

NATIONAL ASSETS AND GOVERNMENT'S PROPERTY COMMISSION

STATUTORY ACT OF 1990

J. S. MOMOH
President



Sierra Leone Government
Office of the President

**The National Assets and Government's Property
Commission Act, 1990**

Being an Act to establish a National Assets and Government's Property Commission and a National Assets Register; to make provision for the control and identification of all National assets and Government's Property; to provide for the maintenance and improvement of such property and the monitoring of their use or disposal; and for connected purposes

[] Date commenced

BE IT ENACTED by the President and Members of Parliament in this present Parliament assembled, as follows: -

1. This Act shall come into operation on such date as the President may by Order in the *Gazette* appoint.

Commencement

2. Interpretation

In this Act, unless the context otherwise requires

- ❖ **“Chairman”** means the person appointed to be Chairman under section 3 and any temporary Chairman so appointed.
- ❖ **“Commission”** means the National Assets and Government’s Property Commission established under section 3;
- ❖ **“Commissioner”** means any member of the Commission established under section 3;
- ❖ **“Consolidated Funds”** means the Revenue Fund set up under section 127 of the Constitution of Sierra Leone 1978;

Act No 12 of 1978

- ❖ **“Government Property”** includes real estates and any interest therein, choses in action stock, shares and debentures, vehicles, equipment, furniture or other immovable or moveable property belonging to the Government, or provided for the use of any Government establishment, service or Department.
- ❖ **“Master Register”** means the register established under paragraph (a) of subsection (1) of section 5;
- ❖ **“National Assets”** includes all real estates or any interest therein, or hereditaments belonging to the Government or provided for use of any Government establishment, service or Department.

3. Establishment and constitution of the National Assets and Government's Property Commission

- (1) There is hereby established a Commission to be known as The National Assets and Government's Property Commission which shall be directly under the Office of the President
- (2) The Commission shall consist of the following who shall be appointed by the President and shall be known as National Assets Commissioners.
 - (a) a Chairman;
 - (b) the Inspector General of Police or his representatives;
 - (c) the Secretary to the President or his representatives;
 - (d) a Law Officer;
 - (e) one member who is a Licensed Surveyor;
 - (f) one member representing the Building and Construction Industry;
 - (g) one member representing the Institution of Engineers;
 - (h) one member of the Institute of Chartered Accountant
 - (i) one member who is an automobile engineer
 - (j) a representative of the Bar Association
 - (k) three ordinary members of Parliament
 - (l) a representative each from the Western Area and the three Provinces.

4. Conditions and Terms of office Commissioners

- (1) Any person appointed to be a Commissioner shall be appointed for a period of three years and such person shall be eligible for re-appointment.
- (2) Any person appointed to be a Commissioner shall be subject to such conditions as may be determined by the President.
- (3) Any member of the Commission may resign his office by giving at least three months' notice to the President. The member resigning shall also send a copy of such notice to the Chairman of the Commission.
- (4) The President may revoke the appointment of any member of the Commission.

5. Duties and Functions of the Commissioner—The National Register

- (1) The Commission shall: -
 - (a) establish and maintain a National Register of all national assets and Government's property to be known as the Master Register which shall contain a list of all national assets;
 - (b) serve as the custodian of the Master Register;
 - (c) report on the allocation and use of various assets;
 - (d) Review and revise the Master Register of national assets as and when necessary in collaboration with the relevant Ministries or Departments.
 - (e) Monitor and report on the state of various national assets and Government's property to the President together with appropriate recommendations.
- (2) The Commission shall be informed of the acquisition and holding of any assets or Government's property by the agency or Government department concerned
- (3) No disposal of any national asset or Government property shall take place without prior consultation with the Commission.

6. Commission to Make Annual Report

- (1) The Commission shall make an annual report on the state of the national asset and Government's property in the Master Register, which report shall be laid before Parliament.
- (2) The Master Register shall be opened to the Public for inspection.

7. Power of The Commission

Subject to any powers exercisable by any Ministry or Department, the Commission may-

- (a) receive and consider any information or proposal for identifying or improving any national asset or Government's property;
- (b) receive and consider any information on the misuse, abuse or disposal of Government's property without lawful authority;
- (c) Undertake the examination from time to time of national assets and Government's property and make recommendations to the President for their improvement or security.
- (d) In consultation with the Attorney – General and Minister of Justice and the Police, take any appropriate action to stop, check or recover any national asset or Government's property being willfully or maliciously misused, abused or misappropriated.
- (e) appoint or co-opt committees or sub – committees, whether from among members of the Commission or from among persons outside the Commission, to study in detail and make recommendations to the Commission on any aspect of national assets or Government's property on which such persons may have specialized or expert knowledge.

8. Power of Commission To Summon And Examine

The Commission may summon and examine any person, with a view to making inquiries into any information the Commission may have received regarding the national assets or Government's property, or any investigation it may carried out.

9. Establishment of Secretariat

- (1) There shall be established a Secretariat which shall consist of a Secretary and such staff and facilities as the Commission may require.
- (2) The Secretary to the Commission shall be appointed by the President.
- (3) The Secretary to the Commission shall be the administrative head of the Secretariat established under subsection (1) and shall be assisted in the discharge of his duties by such other persons as shall be appointed to the Secretariat.
- (4) The Secretary to the Commission and the staff of the Secretariat shall be full time public officers
- (5) The Secretariat may employ such supporting staff as may be required.

10. Salary of Chairman remuneration and expenses of the Commission

- (1) The salary and remuneration of the Chairman and members shall be determined by the President.
- (2) There shall be paid to the members of the Commission and such persons as may be appointed to serve in committees and sub- committees as provided for under paragraph (e) of section 7 who are not Commissioners, such salaries or remuneration as may be determined by the President.
- (3) The salaries or remuneration of the Commissioners and the expenses of the Commission, including the salaries or remuneration of employees of the Commission and staff of the Secretariat shall be a charge upon the Consolidated Fund.

11. Register and other record and accounts of the Commission

- (1) In addition to the Master Register to be established and maintained under section 5 of this Act, the Secretary to the Commission shall establish and maintain-
 - (a) a register containing the names and addresses of all members of the Commission, including employees of the Commission and the Secretariat;
 - (b) a minute book recording the minutes of any sittings or meetings of the Commission;
 - (c) proper book of Accounts;
 - (d) proper records of the work and activities and findings of the Commission including any report it may have received from members of the public;
 - (e) Such other records or particulars with respect to the Commission and its work as the Commission may deem fit.
- (2) The records and books of accounts of the Commission and its Secretariat shall be in such form as the President and Auditor – General may approve.
- (3) The register and records and books of accounts shall be made available to the Auditor –General for inspection and auditing as and when required.

12. Power To Make Rules And Regulations

The President, after consultation with the Commission, makes rules and regulations for the following purposes;

- (a) regulating and prescribing the procedure and practice to be followed at sittings or meetings of the Commission;
- (b) prescribing the form of registers, record books and books of accounts;
- (c) Prescribing the manner in which the Master Register may be maintained.
- (d) regulating the manner in which the Commission shall monitor the national assets or Government's property;

- (e) Regulating the manner in which information or any proposals may be received by the Commission for identifying or improving the national assets or any Government's property.
- (f) regulating the manner in which any information on the misuse, abuse or disposal of Government's property, without lawful authority, may be received and the manner in which any appropriate action may be taken to stop, check or recover such property;
- (g) Providing generally for the better carrying into effect the provisions of this Act.

Passed in Parliament this 19th day of *April* in the year of our Lord Ninety thousand, nine hundred and ninety

M.T. BETTS – PRI
Acting Clerk of Parliament

THIS PRINTED IMPRESSION has been carefully compared by me
Bill which has passed Parliament and found by me to be a true and printed copy of the
said Bill

M. T. BETTS – PRI
Acting Clerk of Parliament