

**CHAPTER 84.**

**ALIENS NATURALISATION AND ACQUISITION  
OF PROPERTY.**

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SCHEDULE.

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**CHAPTER 84.**

**ALIENS NATURALISATION AND ACQUISITION  
OF PROPERTY.**

**An Ordinance to consolidate and amend the law relating to the naturalisation of aliens and the acquisition of property by aliens in Sierra Leone.** 5 of 1907.  
10 of 1928.  
7 of 1929.

[4TH MARCH, 1907.]

1. This Ordinance may be cited as the Aliens Naturalisation and Acquisition of Property Ordinance. Short title.

2. Any alien now residing or who shall hereafter come to reside in this Colony with intent to settle therein, and who shall have actually resided therein for a continuous period of one year at least, may present a memorial to the Governor in Council Memorial for naturalisation.

praying that the privileges of naturalisation may be conferred upon him.

Contents of memorial.

3. Such memorial shall state to the best of the knowledge and belief of the memorialist, his age, place of birth, place of residence, profession, trade or occupation, the length of time during which he has resided within the Colony, that he is permanently settled in the Colony, or is residing within the same, with the intent to settle therein; and such memorial shall be in writing and signed by the memorialist and accompanied by an affidavit, sworn by him verifying the truth of the statements contained therein; and the said affidavit shall be made and sworn before the Master of the Supreme Court, or such other officer or person as the Governor shall from time to time appoint to take the said oath and affidavit.

Declaration in lieu of oath.

4. In lieu of the said affidavit, any person entitled as aforesaid to make the same may make a solemn declaration in writing before the Master of the said Court, or such other officer or person as aforesaid appointed by the Governor, and such declaration shall contain the like matter and things as are hereinbefore directed to be contained in the aforesaid affidavit, and shall be made in the form prescribed by, and be deemed to be made in accordance with the Statutory Declarations Act, 1835; and any wilful false statement made in such declaration shall be deemed to be perjury, and shall expose every person making such false statement, or procuring the same to be made, to all the penalties of perjury.

5 & 6 Wm. 4, ch. 62.

Demand by Governor in Council for further information.

5. In considering the prayer of any such memorial, the Governor in Council may require such further information and evidence, either by affidavit or declaration made as aforesaid, or otherwise, as may seem proper, in addition to the affidavit or declaration of the applicant accompanying his memorial.

Grant of petitioner's prayer and oath of allegiance to be taken by him.

6. If after such enquiry it shall appear expedient, the Governor may grant the prayer of the petitioner's memorial, whereupon he shall be required to appear within fourteen days, to take the oath of allegiance, as near as may be in the form prescribed in the Schedule hereto annexed, before the Governor or such other person as the Governor for the time being may appoint for that purpose.

Certificate of naturalisation.

7. When the oath of allegiance shall be so taken, a certificate of naturalisation shall be drawn by the Attorney General or such other person as the Governor may appoint for that purpose,

and in the said certificate shall be set out such portion of the memorial as may seem material, and it shall therein be stated that the oath of allegiance has been taken, and that all the rights, privileges and capacities in this Colony of a naturalised British subject have been conferred on the memorialist under this Ordinance except such rights, privileges, and capacities (if any) as may be specially excepted by the Governor in Council.

8. The certificate of naturalisation shall be signed by the Governor, and given to the memorialist, but a copy thereof, together with the memorial and all documents, affidavits, declarations, and evidence accompanying the said memorial or annexed thereto, shall be transmitted by the Governor to the office of the Registrar General of the said Colony, who shall file and he is hereby required to file the same in the said office.

Certificate to be signed by Governor and registered.

9. Upon taking and subscribing the said oath of allegiance, and obtaining the certificate of naturalisation, the memorialist shall be entitled within the Colony to all the rights, privileges, and capacities of a subject of Her Majesty born within the said Colony, except such rights, privileges and capacities, if any, as may be specially excepted in such certificate.

Effect of naturalisation.

10. If the memorialist do not appear and take the oath of allegiance within fourteen days from the date of service on him of notice to that effect, the grant of naturalisation shall *ipso facto* be null and void.

If oath not taken in 14 days grant to be void.

11. (1) Where the Governor in Council is satisfied that a certificate of naturalisation granted under this Ordinance or any Ordinance repealed by this Ordinance has been obtained by false representation or fraud, or by concealment of material circumstances, or that the person to whom the certificate was granted has shown himself by act or speech to be disaffected or disloyal to Her Majesty, the Governor in Council shall by Order revoke the certificate.

Revocation of certificate of naturalisation.

(2) Without prejudice to the foregoing provisions the Governor in Council shall by Order revoke any such certificate of naturalisation in any case in which he is satisfied that the person to whom the certificate was granted either—

(a) has during any war in which Her Majesty is engaged unlawfully traded or communicated with the enemy or with the subject of an enemy state, or been engaged in or associated with any business which is to his knowledge carried on in such manner as to assist the enemy in such war; or

(b) has within five years of the date of the grant of the certificate been sentenced by any Court in Her Majesty's dominions to imprisonment for a period of not less than twelve months or to a period of penal servitude, or to a fine of not less than one hundred pounds; or

(c) was not of good character at the date of the grant of the certificate; or

(d) has since the date of the grant of the certificate been for a period of not less than seven years ordinarily resident out of the Colony otherwise than as a representative of a British subject, firm, or company carrying on business, or an institution established, in the Colony, or in the service of the Crown, and has not maintained substantial connection with the Colony; or

(e) remains according to the law of a state at war with Her Majesty a subject of that state;

and that (in any case) the continuance of the certificate is not conducive to the public good.

(3) The Governor may, if he thinks fit, before an Order is made under this section refer the case for such inquiry as is hereinafter specified, and in any case to which sub-section (1) or sub-section (2) (a), (c) or (e) of this section applies, the Governor shall, by notice given to or sent to the last known address of the holder of the certificate, give him an opportunity of claiming that the case be referred for such inquiry, and if the holder so claims in accordance with the notice the Governor shall refer the case for inquiry accordingly.

(4) An inquiry under this section shall be held by a committee constituted for the purpose by the Governor, presided over by such Judge of the Supreme Court as the Governor may appoint, and shall be conducted in such manner as the Judge so appointed may direct.

A committee appointed under this section shall have all such powers, rights, and privileges as are vested in the Supreme Court on the occasion of any action, in respect of the following matters—

(a) the enforcing the attendance of witnesses and examining them on oath, affirmation or otherwise, and the issue of a commission or a request to examine witnesses abroad; and

(b) the compelling the production of documents; and

(c) the punishing persons guilty of contempt;

and a summons signed by one or more members of the committee may be substituted for and shall be equivalent to any formal process capable of being issued in any action for enforcing the attendance of witnesses and compelling the production of documents.

On any such inquiry the holder of the certificate may be represented by a legal practitioner.

(5) Where the Governor in Council revokes a certificate of naturalisation, the revocation shall have effect from such date as the Governor in Council may direct, and thereupon the certificate shall be given up and cancelled, and any person refusing or neglecting to give up his certificate shall be liable on summary conviction to a fine not exceeding one hundred pounds.

12. A person to whom a certificate of naturalisation has been granted under this Ordinance or any Ordinance repealed by this Ordinance who, when in any foreign state and not under disability, by obtaining a certificate of naturalisation or by any other voluntary and formal act, becomes naturalised therein, shall thenceforth be deemed to have ceased to possess the local status of British subject in the Colony, and the wife and every minor child of that person shall thereupon also cease to possess that status.

Loss of nationality by foreign naturalisation.

13. Every certificate issued under this Ordinance, and every order cancelling such certificate shall be published in the *Gazette*.

Publication in *Gazette*.

14. (1) The wife of any person who has obtained a certificate of naturalisation under this Ordinance shall within the Colony be deemed to be entitled, subject to her status as a married woman, to the rights, privileges and capacities to which her husband is entitled in virtue of such certificate.

Status of married women and children.

(2) Where the father or the mother being a widow has obtained a certificate of naturalisation under this Ordinance, every child of such father or mother, who during infancy has become resident with such father or mother in the Colony, shall, subject to his status as an infant, be deemed to have the same rights, privileges and capacities as are by such certificate conferred upon such child's father or mother.

15. (1) Where a certificate of naturalisation is revoked, the Governor may by order direct that the wife and minor children (or any of them) of the person whose certificate is revoked

Effect of revocation of naturalisation.

shall cease to possess the local status of British subject in the Colony, and the wife or child, as the case may be, shall thereupon be regarded as an alien within the limits of the Colony, but, except where the Governor directs as aforesaid, the local status of British subject in the Colony possessed by the wife and minor children of the person whose certificate is revoked shall not be affected by the revocation and they shall continue to possess the local status of British subject in the Colony:

Provided that—

(a) it shall be lawful for the wife of any such person within six months after the date of the order or revocation to make a declaration of alienage, and thereupon she and any minor children of her husband and herself shall cease to possess the local status of British subjects in the Colony; and

(b) the Governor shall not make any such order as aforesaid in the case of a wife who was at birth a British subject, unless he is satisfied that if she had held a certificate of naturalisation in her own right the certificate could properly have been revoked under this Ordinance, and the provisions of this Ordinance as to referring cases for inquiry shall apply to the making of any such Order as they apply to the revocation of a certificate.

(2) The provisions of this section shall, as respects persons affected thereby, have effect in substitution for the provisions of section 12 as to the effect upon the wife and children of any person who ceases to possess the local status of British subject in the Colony in accordance with that section, and the provisions of that section shall accordingly not apply in any such case.

(3) Where a certificate of naturalisation is revoked, the former holder thereof shall be regarded within the limits of the Colony as an alien and as a subject of the state to which he belonged at the time the certificate was granted.

Fees upon  
grant of  
certificate.

16. After the granting of the prayer of any memorialist, and before the signing of a certificate of naturalisation, such memorialist shall pay the fees required by any Ordinance in force relating to stamp duties, and in the manner provided by such Ordinance.

Capacity of  
an alien as  
to property.

17. Real and personal property of every description may be taken, acquired, held, and disposed of by an alien in the same manner in all respects as by a natural born British subject; and title to real and personal property of every description may be derived through, from, or in succession to an alien in the

same manner in all respects as through, from, or in succession to a natural born British subject:

Provided that—

(1) this section shall not entitle an alien to any right or privilege as a British subject, except such rights and privileges in respect of property as are hereby expressly given to him;

(2) this section shall not affect any estate or interest in real or personal property to which any person has or may become entitled, either mediately or immediately in possession, or expectancy in pursuance of any disposition made before the first day of December, 1886, or in pursuance of any devolution by law on the death of any person dying before the date aforesaid;

(3) nothing in this section contained shall qualify an alien to be the owner of a British ship.

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SCHEDULE.

Sec. 6.

OATH.

I, A.B.,.....of (*here state the description of the memorialist*) do swear (or being one of the persons allowed by law to affirm in civil cases, do affirm) that I will be faithful, and bear true allegiance to Her Majesty Queen Elizabeth II, Her Heirs and Successors according to law. So help me God.

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