorded in the minutes. Use of common seal.

(3) Subject to the provisions of section 115 all contracts in writing entered into by a village committee shall be signed by the chairman and one other member thereof.

PART XIII.—RURAL AREA LICENCES.

80. (1) It shall be unlawful for any person to exercise, carry on or practise in the Rural Area any of the trades, businesses or professions set forth in Part I of the Third Schedule without having first taken out a licence for that purpose. Licences.

(2) Every owner of any vehicle mentioned in Part II of the Third Schedule, who either resides in the Rural Area or therein exercises, carries on or practises any trade, business or profession or uses any such vehicle in any public place in the Rural Area, shall take out a licence for such vehicle, and pay for such licence the fee set forth in the second part of the said schedule: Licences for vehicles.

Provided that it shall not be necessary for licences to be taken out for any vehicle belonging to the Imperial or Colonial Government.

(3) All vehicles mentioned in Part II of the Third Schedule, shall be numbered; excepting, subject to any bye-law, vehicles used primarily in the course of trade or husbandry. Such number shall be attached to, or marked on, a vehicle in such manner as to be readily visible. Marking of vehicles.

Licences for entertainments.

(4) It shall be unlawful for any person to do in the Rural Area any of the acts or things mentioned in Part III of the Third Schedule without having first taken out a licence for that purpose and paid for such licence the fees therein set forth.

Licences subject to bye-laws and conditions.

(5) Every licence taken out under this section shall be subject to the conditions and restrictions imposed by any bye-laws made in respect thereof, and also to any conditions or restrictions which are authorised by any such bye-laws and are specified on the licence. Any person failing to comply with any condition or restriction so imposed or specified shall be guilty of an offence against this Ordinance.

Licences obtainable from proper officer.

81. (1) Such licences may be obtained on application to a proper officer at the office of a rural district council, and such officer is hereby authorised and empowered to grant the same upon payment of the fee mentioned in this part and in the Third Schedule.

Duration of licences.

(2) Licences granted under this part may be yearly, half-yearly or quarterly as prescribed in the Third Schedule and every such licence shall bear the date of, and commence on, the day of its being granted, and shall expire in the case of—

(a) a yearly licence, on the thirty-first of December in each year;

(b) a half-yearly licence, on the thirtieth of June or the thirty-first of December in each year;

(c) a quarterly licence, on the thirty-first of March, thirtieth of June, thirtieth of September or thirty-first of December in each year:

Provided that a licence may be granted under Part III of the Third Schedule for a single entertainment.

Hawkers and pedlars.

(3) Every hawker or pedlar of manufactured goods shall, in addition to his licence, be supplied with a certificate which shall bear the name of the licensee, the number of his licence and the dates of issue and expiration of the same, and he shall be required to carry about such certificate with him and to produce the same when demanded by an inspector of licences appointed by the Rural Area Council, a rural district council or a village committee or any member of the Police Force; and if he shall fail to produce such certificate the wares of such hawker or pedlar shall be detained until he shall either give his full name and address or produce his licence or certificate. Any person giving a false name or address shall, in addition to any penalty which he may incur under this part, be liable on summary conviction to a fine not exceeding one pound; and it shall be

lawful for the rural district council to cause any wares so detained to be sold unless they are claimed and taken away by the owner thereof within seven days after such detention; and all expenses of the rural district council for, or incident to, the detention or selling of any such wares shall be repaid to it by the owner and be recoverable as damages or be deducted from the proceeds of the sale of any such wares.

(4) The proper officer of the rural district council shall make out and deliver quarterly to the Treasurer of the Rural Area Council a list in duplicate of the names of owners or persons in possession or making use of vehicles who have taken out licences in pursuance of the provisions of this part, and the number and description of such vehicles, and the Treasurer of the Rural Area Council shall forward one copy of such list in respect of each rural district to the Minister.

Publication
of vehicle
licences.

82. The fees paid for such licences shall be received and held for the use of the rural district council.

Application
of licence
fees.

83. (1) Any person exercising, carrying on, or practising any trade, business or profession mentioned in Part I of the Third Schedule, or being the owner or person making use in any public place in the Rural Area of any vehicle mentioned in Part II of the Third Schedule or doing any of the acts or things mentioned in Part III of the Third Schedule, who shall upon demand being made by any member of the Police Force or any inspector of licences appointed by the Rural Area Council, a rural district council or a village committee refuse or fail without reasonable cause to produce and show his licence for exercising, carrying on or practising any such trade, business or profession, or for such vehicle, or for doing any such acts or things, shall be liable on summary conviction to a fine not exceeding five pounds.

Penalties.

(2) Every person committing any breach of the provisions contained in this part shall for every such offence be liable, on summary conviction thereof, to a fine not exceeding fifty pounds, and in default of payment to imprisonment, without hard labour, for any period not exceeding six months.

(3) Any person who shall let out, hire or lend his licence, or who not having taken out a licence under this part shall produce, exhibit or use any paper with intent to cause it to be believed that he has duly taken out a licence as aforesaid, shall for every such offence be liable on summary conviction thereof to a fine not exceeding twenty pounds, and in default of payment to imprisonment, with or without hard labour, for any period not exceeding three months:

Provided that it shall be lawful for a rural district council to grant to any person such number of hawkers' or pedlars' licences and certificates as it may think fit, and such person may, while such licences are in force, transfer the same from and to any other person in his employ.

Any person to whom such licence is transferred shall be deemed to be a licensee during such time as he holds such licence, and shall be subject to all the provisions of section 81 (3).

PART XIV.—REVENUE OF LOCAL AUTHORITIES.

Vesting of funds of Rural Areas Council.*

84. All monies standing to the credit of the Rural Areas Administration Fund and the Urban Division Funds under the Rural Areas Ordinance shall on such date as the Governor may by Order declare be paid to the Rural Area Council as part of the revenues thereof.

Revenue of Rural Area Council.

85. The revenue of the Rural Area Council shall be paid to the Treasurer and shall consist of—

(a) all fees and charges collected by the Rural Area Council under any Ordinance the provisions of which the Rural Area Council is required or authorised to carry out by any Order made under section 60;

(b) all fines imposed under this Ordinance or under any such Ordinance as is mentioned in the last preceding paragraph for an offence against the provisions of this or such Ordinance committed within the Rural Area;

(c) the rents of any immovable property belonging to or reserved by the Governor for the use of the Rural Area Council;

(d) all fees for inspection of lists, books, accounts or documents in the custody of the Rural Area Council;

(e) the annual contributions payable by rural district councils;

(f) all amounts paid to the Rural Area Council by Government whether as grants-in-aid, endowment or otherwise:

Provided that no portion of any such amount paid for a specific purpose shall be expended for any other purpose without the consent of the Governor in writing;

(g) all other receipts, whether of the same kind as the receipts hereinbefore enumerated or not.

* 24th July, 1950. (P.N. 87 of 1950.)

86. The revenues of the Rural Area Council shall be applicable to—

Application of revenue of Rural Area Council.

(a) the remuneration of officers and employees of the Rural Area Council and the expenses incurred in respect of procuring, furnishing, equipping and maintaining suitable offices for the Rural Area Council and its officers;

(b) expenses incurred in connection with the travelling of the President or any other member thereof when acting as representative of the Rural Area Council;

(c) all expenses properly incurred by the Rural Area Council in carrying this Ordinance into effect;

(d) all other payments legally due and owing by the Rural Area Council.

87. Whenever the Rural Area Council is permitted to retain revenues collected by the Rural Area Council and derived from any waterworks, electric light or power service or of any other service or work constructed or established by the Government the revenues of the Rural Area Council may be charged with the whole or such proportion of the interest and sinking fund on the capital cost of such service or work, and, if the service, or work is maintained out of general revenue, with the whole or such proportion of the cost of the maintenance thereof, as the Governor may consider proper and appoint.

Revenues of council may be charged with interest on the capital cost and with the cost of maintenance of works or services constructed or maintained by Government.

Such charge shall be a first charge on the revenues of the Rural Area Council and the interest and other moneys payable shall be paid by the Rural Area Council to the Accountant General quarterly, on the thirty-first day of March, thirtieth day of June, thirtieth day of September and thirty-first day of December in each year.

88. No payment shall be made out of the funds of the Rural Area Council except under the authority of the Council, and every payment exceeding ten pounds shall be made by cheque signed by the Treasurer and countersigned by the President.

Order for payment of money.

89. All monies belonging to the Rural Area Council shall be paid into such bank as the Council may from time to time appoint, and no money shall be withdrawn from such bank except by cheque signed by the Treasurer and countersigned by the President.

Moneys to be paid into a bank.

90. The revenue of a rural district council shall be paid into a fund to be known as a district fund and shall consist of—

Revenues of rural district councils.

(a) all fees for the licences set out in the Third Schedule hereto, issued in the rural district;

(b) receipts in respect of the sale of water supplied by the rural district council;

(c) all market and slaughter-house fees in respect of markets and slaughter-houses provided by the rural district council;

(d) the rents and profits of all immovable property belonging to the rural district council.

(e) the interest, dividends and proceeds from all investments and securities belonging to the rural district council;

(f) all amounts paid to the rural district council by the Rural Area Council whether as grants-in-aid or otherwise;

(g) any rates paid in respect of premises situated within the rural district council;

(h) any other receipts, whether of the same kind as the receipts hereinbefore enumerated or not.

Application
of revenues of
rural district
councils.

91. The revenue of a rural district council shall be applicable to and charged with the following payments—

(a) the payment to each subordinate village committee of twenty per centum of the rates received in respect of premises situated in the village area of such village committee;

(b) the payment of an annual contribution towards the expenditure of the Rural Area Council;

(c) the remuneration of officers and employees of the rural district council and the expenses incurred in respect of procuring, furnishing, equipping and maintaining suitable offices for officers of the rural district council;

(d) the payment of allowances to members who carry out executive duties on behalf of the rural district council;

(e) expenses incurred in connection with the travelling of any member or officer of the rural district council in the execution of his duty;

(f) all expenses properly incurred by the rural district council in carrying this Ordinance into effect;

(g) any other payments, legally due and owing by the rural district council.

Custody of
district funds.

92. (1) Such member or officer as the rural district council may appoint by resolution recorded in the minutes of such rural district council, and reported to the Rural Area Council, shall be responsible for the receipt, custody and disbursement of all moneys payable into the district fund under section 90.

(2) No payment out of a district fund shall be made except under the authority of the rural district council and every payment exceeding ten pounds shall be made by cheque signed by the member or officer appointed under the preceding sub-section and counter-signed by the chairman.

(3) All moneys belonging to a rural district council or to a village committee subordinate thereto shall be paid into such bank as the rural district council may from time to time appoint and no money shall be withdrawn from such bank except by cheque signed by the member or officer appointed under sub-section (1) of this section and countersigned by the chairman.

93. (1) The revenue of a village committee shall be paid into a fund to be known as a village fund and shall consist of—

Revenues
of village
committees.

(a) twenty per centum of the rates paid to the rural district council in respect of premises situate within the village area;

(b) twenty per centum of the fees paid under items 3, 4, 5, 7 and 9 of Part I of the Third Schedule in respect of premises situate within the village area;

(c) any moneys paid to it by the Rural Area Council or the rural district council whether as grant-in-aid, endowment or otherwise; and

(d) any other moneys lawfully received by the village committee from any source whatsoever.

(2) The fund of a village committee shall be in the custody of the person responsible for the custody of the district fund who shall keep a separate account for the fund of each village committee.

(3) On the last day of each month the rural district council shall cause the account of each village committee to be credited with the amount payable in respect of rates, under sub-section 1 (a) of this section.

(4) Any balance to the debit or credit of a village fund at the end of a financial year shall be carried forward to the next financial year.

94. The revenue of a village committee shall be applicable to and charged with the following payments—

Application
of revenue
of village
committees.

(a) the remuneration of officers and employees of the village committee and village headmen;

(b) the payment of allowances to members who carry out executive duties on behalf of the village committee;

(c) expenses incurred in connection with the travelling of the chairman, members of the village committee and village headmen in the execution of their duties;

(d) all expenses properly incurred by the village committee in carrying this Ordinance into effect;

(e) any other payments legally due and owing by the village committee.

Writing off
of arrears
of revenue.

95. (1) It shall be lawful for the Governor in Council from time to time on the application of the Rural Area Council supported by a majority of its members of whom the President shall be one and by not less than four rural district councils to make an Order authorising all arrears of rates and other moneys due to the district funds under and by virtue of this Ordinance or any other ordinance applying to the Rural Area, or any part of such arrears, to be written off as irrecoverable debts in regard to which no further proceedings need be taken.

(2) The Governor in Council may make an Order in respect of the whole or any part of the arrears specified in the application of the Rural Area Council.

(3) This section shall apply to all arrears of rates and other moneys due to the Rural Areas Administration Fund under and by virtue of the Rural Areas Ordinance, in the same manner and to the same extent as it applies to the arrears mentioned in sub-section (1).

PART XV.—THE RURAL AREA RATE.

The rate.

96. (1) The rate provided for in the Estimates of local authorities in any one financial year shall be a rate at a uniform amount per pound on the assessed annual value of assessed premises and shall be a single rate in respect of all assessed premises.

Payment of
the rate.

(2) The rate provided for in the approved Estimates of local authorities (to be called the rate) shall be imposed by the Rural Area Council and levied in respect of each rural district by the rural district council concerned and shall be payable to the proper officer of the rural district council on or before the 31st day of January following the date on which the Estimates providing for the rate are approved, or such later date as the Rural Area Council may by notice declare.

Notice of
imposition
of rate.

97. The Rural Area Council shall within fourteen days after the approval of any estimates in which provision for a rate has

been inserted in the Estimates, give public notice of any rate which is provided in such Estimates as approved:

Provided that in any proceedings to levy or recover any rate, it shall not be necessary to prove that any such notice was given, and failure to give any such notice shall not affect the right to levy or recover any rate.

98. Each rural district council shall cause a Rate Book to be kept in the form prescribed in the Fourth Schedule hereto. Such Rate Book shall be kept at the office of the rural district council and shall be open to public inspection, during office hours. Rate Book.

99. The amount of the rate due in respect of any premises together with poundage and levy expenses (if any) shall until paid be a charge on such premises, and such charge shall have priority over all other claims against such premises except claims of the Crown. Rate to be a charge on premises.

100. If any owner liable to the rate under this Ordinance, or his agent appointed under the provisions of section 106 refuses or neglects to pay the same at the time and in the manner hereinbefore appointed for the payment thereof, the President is hereby empowered on the complaint of the rural district council concerned to issue a warrant under his hand and the common seal of the Rural Area Council directed to the bailiff requiring and commanding him to levy the rate on the goods and chattels of such defaulting owner, and the bailiff to whom such warrant shall be directed is hereby empowered and required to execute the said warrant and to make a return thereto within thirty days after the date thereof. Levy on owner's goods on non-payment of rate.

101. (1) The bailiff shall be entitled to a poundage of two shillings for every twenty shillings or any part thereof levied by virtue of any warrant directed to him by the President and the same is hereby made chargeable upon the personal and real estate so levied upon. All such poundage fees shall be paid to the rural district council concerned and form part of the rate. Poundage.

(2) All goods and chattels, which shall be levied upon by the bailiff as aforesaid by virtue of any warrant from the President, shall be sold by him by public auction to the highest bidder within ten days after the time of levying the same, and the bailiff shall cause such intended sale to be advertised at least five days before the sale, and the sum or sums of money arising from such sale the bailiff shall apply to the payment of

the rate and poundage imposed by this Ordinance, and all charges attending such levy and sale, and shall return the surplus (if any) to the person or persons entitled thereto.

Levy on occupier's goods on non-payment of rate.

102. (1) If the bailiff, acting as aforesaid, finds no goods or if the amount realised by any sale as aforesaid is insufficient, the President is hereby empowered and required to issue a warrant under his hand and the common seal of the Rural Area Council directed to the bailiff, requiring and commanding him to demand from the occupier payment of the amount thereafter mentioned, and, in default of payment of such amount by the occupier, within fourteen days, to levy the said amount on the goods and chattels of such occupier in the like manner as is provided herein for levying on the goods and chattels of a defaulting owner.

(2) Within fourteen days after demand as aforesaid by the bailiff, the occupier shall pay to the bailiff the amount due for the rate in respect of the premises occupied by him, but shall not be liable for any poundage, or other costs of levy upon the goods of the owner.

(3) An occupier may deduct any sum paid to him as aforesaid before payment of rent to the owner, and, should a levy have been made on the goods and chattels of such occupier, he may also deduct from such rent the poundage and costs of the levy.

(4) Where there is an existing contract, verbal or written, between the owner and the occupier that the occupier shall pay the rate, and the owner becomes liable for payment thereof under the provisions of this Ordinance, it shall be lawful for the owner to increase the rent by the amount for which he has so become liable, or, if he thinks fit, to sue the occupier or his executors, administrators or assigns for the same.

Levy on lands and premises on non-payment after two years.

103. If the remedies hereinbefore provided against owners and occupiers have failed to realise the amounts due after also taking into account the net amounts, if any, which have been realised by proceedings, if any, against the occupier as aforesaid, and the amounts due shall still remain unpaid two years after the date on which they became payable under section 96 it shall be lawful for the President to issue a warrant under this hand and the common seal of the Rural Area Council in the manner hereinbefore directed requiring and commanding the bailiff to levy the said rates upon the lands, tenements, rents and annuities of such persons and to sell the lands, tenements, rents and annuities, by public auction as hereinbefore directed in the case of goods and chattels, giving thirty days' notice of every such

intended sale; and a deed of conveyance executed by the bailiff in pursuance of any such sale shall, upon being duly registered under the provisions of the Registration of Instruments Ordinance, confer upon the purchaser as good a title to the lands and tenements sold as the owner could lawfully convey:

Cap. 256.

Provided that the President may, at any time before the sale of any lands, tenements, rents and annuities so advertised for sale as aforesaid, postpone the sale thereof, either generally or to some specified day.

104. It shall be lawful for the President, whenever he shall deem it expedient, in lieu of issuing separate warrants in respect of each defaulter, to issue under his hand and the common seal of the Rural Area Council one warrant for each rural district respectively, and to annex or subjoin to each such warrant a schedule of the names of the defaulters in the rural district for which it is issued, and such warrant shall be taken to apply in respect of each of the defaulters named in the schedule annexed or subjoined thereto.

President may issue one warrant for each rural district.

105. Warrants by the President in respect of any rate shall be signed by him and sealed with the common seal.

Warrants to be signed and sealed.

106. Any owner of premises in respect of which the rate is payable by him shall, if he intends to be absent from the Rural Area, appoint some person to be his agent for the payment of the rate, and shall notify the President in writing of such appointment.

Absentee owner to appoint agent for payment of rate.

107. Where it is shown to the satisfaction of the Assessment Committee that any building or any part thereof which has been included in any assessed premises has been unoccupied for a period of not less than six months in any financial year and that notice thereof has been given as required by section 108 hereof the Assessment Committee shall, on the application of the person who has paid the amount of the rate payable in respect of such premises, order to be refunded to that person such proportion of the amount paid as the Assessment Committee may deem fit having regard to all the circumstances.

Unoccupied premises.

108. (1) It shall be the duty of the owner of any assessed premises to notify in writing the chairman of the rural district council within twenty-one days that any building thereon, if previously unoccupied, is occupied or if any such building was previously occupied, that it is unoccupied.

Notice of non-occupation and re-occupation.

(2) Any owner of assessed premises who, having given notice of non-occupation of any building thereon, fails to give notice of reoccupation as required by sub-section (1) shall be guilty of an offence.

Premises demolished or removed.

109. Where it is shown to the satisfaction of the Assessment Committee that any building or any part thereof on any assessed premises has been demolished or removed during any financial year, the Assessment Committee shall, on the application of the person who has paid the amount of the rate payable in respect of such premises, order to be refunded to that person such proportion of the amount paid as the Assessment Committee may deem fit having regard to all the circumstances:

Cap. 66.

Cap. 77.

Provided that, in the case of a demolition or removal otherwise than by order of the Rural Area Council or under section 28 of the Freetown Improvement Ordinance, as applied under the Freetown Improvement (Extension) Ordinance, the owner of such premises has within fourteen days of such demolition or removal given notice in writing thereof to the Assessment Committee.

Premises exempt from rates.

110. (1) No rates shall be payable in respect of premises which belong to or are held in trust for—

(a) a local authority, or

(b) the Imperial or Colonial Governments and are either unoccupied or are occupied by the Imperial or Colonial Governments or by some person in the employ of either of such Governments.

(2) Rates shall be payable on all premises which belong to or are held in trust for the Imperial or Colonial Governments and are occupied by some person not in the employ of either of such Governments:

Provided that when such premises are so occupied for only part of a year, the amount payable in respect of rates shall be proportionately reduced.

(3) No rates shall be payable in respect of premises which belong to or are occupied by a foreign state for any of the following purposes, that is to say—

(a) a consular office, or

(b) a residence for a consular officer or employee; or

(c) any other purpose, to which the Governor does not object, arising out of the operation of the consular establishment of such foreign state:

Provided that this sub-section shall only apply where the Governor certifies that reciprocal privileges are enjoyed by United Kingdom consular establishments in the territories of such foreign state.

111. Nothing in this part contained shall be deemed to affect any agreement between landlord and tenant with respect to the payment of the rate, and no such agreement between landlord and tenant shall derogate from the provisions of this part with respect to the enforcement of the rate.

Agreement
between
landlord and
tenant.

112. Notwithstanding anything in this Ordinance contained, the Rural Area Council may, if satisfied by any applicant by evidence on oath that on the ground of poverty it is desirable so to do, exempt from payment of the rate any premises liable for payment of the same, or reduce the amount for which the premises are liable for such rates.

Exemption
from payment
of rate owing
to poverty.

PART XVI.—VILLAGE IMPROVEMENT CESS.

113. (1) The Village Improvement cess provided in the Estimates of a village committee in any one financial year shall be a cess at a uniform amount per pound on the assessed annual value of assessed premises and shall be a single cess in respect of all assessed premises.

Village Im-
provement
cess.

(2) The Village Improvement cess provided for in the approved Estimates of a village committee (to be called the cess) shall be imposed and levied by the village committee and shall be payable to the proper officer of the village committee on or before the 31st day of January following the date on which the Estimates providing for the cess are approved or such later date as the village committee may by notice declare.

(3) Each village committee which has imposed a cess shall cause a Cess Book to be kept as near as may be in the form prescribed for a Rate Book in the Fourth Schedule hereto *mutatis mutandis*. Such Cess Book shall be kept at the office of the village committee and shall be open to public inspection, during office hours.

(4) Sections 97 and 99 to 112 of this Ordinance shall apply to a Village Improvement cess as if any reference therein to a rate or rates included a reference to a Village Improvement cess payable under this section:

Provided that for the purpose of the application of the said sections as aforesaid—

(a) the reference to the Rural Area Council in section 97 shall be construed as a reference to the village committee;

(b) references to a rural district in section 104 shall be construed as references to a village area; and

(c) the reference to a rural district council in section 108 shall be construed as a reference to the village committee.

PART XVII.—MISCELLANEOUS.

Appearance
of local
authority
in legal
proceedings.

114. (1) A local authority may appear in any legal proceedings by the chairman or by a member or an officer of such local authority authorised generally or in respect of any particular proceeding by resolution of the local authority; and the chairman, or any member or officer so authorised as aforesaid, shall be a liberty to institute and carry on any proceeding which the local authority is authorised to institute and carry on under this or any other Ordinance, subject always to any directions which may be given him by the local authority.

(2) Service on the local authority of all legal processes and notices shall be effected by service on the chairman.

Form of
title deeds.

115. The title to all lands acquired or leased by a local authority shall be taken in the corporate name of the local authority and all deeds and contracts relating to land requiring to be executed by a local authority, shall be executed in the corporate name of the local authority and—

(a) in the case of the Rural Area Council shall be signed and sealed with the common seal by the President and shall also be signed by another member; and

(b) in the case of a rural district council or a village committee shall be signed and sealed by the chairman and one other member of such local authority.

Proof in legal
proceedings.

116. In any prosecution or other legal proceeding under the provisions of this or any Ordinance instituted by or under the direction of a local authority, no proof shall be required—

(1) of the persons constituting the local authority; or

(2) of any order to prosecute or of any particular or general authorisation under section 114 of the chairman, member or officer of the local authority; or

(3) of the appointment or authority of the chairman, member or officer of the local authority to prosecute; or

(4) of the presence of a quorum of the local authority at the making of any order to the doing of any act, until evidence is given to the contrary.



117. All documents executed in accordance with the provisions of sections 79 and 115 and all other documents purporting to be issued or written by or under the directions of a local authority and purporting to be signed by the chairman, or by a member or officer of a local authority, shall be received as *prima facie* evidence in all courts and shall be deemed to be executed, issued or written by or under the direction of the local authority without proof, unless the contrary is alleged.

Documents to be *prima facie* evidence.

118. Whenever in any criminal process or proceeding it may be necessary to refer to the ownership or description of property belonging to or under the management or superintendence of a local authority, such property may be described as the property of such local authority.

Description of property of local authority.

119. Save as in this Ordinance otherwise expressly provided, the publication of any notice or other document required by this Ordinance to be published shall be deemed to be duly made if it is fixed in some conspicuous place on or near the outer door of the office of the local authority during office hours, and also in some other conspicuous place or situation in the area under the jurisdiction of such local authority.

Publication of notices.

120. Notices, orders, and any other documents required or authorised to be served under this Ordinance may be served by delivering the same to or at the residence of the person to whom they are respectively addressed, or, where addressed to the owner or occupier of any premises, by delivering the same, or a certified true copy thereof, to some person on the premises, or, if there is no person on the premises who can be served, by fixing the same on some conspicuous part of the premises. The same may also be served by post by a prepaid registered letter; and if so served, they shall be deemed to have been served at the time of posting. In proving service by post, it shall be sufficient to prove that the notice, order or other document was properly addressed and posted.

Service of notices.

121. Every person who wilfully destroys, mutilates, effaces or removes any notice, list, register or other document, affixed to any premises under the provisions of this Ordinance, during the period during which the same ought to or is hereinbefore required to remain so affixed shall be guilty of an offence.

Hindering publication of notices, etc.

Inspection of documents.

122. A document directed by this Ordinance to be open to inspection shall be so open during the ordinary office hours, and without payment, unless otherwise provided.

Obstruction, etc. of inspection.

123. If a person having the custody of any register or document in this Ordinance mentioned—

(1) obstructs any person authorised to inspect the same in making such inspection thereof; or

(2) refuses to give copies or extracts to any person entitled to obtain the same,

he shall be guilty of an offence.

Obstruction of execution of Ordinance.

124. (1) Where the occupier of any premises prevents the owner thereof from obeying or carrying into effect any provision of this Ordinance, and is required by notice in writing to permit the execution of any works required to be executed for the purpose of obeying or carrying into effect the provisions of this Ordinance, then, if, within twenty-four hours after service of the written notice such occupier fails to comply therewith, he shall be liable on summary conviction to a fine of five pounds for every day during the continuance of such non-compliance.

(2) If the occupier of any premises, when requested by or on behalf of a local authority to state the name and address of the owner of the premises occupied by him, refuses or wilfully omits to disclose, or wilfully mis-states the same, he shall be guilty of an offence.

Entry on premises for purpose of Ordinance.

125. The officers of a local authority and such other persons as shall be duly authorised by a local authority shall have power to enter, examine, or lay open any lands or premises within the area under the jurisdiction of such local authority for any of the purposes of this Ordinance or of any Ordinance to which such local authority is authorised to give effect under section 60, and the owner or the occupier of such lands or premises who refuses after written notice to permit the same to be entered upon, examined or laid open for the purposes aforesaid shall be guilty of an offence.

Power to administer oaths, etc.

126. Where, under this Ordinance, a declaration or oath is required to be made or taken by the holder of any office or other person before a local authority, or any committee or any person, such local authority, committee or person, shall have authority to receive and administer the same without any commission or authority other than this Ordinance.

127. No matter or thing done and no contract entered into by a local authority, and no matter or thing done by any member or officer of a local authority or other person whomsoever acting under the direction of a local authority, shall, if the matter or thing were done or contract were entered into *bona fide* for the purpose of executing this Ordinance, subject any member or officer of the local authority or any person acting under the direction of the local authority personally to any action, liability, claim or demand whatsoever.

Protection of local authorities and their officers from personal liability.

128. (1) Where a local authority intend to apply to the Governor in Council for the approval of, or consent to, any sale, loan or other financial arrangement under this Ordinance, notice of the intention to make the application shall be published one month at least before the application, and a copy of the intended application shall, during that month, be kept in the office of such local authority and be open to public inspection.

Notice of application to Governor in Council.

(2) If the Governor in Council either refuses the approval or consent or grants it conditionally or under qualifications, notice of the correspondence between the Governor and the council shall forthwith and during one month be published, and a copy of the correspondence shall, during that month, be kept in the office of the local authority and be open to public inspection.

129. In addition to all other powers conferred by this Ordinance, it shall be lawful for the Governor in Council after consultation with the Rural Area Council by Order—

Amendment of schedules.

(a) to revoke, amend, vary, or add to any of the provisions or forms in the schedules (other than those occurring in Part IV of the Second Schedule) and to substitute other provisions and forms therefor; and

(b) to define, alter or vary the limits of boundaries of any village group, village area or rural district.

Boundaries.

130. (1) Any person guilty of an offence against this Ordinance for which no special penalty is provided shall be liable on summary conviction to a fine of ten pounds or in default of payment, to imprisonment for two months.

General penalty.

(2) Where any holder of a licence issued under the provision of this Ordinance is convicted of an offence involving a breach of the terms or conditions of his licence, the court convicting him may order that the licence be revoked, or suspended and thereafter the rural district council concerned may refuse the re-issue or renewal of the licence.

Rules.

131. (1) The Governor, after consultation with the Rural Area Council, may make rules dealing with any of the following matters—

(a) the establishment, regulation, control, maintenance and management of markets, slaughter-houses, public wash-houses and cemeteries;

(b) the provision, regulation, control, maintenance and management of water supplies;

(c) the removal and disposal of night soil;

(d) the imposing upon the owners of land of such restrictions as may be necessary to prevent any buildings upon their land from being, or becoming, a source of danger to surrounding property, whether from fire or from their insecure construction, or dilapidated condition;

(e) traffic in the streets, and the width of streets and other public places;

(f) the prevention of the obstruction of streets and other public places by animals and things;

(g) the prohibition, regulation and control of street trading;

(h) the construction and position of new buildings, the demolition, or alteration, of buildings erected contrary to any rules made under this section, or to any directions given by any person authorised by any such rules to give directions with regards to the erection and position of new buildings;

(i) the prohibition of building on such areas as may be prescribed;

(j) the prohibition of the digging of borrow pits, and the taking of building material, except from appointed places;

(k) The fees to be charged in connection with any of the aforesaid matters contained in this section;

(l) the prevention of contravention of rules made under this section, and the facilitating of the detection of such contraventions; and

(m) generally for carrying out the provisions of this Ordinance.

(2) Rules made under this section may apply to the whole, or any part, of the district and to all or any class or classes of persons.

Bye-laws.

132. (1) The Rural Area Council may from time to time make under the common seal such bye-laws as to them seem meet—

(a) for the health, order and good government of the whole or any part of the Rural Area;

(b) for the prevention of vagrancy and the suppression of nuisances; and

(c) for the issue of licences and permits and the payment of fees therefor.

(2) Bye-laws made under this section may impose a fine not exceeding ten pounds or in default of payment imprisonment not exceeding two months for the breach of any such bye-laws, and in the case of a continuing offence, a further penalty not exceeding one pound for each day after written notice of the offence has been served on the offender.

(3) With regard to such bye-laws the following provisions shall apply—

(a) The Rural Area Council shall not make a bye-law until the expiration of thirty days after a notice of the Rural Area Council's intention to make the same has been published in the *Gazette*.

(b) A bye-law made by the Rural Area Council shall not come into force unless and until it is approved by the Governor in Council and subsequently published in the *Gazette*.

Governor's
approval of
Bye-laws.

(4) Any offence against such bye-law may be prosecuted summarily.

133. From and after the date on which the first meeting of the Rural Area Council is held, the Rural Areas Ordinance shall cease to have effect:

Cessation of
Rural Areas
Ordinance.

*

Provided that—

(1) this declaration shall be without prejudice to anything done or suffered or any right, privilege, obligation or liability acquired, accrued or incurred under the said Ordinance and any such right, privilege, obligation or liability acquired, accrued or incurred by the Rural Areas Council established under the Rural Areas Ordinance may be enforced or discharged by the Rural Area Council established by this Ordinance;

(2) the provisions of Parts V and VI of the Rural Areas Ordinance shall remain in force in relation to house tax and improvement tax assessed prior to the said date, the expres-

* The Rural Areas Ordinance (No. 26 of 1937 as subsequently amended) was Chapter 208 of the 1946 edition of the Laws.

sions "District Commissioner", "Rural Commissioner" and "Rural Area" occurring therein being construed as references to the President, the chairman of a rural district council and a rural district respectively.

(3) any person holding any office or appointment under or with the Rural Areas Council (as established by the Rural Areas Ordinance) on the said date shall continue in such office or appointment as if he had been appointed by the Rural Area Council under this Ordinance; and

(4) all rules made by the Governor under the Rural Areas Ordinance with respect to the Rural Areas and in force at the commencement of this Ordinance shall be deemed to have been made by the Governor in Council under the provisions of this Ordinance and shall remain in force until revoked, amended or replaced under the provisions of this Ordinance;

31 of 1953.

(5) any reference in an Ordinance to the Rural Areas Council (established by the Rural Areas Ordinance) shall be deemed to include a reference to the Rural Area Council established by this Ordinance.

Savings of
Crown
Rights.

134. Save as is expressly provided in this Ordinance, the provisions hereof shall not in any manner whatsoever affect the rights of the Crown.

FIRST SCHEDULE

Section 3

<i>First Column.</i>	<i>Second Column.</i>	<i>Third Column.</i>	<i>Fourth Column.</i>
<i>Village Groups.</i>	<i>Village Areas.</i>	<i>No. of Representatives in Rural District Council.</i>	<i>Rural Districts.</i>
Dublin	Banana Islands Area	1	York Rural District
Ricketts			
Kent	Kent Area	1	
Bure Town			
Mama Beach			
Fore Town or Bonga Wharf			
Damzin			
Tombo	Tombo Area	1	
Bandi Town or Cole Town			
Kebbi Town			
Kong Town			
Jumu Town			
Temne Town			
Mama Town			
Baoma Town			
Bokari Town			
Kerry Town			
Blackie Town			
Cline Town			
Gegba Town			
Koya Town			
Rockie Town			
Russell Masese			
Totikelli			
Kassi			
Adjai Water			
Kissi			
Walhal			
Mamudu			
York	York Area	1	
Number Two			
Tokeh			
William Town (John Obey)			
Hamilton	Hamilton Area	1	
Mambo Town			
Pawama... ..			
Bawbaw... ..			
Sussex			
Sherbro Town			
Lakka			
Sandima			
Ogco Farm			
Salt Pond			

FIRST SCHEDULE—*continued.*

<i>First Column.</i>	<i>Second Column.</i>	<i>Third Column.</i>	<i>Fourth Column.</i>
<i>Village Groups.</i>	<i>Village Areas.</i>	<i>No. of Representatives in Rural District Council.</i>	<i>Rural Districts.</i>
Sattia	Sattia Area	1	York Rural District— <i>continued</i>
Banga Ground			
Makombi			
Karien			
Makonkobo			
Morlai			
Bwango (Old and New)			
Myla			
Taymurray			
Fatoma Town			
Josiah Town			
Kabu			
Pattam			
Tisana			
Bamp Fakai			
Bokarie Town			
Masilla			
Susu Town			
Tasso	Tasso Area	1	Kissy Rural District
Sine Fakai			
Bomp-Rokum			
Aku Town			
Charles Farm			
Davies Farm			
Jones Farm			
Large's Farm			
Manka's Farm			
Morlai's Farm			
Sori Farm			
William Farm			
Samblama			
Allen Town—Upper and Lower	Wellington Area		
Calabar Town			
Kola Tree			
Myla			
Pamaronko Fakai			
Peacock Farm			
Robis			
Rokupr			
Bassa Hill			
Fode Hill			
Wellington Hill Road			
Wilson's Farm			
Wellington			
Mayenkina			

FIRST SCHEDULE—*continued.*

<i>First Column.</i>	<i>Second Column.</i>	<i>Third Column.</i>	<i>Fourth Column.</i>
<i>Village Groups.</i>	<i>Village Areas.</i>	<i>No. of Representatives in Rural District Council.</i>	<i>Rural Districts.</i>
Mayeni	Wellington Area— <i>continued</i>	2	Kissy Rural District— <i>continued</i>
Thunder Hill			
Ropotu			
Bambara Town			
Kissy	Kissy Area	3	Kissy Rural District— <i>continued</i>
Disputed Area			
Kamanda Farm			
Kamanda Farm Road			
Silla's Farm			
Magnus Cole's Farm			
Brown's Farm			
Cassells' Farm			
Fisher Lane			
Maxwell Farm			
Leigh's Farm			
Spencer's Farm			
Goderich	Goderich Area	1	Wilberforce Rural District
Sherbro Town			
Baoma Fakai			
Fonima Fakai			
Gema Fakai			
Kebbi Loko Fakai			
Lower Pendembu			
Pendembu			
Adonkia			
Angola			
Deodo			
Lumley	Lumley Area	1	Wilberforce Rural District
Regent Road Fakai			
Salt Pond Fakai			
Malema Extension			
Babadori Fakai			
Levuma			
Aberdeen Road	Murray Town Area	1	Wilberforce Rural District
Murray Town			
Wilkinson Road			
Aberdeen	Aberdeen	1	Wilberforce Rural District
Wilberforce Hill Station	Wilberforce Area	2	
...			

FIRST SCHEDULE—*continued.*

<i>First Column.</i>	<i>Second Column.</i>	<i>Third Column.</i>	<i>Fourth Column.</i>
<i>Village Groups.</i>	<i>Village Areas.</i>	<i>No. of Representatives in Rural District Council.</i>	<i>Rural Districts.</i>
Gloucester	} Gloucester Area	1	} Mountain Rural District
Cole Farm			
Bassa Fakai			
Leicester	} Leicester Area	1	
Leicester Road			
Bathurst	} Bathurst Area	1	
Grant's Farm			
Bassa Fakai			
Foyama Fakai			
Wilson Fakai			
Charlotte	} Charlotte Area	1	
Allen Town Road Fakai			
Wellington Road			
Yakemi Fakai			
Regent	Regent Area	2	
Campbell Town	} Campbell Town Area	1	} Waterloo Rural District
Hake Town			
Matindi Town			
Polongwe			
Tokpogehun			
Gendema Fakai			
Hagar Fakai			
Jibina Fakai			
Matindi Fakai			
Temne Town			
Yerewa Fakai			
Jangalow			
Benin Wharf			
Kangahun			
Nagbena			
Batbai			
Fenge Town			
Waterloo	} Waterloo Area		
Cole Town			
Ansumana Fakai			
Gbamgbama Hill			
Railway Line			
Godwin Farm			
Mammy Joppoh Farm			
Loko Town			
Loko Fakai			

FIRST SCHEDULE—*continued.*

<i>First Column.</i>	<i>Second Column.</i>	<i>Third Column.</i>	<i>Fourth Column.</i>
<i>Village Groups.</i>	<i>Village Areas.</i>	<i>No. of Representatives in Rural District Council.</i>	<i>Rural Districts.</i>
Gbangaima Fakai	} Waterloo Area— <i>continued</i>	} 2	} Waterloo Rural District— <i>continued</i>
Soritenke Fakai			
Soritenke Wharf			
Comfort Hill			
Gondama Hill			
Mabure (Bure Town)			
Mabure Town Road			
One Mile			
Neville Plantation			
Jacksonville Plantation			
Pawpaw Hill			
Benduma Hill			
Sorie Town (York Road)			
Susu Town (Lumpa)			
Lumpa Road to Campbell Town			
Lumpa Road to Mabure			
Paloko			
Brown Fakai			
Crown Fakai			
Davies Farm			
F. A. John Farm			
John Bull Fakai			
Johnson Fakai			
Kai Ribbin Fakai			
Mayefera Fakai			
Mosantigie			
Mano Town			
Motikere Hill			
Hastings	} Hastings Area	}	}
Grafton			
Congo Hill			
Egbonoki			
Guange			
Kosso Town			
Mendi Town			
Fonema			
Pindalahun			
Temne Compound			
Mendie Compound			
Susu Compound			
Robule Wharf			
Rokel			
Limba Corner			
John Topp			
John Topp Fakai			

FIRST SCHEDULE—*continued.*

<i>First Column.</i>	<i>Second Column.</i>	<i>Third Column.</i>	<i>Fourth Column.</i>
<i>Village Groups.</i>	<i>Village Areas.</i>	<i>No. of Representatives in Rural District Council.</i>	<i>Rural Districts.</i>
Sally Fakai	} Hastings Area— <i>continued</i>	2	}
Couple Farm			
Kondoloh Fakai			
Jewitt Fakai			
Road to Rokel			
Simma Fakai			
Yams Farm			
Sori Loko Fakai			
Road to Jewitt Fakai			
Maria Taylor Fakai			
Railway Line			
Christian Ville			
Deep Eye Water			
Devil Hole			
Hill Section			
Loko Town			
Susu Town			
Jaluhun			
Rogbangba			
Benguema	} Benguema Area	}	} Waterloo Rural District— <i>continued</i>
Samuel Town			
Susannah Fakai			
Bett Fakai			
N'Dovoe Fakai			
Puvande Fakai			
Sori Fakai			
Middle Town			
Gbenta Fakai			
Kobai			
Ali Fakai			
Kakanda Town			
Monkey Bush			
Bassa Town			
Stone Town			
Macdonald			
Bottom Mango			
Brewa Fakai			
N'Gonya Fakai... ..			
New Town			
Woni Fungba Fakai			
Sukuma Town			
Summer Wharf... ..			
Kotopema			
Kani Fakai			
Souvra Fakai			
Pa Watai			

FIRST SCHEDULE—*continued.*

<i>First Column.</i>	<i>Second Column.</i>	<i>Third Column.</i>	<i>Fourth Column.</i>
<i>Village Groups.</i>	<i>Village Areas.</i>	<i>No. of Representatives in Rural District Council.</i>	<i>Rural Districts.</i>
Baponte	Benguema Area— <i>continued</i>	1	Waterloo Rural District— <i>continued</i>
Sampa Town			
Gbomgboima Fakai			
Jabama Fakai			
Makaiah Fakai			
Narra Fakai			
Scino Fakai			
Vincent Fakai			
William Fakai			
Hajia Fakai	Fabaina Area	1	British Koya Rural District
Sheri Fakai			
Fabaina			
Povehun			
Powaila			
Makonomaia			
Molamina			
Molou			
Mafola			
Rokundoh			
Robunkah			
Magbamgba			
Garahun			
Mawani			
Mahaina... ..			
Maswari			
Masuri			
Maselo			
Madonke	Madonke Area	1	British Koya Rural District
Mammy Sattia Fakai			
Mobrowne			
Kola Tree			
Makonkonde			
Melville Fakai			
Msenk Road			
Koker Town			
Kwama			
Mosallay			
Mobamp			
Makoko			
Lamboak Fakai			
Matankla			
Seri Town			
Manso Fakai			
Kebbi Boat Fakai			
Mosenk			

FIRST SCHEDULE—*continued.*

<i>First Column.</i>	<i>Second Column.</i>	<i>Third Column.</i>	<i>Fourth Column.</i>
<i>Village Groups.</i>	<i>Village Areas.</i>	<i>No. of Representatives in Rural District Council.</i>	<i>Rural Districts.</i>
Fogbo	} Magbafti Area	1	} British Koya Rural District— <i>continued</i>
Fogbo Barmouth			
Mokailunga			
Kai Barmouth			
Makonte			
Momenge			
Mosine			
Moshewore			
Mosulimana			
Salt Pond Barmouth			
Manalo			
Jeremiah Harsing Fakai			
Henry Johnson Fakai			
Makomba			
Johnny Town			
Toregehun			
Rogberri			
Motamba Yeke			
Magbafti			
Foofoo Water			
Mokabi			
Bongowilli			
Foya Town			
Makoibundu			
Foma Town			
Mosita			
Batkump			
Sarah Fakai			
Mokimba			
Sherbro Town			
Robatai			
Newton Maswari Road			
Blackie Town			
Moiyen			
Kwebetik			
Salt Pond			
Songo	} Songo Area		
Masurinyaw			
Loko Town			
Taylor Town			
Nine Miles			
Bongra Town			
Kono Town or 8 Miles			
Jama Town			
Kundibu			
Brama Town			

FIRST SCHEDULE—*continued.*

<i>First Column.</i>	<i>Second Column.</i>	<i>Third Column.</i>	<i>Fourth Column.</i>
<i>Village Groups.</i>	<i>Village Areas.</i>	<i>No. of Representatives in Rural District Council.</i>	<i>Rural Districts.</i>
Moballa	} Songo Area— <i>continued</i>	1	} British Koya Rural District— <i>continued</i>
Songo Loko			
Mapomponi			
Molambe	} Molambe Area	1	
Baimba Town			
Gendemba			
Koker Town			
Makure			
Mano Town			
Mobampo			
Maboikandu			
Maluseni			
Yamba Town			
Joe Town			
Nyangba Town... ..			
Mobere			
Maboisana			
Mafonike			
Mafonike Road			
Newton	} Newton Area	1	
Six Miles			
Mayeno			
William Town			
Myonge Town			
Pratt Fakai			
Goodman Farm			
Mobaula... ..			
Muyajia Fakai			
Three Miles			
Kali Town			
Magbanamati			
Mobakay			
Mopayira			
Maselusi			
Mokando			
Mokaravon			
Yandehun			
Turner Town			
Powubu			
Mobueh			
Katu Town			
Five Miles			
Bataima... ..			

SECOND SCHEDULE.

PART I.—VALUATION OF PREMISES.

Section 17 (6).

Assessment
of annual
value.

Form 1.

Form 1.

1. (1) For the purpose of compiling the first Valuation List the valuers shall before a day to be appointed by the Rural Area Council assess the annual value of all premises assessable within the meaning of section 16 and shall prepare and sign the first Valuation List in the form prescribed in the Fourth Schedule. Thereafter they shall on or before the 1st day of June in every year assess the annual value of such assessable premises, and prepare and sign a Valuation List in the prescribed form.

(2) If the valuers are of the opinion that the value of any premises shown in the Valuation Roll in force at the time of assessment correctly shows the annual value of such premises, they shall accept such valuation for the purposes of the Valuation List then in course of preparation, but otherwise shall revise such valuation and enter the revised valuation in such Valuation List.

Form 1.
Valuers may
require
owner,
occupier or
mortgagee
to give
information.
Form 2.

2. (1) The valuers may require any owner, occupier or mortgagee of any premises to give his full name and address and to produce any rent book, receipts for rents, lease, agreement or other document, and may require such owner or the person in receipt of any rent thereof, or the person renting such premises or part thereof, or the agent of such person to make a declaration in writing in the form prescribed in the Fourth Schedule as to the amount of yearly rent paid or payable for such premises, or to give any other information which may be required for the purpose of duly making any Valuation List.

(2) Any person refusing or failing to produce any such book or document or sign such declaration or to give any such information or signing any such declaration knowing the same to be false shall be liable to a fine of twenty-five pounds or in default of payment to imprisonment for three months.

Notice of
assessment
to be given
in certain
cases.

3. Whenever the valuers have assessed the annual value of any premises which during the immediately preceding period of twelve months have been erected, altered or rebuilt, or have reassessed any premises at an increased annual value, they shall cause a notice signed by them and specifying the annual value assessed by them to be served on the owner, occupier or mortgagee of such premises.

Valuers may
enter any
premises.

4. The valuers may in the discharge of their duty enter upon any premises between the hours of six o'clock in the forenoon and six o'clock in the afternoon on any week day not being a public holiday and any person refusing admission to or obstructing the valuers in the discharge of their duty shall be liable to a fine of twenty-five pounds or in default of payment to imprisonment for three months.

Notice of new
buildings,
etc.

5. When any new building is erected or whenever any building is rebuilt or enlarged the owner of such building shall within fifteen days of the completion of work thereon or occupation thereof whichever is the sooner give notice thereof in writing to the President. In case of failure to give such notice the owner shall be guilty of an offence.

Valuation
list to be de-
posited and
open for
inspection.

6. The Valuation List shall be divided into six parts corresponding with the six rural districts. Each part shall be made in duplicate and signed by the valuer. The original of each part shall forthwith be deposited in the office of the Rural Area Council and the copy in the office of the appropriate rural district council. The Rural Area Council shall forthwith cause to be published a notice of the deposit of such list and of the parts thereof as hereby

required. Any person owning or in the occupation of or interested in any assessable premises shall on payment of a fee of one shilling be entitled to inspect the Valuation List at the office of the Rural Area Council or the copy of the appropriate part at the office of the rural district council at which it is deposited; and such person shall be entitled to take copies thereof and extracts therefrom without payment of any further fee.

7. Any person aggrieved by any Valuation List on the ground of unfairness or incorrectness in the valuation of any premises included therein, or on the ground of the inclusion of any premises in or the omission of any premises from such Valuation List, may at any time after the deposit as aforesaid of such list, and before the expiration of twenty-one days after the publication of the notice of the deposit, give to the Assessment Committee a notice in writing of his objection specifying the grounds thereof. When the ground of any objection is unfairness or incorrectness in the valuation of any premises in respect of which any person other than the person objecting is liable to be assessed or the omission of any assessable premises, the person objecting shall also give notice in writing of such objection and of the ground thereof to such other person.

Objections to
Valuation
Lists.

8. (1) The assessment Committee shall hold meetings to hear objections to Valuation Lists, and shall fourteen days at least before holding any meeting except a meeting by adjournment, cause to be published notice of such meeting; and the Assessment Committee may at any such meeting hear and determine such objections or may from time to time adjourn any such meeting and adjourn or postpone the hearing or further hearing and determination of any such objections, and may direct notice in writing of any such objection to be given by the valuers or by the persons objecting to third parties before the further hearing thereof. When the ground of such objection is unfairness or incorrectness in the valuation of any premises in respect of which any person other than the person objecting is liable to be assessed, or the omission, of any assessable premises from the Valuation List, the Assessment Committee shall not hear any objection to such Valuation List, unless such notice as aforesaid of such objection has been given to them and to such other person by the person objecting, except when such other person by himself or some other person on his behalf consents to the hearing of such objection.

Procedure for
dealing with
objections.

(2) The Assessment Committee may, upon the hearing of objections to Valuation Lists, examine witnesses on oath and take evidence in writing.

(3) Such witnesses shall be summoned under the hand of the President in the same manner as nearly as circumstances permit as witnesses at a trial in the Supreme Court.

(4) Upon the hearing of objections to the Valuation List, such person as the President may direct shall take down in writing a full record of the proceedings including the evidence of all witnesses examined on oath.

9. Any person who wilfully refuses to attend in obedience to a lawful summons of the Assessment Committee, or to give evidence or to produce any rent book, receipts for rent, lease, agreement, or other document which may be required to be produced before the Assessment Committee for the purpose of ascertaining the annual value of any assessable premises in the town shall be guilty of an offence. The Assessment Committee, after hearing the parties interested, shall have power to order the withdrawal of all persons from such meetings during their deliberations.

Penalty, etc.

Assessment Committee may direct further valuation and may correct Valuation Lists.

10. (1) The Assessment Committee may, whether any objection be or be not made to any Valuation List and after giving any known owner, occupier or mortgagee of the premises concerned opportunity to be heard, make such alterations in the valuation of any premises included in the Valuation List, and may insert therein any assessable premises omitted therefrom, and may delete therefrom any premises which are not assessable, and make such corrections in names, descriptions, and particulars in any Valuation List, upon such information as to them may seem sufficient, and may employ a person to survey and value any assessable premises comprised in or omitted from the Valuation List, or may take such other means for ascertaining the correctness of the Valuation List as the Assessment Committee may think fit.

(2) The decisions of the Assessment Committee shall not require the approval of the Rural Area Council.

(3) When the Assessment Committee has heard and determined all such objections as aforesaid and has made all alterations, insertions and corrections in the Valuation List, it shall approve the same and thereupon such Valuation List shall become a Valuation Roll.

Appeals against decision of Assessment Committee.

11. (1) Any person who—

(a) has appealed to the Assessment Committee and is aggrieved on account of its decision, or

(b) is aggrieved by any alteration to the Valuation List made by the Assessment Committee of its own motion,

may at any time within fourteen days after the publication of the notice of the deposit of the Valuation Roll appeal to a Police Magistrate.

(2) The appellant shall give to the Assessment Committee seven clear days' notice in writing of his intention to appeal and the grounds thereof.

(3) The Police Magistrate shall hear and determine the appeal, and either allow or disallow the same, or make such order as shall be just.

(4) The Police Magistrate shall, subject to this Ordinance, have the same powers, jurisdiction and authority with respect to such appeals and the proceedings therein and to the costs as if the appeal were an ordinary suit.

(5) Any person who has appealed to a Police Magistrate and is aggrieved on account of the decision on his appeal may within fourteen days appeal to the Supreme Court whose decision shall be final.

(6) Where the Police Magistrate orders the Valuation Roll to be amended, and no appeal has been lodged in the prescribed period, or if an appeal has been lodged and the Supreme Court orders the Valuation Roll to be amended, the Assessment Committee shall cause the Valuation Roll to be amended in conformity with the decision so made, and shall add to such amendments the words "by order of the Court."

Section 44.

PART II.—STANDING ORDERS OF LOCAL AUTHORITIES.

Meetings.

1. A meeting of a local authority shall be convened by the chairman at least once in every quarter and at such other times as the chairman may appoint:

Provided that the chairman shall convene a meeting within fourteen days whenever so requested in writing by any two or more members of the local authority.

2. At every meeting of a local authority, the chairman or in his absence, his deputy, shall preside: Presiding Member.

Provided that in the absence of both the chairman and his deputy a rural district council or a village committee shall appoint one of its members to preside.

3. All acts whatsoever hereby authorised or required to be done by a local authority and all questions that may come before a local authority shall be done and decided by the majority of votes: Voting.

Provided that a local authority shall not be disqualified from the transaction of business by reason of any vacancy or vacancies among members:

Provided further that no business, except that of adjournment, shall be transacted unless there be present—

(i) in the case of a village committee, at least four members;

(ii) in the case of a district council, or the Rural Area Council, at least six members:

Provided further that whenever the post of President is vacant, the members of the Rural Area Council shall elect a President.

4. The chairman or member presiding shall have an original vote in common with the other members, and also a casting vote if upon any question the votes be equal. Chairman's vote.

5. A local authority may from time to time appoint out of their number such and so many committees, either of a general or special nature, and consisting of such number of persons as it shall think fit, for any purpose which the local authority may think would be better regulated or managed by means of such committees and any such committee may include persons who are not members of the local authority: Committees.

Provided that the proceedings of every such committee shall, except as herein otherwise provided, be submitted to the local authority for approval, and shall be subject to such approval.

6. (1) Minutes of all the proceedings of a local authority shall be regularly kept by the member or officer appointed in that behalf by the local authority in a Minute Book kept for that purpose; and, at each meeting of the local authority, the minutes of the last preceding meeting shall be read over and confirmed or amended, as the case may require, and shall be signed by the chairman or member presiding. Minutes.

(2) The Minute Book shall be open to inspection during office hours by any person whose name appears on the Voters List on payment of a fee of one shilling.

(3) The chairman of a village committee shall furnish the chairman of the rural district council to which the village committee is subordinate and the President with certified copies of the minutes after confirmation by the village committee.

(4) The chairman of a rural district council shall furnish the President and the Minister with certified copies of the minutes after confirmation by the rural district council.

(5) The President shall furnish the Minister with certified copies of the minutes after confirmation by the Rural Area Council.

First meeting of village committee after general election.

7. The first meeting of a village committee after a general election shall be held at the office of the village committee or at such other place as the President may determine as soon as conveniently may be after such election and the first business to be transacted thereat shall be the election of a chairman.

First meeting of a rural district council after general election.

8. The first meeting of a rural district council after a general election shall be held at the office of the rural district council or such other place as the President may determine and the first business to be transacted thereat shall be the election of a chairman.

9. Until the chairman of a local authority is elected or appointed as the case may be, a member may be elected by the meeting to preside over the meeting.

10. (1) The Rural Area Council shall have power to co-opt any Government official as a member for any particular meeting.

(2) A co-opted member shall not have a vote and shall not be deemed to be a member for the purpose of forming a quorum.

Section 80.

THIRD SCHEDULE.

PART I.

For every licence to any—

			£	s.	d.
1. Hawker or pedlar of manufactured goods not being articles of food	Yearly	...	0	5	0
	Half-yearly	...	0	3	0
2. Hawkers of articles of food and non-alcoholic drink for human consumption	Yearly	...	Free		
3. Hotel, Inn or Common Lodging House-Keeper (a separate licence shall be required in respect of each Hotel, Inn or Common Lodging House)	Yearly	...	10	0	0
	Half-yearly	...	5	0	0
4. Restaurant keeper (a separate licence shall be required in respect of each Restaurant)	Yearly	...	5	0	0
	Half-yearly	...	3	0	0
5. Vendor of Patent Medicines (a separate licence shall be required in respect of each shop, store or other place of business)	Yearly	...	2	0	0
	Half-yearly	...	1	5	0
6. Vendor of herbs or herbal medicines	Yearly	...	2	0	0
	Half-yearly	...	1	5	0
7. Registered money-lender (a separate licence shall be required in respect of each place of business)	Yearly	...	12	0	0
	Half-yearly	...	7	0	0
8. Palm Wine tapper	Yearly	...	5	0	0
	Half-yearly	...	3	5	0

			£	s.	d.
9. Dealer in palm wine (a separate licence shall be required in respect of each shop, store or other place of business)	Yearly	...	1	0	0
	Half-yearly	...	0	12	6
10. Hewer of wood for sale or barter as fuel	Yearly	...	1	0	0
	Half-yearly	...	0	12	0
11. Burner of charcoal for sale or barter	Yearly	...	2	0	0
	Half-yearly	...	1	5	0
12. Vendor of firewood (a separate licence shall be required in respect of each shop, store, or other place of business)	Yearly	...	0	5	0
	Half-yearly	...	0	3	0
13. Vendor of charcoal (a separate licence shall be required in respect of each shop, store, or other place of business)	Yearly	...	0	5	0
	Half-yearly	...	0	3	0

PART II.

For every licence—

			£	s.	d.
1. For a cart, truck, wagon or other such vehicle, not being a motor-vehicle for the conveyance of any goods in the course of trade or husbandry, if the same shall have four or more wheels	Yearly	...	0	10	0
	Half-yearly	...	0	6	0
2. For a bicycle or tricycle not drawn or propelled by mechanical power	Yearly	...	0	10	0

PART III.

For every licence—

			£	s.	d.
To hold any concert, dancing, musical, theatrical or other entertainment to which admission is to be obtained on payment of any money or reward (except when the proceedings go wholly to charity)	Yearly	...	2	10	0
	Half-yearly	...	1	10	0
	Quarterly	...	0	17	6
	Single entertainment	...	0	5	0
Ditto (when the proceedings go wholly to charity)					Free

FOURTH SCHEDULE.

Form 1. (Second Schedule, Part I, paragraph 1.)

VALUATION LIST.

Name of Street	Number of house or plot of land in Street	Description of Premises	Name of Owner	Name of Occupier	Annual rateable value	Remarks

Form 2. (Second Schedule, Part I, paragraph 2.)

DECLARATION AS TO YEARLY RENT OF PREMISES.

Name I,of.....do
 Premises hereby declare that the rent payable
 Rented from by/to me in respect of the premises
 or let to No..... inStreet,
 rented/let by me..... from.....
 me/to..... is at the rate of
 per annum.
 Rent per annum Declared..... 19....
 Date..... 19.... Before me.....
 Valuer.

.....
*Signature or mark of
 Declarant.*

RATE.

An assessment for the Rate of the Rural District of.....made by the Rural District Council on this.....day of....., 19....., at the rate of.....pence in the pound.

	Arrears Due or if Excused	Name of Occupier	Name of Owner	Description of Property Rated	Name or Situation of Property	Estimated Extent	Annual Value	Rate at <i>d.</i> in the Pound subject to a minimum rate of <i>5s.</i>
	£ s. d.						£ s. d.	£ s. d.
1	...							
2	...							
3	...							
4	...							