

# T I T L E 30

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## *Public Authorities Law*

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PUBLIC AUTHORITIES LAW

**AN ACT TO AMEND THE PUBLIC  
AUTHORITIES LAW TO CREATE THE  
LIBERIA INDUSTRIAL FREE ZONE  
AUTHORITY<sup>1</sup>**

***Chapter 5. LIBERIA INDUSTRIAL FREE ZONE  
AUTHORITY***

- § 5.1. Corporation created
- § 5.2. Purpose and Objective.
- § 5.3. Customs; Procedures.
- § 5.4. Powers.
- § 5.5. Capitalization.
- § 5.6. Board of Director.
- § 5.7. Management
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- § 5.9. Borrowing and issuing of notes.
- § 5.10. Admission to Facilities in the Free Zone.
- § 5.11. Fiscal Provision.
- § 5.12. Incentives.
- § 5.13. How Chapter may be cited.

**§ 5.1. Authority created.**

Pursuant to Chapter 1 of the Public Authorities Law, there is hereby created a public authority constituting a body politic and corporate to be known as the Liberia Industrial Free Zone Authority. As used in this chapter, the term "Authority" means the authority hereby

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1. Section I of Act provided as follows: "The Public Authorities Law is hereby amended by adding thereto a new chapter to be Chapter 5, to read; as follows:" Under Section of the Act, the Act, which was approved on July 9, 1975, was to take effect immediately upon publication.

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created. The Liberia Industrial Free Zone Authority shall include sites adjacent to the Free Port of Monrovia and any other area that may be designated by Government in the future.

### **§ 5.2. Purpose and objective.**

The Authority is hereby established and created in specified coastal areas to induce foreign investment with a view to ensuring the promotion of exports, increased employment and the improvement of industrial technology thereby contributing to the nation's economic development. To carry out its functions, the Authority is also given the greatest degree of industrial and financial autonomy. It shall identify, investigate, and promote the establishment of export oriented industries which will promote Government's overall strategy of national development. To have rent sites or pre-built standard factory buildings for manufacturing of assembling semi-finished or finished products basically intended for export. The Authority shall provide utilities (electricity, industrial and portable water, sewage disposal telephones for the sites.) It shall also organize common service such as, transportation, storage, packaging, banking, insurance, postal services and security. In addition to these functions, the Authority shall also perform other functions such as, (a) administration of Free Zone Regulation; (b) Planning, construction and Management of all necessary installation and facilities within the free zone; and (c) Management of revenue derived from free zone operations.

### **§ 5.3. Customs procedures.**

The Industrial Free Zone Area will be customs free; customs control will be withdrawn to the fenced around boundaries of the entire area of the Industrial Free Zone.

### **§ 5.4. Powers.**

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In addition to the powers specified in section 5 of the Public Authorities Law, the Authority is authorized to exercise the following powers:

(a) To enter into, perform, and modify contracts, leases; agreements, or other transactions, on such terms as may be deemed appropriate with businesses, financial institutions, or with any person, partnership, association, corporation, organization, or other business entities.

(b) To acquire land located within designated areas for the establishment of Industrial Free Zones.

(c) To contract the services of designers, builders, and engineers to prepare the sites and erect the standard factory buildings as well as central facilities.

(d) To conclude tenancy agreements with industrial establishments for use of the sites/buildings within the Industrial Free Zone.

(e) To design and implement statistical control of movements of raw materials and goods into and out of the Free Zone areas.

(f) To design customs procedures in consultation with the Minister of Finance, in respect of:

(i) Raw materials entering the Free Zone from the Liberian Customs territory;

(ii) Finished goods leaving the Free Zone for sale in Liberia;

(iii) Movements of goods between the Free Zone and

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Ports;

(iv) Checking movements of workers into and out of the Free Zone Area.

### **§ 5.5. Capitalization.**

The President of Liberia is duly authorized to subscribe on behalf of the Government of Liberia not less than 75% of the share capital. A foreign or local non-government share holding to the Authority's capital shall be limited to no more than 25 percent.

### **§ 5.6. Board of Directors.**

The Authority shall have a Board, and Executive Officer (Managing Director), other Senior Officers, and an adequate staff to perform such duties as the Authority determine. The formulation of policies and the direction of the management of the Authority shall be vested in the Board of Directors. The Board of Directors shall consist of:

1. Minister of Commerce, Industry & Transportation
2. Minister of Planning & Economic Affairs
3. Minister of Finance
4. Minister of Justice
5. Minister of State Without Portfolio
6. General Manager of the Liberia Industrial Free Zone Authority
7. Managing Director of the National Port Authority
8. General Manager of the Liberian Development Corporation
9. President of the Liberian Bank for Development and Investment
10. Representative(s) of non-government shareholders
11. Representative(s) of Industrialists Utilizing sites/buildings

in the Zones.

The Chairman and Members of the Board shall be appointed by the President of Liberia. The Board shall by a majority vote participated in by a quorum which shall constitute a majority of the Board of Directors including at least two ex-Officio members. The Board of Directors shall, in connection with the management of the Authority, adopt, amend, and repeal such by-laws as are necessary for the proper management and functioning of the Authority, and shall in such by-laws designate the other officers of the Authority and prescribe their duties. The members of the Board shall be compensated by the Authority for their services on the Board.

Non Ex-officio members of the Board of Directors shall have a tenure of three years.

**§ 5.7. Management.**

(a) The operational responsibilities for implementing the program and policies of the Authority shall be vested in a Managing Director who shall be appointed by the President upon recommendation by the Board. The Managing Director shall be assisted by Managers including but not limited to:

- (a) Manager for Operation
- (b) Manager for Policy and Promotion
- (c) Manager for Technical Services

The Managers shall be appointed by the Board on recommendations by the Managing Director. The Managing Director and Managers shall receive salaries as shall be established by the Board

(b) The Managing Director shall manage the operations of the Authority and execute its functions, and shall employ for

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this purpose sufficient staff, furnish the necessary budget and other facilities to be defined by him and approved by the Board. The Managing Director shall devote full time to the affairs of the Authority.

### **§ 5.8. Finance.**

Site preparation and central facilities development shall be the responsibility of the Authority. Funds for such purposes will be provided to the Authority from its own share capital, complimented by Government and other loans.

### **§ 5.9. Borrowing and issuance of notes.**

Upon approval and/or acceptance by Government, the Authority may issue to Government its notes, debentures, bonds, or other obligations in an amount sufficient to enable the Authority to carry out functions under this Chapter or any other provision of law; such obligations to mature as agreed with the Minister of Finance. Each such obligation shall bear interest at an agreed rate taking into consideration the current rate on outstanding marketable obligations of the Republic of Liberia. The Minister of Finance is authorized to purchase the obligations of the Authority to be issued hereunder and for such purposes is authorized to use Government funds not otherwise appropriated.

### **§ 5.10. Admission to facilities in the Free Zones.**

The Board of Directors shall approve admission of applicants to sites/buildings in the Industrial Free Zones upon the recommendation of the Managing Director, bearing in mind these basic criteria:

- (a) Export potential
- (b) Maximum employment of Liberians
- (c) Low water usage

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(d) Local raw material usage .

**§ 5.11. Fiscal provision.**

Within three months of the close of each fiscal year the Authority shall make a report to the President of the Republic of Liberia which shall contain financial statements for the fiscal year, including a balance sheet, a statement of income and expenses, and an analysis of accumulated net income.

The accumulated net income shall be determined after provision for reasonable reserves for bad debts land investments outstanding. Such statements shall be prepared from the financial records of the Authority which shall be maintained and audited by the General Auditing Office in accordance with generally accepted accounting principles applicable to commercial corporate transactions.

**§ 5.12. Incentives.**

Industries admitted to the Industrial Free Zones are:

- (a) exempt from import duties indefinitely;
- (b) exempt from taxes on income.

**§ 5.13. How Chapter may be cited.**

This Chapter may be cited as "Liberia Industrial Free Zone Authority Act".



**AN ACT REPEALING AND ADOPTING  
CHAPTER SIX OF THE PUBLIC AUTHORITIES  
LAW<sup>2</sup>**

***Chapter VI: CREATION OF NATIONAL PORT  
AUTHORITY***

- § 50. Definition of terms.
- § 51. Creation of National Port Authority.
- § 52. National Port Authority limits.
- § 53. Purpose and objective.
- § 54. Powers of the National Port Authority.
- § 55. The Board of the National Port Authority.
- § 56. The Executive Officer.
- § 57. Transfer and valuation of assets and liabilities.
- § 58. Private ports.
- § 59. Reports.
- § 60. Offences.
- § 61. Existence.

**§ 50. Definition of Terms.**

As used in this Chapter and in any other regulation and/or regulations and rules made thereunder the following terms indicate and mean:

“Authority” is a body politic and corporate pursuant to Section 51 hereof.

“Republic” or “State” means the Republic of Liberia.

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2. Section 1 of the Act enacting the chapter reads: “Section I. Chapter 6, Title 29-A (Now title 30 - The Public Authorities Law) of the Liberian Code of Laws of 1956, as amended and approved by the law of April 20, 1967, is hereby repealed and there is enacted in lieu thereof a new Chapter 6, also to be known as the “NATIONAL PORT AUTHORITY ACT:

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“Legislature” means the Senate and House of Representatives of the Republic.

“Senate” is the Senate of the Republic.

“House of Representatives” is the House of Representatives of the Republic.

“President” means and refers to the President of the Republic.

“Port” or “Ports” as used in this Act shall mean a harbor, port or ports located wholly or partly within the territorial limits of the Republic, deep rivers, seaports, other facilities and appurtenances thereto.

“National” means and refers to Poets subject to the authority of the Republic of Liberia.

“Government” means the authority of the Republic to administer and control the affairs of the State.

“Persons” means partnerships, corporations, etc.

**§ 51. National Port Authority.**

An Authority to be known as the "National Port Authority" is hereby created pursuant to Chapter I, Title 29 A of the Liberian Code of Laws of 1956 [now Title 30] as amended by the Law of 1958-59. Such Authority shall be a body politic and corporate constituting a public authority and shall have the powers granted it under this Chapter.

**§ 52. National Port Authority Limits.**

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The National Port Authority shall include and extend to the ports of Monrovia, Buchanan, Greenville, Harper and such additional ports as the Government shall from time to time decide, to and so construct or acquire within the territorial limits of the Republic. The limit and extent of these ports shall be indicated by appropriate drawings, and maps.<sup>3</sup>

### **§ 53. Purpose and objective.**

The National Port Authority is hereby established and created to plan, design, construct and shall engage in the development, maintenance and operation of all public ports within Liberia subject to the articles and principles enumerated herein and such other and further powers as may be vested in it. To carry out its function, the NPA is also given the greatest degree of financial and administrative authority. It shall manage, operate, maintain, develop and construct all ports within the Republic, and all funds for services which NPA renders and provides shall be under its sole and complete control. In addition the NPA shall assume the responsibilities and functions of the various Government Departments with respect to the operation and supervision of Ports in the Republic of Liberia.

### **§ 54. Power of the NPA.**

In addition to and not in limitation of the powers conferred upon public authority by Chapter 1 of this Title the National Port Authority shall have the following powers:

1. To institute a comprehensive system of tariffs and charges for the services and facilities it provides which shall be reasonably

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3. The current wording of this section was done by AN ACT TO AMEND CERTAIN SECTIONS OF THE ACT CREATING THE NATIONAL PORT AUTHORITY. The amendment, which was approved May 23, 1972, provided at Section 3: "Section 52 of the Public Authority Law is hereby amended to read as follows:"

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related to the cost of providing such services and facilities.

(a) NPA shall levy and collect said tariffs and charges without granting any exemption there from or reduction thereto to any person, or department or agency of the Government.

(b) NPA shall ensure that the rates fixed for said tariffs and charges are adequate to provide sufficient revenue to cover operating expenses, including adequate maintenance and depreciation, and interest payments on borrowings, if any; and to provide cash funds for debt amortization to such borrowings; and to provide adequate working capital and to set aside reasonable reserves for contingencies and for financing a reasonable part of the cost for future expansion including replacement of assets.

(c) Any duly authorized representative of NPA may enter into any vessel within the limits of the port or the approaches to the port in order to ascertain the amount of the dues or rates payable in respect of the vessel.

(d) For the amount of all rates leviable under this Act in respect of any goods, the NPA shall have a lien on such goods and shall be entitled to seize and detain the same until such rates are fully paid. Such lien shall have priority over all other liens and claims except claims for money payable to the Government.

(e) Rates in respect of goods to be landed shall become payable immediately on the landing of such goods.

(f) Rates in respect of goods to be shipped shall be payable before such goods are shipped.

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(g) Rates in respect of goods to be removed from the premises of the NPA shall be payable on demand.

(h) Subject to the provisions of this section and without prejudice to the provisions of paragraphs (d), (e), (f) and (g) thereof, if any goods which have been placed in or on the premises of the NPA are not removed therefrom within a reasonable period, to be determined by NPA by regulations, from the time when the goods were placed in or on such premises, NPA may, at the expiration of the said periods sell by public auction all or any of such goods.

(i) If the goods are of a perishable nature the NPA may direct their removal within such shorter period, not being less than twenty-four hours after the landing thereof as the NPA may think fit, and if not so removed, the NPA may sell, by public auction or otherwise, or dispose of such goods in such manner as it may think fit.

(j) The proceeds of sale shall be applied by NPA as follows and in the following order:

(i) firstly, in payment of any duty payable to the Government;

(ii) secondly, in payment of the expenses of the sale;

(iii) thirdly, in payment of the rates, charges and expenses due to the NPA in respect of the goods; and

(iv) fourthly, in payment of freight and other claims or liens of which notice has been given, and by rendering the surplus, if any, to the person entitled thereto on demand, and, in case no such demand is made within one year from the date of the sale of the

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goods, by paying the surplus to the account of the NPA, whereupon all rights to the same by such person shall be extinguished.

(k) If the master or owner of any vessel in respect of which any dues, rates or penalties are payable under this Act or any regulations made thereunder, refuses or neglects to pay the same or any part thereof on demand, NPA may, in addition to other remedies which it may be entitled to use, distrain or arrest of its own authority such vessel and the tackle, apparel or furniture belonging thereto or any part thereof, and detain the same until the amount so due is paid.

(1) In case any part of the said dues, rates or penalties, or of the costs of the distress or arrest, or of the keeping of the said vessel, tackle, apparel or furniture remains unpaid for the space of fourteen days next after any such distress or arrest has been so made, NPA may cause the vessels or other thing so distrained or arrested to be sold, and with the proceeds of such sale may, satisfy such dues, rates or penalties and costs, including costs or sale remaining unpaid, rendering the surplus, if any, to the master or owner of such vessel on demand.

(m) If the NPA gives to the officer of the Government whose duty it is to grant the port clearance of any vessel a notice stating that an amount therein specified is due in respect of dues, rates or penalties chargeable under this Act or any regulations made thereunder against such vessel or the owner or master of such vessel, such officer shall not grant such port clearance until the amount so chargeable has been paid or security has been given to the satisfaction of the NPA for the amount thereof.

2. To enter into contracts, sue and be sued, and to assign the provision of port services and the use of facilities.

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- 3.(a) To acquire any property, or any interest therein or any easement over any immovable property, whether by way of purchase, lease, exchange or otherwise, for the purposes of NPA.
  - (b) Where any immovable property, not being Government owned, is needed for the purposes of NPA and cannot be acquired by agreement, NPA may request, and the Government may, if it thinks fit, direct the acquisition of such property and in such case, such property may be acquired in accordance with the provisions of any written law relating to the acquisition of land for a public purpose and any declaration under any such written law that such land is so needed may be made notwithstanding that compensation is to be paid out of the funds of NPA, and such declaration shall have effect as if it were a declaration that such land is needed for a public purpose made in accordance with such written law.
  - (c) NPA shall not, without the prior approval of the Government, sell, exchange or otherwise dispose of any of its lands or other immovables or any interest therein.
4. To initiate new services or discontinue existing services as might be required in the exercise of its functions.
  5. To engage in structures and construction, dredging, reclamation, remove wrecks, operate its own security force which will have adequate police powers to enforce compliance with its regulations and by-laws.
  6. To have its own Harbor Master at each port who shall direct and regulate the movement of vessels within said port.
  7. To have its own By-laws and regulations.

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8. To apply for, purchase, or by other means acquire, hold, sell, assign, lease, mortgage, or otherwise dispose of and protect, prolong and renew whether in the Republic of Liberia or elsewhere any and all patents, patent rights, licenses, protections, concessions, trademarks and trade names and to use and turn to account and to manufacture under grant license experimenting upon and testing and improving or seeking to improve any patents, inventions, or rights which the NPA may acquire or propose to acquire.

**§ 55. The Board of the National Port Authority.<sup>4</sup>**

1. The National Port Authority shall have a Board, a Managing Director and other officers, and staff to perform such duties as the Board may determine.

2. All powers of the National Port Authority shall be vested in the Board consisting of 15 members. They shall include:

(a) The Minister of Commerce, Industry and Transportation, the Minister of Finance, and the Minister of Planning and Economic Affairs, who shall be Ex-Officio Members of the Board;

(b) The Managing Director of the National Port Authority;

(c) Seven (7) members at large appointed by the President;

(d) Four (4) representatives of a cross-section of the users of ports in Liberia who shall be nominated by their respective groups, subject to the approval and appointment by the President.

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4. Section 55 of the Act was amended to the present wording by AN ACT TO AMEND CERTAIN SECTIONS OF THE ACT CREATING THE NATIONAL PORT AUTHORITY. The amending formulation read: "Section I. Section 55 of the Public Authority Law with respect to the Board of the National Port Authority is hereby amended to read as follows:"



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Except for the Ex-Officio members and the Managing Director, the members of the Board shall be appointed each for a period of three (3) years.

A member of the Board shall be appointed by the President as Chairman who shall have the casting vote in case of a tie.

3. The Board shall outline the general policy of the National Port Authority. It shall hold regular and such other meetings as may be provided for in the by-laws.

4. A quorum for any meeting of the Board shall be a majority of its members including at least one of the Ex-Officio Members of the Board.

5. The Board may by regulation establish a procedure whereby the Managing Director, when he deems such action in the best interest of the National Port Authority may obtain a vote of the Board Members on a specific question without calling a meeting of the Board.

**Section 2.** Henceforth, the Appellation "Executive Officer" shall be changed to "Managing Director" wherever it appears in the National Port Authority Act or amendment thereof.<sup>5</sup>

### **§ 56. The Executive Officer.**

1. The Board shall select the Executive Officer who shall be the highest executive officer of NPA, on such terms and conditions as the Board may think fit.

2. The Executive Officer shall be responsible for the conduct of the

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5. The amendment provided at Section 4 that the "Act shall take effect immediately upon publication in hand-bills." The amendment was Approved May 23, 1972.

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general operations of NPA, and for that purpose shall exercise all powers delegated to him by the Board.

3. The Executive Officer shall conduct the ordinary business of NPA. Subject to approval of the Board with regard to senior officers and staff, the Executive Officer shall be responsible for the organization, appointment and dismissal of the officers and staff.

### **§ 57. Transfer and Valuation of Assets and Liabilities.**

1. Upon the coming into operation of this Act, all land, buildings and other property, movable and immovable, of all public ports within the Republic, including all assets, powers, rights, interests and privileges of said ports shall be transferred to and vested in the NPA without further assurance. Said public ports include but are not limited to Monrovia, Sinoe and Cape Palmas.

2. Upon such transfer all debts, liabilities and obligations of all public ports within the Republic shall also be transferred to and be deemed to have been incurred by NPA.

The Board will in consultation with present Management of said ports evaluate these assets against said liabilities promptly after the coming into operation of this Act, and will define in specific terms the financial structure of NPA as to its initial debt and equity capital.

### **§ 58. Private Ports.**

The NPA will be consulted by Government of the latter's intention to grant any concession and/or concessions for private port operations in Liberia.

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**§ 59. Reports.**

NPA shall submit an annual report to the President and such other reports and information as he may from time to time require. The annual report shall set out in detail facts describing the operation and fiscal transactions of the NPA during the preceding year, its financial condition and a statement of all receipts and disbursements during each year.

**§ 60. Offences.**

(a) If any person wilfully removes, destroys or damages any property belonging to NPA or prevents such property from being used or operated in the manner in which it is intended to be used or operated, he shall be guilty of an offence under this Act and shall be liable on conviction to a fine not exceeding one thousand (\$1,000.00) dollars, and upon an application by NPA, a court may order the offender to pay compensation to NPA for any damage done by him.

(b) Any person may apprehend any other person if such other person commits an offence under the provisions of the immediately preceding paragraph (d) and shall on such apprehension, without unreasonable delay, hand over the person so apprehended to a police officer.

(c) Any person who carelessly or accidentally removes, destroys or damages any property belonging to NPA or hinders or prevents such property from being used or operated in the manner in which it is intended to be used or operated shall pay by way of compensation to NPA, such sum of money as a court shall determine to be sufficient to cover the extent of the damage.

(d) Nothing in paragraph A of this section shall prevent

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NPA from taking any legal proceedings open to it at law before any court having jurisdiction for the recovery of the full amount, of the damage caused by such person.

(e) In every case in which any damage is done to any property of the NPA by any vessel or float of timber or by any person employed in or about the same, the cost of making good such damage may be recovered by the NPA from the master, owner or person in charge of such vessel or float of timber. The NPA may detain any such vessel or floating of timber until the cost of making good such damage has been paid to the NPA or security has been given to NPA for the amount thereof.

For the purposes of this subsection the provisions of subsection (m) of Section 54 of this Act shall apply.

(f) If through any act, neglect or default on account whereof any person has incurred any penalty imposed under this Act any damage to the property of the NPA has been committed by such person, he shall be liable to make good such damage as well as pay such penalty.

The amount of such damage shall, in case of dispute, be determined by the court by which the party incurring such penalty has been convicted, and may be recovered as if it were a fine imposed by the court.

(g) Any person who at any time hinders, obstructs or molests the NPA or any of its employees, agents or contractors in the performance and execution of their duty or of anything which they are respectively empowered or required to do by virtue or in consequence of this Act, or removes any mark set up for the purpose of indicating any level or direction necessary to the execution of works authorized by this Act, shall be guilty of an offence under this Act and shall be liable on conviction

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and a fine not exceeding five hundred (\$500.00) dollars or to imprisonment for a term not exceeding three years or to both such fine and imprisonment.

(h) Any person who

(i) wilfully and without lawful excuse loosens or removes from its moorings or from its fastenings alongside any wharf or dock, any vessel within the port without leave or authority from the master or owner of such vessel or person in charge of such wharf or dock;

(ii) wilfully and without lawful excuse lifts, injures, makes a vessel fast to, loosens or sets adrift any moorings, buoys, beacons or land marks;

(iii) without any lawful excuse discharges any gun in the port except for the purpose of making a signal of distress or for such other purpose as is allowed under any written law;

(iv) graves, breams or smokes any vessel in the port, or boils or heats any pitch, tar, resin, dammar, turpentine oil or other such combustible matter on board any vessel within the port, at any time or within any limits at or within which such act is prohibited by any order of the Executive Officer, or contrary to the orders or directions of the Port Master or the master of such vessel; or

(v) uses a naked light when drawing off spirits, turpentine oil or other inflammable oils or liquids of any kind on board any vessel in the port, shall be guilty of an offence under this Act and shall be liable on conviction to a fine not exceeding five hundred (\$500.00) dollars or to imprisonment for a term not exceeding three years or

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both such fine and imprisonment.

(i) Any master or owner of any vessel or any owner of any goods who, by any means whatsoever, evades or attempts to evade any of the dues or rates leviable under this Act shall be guilty of an offence under this Act and shall be liable on conviction to a fine not exceeding one thousand (\$1000.00) dollars or to imprisonment for a term not exceeding five years or to both such fine and imprisonment and shall in addition be liable to pay to NPA as penalty double the amount of the dues or rates he evaded or attempted to evade.

(j) The tender to or acceptance by NPA or any of its officers of any dues or rates the payment of which has been previously evaded or left unpaid, shall not release or discharge any person from any liability for any damages or penalty consequent upon such evasion or non-payment.

(k) Any master of a vessel entering or leaving, intending to enter or leave any dock, or come alongside or depart from any wharf, who gives false information of the draught, length or beam of such vessel to any employee of NPA whose duty it is to ascertain the same, shall be guilty of an offence under this Act and shall be liable on conviction to a fine not exceeding five hundred (\$500.00) dollars

**§ 61. Existence.**

The existence of the NPA shall continue until it shall be terminated by special Act of Legislature. Upon the termination of the existence of this NPA all its rights and properties shall vest in the Republic. <sup>6</sup>

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6. The Act was approved May 12, 1970 and took effect immediately upon publication in hand-bills.

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**AN ACT TO AMEND THE PUBLIC  
AUTHORITIES LAW TO CREATE THE LIBERIA  
ELECTRICITY CORPORATION.<sup>7</sup>**

***Chapter 85. LIBERIA ELECTRICITY  
CORPORATION.***

- § 85.1. Liberia Electricity Corporation created.
- § 85.2. Purposes and powers of the Corporation.
- § 85.3. Maximum number of shares.
- § 85.4. Board of Directors.
- § 85.5. Executive Officer.
- § 85.6. Collection of revenues and expenditures.
- § 85.7. Audits.
- § 85.8. Existence; right to sue and be sued.

**§ 85.1. Liberia Electricity Corporation created.**

There is hereby created a Corporation to be known as the LIBERIA ELECTRICITY CORPORATION hereinafter referred to as the Corporation.

**§ 85.2. Purposes and powers of the Corporation.**

The Corporation shall have the following purposes and powers:

1. To engage in the development, generation and transmission of electrical energy, the manufacture, construction and installation of electrical equipment and devices related thereto, and the distribution and sale of said electrical energy

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7. The Act creating the Liberia Electricity Corporation, which was approved July 12, 1973, provided at Section 1. "The Public Authorities Law is hereby amended by adding thereto a new Chapter to be Chapter 85 to read as follows:"

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and related electrical equipment and devices, to cities, towns, and the public in general for heating, lighting, and power purposes and for the carrying on of all business incidental thereto.

2. To establish and maintain electrical power stations, offices and/or Agencies within and everywhere inside Liberia and to exercise any or all of its corporate powers and, rights in Liberia and in any other foreign country or countries.

3. To determine fair and reasonable rates, fees, and charges which shall be charged in connection with the manufacture, generation, transmission, distribution, and sale of electric energy.

4. To manufacture, import, buy, sell, install, collect, generally deal in and with electrical equipment of every type, including, but not limited to insulators, conductors; insulating materials, brackets, wire, pores, conduits, cables; fixtures, chandeliers, electroliers, lamps, globes, motors, generators, dynamos, batteries, fuses, switches, lighting equipment, and infra red equipment, appurtenances, goods and devices capable of being employed in, connection with the generation, accumulation, transmission, distribution, and use of electricity.

5. To apply for, purchase, or by other means, acquire, hold, sell, assign, lease, mortgage, or otherwise dispose of and protect, and prolong, and renew, whether in the Republic of Liberia or elsewhere any patents, patent rights, licenses, protection, concession, trademarks and trade names and to use and turn to account and to manufacture under grant or license, and to experiment upon and test and improve or seek to improve and patent, invention, or rights which the Corporation may acquire or propose to acquire.



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6. To acquire, build, operate, and dispose of all necessary and convenient lands, buildings, structures, dams, machinery, poles, wires, and other things and devices incidental to the development, manufacture, generation, transmission, distribution, and sale of electric energy and equipment.
7. To engage in and conduct studies and experiments with a view to improving the suitability of electric facilities and equipment of local conditions.
8. To enter into, perform, and modify contracts, leases, agreements or any other transactions, on such terms as may be deemed appropriate with any agency or instrumentality of the Government or with any person, partnership, association, organization or other entity, public or private, singly or in combination.
9. To accept and use gifts or donations of services, funds, or property (real, personal, tangible or intangible).
10. To borrow or raise money for any purpose of the Corporation, and acquire and dispense with the same upon such terms and conditions, and for such considerations as the Board shall determine to be reasonable, through purchase, exchange, discount, re-discount, public or private sales, negotiations, assignments, exercise of option or conversion of rights or otherwise, for cash or credit, with or without tangibles or intangibles, including but not limited to mortgage, bonds, debentures (including convertible debentures), liens, pledges, and other collateral or security, contracts, claims, currencies, notes and other drafts, bills of exchange, acceptances, including bankers acceptances, cable transfers and all other evidences of indebtedness or ownership, and guarantee payment against any instruments above specified.

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11. To collect or compromise any obligations assigned or held by, or any legal and equitable rights accruing to the Corporation.

12. To take any and all actions determined by the Board to be necessary or desirable in making, carrying out, servicing, compromising, liquidating or otherwise dealing with, realizing any transaction or operation authorized under this Chapter.

13. To do each and everything, and exercise all the powers allowed by the Public Utilities Authority Law and the Liberian Corporation Law for the achievement of its powers and purposes in so far as the exercise of the powers so allowed does not conflict with the purposes and powers of the Corporation herein specifically provided.

**§ 85. 3. Maximum number of shares.**

The maximum number of shares of stock which the Corporation is authorized to have outstanding at any time shall be ONE THOUSAND shares of common stock with no par value, all of which, shall be held by the Republic of Liberia.

**§ 85. 4. Board of Directors.**

The formulation of policies and direction of management of the Corporation shall be vested in a Board of Directors consisting of the Chairman of the Public Utilities Authority (who shall serve as Chairman of the Board), the Minister of Finance, the Minister of Justice, the Minister of Planning and Economic Affairs and five other members who shall be chosen from the private sector of the economy and appointed by the President of Liberia. The Chairman of the Board shall be responsible for the overall direction of the affairs, of the Corporation.

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Members of the Board, except for the Chairman, who may receive a salary to be established by the Board, subject to the approval of the President, shall not receive salaries, but they may receive a stipend for each meeting attended and all the expenses incurred in attending duties of the Corporation.

### **§ 85.5. Executive Officer.**

The operational responsibilities for implementing the programs and policies of the Corporation shall be conducted by a Managing Director who shall be appointed by the President with the advice and consent of the Senate. The Managing Director shall receive such salary as shall be established by the Board, subject to the approval of the President.

### **§ 85. 6. Collection of revenues and expenditures.**

The Corporation shall be responsible for the collection of its revenues, settlement of its financial obligations and other matters connected with the collection and disbursement of funds of the Corporation. All revenues accruing to the Corporation shall be used solely for Corporation purposes.

### **§ 85.7. Audits.**

The accounts of the Corporation shall be subject to annual audits by the Government. The accounts of the Corporation shall also be annually audited by a firm of independent accountants approved by the Board.

### **§ 85.8. Existence; right to sue and be sued.**

The Corporation shall have perpetual existence and shall have authority to contract, sue and be sued, plead and be impleaded in any court of this Republic having competent jurisdiction.

PUBLIC AUTHORITIES LAW

Section 2. This Act shall take effect immediately upon publication in hand-bills.

Approved July 12, 1973.

**AN ACT TO AMEND THE PUBLIC  
AUTHORITIES LAW TO CREATE THE LIBERIA  
TELECOMMUNICATIONS CORPORATION<sup>8</sup>**

***Chapter 86. LIBERIA TELECOMMUNICATIONS  
CORPORATION***

- § 86.1. Liberia Telecommunications Corporation created.
- § 86.2. Purposes and powers of the Corporation.
- § 86.3. Maximum number of shares.
- § 86.4. Board of Directors.
- § 86.5. Managing Director.
- § 86.6. Collection of revenues and expenditures.
- § 86.7. Audits.
- § 86.8. Existence; right to sue and be sued.
- § 86.9. Reports.
- § 86.10. Corporate seal.
- § 86.11. By-laws, rules and regulations.

**§ 86.1. Liberia Telecommunications Corporation created.**

There is hereby created a corporation to be known as the LIBERIA TELECOMMUNICATIONS CORPORATION hereinafter referred to as the Corporation.

**§ 86.2. Purposes and powers of the Corporation.**

1. To engage in the development of telephone, telegraph, telex, and all other telecommunications services and facilities; the construction of facilities and equipment related thereto,

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8. The Act constituting the Liberian Telecommunications Corporation, approved February 22, 1973, provided at Section 1. "The Public Authorities Law is hereby amended by adding thereto a new Chapter to be Chapter 86 to read as follows."

PUBLIC AUTHORITIES LAW

the manufacture of related equipment, and the installation, operation, distribution, and sale of said services, facilities and equipment.

2. To establish and maintain Telecommunications Stations, Offices and/or agencies within and everywhere inside Liberia and to exercise any or all of its corporate powers and rights in Liberia and in any other foreign country or countries, if need be.

3. To determine fair and reasonable rates, fees and charges which shall be charged in connection with telecommunication services.

4. To manufacture, import, buy, sell, install, collect, generally deal in and with telephone, telegraph, telex: and all other telecommunication services and to manufacture, buy, sell and deal in all materials used in connection with the aforesaid services.

5. To apply for, purchase, or by other means, acquire, hold, sell, assign, lease, mortgage, or otherwise dispose of, protect and prolong and renew whether in the Republic of Liberia or elsewhere, any patents, patent rights, licenses, protections, concessions, trademarks and trade names and to use and turn to account and manufacture under grant or license and to experiment upon and test and improve or seek to improve patents, inventions or, rights which the Corporation may acquire or propose to acquire.

6. To acquire, build, operate, and dispose of all necessary and convenient lands, buildings, structures, machinery, poles, wires, and other things and devices incidental to the purposes of the Corporation.

## PUBLIC AUTHORITIES LAW

7. To administer, manage, supervise and control all telecommunications facilities as well as the exclusive control over the import, export, installation, distribution, standardization, licensing and sales of telephone and telegraphic materials and equipment in keeping with world market prices.
8. To engage in and conduct studies and experiments with a view to improving; the suitability of telecommunications facilities and equipment to local conditions.
9. To enter into, perform and modify contracts, leases, agreements or any other transactions, on such terms as may be deemed appropriate with any agency or instrumentality of the Government or with any person, partnership, association, organization or other entity, public or private, singly or in combination.
10. To accept and use gifts or donations of services, funds or property (real, personal or intangible).
11. To borrow or raise money for any purpose of the corporation, acquire and dispense with the same upon such terms and conditions, and for such considerations as the Board of the Corporation shall determine to be reasonable, through purchase, exchange, discount, re-discount, public or private sale, negotiation, assignment, exercise of option or conversion of rights or otherwise, for cash or credit, with or without tangibles or intangibles, including but not limited to mortgage, bonds, debentures, (including convertible debentures), liens, pledges, and other collateral or security, contracts, claims, currencies, notes, drafts, bills of exchange, acceptances, including bankers acceptances, cable transfers, and all other evidence indebtedness or ownership, and guarantee payment against any instrument above specified.

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12. To collect or compromise any obligations assigned or held by, or any legal and equitable rights accruing to the Corporation.

13. To take any and all actions determined by the Board to be necessary or desirable in making, carrying out, servicing, compromising, liquidating or otherwise dealing with or realizing any transaction or operation authorized under this Chapter.

14. To do each and everything and exercise all the powers allowed by the Public Utilities Authority Law and Liberia Corporation Law for the achievement of its purposes and powers in so far as the exercise of the powers so allowed does not conflict with the purposes and powers of the Corporation herein specifically provided.

### **§ 86.3. Maximum number of shares.**

The maximum number of shares of stock which the Corporation is authorized to have outstanding at any time shall be ONE THOUSAND shares of common stock with no par value, all of which shall be held by the Republic of Liberia.

### **§ 86.4. Board of Directors.**

The formulation of and direction of management of the Corporation shall be vested in a Board of Directors consisting of the Chairman (appointed by the President), who shall serve as Chairman of the Board, the Minister of Finance, the Minister of Justice, the Minister of Planning and Economic Affairs and five other members who shall be chosen from the private sector of the economy by the President of Liberia.

Members of the Board, except for the Chairman, who may receive a



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salary to be established by the Board, subject to the approval of the President, shall not receive salaries, but they may receive a stipend for each meeting attended and all the expenses incurred in attending duties of the Corporation.

### **§ 86.5. Managing Director.**

The operational responsibilities for implementing the programs and policies of the Corporation shall be conducted by a Managing Director who shall be appointed by the President with the advice and consent of the Senate. The Managing Director shall receive such salary as shall be established by the Board, subject to the approval of the President.

### **§ 86.6. Collection of revenues and expenditures.**

The Corporation shall be responsible for the collection of its revenues, settlement of its financial obligations and all other matters connected with the collection and disbursement of funds of the Corporation.

### **§ 86.7. Audits.**

The accounts of the Corporation shall be subject to annual audits by the Government. The account of the Corporation shall also be audited annually by a firm of independent accountants approved by the Board.

### **§ 86.8. Existence; right to sue and be sued.**

The Corporation shall have perpetual existence and shall have perpetual authority to contract, sue and be sued, plead and be impleaded in any court of this Republic having competent jurisdiction.

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**§ 86.9. Reports.**

The Corporation shall submit an annual report to the President and to the Legislature and such other periodic reports as he may from time to time require. Such reports shall set out in detail facts describing the operational and fiscal transactions of the Corporation during the preceding year, its financial condition and a statement of all receipts and disbursements during such year.

**§ 86.10. Corporate Seal.**

The Corporation shall have a Seal which shall be approved by the Board of Directors

**§ 86.11. By-laws, rules and regulations.**

The Board of Directors shall, with the approval of the President, adopt by-laws consistent with this Chapter and issue; rules and regulations under which the Corporation is to operate.

**Section 2.** This Act shall take effect immediately upon publication in hand-bills.

Any law to the contrary notwithstanding.

Approved February 22, 1973.

Published April 10, 1973

**Chapter 87. THE LIBERIAN BROADCASTING  
SYSTEM.**

**PRC DECREE NO. 20 DECREE BY THE PEOPLE'S  
REDEMPTION COUNCIL OF THE ARMED FORCES OF  
THE REPUBLIC OF LIBERIA TO AMEND CHAPTER 87  
OF THE PUBLIC AUTHORITIES LAW ESTABLISHING  
THE LIBERIAN BROADCASTING CORPORATION AND  
ESTABLISHING THE LIBERIAN BROADCASTING  
SYSTEM<sup>9</sup>**

- § 1. Liberian Broadcasting System created.
- § 2. Powers and objectives.
- § 3. Director-General.
- § 4. Financing.
- § 5. Audits.
- § 6. Reports.
- § 7. By-laws, rules and regulations.

**§ 1. Liberian Broadcasting System (LBS) created.**

A. The Liberian Rural Communications Network (Rural Radio Network) is a development oriented public service broadcasting system with authority to establish a central programming facility and regional broadcasting stations. Its goals are to support rural development by promoting:

- 1. the increased utilization by the rural population of existing Government services;
- 2. the expansion of these services to a greater portion of the

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9. The Public Authorities Law was amended by adding thereto a new Chapter 87, by Decree no. 20 of the People's Redemption Council, and therein, under the said amended Public Authorities Law, the Liberian Broadcasting System was constituted..

## PUBLIC AUTHORITIES LAW

rural population;

3. increased communication between the villages and the local, regional and national Governments;
4. increased self-help activities; and
5. increased involvement and participation in local and national development efforts.

B. The National Television Network (Educational and Commercial)

C. The External Broadcasting Service

D. The AM-Radio Commercial Service

E. The FM-Stereo Commercial Service

### **§ 2. Powers and objectives.**

The Liberian Broadcasting System shall have the following Powers and Objectives:

1. To engage in the business of broadcasting, transmitting, relaying and distributing whether audible and visual by means of radio and television broadcasting apparatus or any other devices, machinery or equipment whatsoever, whether by wireless, telegraph, wired system, cable or by other means and to develop the radio and television broadcasting industry in Liberia.
2. To own, equip, maintain and operate broadcasting and receiving stations, national or international, and any connections between such stations and wired system for the

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relaying or distribution of broadcasting program, to transmit, send and broadcast news, talks, speeches, lectures, musical concerts, plays, theatrical recitals, programs (including programs and material sponsored by advertisers and others), reading, reports, advertisements and signals.

3. To produce, present, provide record or arrange for the production, presentation, provision, or recording of programs or materials of every kind, including the presentation, or portrayal of news of current, events for programs (whether audible or visual or both audible and usual) to be broadcasted, transmitted, relayed or distributed, whether by wireless telegraphy, wired system, cable or by other means.

4. To provide, establish, construct, equip or operate, maintain or manage wireless telegraphy stations, recording rooms, studios, offices and other buildings, plant, equipment, works and apparatus of every kind required or used for the purpose of or in connection with or ancillary to the preparation, production, presentation or recording of such programs or material thereof, or the transmission, broadcasting, relay or distribution thereof, whether by wireless telegraphy, wired system, cable or other means.

5. To carry on the business of recording programs (whether audible or visual or both audible and visual) and selling, letting on hire or otherwise distributing thereof.

6. To buy, import, or otherwise acquire, manufacture or assemble, sell, let or hire or otherwise deal in apparatus for receiving or reproduction programs or broadcast transmitted, relayed or distributed, whether by wireless telegraphy, wired system, cable or by other means, or recorded programs, accessories and spare parts for other equipment for use in connection with any such apparatus, and to install or maintain

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or undertake or arrange for the installation or maintenance of any such apparatus or any service in line or other accessories or equipment therewith, and generally to carry on all or any of the business of manufacturing or dealing in supplying or maintaining or contracting for the installation, supply, maintenance or servicing such apparatus, accessories or equipment.

7. To represent the Government's interest in national and international broadcasting or radio conferences and activities.

8. To engage in and conduct studies and experiments with a view of improving the suitability of radio and television broadcasting facilities and equipment to local conditions.

9. To enter into, perform and modify contracts, leases, agreements, or any other transactions, on such terms as may be deemed appropriate with any agency or instrumentality of Government or with any person, partnership, association, organization or other entity, public or private, singly or combination thereof.

10. To determine fair, and reasonable rates, fees and charges which shall be charged in connection with radio and television broadcasting services.

11. To accept and use gifts or donations of services, funds, or property (real, personal, tangible or intangible).

12. To borrow or raise money for any purpose of the LBS, and acquire and dispense with the same upon such terms and conditions, and for such considerations as the Director General of LBS shall determine to be reasonable through purchase, exchange, discount, re-discount, public or private sale, negotiation, assignment, exercise or option or conversion of rights or otherwise, for cash or credit, with or without

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tangible, including but not limited, to mortgage, bonds and debentures, (including convertible debentures) liens, pledges and other collateral or security, contracts, acceptances, including bankers acceptances, cable transfers, and all other evidence of indebtedness of ownership, and guarantee payment against any instrument above specified.

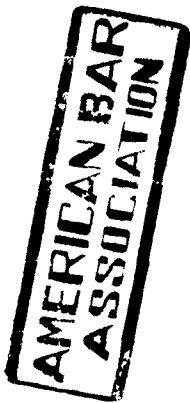
13. To collect or compromise any obligations assigned or held by or any legal and equitable rights accruing to the LBS.

14. To take any and all actions determined by the Director-General to be necessary or desirable in making, carrying out, servicing, compromising, liquidating or otherwise dealing with, or realizing any transaction or operation authorized under this Decree.

15. To apply for, purchase, or by other means, acquire and hold, sell, assign, lease, mortgage, or otherwise dispose of and protect, and prolong, and renew whether in the Republic of Liberia or elsewhere any patents, patent rights, licenses, protections, concessions, trade marks and trade names and to use and turn to account and to manufacture under grant of license and to experiment upon and test and improve or seek to improve any patents, inventions, or rights which the LBS may acquire or propose to acquire.

16. To acquire, build, operate, and dispose of all necessary and convenient lands, buildings, structures, machinery, poles, wire and other things and devices incidental to the purposes of the LBS.

17. To do each and everything and exercise all the powers allowed by Public Utilities Authority Law and Decree for the achievement of its purposes and powers in so far as the exercise of the powers so allowed does not conflict with



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purposes and powers of the LBS herein specifically provided.

18. The Liberian Broadcasting System (LBS) is hereby granted the necessary budgetary autonomy and authority to expand funds for the Liberian Rural Communications Network (LRCN) as necessary.

### **§ 3. Director-General.**

The operational responsibilities for formulating and implementing the programs and policies of LBS shall be conducted by the Director-General who shall be assisted by a Deputy Director-General, and three other Directors: one for the Liberian Rural Communications Network, one for Radio and the other for Television. The Director-General and Deputy Director-General shall be appointed by the Head of State with the advice and consent of the People's Redemption Council.

The Directors for Television, Radio and Rural Communication shall be appointed by the Director-General. The Director-General, Deputy Director-General and the three Directors shall receive such salaries as shall be established by the PRC.

### **§ 4. Financing.**

The Liberian Broadcasting System shall receive sixty percent (60%) of its budget from the Government. The remaining forty percent (40%) to cover operating expenses shall be generated from commercials and other enterprises as may be undertaken by LBS.

### **§ 5. Audits.**

The accounts of the LBS shall be subjected to periodic audits by the Government. The accounts of the LBS shall also be audited by a firm of independent accountants approved by the Auditor-General



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of the Republic of Liberia.

**§ 6. Reports.**

The LBS shall submit an annual report to the People's Redemption Council and such other periodic reports as may from time to time be required. Such reports shall set out detailed facts describing the operational and fiscal transactions of LBS during the preceding year, its financial conditions and a statement of all receipts and disbursements during such year.

**§ 7. By-Laws, rules and regulations.**

The Director-General, Deputy Director-General, and the three Directors shall, with the approval of the PRC, adopt By-laws consistent with the Decree and issue rules and regulations under which the LBS is to operate.

This Decree shall take effect immediately upon publication in hand-bills.

ANY LAW TO THE CONTRARY NOTWITHSTANDING.

Date Issued: October 10, 1980

**PRC DECREE NO. 21**

**A DECREE TO PROVIDE APPROPRIATION FOR EXPANSION  
PURPOSE OF THE LIBERIAN BROADCASTING SYSTEM**

It is hereby decreed by The People's Redemption Council of the Armed Forces of Liberia as follows:

Whereas, there is an urgent need to undertake an expansion program and provide needed facilities for the Liberian Broadcasting System.

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Now, therefore,

It is decreed by the People's Redemption Council:

§ 1. That from and immediately after the passage of this Decree, the Head of State is hereby empowered to undertake an expansion program to provide needed facilities for the Liberian Broadcasting System.

§ 2. The Minister of Finance is hereby authorized to pay under warranty of the Head of State any amount necessary for the effective implementation of this Decree, out of any moneys in the Public Treasury not otherwise appropriated.

This Decree shall take effect immediately upon publication in hand-bills.

Any law to the contrary notwithstanding.

Date issued. October 9, 1980

Date published. May 22, 1981

**AN ACT TO AMEND THE PUBLIC  
AUTHORITIES LAW TO CREATE THE  
LIBERIA WATER AND SEWER  
CORPORATION <sup>10</sup>**

***Chapter 88. LIBERIA WATER AND SEWER  
CORPORATION.***

- § 88.1. Liberia Water and Sewer Corporation created.
- § 88.2. Purposes and powers of the Corporation.
- § 88.3. Maximum number of shares.
- § 88.4. Board of Directors.
- § 88.5. Executive Officer.
- § 88.6. Collection of revenues and expenditures.
- § 88.7. Audits.
- § 88.8. Existence; right to sue and be sued.
- § 88.9. Reports.
- § 89.10. Corporate Seal.
- § 89.11. By-laws, rules and regulations.

**Sub-§ 88. 1. Liberia Water and Sewer Corporation created.**

There is hereby created a Corporation to be known as the LIBERIA WATER AND SEWER CORPORATION hereinafter referred to as the Corporation.

**Sub-§ 88.2. Purposes and powers of the Corporation.**

The Liberia Water and Sewer Corporation shall have following

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10. The Liberia Water and Sewer Corporation was created by amendment to the Public Authorities law which read at Section 1 as follows. The Public Authorities Law is hereby amend by adding thereto a new Chapter to be Chapter 88 to read as follows:

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powers:

1. To engage in the management, development, construction, installation, manufacture, operation, transmission, distribution, sale, and supply to all areas of water and sewage services and of equipment and facilities relating thereto.
2. To establish and maintain water and sewer facilities, offices and/or agencies within and everywhere inside Liberia; and to exercise any and all of its corporate powers and rights in Liberia and in any foreign country or countries, if need be.
- 3 To determine fair and reasonable rates, fees, and charges which shall be charged in connection with the provision of water and sewage services.
4. To manufacture, import, buy, sell, install, collect, generally deal in water and sewage services and to manufacture, buy, sell and deal in all materials used in connection with the aforesaid services.
5. To apply for, purchase, or by any other means, acquire, hold, sell, assign, lease, mortgage, or otherwise dispose of and protect, and prolong, and renew, whether in the Republic of Liberia or elsewhere and patents, patent rights, licenses, protections, concessions, trade marks and trade names and to use and turn to account and to manufacture under grant of license and to experiment upon and test and improve or seek to improve any patents, inventions, or rights which the Corporation may acquire or propose to acquire.
6. To acquire, build, operate, and dispose of all necessary and convenient lands, buildings, structures, machinery, reservoirs, water towers, and all other things and devices incidental to the purpose of the Corporation.

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7. To engage in and conduct studies and experiments with a view to improving the suitability of water and sewer facilities and implements to local conditions.
8. To enter into, perform, and modify contracts, leases, agreements or any other transactions, on such terms as may be deemed appropriate with any agency or instrumentality of the Government or with any person, partnership, association, organization or other entity, public or private, singly or in combination.
9. To accept and use gifts or donations of services, funds, or property (real, personal, tangible or intangible).
10. To borrow or raise money for any purpose of the Corporation, and acquire and dispense with the same upon such terms and conditions, and for such considerations as the Board shall determine to be reasonable, through purchase, exchange, discount, re-discount, public or private sales, negotiations, assignments, exercise of option or conversion of rights or otherwise, for cash or credit, with or without tangibles or intangibles, including but not limited to mortgage, bonds, debentures (including convertible debentures), liens, pledges, and other collateral or security, contracts, claims, currencies, notes and other drafts, bills of exchange, acceptances, including bankers acceptances, cable transfers and all other evidences of indebtedness or ownership, and guarantee payment against any instruments above specified.
11. To collect or compromise any obligations assigned or held by, or any legal and equitable rights accruing to the Corporation.
12. To take any and all actions determined by the Board to be necessary or desirable in making, carrying out, servicing,

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compromising, liquidating or otherwise dealing with, realizing any transaction or operation authorized under this Chapter.

13. To do each and everything, and exercise all the powers allowed by the Public Utilities Authority Law and the Liberian Corporation Law for the achievement of its powers and purposes in so far as the exercise of the powers so allowed does not conflict with the purposes and powers of the Corporation herein specifically provided.

### **§ 88. 3. Maximum number of shares.**

The maximum number of shares of stock which the Corporation is authorized to have outstanding at any time shall be ONE THOUSAND shares of common stock with no par value, all of which shall be held by the Republic of Liberia.

### **§ 88. 4. Board of Directors.**

The formulation of policies and direction of management of the Corporation shall be vested in a Board of Directors consisting of the Chairman of the Public Utilities Authority (who shall serve as Chairman of the Board), the Minister of Finance, the Minister of Justice, the Minister of Planning and Economic Affairs and five other members who shall be chosen from the private sector of the economy and appointed by the President of Liberia. The Chairman of the Board shall be responsible for the overall direction of the affairs of the Corporation.

Members of the Board, except for the Chairman, who may receive a salary to be established by the Board, subject to the approval of the President, shall not receive salaries, but they may receive a stipend for each meeting attended and all the expenses incurred in attending duties of the Corporation.

**§ 88.5. Executive Officer.**

The operational responsibilities for implementing the programs and policies of the Corporation shall be conducted by a Managing Director who shall be appointed by the President with the advice and consent of the Senate. The Managing Director shall receive such salary as shall be established by the Board, subject to the approval of the President.

**§ 88. 6. Collection of revenues and expenditures.**

The Corporation shall be responsible for the collection of its revenues, settlement of its financial obligations and other matters connected with the collection and disbursement of funds of the Corporation. All revenues accruing to the Corporation shall be used solely for Corporation purposes.

**§ 88.7. Audits.**

The accounts of the Corporation shall be subject to annual audits by the Government. The accounts of the Corporation shall also be annually audited by a firm of independent accountants approved by the Board.

**§ 88.8. Existence; right to sue and be sued.**

The Corporation shall have perpetual existence and shall have authority to contract, sue and be sued, plead and be impleaded in any court of this Republic having competent jurisdiction.

**§ 88.9. Reports.**

The Corporation shall submit an annual report to the President and to the Legislature and such other periodic reports as he may from time to time require. Such reports shall set out in detail facts

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describing the operational and fiscal transactions of the Corporation during the preceding year, its financial condition and a statement of all receipts and disbursements during such year.

**§ 88.10. Corporate Seal.**

The Corporation shall have a Seal which shall be approved by the Board of Directors

**§ 88.11. By-laws, rules and regulations.**

The Board of Directors shall, with the approval of the President, adopt by-laws consistent with this Chapter and issue rules and regulations under which the Corporation is to operate.

Section 2. This Act shall take effect immediately upon publication in hand-bills.

Approved January 30, 1973.

Published April 10, 1973.



PUBLIC AUTHORITIES LAW

**AN ACT CREATING THE FORESTRY  
DEVELOPMENT AUTHORITY**

*Approved November 1, 1976  
December 20, 1976*

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AN ACT CREATING THE FORESTRY DEVELOPMENT  
AUTHORITY

*It is enacted by the Senate and House of Representatives of the  
Republic of Liberia, in Legislature Assembled:*

- § 1. Repeal of certain sections of the Natural Resources Law.
- § 2. Creation of the Forestry Development Authority.
- § 3. Objects of the Forestry development Authority.
- § 4. Powers of the Forestry Development Authority.
- § 5. Penalty for violation of rules and regulations.
- § 6. Board of Directors.
- § 7. Officers.
- § 8. Appointment of Assistant Managing Director.
- § 9. Collection of revenues and expenditures.
- § 10. Duration.
- § 11. Audits.
- § 12. Reports.
- § 13. Power of Forest Officer to arrest offenders.
- § 14. Power of Forest Officer with regards to trees.
- § 15. Advisory Conservation Committees.
- § 16. Form and contents of Forest Utilization Agreement.
- § 17. Performance Bond and minimum expenditure.
- § 18. Protection of Liberian Salvage Permit Holders.
- § 19. Land rental fee.
- § 20. Import duties.
- § 21. Payment of forestry fees in U.S. Currency.
- § 22. Wood processing.
- § 23. Employment of professional Liberian Foresters.

**§ 1. Repeal of certain sections of the Natural Resources Law.**

Chapters 1 through 4 of the National Resources Law with respect to the Bureau of Forest Conservation, the Conservation of Forests, National Parks and the Conservation of Wild Life are hereby

repealed.

**§ 2. Creation of Forestry Development Authority.**

An authority to be known as the "Forestry Development Authority" is hereby created as a corporate body pursuant to the Public Authorities Law. As used in this Act, the term "Authority" means the authority hereby created.

**§ 3. Objects.**

The primary objectives of the Authority shall be to:

- (a) Establish a permanent forest estate made up of reserved areas upon which scientific forestry will be practised;
- (b) Devote all publicly owned forest lands to their most productive use for the permanent good of the whole people considering both direct and indirect values;
- (c) Stop needless waste and destruction of the forest and associated natural resources and bring about the profitable harvesting of all forest products while assuring that supplies of these products are perpetuated;
- (d) Correlate forestry to all other land use and adjust the forest economy to the overall national economy;
- (e) Conduct essential research in conservation of forest and pattern action programs upon the results of such research;
- (f) Give training in the practice of forestry; offer technical assistance to all those engaged in forestry activities; and spread knowledge of forestry and the acceptance of conservation of natural resources throughout the country;

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(g) Conserve recreational and wildlife resources of the country concurrently with the development of forestry program.

**§ 4. Powers.**

In addition to the powers conferred upon an authority by th Public Authorities Law, the Authority shall have the following powers:

- (a) To take all actions necessary to create and establish Government Forest Reserves, Native Authority Forest Reserves, Communal Forests, and national parks;
- (b) To administer all such reserved areas to fulfill the policies an objectives set out in Section 3 of this Act,.
- (c) To enforce all laws and regulations for the conservation of forests and the development of their resources;
- (d) To assist the owners of timber land in applying sustained yield forest management;
- (e) To carry out a program for the wise use and perpetuation of the forest, recreational, and wildlife resources of the country except that regulations for the zoning of hunting grounds and the restriction of hunting to stated periods shall be promulgated by the President;
- (f) To prescribe the form of all licenses, permits, agreements, and other instruments dealing with the use of forest resources;
- (g) To control the issuance of such instruments, and determine the conditions under which they may be granted, exercised, produced, revoked or returned;
- (h) To control the transportation or export of forest products by

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land, water, or air;

(i) To be responsible for the collection of all fees payable under the rules and regulations promulgated under the authorization of this Section;

(j) To promulgate rules and regulations required to insure the accomplishment of all the policies and objectives of the Authority;

(k) To open and operate a main and subsidiary banking accounts, to receive and expend monies;

(l) To continue existing services and to initiate new services, such as:

(i) To establish a unit for market cost-component analysis;

(ii) To monitor real timber prices and production costs;

(iii) To commission and carry out feasibility studies;

(iv) To establish research, education and training facilities;

(v) To levy fees on other components of the wood-using industries for purposes connected with the Authority's functions;

(m) To negotiate, raise and make loans;

(n) The power to issue, amend and rescind forestry regulations;

(o) The power to engage in commercial undertakings as a principal or in conjunction with others, to enter into contracts, to sue and be sued;

(p) As a principal or in conjunction with others to fell trees and

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prepare them for export or to have them processed locally, or both; to trade with such timber in the raw or processed state and to engage in all other operations directly or indirectly connected with the trade in forest products;

(q) To make by-laws for its internal administration.

### **§ 5. Penalty for violation of rules and regulations.**

Any person who contravenes any rule or regulation made under Sub-section (j) of Section 4 or fails to comply with the conditions made a part of any license, permit, agreement, other instrument issued or entered into, under any such rule or regulation for which no penalty is expressly provided in the rules and regulations is guilty of a misdemeanor and punishable by a fine not exceeding five hundred dollars or by imprisonment for not more than one year. If any person shall be convicted of any offense under this Act, the court may in addition to or in lieu of the imposition of any fine or term of imprisonment, order that the whole or any part of the forest product or wildlife resource with respect to which the offense was committed, be confiscated and forfeited to the Government to be sold or otherwise disposed of in such manner as the Managing Director may prescribe.

### **§ 6. Board of Directors.**

*1. Composition.* The policies of the Authority shall be formulated by the Board of Directors consisting of:

(a) The Minister of Agriculture as Chairman, the Minister of Finance, the Minister of Local Government, the Minister of Planning and Economic Affairs, the Minister of Commerce, Industry and Transportation, and the President of the Liberian Bank for Development and Investment;

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(b) The Managing Director of the Authority, to be appointed by the President.

(c) Two Liberian nationals, one with experience in the field of law, and the other with experience in the field of business, to be appointed by the President.

2. *Voting by Board Members without meeting.* The Board may by regulation establish a procedure whereby the Managing Director, when he considers such action in the best interest of the Authority, may obtain a vote of the Board members on a special question without calling a meeting of the Board.

3. *Quorum.* A quorum for any meeting of the Board shall be a majority of its members.

4. *Financial interest.* No Director or member of his immediate family shall hold any financial interest in a forestry concession or in any auxiliary undertaking in Liberia.

5. *Reimbursement.* The members of the Board, in their capacity as such, shall not receive salaries, but they may receive from the Authority a stipend for each meeting attended and reimbursement for all expenses they incur in discharging their duties to the Authority.

**§ 7. Officers.**

The Authority shall have a Managing Director and such other officers and staff as the Board may determine to be necessary or desirable for carrying out its lawful functions. The Managing Director shall be professionally qualified in forestry. He shall be responsible for the conduct of the general operation of the Authority and for that purpose shall exercise all powers delegated to him by the Board. Subject to the approval of the Board with

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regard to senior officers and staff, the Managing Director shall be responsible for the organization of the staff and the appointment and dismissal of the officers.

**§ 8. Appointment of Assistant Managing Director.**

The President shall appoint an Assistant Managing Director for administration and finance who shall be a qualified financial controller and administrator rather than a professional forester.

**§ 9. Collection of revenues and expenditures.**

The Authority shall be responsible for the collection of its revenues, settlement of its financial obligations and all other matters connected with the collection and disbursement of funds of the Authority.

**§ 10. Duration.**

The existence of the Authority shall continue until it shall be terminated by the Legislature. Upon the termination of the existence of the Authority, all its rights and property shall rest in the Republic.

**§ 11. Audits.**

The Accounts of the Authority shall be subject to periodic audits by the Government. The accounts of the Authority shall also be audited annually by a firm of independent accountants appointed by the Board.

**§ 12. Reports.**

The Authority shall submit an annual report to the President and such other periodic reports as he may from time to time require.



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Such reports shall set out in detail facts describing the operation and fiscal transactions of the Authority during the receding year, its financial condition and a statement to all receipts and disbursements during such year.

### **§ 13. Power of Forest Officer to arrest offenders.**

Every Forest Officer is hereby authorized and empowered to arrest any person whom he finds or reasonably suspects of violating any of the provisions of the statutes or regulations relating to conservation of forests. On arrest, he shall immediately take such person before the court of the County Superintendent, County Commissioner, Tribal Authority, or Justice of the Peace who shall immediately forward the matter to a court of competent jurisdiction in the county in which the reserve is located.

### **§ 14. Power of Forest Officer with regards to trees.**

A Forest Officer may fell, cut, damage, tap, or destroy trees within Government Forest Reserves, Native Authority Forest Reserves, Communal Forests, and national parks, and make clearing or remove timber therefrom for the purpose of planting trees, improving the growth of trees, or for the general better management of reserved forests.

### **§ 15. Advisory Conservation Committees.**

An Advisory Conservation Committee shall be appointed within each county with the County Superintendent or County Commissioner as Chairman. The purpose of the Committees shall be to provide means of communicating to the Forestry Development Authority the ideas, desires and opinions of the people in matters pertaining to forest and wildlife conservation and to exercise general supervision of the enforcement of forest and wildlife regulations.

**§ 16. Form and Content of Forest Products Utilization Agreement.<sup>11</sup>**

In all negotiations concerning the awarding of a Forest Product Utilization Agreement between the Government of the Republic of Liberia shall be represented by the Managing Director of the Forestry Development Authority and the Minister of Finance. Upon the successful conclusion of said negotiations, the Minister of Finance and the Managing Director of the Forestry Development Authority shall sign for and on behalf of the Government of Liberia, attested by the Minister of Justice and the prospective forest user by an authorized representative. Notwithstanding the above, the Forest Product Utilization Agreement shall be valid only upon the approval of the President of Liberia and subsequent ratification by the Legislature of the Republic of Liberia.

**§ 17. Performance Bond and Minimum Expenditure.**

A Forest Concessionaire shall be required to deposit with the Forestry Development Authority a Performance Bond or a Manager's Check of US\$150,000 in favour of the Government of Liberia warranting that the Concessionaire shall faithfully and promptly commence survey and other operations and performance of all the terms and conditions of the Forest Product Utilization

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11. Sections 16 through 23 were added to the Act by an Act of the Legislature amending the Forestry Development Authority Act, entitled "AN ACT TO AMEND AN ACT CREATING THE FORESTRY DEVELOPMENT AUTHORITY BY REPEALING SECTION 16 THEREOF AND ADDING THERETO EIGHT NEW SECTIONS", approved July 21, 1988 and published August 2, 1988.

The amendment provided at Section 1 that "Section 16 of An Act creating the Forestry Development Authority is hereby repealed."

The amendment provided at Section 2 "That from and immediately after the passage of this Act, an Act entitled "An Act Creating the Forestry Development Authority" is hereby amended by adding thereto eight new Sections to be Sections 16 through 23 to read as follows:

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Agreement within two years and shall within two year period after the effective date of the Agreement between the Concessionaire and the Government of Liberia spend a sum not less than \$500,000 on the construction and installation of a processing plant. Any Concessionaire who on the coming into force of the Act has already complied with the old regulation on performance bond shall not be retroactively affected by the provisions of this Section. A Salvage Permit Holder shall be required to deposit with the Forestry Development Authority a Performance Bond or Property Valuation of US\$50,000 of Manager's Check of US\$50,000 in favour of the Government of Liberia, and shall be required to invest not less that US\$200,000 within two years of the operation.

### **§ 18. Protection of Liberian Salvage Permit Holders.**

No law, executive order or regulation shall be passed depriving Liberian citizens of the right to apply and be granted forest salvage permits from the Forestry Development Authority if such category of forests is available for leasing.

### **§ 19. Land Rental Fee.**

The Concessionaire shall in respect of the Concession granted under the Forest Product Utilization Agreement, pay to the Government of Liberia in advance an annual surface land rental fee of US\$.50 cents per acre or pro rata for part thereof for all land held by the Concessionaire. In the case of the forest salvage permit holders, the annual land rental per acre of the exploitation area to be paid shall be US\$.30 cents per acre or pro rata for part thereof for all land held by the permit holders, and said amount shall be paid in advance to the Government.

### **§ 20. Import Duties.**

The concessionaire shall be granted duty free privilege for the

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importation into Liberia during the first two years upon coming into force of the Forest Product Utilization Agreement signed between the concessionaire and the Government of Liberia, any equipment, machinery or similar items of a capital nature having a useful life of five years or more for use in the harvesting, processing, transportation and marketing of timber products; provided, however, that all such items to be exempted from duties shall be exempted only if items reasonably comparable in price and quality and not obtainable in Liberia; it being understood Forest Salvage Permit Holders shall also be granted duty free privilege for the importation into Liberia equipment, machinery or similar items of capital nature to last for a period of not less than two years. Notwithstanding the foregoing, the period of exemption from the payment of import duties (two years), shall not be extended nor renewed after the expiration of the said two (2) years period.

**§ 21. Payment of Forestry Fees in U.S. Currency.**

The Concessionaire and the forest salvage permit holders shall pay all their respective forest fees in U.S. currency after assessment by the Forestry Development Authority (FDA).

**§ 22. Wood processing.**

The concessionaire shall comply with the requirements of the Forestry Development Authority regarding the percentage of total production to be sawn or otherwise processed in Liberia and that the export of logs and processed wood shall be in accordance with the Forestry Development Authority Regulations; however, the percentage of processed wood for export shall be a maximum of 5% (five percent) of export logs during 1988 and 1989. Beginning 1990, the percentage of processed wood for export shall be a minimum of 5% (five percent) and a maximum of 10% of export logs, it being understood that all Forest Salvage Permit Holders shall process at least 5% (five percent) of their total log production

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for either local or export market.

**§ 23. Employment of professional Liberian Foresters.**

A concessionaire having a valid Forest Utilization Agreement shall be required to employ a maximum of four (4) trained Liberian Foresters while a Salvage Permit Holder shall employ at least one (1) trained Liberian Forester.