

CHAPTER 199.**DIAMOND INDUSTRY PROTECTION.**

ARRANGEMENT OF SECTIONS.

SECTION.

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CHAPTER 199.**DIAMOND INDUSTRY PROTECTION.**

28 of 1956.
8 of 1957.
1 of 1959.

An Ordinance to Consolidate and Amend the Law relating to the Protection of the Diamond Industry.

[22ND NOVEMBER, 1956.]

Short title.

1. This Ordinance may be cited as the Diamond Industry Protection Ordinance.

Interpreta-
tion.

2. In this Ordinance, unless the context otherwise requires—
“diamond” means any rough or uncut diamond;

1 of 1959.

“native of Sierra Leone” means a person who is a member of a race, tribe or community settled in Sierra Leone other than a race, tribe or community which is of European or Asiatic origin or is partly of European or Asiatic origin;

1 of 1959.

“stranger” means any person, except a person who is both a British protected person by virtue of his connection with the Protectorate of Sierra Leone and is also a native of Sierra Leone.

Declaration
of Diamond
Protection
Areas and
rules therefor.

3. (1) It shall be lawful for the Governor by Order to declare areas of land to be Diamond Protection Areas, and to define the boundaries of such areas.

(2) The Governor in Council may make rules for the peace, order and good government of such areas, and in particular, without derogating from the generality of the foregoing powers, such rules may deal with all or any of the following matters—

- (a) the residence of strangers in such areas;
- (b) the removal of strangers from such areas;
- (c) the issue and the prohibition or restriction of the issue of store and trading licences in such areas;
- (d) the powers of arrest which may be exercised in respect of any stranger suspected of being guilty of an offence under any rule made under this section;

(e) the removal and exclusion from such areas and from the Districts adjoining such areas of any person whom the Governor in Council shall deem it expedient for the peace, order or good Government of such areas or any part of such areas so to remove and exclude, or of any person who has been convicted of contravening any of the provisions of any Order made by a Tribal Authority controlling the residence of strangers. 1 of 1959.

(3) It shall be lawful for the Governor in Council by Order to apply any or all of such rules, or such of them as may be applicable with or without modifications or conditions to all Diamond Protection Areas or to any specified part or parts thereof.

(4) The Governor in Council may impose a penalty not exceeding one hundred pounds or imprisonment with or without hard labour for a period not exceeding six months, or both such fine and imprisonment, for the breach of any rule made under this section. Any such breach may be prosecuted summarily before a magistrate:

Provided that the Governor in Council may impose a minimum penalty not exceeding imprisonment with or without hard labour for a period of twelve months and a maximum penalty not exceeding imprisonment with or without hard labour for a period of two years for the breach of any rule providing for the removal and exclusion of any person under the powers conferred by sub-paragraph (e) of sub-section (2) of this section and a minimum penalty not exceeding imprisonment with or without hard labour for a period of six months and a maximum penalty not exceeding imprisonment with or without hard labour for a period of twelve months under any rule providing for the punishment of persons found in possession of mining implements; and may prescribe that such minimum penalty shall be imposed by a magistrate upon summary conviction, unless for special reasons to be recorded by him the magistrate shall see fit to impose a sentence less than the minimum, in which case the sentence shall be subject to confirmation by the Chief Justice. 1 of 1959.

Onus of
proof.

4. If any question in any proceedings under any rules made under this Ordinance as to whether any person is or is not, in relation to any Diamond Protection Area, a stranger as defined in this Ordinance, the onus of proving that such person is not a stranger as aforesaid shall be on such person.

Repeal.
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5. The Diamond Industry Protection Ordinance is hereby repealed.

Saving of
Rules.
*

6. All rules made or purported to be made under section 3 of the repealed Diamond Industry Protection Ordinance shall be deemed to have been made under section 3 of this Ordinance, and, if still unrevoked at the time of coming into operation of this Ordinance, shall continue in force until other provision is made by virtue of this Ordinance.
