

CHAPTER 203.

TONKOLILI (SUPPLEMENTARY) AGREEMENT.

An Ordinance to Ratify and Confirm an Agreement Supplementary to an Agreement made between the Crown Agents for the Colonies on behalf of the Government of Sierra Leone and the Sierra Leone Development Company Limited, Regulating the Mining of the Iron Ore Deposits and other Minerals and Metals in the Tonkolili Area of the Protectorate. 9 of 1944.

[1ST OCTOBER, 1943.]

WHEREAS an Agreement was made on the sixteenth day of April, 1937, between the Crown Agents for the Colonies on behalf of the Government of Sierra Leone of the one part and the Sierra Leone Development Company, Limited, of the other part which Agreement was set out in the Schedule to an Ordinance shortly entitled the Tonkolili Agreement Ordinance, 1937: Cap. 202.

AND WHEREAS the said Agreement was duly ratified and confirmed by the Legislative Council of Sierra Leone:

AND WHEREAS it is desirable that an agreement supplementary to the said Agreement should be made between the parties as aforesaid and that the said Supplementary Agreement should be ratified and confirmed:

AND WHEREAS the said Supplementary Agreement was made on the nineteenth day of February in the year of our Lord one thousand nine hundred and forty-four and which Supplementary Agreement is set out in the Schedule hereto:

NOW, THEREFORE, BE IT ENACTED by the Governor of Sierra Leone, with the advice and consent of the Legislative Council thereof, as follows—

1. This Ordinance may be cited as the Tonkolili (Supplementary) Agreement Ordinance. It shall apply to the Colony and Protectorate and shall be deemed to have come into force on the first day of October, one thousand nine hundred and forty-three. Short title
and com-
mencement.

Confirmation
of Supple-
mentary
Agreement
and confer-
ment of
powers.

2. The Supplementary Agreement aforesaid is hereby ratified and confirmed and all rights and obligations purported to be conferred or imposed thereby are hereby declared valid any law to the contrary notwithstanding, and notwithstanding anything in any law contained the Governor or the Crown Agents shall have power to do on behalf of the Crown any act which the said Supplementary Agreement may require or allow in the name of the Governor or of the Crown Agents or of the Government.

Application
of Cap. 136.

3. The provisions of the Marampa Railway and Harbour Works Construction Ordinance, so far as the same may be applicable, are hereby expressly declared to apply to any extension of the Marampa Railway which may be constructed in accordance with the terms of the said Supplementary Agreement.

SCHEDULE.

AN AGREEMENT made the 19th day of February one thousand nine hundred and forty-four BETWEEN the Crown Agents for the Colonies whose office is at 4 Millbank in the City of Westminster for and on behalf of the Government of the Colony and Protectorate of Sierra Leone (hereinafter referred to as "the Government" which expression shall where the context so requires or permits include the Governor for the time being of the said Colony and Protectorate) of the one part and the Sierra Leone Development Company, Limited, whose registered office is at 24 Old Broad Street in the City of London (hereinafter referred to as "the Company" which expression shall where the context so requires or permits include its successors and assigns) of the other part.

WHEREAS by an Agreement dated the sixteenth day of April one thousand nine hundred and thirty-seven and made between the Government of the one part and the Company of the other part (hereinafter referred to as the Principal Agreement) the Company was granted by the Government a Special Exclusive Prospecting Licence (therein also referred to as the First Licence) for all minerals within the Tonkolili areas as defined and described in the First Schedule to the Principal Agreement for a period of five years from the first day of October one thousand nine hundred and thirty-three, with the provision that upon the Company giving to the Government notice in writing not later than the first day of May one thousand nine hundred and thirty-eight, requesting the Government to grant to the Company a further Special Exclusive Prospecting Licence (in the Principal Agreement and also hereinafter in this agreement referred to as the Second Licence) the Government should duly comply with such request AND WHEREAS the notice as aforesaid was duly given and in accordance with the request therein contained the Second Licence was granted to the Company by the Government on the 29th May, 1942, for a period of five years from the first day of October one thousand nine hundred and thirty-eight to prospect for all minerals within the limits therein defined subject to the provisions of Clause 6 of the Principal Agreement AND WHEREAS the period of the

Second Licence expired on the thirtieth day of September one thousand nine hundred and forty-three AND WHEREAS the Government and the Company aforesaid have agreed that the period of the Second Licence shall be extended until the thirtieth day of September one thousand nine hundred and forty-four and for the purposes thereof have agreed to the making of an Agreement supplementary to the Principal Agreement.

NOW IT IS HEREBY AGREED AND DECLARED as follows—

(i) This Agreement shall be supplementary to the Principal Agreement.

(ii) The Principal Agreement shall continue in full force subject to the alterations or modifications as hereinafter made which alterations and modifications shall be deemed to be incorporated therein and to be part thereof.

(iii) The word " five " in the third line of clause 6 (a) of the Principal Agreement shall be deemed to be and always to have been deleted and the word " six " substituted therefor.

(iv) The word " forty-three " in line 2 of clause 7 of the Principal Agreement shall be deemed to be and always to have been deleted and the word " forty-four " substituted therefor.

(v) The number " 1943 " shall be deemed to be and always to have been deleted wherever it occurs in clauses 1, 6, 7 (b) (i) and 7 (b) (iii) of the Second Schedule to the Principal Agreement and the number " 1944 " substituted therefor.

IN WITNESS whereof JOHN ALEXANDER CALDER, C.M.G., one of the Crown Agents for the Colonies has hereunto set his hand and seal and the Company has caused its common seal to be hereunto affixed the day and year first above written.

Signed sealed and delivered by
John Alexander Calder, C.M.G.,
one of the Crown Agents for
the Colonies in the presence of—

J. A. CALDER.

L.S.

N. RAE,
4 Millbank, London, S.W.1,
Civil Servant.

The Common Seal of the Sierra
Leone Development Company,
Limited, was hereunto affixed in
the presence of—

Common
Seal.

J. M. CAMPBELL,
KENNETH W. M. MIDDLETON, } *Directors.*