

ACT

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THE SIERRA LEONE PORTS AND HABOURS AUTHORITY ACT, 2023

ARRANGEMENT OF SECTIONS

Section.

PART I-PRELIMINARY

1. Interpretation.
2. Application of Act .

PART II-CONTINUATION OF THE AUTHORITY

3. Continuation of the Authority.
4. Common seal.
5. Board of Directors.
6. Tenure of office.
7. General functions of the Board.
8. Allowances and expenses of members.
9. Meetings of the Board.
10. Disclosure of interest.
11. Immunity of members.
12. Committees of Board.

PART III-GENERAL FUNCTIONS AND POWERS OF THE AUTHORITY

13. Functions of the Authority.
14. General powers.
15. Landlord powers.
16. Technical supervisory powers.
17. Corporate powers.

18. Economic and safety powers.
19. Delegated duties.

PART IV-EMPLOYEES OF THE AUTHORITY

20. Director-General.
21. Deputy Director-General.
22. Company Secretary.
23. Other staff of Authority.

PART V-FINANCIAL PROVISIONS

24. Funds of the Authority.
25. Application of funds.
26. Investment of funds.
27. Estimate of income and expenditure of the Authority.
28. Supplementary estimates.
29. Authority to be subject to income tax.
30. Borrowing powers of the Authority.
31. Accounts and audits.
32. Annual report.
33. Financial year of Authority.

PART VI-LICENSING AND OTHER RELATED PROVISIONS

34. Authorization for port owners and port operators.
35. Application for licence.
36. Transfer of licence.
37. Renewal of licence.
38. Suspension or cancellation of licence.
39. Appeal.
40. Concession or permit.
41. Register.

PART VII-UNFAIR COMPETITION

- 42. Unfair agreement.
- 43. Dominant position.
- 44. Lessening competition.

PART VIII-ACCESS

- 45. Access.
- 46. Determination of access.
- 47. Hindering access.
- 48. Conditions of access.

PART IX-ACQUISITION OF LAND AND OTHER ASSETS

- 49. Power to acquire private land.
- 50. Acquisition and disposal of assets.
- 51. Minister's authorisation before sale of property.

PART X-TARRIFFS, DUES AND RATES

- 52. Application of part.
- 53. Exemption.
- 54. Dues payable to the Authority.
- 55. Harbours dues and rates.
- 56. Ship and pilotage dues.
- 57. Persons liable for payment of ship and pilotage dues.
- 58. Levy of rates.
- 59. Lien on goods.
- 60. Discharge of lien.
- 61. Sale by public auction.
- 62. Application of proceeds of sale
- 63. Restriction on categories of fees, levies or charges

64. Assignment of powers.
65. Withholding of dues or rates.
66. Public register.
67. Recovery of dues.
68. Regulation on dues and rates.

PART -XI-REGULATION OF TARIFFS

69. Regulation of tariff.
70. Limitation to regulate tariff.
71. Filing and publication.

PART XII-PILOTAGE, HARBOUR MASTER AND OTHER RELATED PROVISIONS

72. Pilotage licence.
73. Suspension or revocation of pilotage licence.
74. Functions of a pilot.
75. Requirement for pilotage.
76. Duties of the master in relation to pilotage.
77. Advance ship and cargo information.
78. Information on arrival or departure.
79. Entering without permit.
80. Authority's power in relation to pilots.
81. Establishment of pilotage districts.
82. Confirmation of vital information.
83. Liability of master or owner of a ship.
84. Liability of pilot.
85. Limitation of pilot's liability.
86. Appointment of harbour master.
87. Functions and general powers of harbour master.
88. Delegation of harbour master's functions.

- 89. Failure to comply with direction of harbour master.
- 90. Liability of harbour master.

PART XIII-PIERS JETTIES AND WHARVES

- 91. Application of part.
- 92. Restriction on piers jetties and wharves.
- 93. Regulation on piers jetties and wharves.
- 94. Removal of piers jetties.

PART XIV-LIABILITY AND LEGAL PROCEEDS

- 95. Non-liability of Authority.
- 96. Liability for acts of Authority.
- 97. Limitation of Authority's liability.
- 98. Liability for loss or damage of cargo.
- 99. Restriction on execution against property of the Authority
- 100. Judicial management and liquidation.

PART XV-OFFENCES

- 101. Offences.
- 102. Unauthorized port.
- 103. Evasion of dues.
- 104. False statement.
- 105. Safety of vessels.
- 106. Offence by master of vessel.
- 107. Loading of vessel.
- 108. Throwing of ballast or waste.
- 109. False information as to draught of vessel and cargo.
- 110. Navigation without a pilot.
- 111. illegal piloting.
- 112. Obstruction.

- 113. Breach of duty by pilot.
- 114. Loosening of moorings.
- 115. Sinking of vessels.
- 116. Demanding improper charges.
- 117. Offence by body of persons.

PART XVI- MISCELLANEOUS PROVISIONS

- 118. Limitation on Government agency.
- 119. Exemption of Authority.
- 120. Damage to property of the Authority.
- 121. Withholding of clearance.
- 122. Wrecks.
- 123. Vessel under arrest.
- 124. Preventing accidents.
- 125. Routine inspection.
- 126. Emergency powers.
- 127. Employment of maritime labour.
- 128. Monies recovered to be paid into account of Authority.
- 129. Confidentiality.
- 130. General penalty.
- 131. Modification of laws.
- 132. Transitional provisions.
- 133. Regulations.
- 134. Repeal.

SCHEDULE

SIGNED this 2nd day of May, 2023.

DR. JULIUS MAADA BIO,
President.



No. 29



2023

Sierra Leone

**THE SIERRA LEONE PORTS AND HARBOURS
AUTHORITY ACT, 2023**

Short title.

Being an Act to continue the existence of the Sierra Leone
Ports and Harbours Authority, to regulate the Ports and Harbours
and to provide for other related matters.

[

] Date of
commencement.

ENACTED BY THE PRESIDENT AND MEMBERS OF PARLIAMENT IN
THIS PRESENT PARLIAMENT ASSEMBLED

PART I - PRELIMINARY

Interpretation

1. In this Act unless the context otherwise requires -

“Authority” means the Sierra Leone Ports and Harbours Authority referred to under section 3;

“beacon” means a prominent specially constructed object forming a conspicuous mark as a fixed aid to navigation;

“Board” means the Sierra Leone Ports and Harbours Authority Board referred to under section 5;

“buoy” includes a floating object moored to the seabed to serve as an aid to navigation or other specific purposes;

“cargo” includes any substance, article, livestock, minerals, wares and merchandise of every description carried by a vessel and any container or other item used to store any substance or article;

“certificate of competency” means a valid license issued by the International Maritime Organization and approved by Government to certify an individual as a competent maritime Officer;

“Chairman” means the Chairman of the Board;

“channel” includes a terminal, the bed, course, swinging and turning basin;

“concession” means the right to use land or other property for a specified purpose granted by the Government of Sierra Leone;

“consumer” means any person who uses port services or facilities and “port user” shall be construed accordingly ;

“development” includes: -

- (a) the construction, extension, demolition or removal of a building or substantial alteration of any structure in or on land;
- (b) any change to the natural or existing condition or topography of land;
- (c) the decoration or alteration of the inside or outside of a building or the alteration of works;
- (d) the subdivision or consolidation of land, airspace or building;
- (e) the installation, provision or operation of facilities or services;
- (f) the removal of vegetation or topsoil;
- (g) land reclamation and land decontamination;
- (h) dredging;

“dock” means an artificial excavation or construction in which vessels can be placed for loading, unloading, fitting out or repairing and includes gridirons, slips, keel blocks, inclined planes, and all machinery, works, fixtures and things attached thereto;

“employers of maritime labour” includes terminal operators, cargo handling companies, dock labour and seafarers’ employers;

“equipment” includes any appliance, apparatus, machinery, system or accessory used or intended to be used for the purposes of providing marine or port services and facilities;

“estimates” in relation to recurrent revenue, means the best possible commercial forecast or revenue taking into account the general conditions of world trade and all other relative factors and in relation to recurrent expenditure the best possible commercial forecast of expenditure likely to be incurred having regard to the estimates of revenue;

“Government” means the Government of Sierra Leone;

“harbour” includes estuary, navigable river, pier, jetty and other works in or at which ships can obtain shelter or load and discharge goods or passengers;

“land” includes the bed of the sea below high watermark;

“licence” means a licence issued under this Act;

“licensee” means a holder of a licence issued under this Act;

“maritime labour” includes dockworkers and seafarers;

“master” includes every person, except a pilot, having for the time being, the command or charge of any vessel of ship;

“Member” means member of the Board;

“Minister” means the Minister responsible for transport and “Ministry” shall be construed accordingly ;

“navigational aid” means a device used for safety or navigation, including lighthouses, radio navigational aids, buoys, beacons and any other device or system used to assist the safe and efficient navigation of vessels;

“Off-shore cargo handling facility” means an off-shore facility within or beyond the port limits used for the transfer of cargo from a vessel to the land and vice-versa;

“owner” in relation to –

- (a) goods includes any consignor, consignee, shipping or agent for the sale, custody, shipping or landing of such goods;
- (b) any vessel includes any part owner, charterer, consignee or mortgagee in possession of the vessel.

“pier” includes any stage, stairs, landing places, landing stage, jetty, floating barge or pontoon and any bridge or other works connected therewith;

“port” means any place in Sierra Leone, navigable river or channel leading into a place having facilities for ships to moor and load or discharge, including offshore cargo handling facilities, inland dry port, harbour, berth, jetty, pontoon or buoy and wharf within the limits of the ports and includes any place declared to be a port under this Act;

“port dues” means dues levied in respect of a vessel for entering, using, leaving or moving or sailing in the port;

“port infrastructure” means the basic structure of a port, including breakwaters, seawall, channels, basins, quay walls, jetties, roads, railways and infrastructure used for the provision of water, lights, power, sewerage and telecommunications and similar services;

“port operator” means a person who owns the business of, or is responsible for the management and operations of a port, terminal or berth located in a port but does not include the Authority;

“port repair facilities” includes dry docks, vessels repair facilities, warehouse and railways within a port and any other facilities which are designated as such by the Authority;

“port services” includes stevedoring, cargo handling, terminal operations, storage of cargo within a port, tug services, floating crane services, berthing services, firefighting, security, radio and radar services, waste disposal, vessel repairs and any other services or facilities within a port;

“port service provider” includes any person providing services within a port;

“port terminal” means an area, infrastructure, cargo handling equipment, sheds and other land-based structures used for the loading, storage and discharging of cargo or the embarkation and disembarkation of passengers and includes any corresponding wharves, docks, piers, bridges and other infrastructure works, with all necessary and convenient arches, drain, culverts, fences, roads, railways, sea, land and air approaches;

“premises” includes houses, buildings, structures, land, tenements, easements and hereditaments of any tenure, whether open or enclosed, whether built on or not, whether public or private and whether maintained or not under the jurisdiction of the Authority;

“revenue” means any money received by the Authority by way of charges, scales of charges or other duties imposed by or under this Act and includes any money accruing to the Authority under this Act;

“seafarers” includes every person, except pilots, employed or engaged in any capacity on board any ship;

“Sierra Leone waters” includes inland waters, territorial waters or waters of the exclusive economic zone;

“tariff” includes ports dues, goods dues and pilotage dues and other charges levied by port service providers, including those charged by the Authority;

“terminal infrastructure” includes terminal buildings, cargo handlings equipment, workshops, substations, surfacing, rail sidings, terminal operations, water, lights, power, sewerage, telecommunications and similar services within terminal boundaries;

“terminal operations” means services provided at a port terminal consisting of cargo handling storage and delivery to vessels and services related thereto;

“vessel” means any kind of vessel that is used or capable of being used in navigation by water however propelled or moved and includes –

- (a) a barge, lighter, floating platforms, restaurant or other floating vessel, an air-cushion vehicle; or
- (b) other similar craft that is used in navigation by water;

“wharf” includes a wall and building adjoining the foreshore, sea-bed or river-bed, quay, pier, jetty, ramp or other landing place.

Application of
Act.

2. (1) This Act shall apply to the ports specified in the Schedule and areas declared by the Minister by statutory instrument to be ports.

(2) The Minister may by statutory instrument vary or extend the boundaries of any of the ports specified in the Schedule and areas declared by the Minister to be ports under sub-section (1).

PART II—CONTINUATION OF THE AUTHORITY

Continuation
of the
authority.

3. (1) There shall continue to be in existence the body known as the Sierra Leone Ports Authority which shall now be known as the Sierra Leone Ports and Harbours Authority.

(2) The Authority shall continue to be a body corporate having perpetual succession and capable of acquiring, holding and disposing of any property, whether movable or immovable, and of suing and being sued in its corporate name and subject to this Act, of performing all such acts as body corporate may by law perform.

Common
seal.

4. (1) The Authority shall continue to have a common seal the use of which shall be authenticated by the signatures of—

- (a) the Chairman or other member of the Board generally or specifically authorized by the Board for that purpose; and
- (b) the Director-General or other officer of the Authority authorized by the Board for that purpose

(2) Every document purporting to be an instrument executed or issued by or on behalf of the Authority and to be sealed with the common seal of the Authority authenticated in the manner stated in subsection (1) shall be deemed to be so executed without further proof unless the contrary is proved.

(3) In appropriate cases the common seal may be affixed to documents outside Sierra Leone.

5. (1) The Authority shall be governed by a Board of Directors comprising the following members –

Board of
Directors.

- (a) the Chairman;
- (b) the Governor of the Bank of Sierra Leone;
- (c) a representative of the Ministry, not below the rank of a Director;
- (d) a person appointed by the President on the recommendation of the Minister with considerable proven knowledge in the area of finance or accountancy;
- (e) the Director-General appointed under section 21;
- (f) a representation each from the following bodies-
 - (i) Shipping Agencies;
 - (ii) Sierra Leone Institution of Engineers;
 - (iii) Sierra Leone Chamber of Commerce, Agriculture and Industry; and
 - (iv) Sierra Leone Labour Congress
- (g) the Chairman National Commission for Privatization or his representative-

(2) The Chairman shall be appointed by the President on the recommendation of the Minister and subject to the approval of Parliament.

(3) A person shall not be appointed Chairman unless that person has formal qualification, knowledge and experience relevant to the functions of the Authority.

**Tenure of
office.**

6. (1) The Chairman and members appointed under paragraphs (d) and (f) of sub-section (1) of Section 5 shall hold office for four (4) years and shall be eligible for reappointment for another term of four (4) years but shall not be eligible for reappointment after the expiration of a second term of office.

(2) A person shall cease to be a member of the Board on any of the following grounds-

- (a) expiration of that person's term of office;
- (b) resignation of office by submitting a written notice to the Office of the President for the attention of the President;
- (c) the person dies;
- (d) the person is convicted of an offence involving fraud or dishonesty or convicted of any offence under the Anti-Corruption Commission Act;
- (e) the person is declared bankrupt;
- (f) the person is unable to perform the functions of his office due to physical or mental incapacity ;
- (g) proven misconduct;
- (h) removal under section 10 for failing to disclose his personal interest in a matter to be considered by the Board

(3) Where the Chairman dies, resigns or is removed from office the Board shall elect one of its members to act as Chairman until another is appointed in his stead and in the case of other members the Chairman shall arrange subject to this Act to have another person appointed to the Board to fill the vacancy.

(4) Where a person is appointed to fill a vacancy under sub-section (3) the person shall hold office for the remainder of the term of the person he is replacing and shall subject to this Act be eligible for reappointment

7. (1) Subject to this Act the Board shall have control and supervision of the Authority including overseeing the proper management of the Authority

General functions of the Board.

(2) The Board shall provide policy guidance and advice to secure the efficient implementation of the functions of the Authority and enhance the overall performance of the Authority.

8. The Chairman and other members shall be paid allowances and shall be reimbursed by the Authority for any expenses incurred in connection with the discharge of their function as the Board may determine and approved by the Minister.

Allowances and expenses of members.

9. (1) The Board shall meet for the dispatch of its business as the Chairman may determine but shall meet at least once every 3 months

Meeting of the Board.

(2) A special meeting of the Board shall be summoned by the Chairman or at the written request of not less than five members.

(3) The Chairman shall preside at meetings of the Board at which he is present and, in his absence, a member elected by the members present from among their number shall preside.

(4) Each member shall have one vote but where there is equality of votes, the Chairman or other member presiding shall have a casting vote.

(5) All acts, matters or things authorized or required to be done by the Board shall be decided at a meeting where a quorum is present and the decision is supported by the votes of the majority of the members.

(6) The quorum for a meeting of the Board shall be 5.

(7) Any proposal circulated among all members and agreed to in writing by a majority of all members shall be of the same effect as a decision made at a duly constituted meeting of the Board and shall be incorporated in the minutes of the next succeeding meeting of the Board; provided that if a member requires that such proposal be placed before a meeting of the Board, subsection (7) shall not apply to such proposal.

(8) The Board may co-opt any person to attend and participate in its deliberations on any matter but such person shall not vote on any matter for decision by the Board.

(9) The Board shall cause minutes of all its meetings to be taken and signed subsequently by the Chairman and Secretary of the Board and kept in proper form as a public record.

[10] Subject to this Act, the Board shall regulate its own procedure.

Disclosure of
interest.

10. (1) Any member of the Board having a personal interest whether pecuniary or otherwise, direct or indirect of any matter to be considered by the Board, shall disclose the fact of such interest and the nature thereof, and such disclosure shall be recorded in the minutes of the Board and such member shall take no part in any deliberation or decision of the Board relating to such matter.

(2) A member who contravenes subsection (1) shall be liable to disciplinary action including removal from the Board.

Immunity of
members.

11. (1) No action or other proceeding shall lie or be instituted against any member of the Board or member of a Committee of the Board for or in respect of any act or thing done or omitted to be done in good faith in the exercise or purported exercise of his functions under this Act.

(2) No member of the Board shall be personally liable for any debt or obligation of the Authority emanating from transactions expressly done in good faith in the exercise of his functions under this Act.

12. (1) The Board may for the discharge of its functions establish one or more committees to perform certain functions as the Board may determine. Committees of Board.

(2) A Committee shall consist of members of the Board only or the Chairman may co-opt non-members consultants with knowledge and experience on the relevant issue

(3) Without prejudice to the generality of subsection (1), the Authority shall establish the following committees –

(a) Consultative Ports and Harbours Committee;
and

(b) Regulatory Committee

(4) A Consultative Ports and Harbor Committee shall be established in each port consisting of the following members –

(a) harbour master of the relevant port;

(b) a representative each from the following divisions-

(i) Management;

(ii) Ports Users;

(iii) customs;

(iv) the local council in which the port is situated;

(v) Dock Workers' union ;

(vi) the Authority's Senior Staff Association

(vii) the Government Agency responsible for the regulation of maritime labour

(5) The Consultative Ports and Harbours Committee

Shall-

- (a) provide a forum for the exchange of views between the Authority and other interested parties;
- (b) advise the Authority on commercial policy matters with respect to ports and harbours;
- (c) advise the Authority on measures to improve the regulatory framework governing the management operations of ports and Harbours and access thereto; and consider any other matter that the Authority may require it to consider.

(6) The Authority shall consult the consultative Ports and Harbours Committee on any of the following matters –

- (a) major scheme relating to the expansion or development of a particular port;
- (b) substantial or structural alteration to the Authority's tariff; or
- (c) other matter which The Authority may determine.

(7) The Regulatory Committee shall be responsible for monitoring performance standards and indices relating to the quality of services and facilities provided in ports and harbours.

PART III-GENERAL FUNCTIONS AND POWERS OF THE AUTHORITY

Functions of
Authority.

13. (1) The object for which the Authority is established is to provide directions to the ports and harbours sector and administer technical, economic and safety regulatory issues relating to ports and harbours

(2) Without prejudice to the generality of subsection (1), it shall be the function of the Authority to –

- (a) develop a master plan for ports and the development of ports and harbours;
- (b) manage the dredging and maintenances of channels;
- (c) provide technical and economic regulatory oversight in the ports and harbours sector;
- (d) develop and enforce safety and health standards for the ports and harbours;
- (e) provide or arrange road, rail and air access to ports and facilitate the integration of the infrastructure and logistics systems in the ports with relevant systems outside the port;
- (f) encourage and facilitate private sector investment and participation in the provision of port services;
- (g) take all proper measures for the management, control and development of Ports and harbours and the approach channels thereto;
- (h) provide or arrange for the provision of facilities, services, accommodations and lands in the harbours for vessels, goods and passengers as it considers necessary;
- (i) direct and control the movement of vessels within the ports and harbours and provide or arrange for the provision of pilotage services;
- (j) ensure that essential ports services are available and are cost effective to foster their competitiveness and efficient functioning;

- (k) manage and develop the ports in an economically, socially and environmentally sustainable manner;
- (l) undertake any other activities within the port that encourage and facilitate the development of trade, merchant marine and commerce for the economic benefit and interest of the national economy;
- (m) ensure that ports are effectively integrated with other systems of the infrastructure within and outside the ports;
- (n) make reasonable provision for rendering assistance (search, rescue and salvage operation) to any vessel entering or leaving any port and within the approaches thereto and for the purpose of saving life or property;
- (o) approve the establishment and planning of off shore cargo handling facilities and services relating thereto;
- (p) develop, provide and maintain a port facility security assessment and plan; and
- (q) carry out other activities conducive to the attainment of the object of the Authority as stated in subsection (1).

**General
Powers.**

14. The Authority shall have powers to: –

- (a) monitor performance standards and indices relating to the quality of navigational services and other services and facilities provided in ports;
- (b) control the movement of vessels within the ports and harbours;

- (c) arrange and implement security measures within the ports and harbour;
- (d) develop measures to secure and protect the environment within the vicinity of the ports and harbour; and
- (e) approve the establishment of off-shore cargo handling facilities and services relating thereto.

15. (1) Subject to this Act, the Authority shall have powers Landlord powers.
to-

- (a) own, develop and manage the ports and harbours properties;
- (b) acquire or dispose of real or personal property;
- (c) advise on and implement national port policies and development strategies;
- (d) provide and maintain port infrastructure including breakwater, seawall, quay wall, jetties and channels;
- (e) provide or arrange and maintain road and rail access to port facilities;
- (f) provide and arrange for services and utilities including water, light, sewerage and telecommunications to be accessible to terminal operations and licensees;
- (g) provide or arrange for dredging, maintenance, navigational aids, hydrographic services and wreck removal;
- (h) enter into contracts, agreements or leases
- (i) employ agents or contractors or act as agent of another person.

Technical
supervisory
Powers.

16. Subject to this Act the technical regulatory powers of the Authority shall include the following –

- (a) providing vessel traffic control;
- (b) ensuring that orderly, efficient and reliable transfer of cargo and passengers between sea and land is provided by operators;
- (c) ensuring that safe, adequate and secure warehousing and storage is provided by operators within the ports on a commercial basis;
- (d) monitoring the performance of terminal operations;
- (e) safeguarding ports users' interests against port operation and service monopolies;
- (f) ensuring that operators use the potential of port facilities to their fullest capacity in the most efficient manner; and
- (g) collecting from concessionaires, licensees and other port service providers' data and information needed for accurate reporting and monitoring by the Authority.

Corporate
powers.

17. Subject to this Act and with the approval of the Board the corporate powers of the Authority shall include the following-

- (a) creating subsidiaries, whether wholly or jointly with other persons or organizations for the purpose of carrying out any of the functions of the Authority;
- (b) forming or participating –

- (i) in the formation of or being a member of any company for the purpose of carrying out the functions of the Authority;
- (ii) in the formation of any company for any other purposes as may be approved by the Minister; and
- (iii) in any joint venture or partnership and other arrangements for sharing profits.

18. Subject to this Act the economic and safety powers of the Authority shall include the following –

Economic and
safety
Powers.

- (a) carrying out inquiries, test, audits or investigations and taking any other steps as may be necessary to monitor the activities of concessionaires, licensees and to secure and enforce compliance with this Act and its subsidiary legislation, policies and agreement signed up to by the Authority;
- (b) establishing customer protection measures;
- (c) ensuring a licensee or concessionaire provide any information or document where it considers it to be in the public interest; notwithstanding that the information or documents may contain business secrets; but any other information or document shall be restricted to those which a person can be legally compelled to produce as evidence by a court of law in Sierra Leone;
- (d) publishing information received in the course of exercising its powers and functions under this Act or requiring all licensee or concessionaire to publish certain information if it is satisfied that the publication is

consistent with the objects of this Act but the Authority shall consider the commercial interests of the parties to whom the information relates before publishing the information;

- (e) resolving disputes in respect of any issue brought before it under this Act;
- (f) undertaking consultations with the public, customers, licensees, concessionaires, and industry participants affected by or with an interest in its directions and considering any responses to the consultations;
- (g) promoting competition in the port sector;
- (h) making regulations on licensing, the pricing of services and restrictive trade practice relating to the ports; and
- (i) entering into contracts and incurring obligations.

Delegated
duties .

19. (1) Where a concessionaire or licensee fails to carry out any of its contractual duties the Authority shall give notice in writing requiring the concessionaire or licensee to perform such duties within the period prescribed in the notice.

(2) If the concessionaire or licensee fails to carry out its duties within the period specified in the notice referred to in subsection (1), the Authority may engage any other person to perform those duties and all costs and expenses incurred by the Authority shall be paid by the concessionaire or licensee.

(3) A person engaged by the Authority under subsection (2) may enter any of the property of the concessionaire or licensee and bring into such premises equipment or machinery as may be necessary for carrying out his duties.

(4) In every concession or agreement made by the Authority there shall in the absence of any express provision to the contrary, be the implied condition that any person engaged by the Authority under subsection (2) may in respect of the duties stated in the notice given by the Authority-

- (a) take temporary possession of and operate any equipment or machinery belonging to or utilized by any concessionaire or licensee; and
- (b) employ any employee, contractor or agent of the concessionaire or licensee.

(5) Where any equipment or machinery or a concessionaire or licensee is temporarily taken over and operated under this section by reason of national emergency, the person taking over and operating such machinery shall pay adequate compensation to the concessionaire or licensee.

(6) The Authority shall not be liable for any damage or injury caused by an act, omission or default of the person engaged by the Authority under subsection (2).

PART IV—EMPLOYEES OF AUTHORITY

Director-
General.

20. (1) The Authority shall have a Director-General who shall be appointed by the President, on the recommendation of the Minister and subject to approval of Parliament.

(2) A person shall not be appointed Director-General unless he has—

- (a) a university degree from a recognised university with proven knowledge and experience relevant to the functions of the Authority; or
- (b) proven ability in public administration and financial management;

(3) The Director-General shall be the chief executive officer of the Authority and shall be responsible for the implementation of the decisions of the Board.

(4) Subject to the general supervision and control of the Board, the Director-General shall be responsible for—

- (a) the day-to-day management of the Authority;
- (b) the administration, organization, control and discipline of the officers and staff of the Authority; and
- (c) the management of the funds, property and business of the Authority.

21. (1) The Authority shall have a Deputy Director - General who shall be appointed by the President on the recommendation of the Minister and subject to approval of Parliament. Deputy Director-General.

(2) A person shall not be appointed Deputy Director General unless he has -

- (a) a university degree from a recognised university with proven knowledge and experience relevant to the functions of the Authority; or
- (b) proven ability in public administration and financial management

(3) The Deputy Director General shall be the principal assistant to the Director-General and shall act in the absence of the Director-General

22. (1) The Authority shall have a Company Secretary who shall be appointed by the Board and the person shall be a legal practitioner. Company secretary.

(2) The Company Secretary shall be the principal legal adviser to the Board and the Management of the Authority; and

(3) The Company Secretary shall be responsible for the following:-

- (a) administering the day-to-day affairs of the Board;
- (b) liaising between the Board and the Management of the Authority;
- (c) arranging the business of the Board, including meetings and serve as secretary of such meetings and record such meetings; and
- (d) performing such other duties as the Board may direct or as the Director-General shall delegate

Other staff
of Authority

23. (1) Subject to the approval of the Board the Director-General shall appoint qualified persons as Directors and Deputy Directors, on such terms and conditions as may be stated in the appointment letter.

(2) The Authority shall appoint other staff below the grade of officers referred to in subsection (1) on such terms and conditions as it may determine for the efficient discharge of its functions under this Act.

(3) Public officers may be seconded or otherwise give assistance to the Authority. The Authority may request the withdrawal of the seconded officer who is unable to carry out assigned functions in the manner satisfactory to the Authority.

(4) The Authority may engage the services of consultants and advisers as it considers necessary for the efficient discharge of its functions.

PART V—FINANCIAL PROVISIONS

Funds of the
Authority.

24. The activities of the Authority shall be financed by funds consisting of—

- (a) monies accruing to the Authority in the course of the performance of its functions under this Act;
- (b) payment or property due to the Authority in respect of any matter incidental to its functions;
- (c) subject to paragraphs [a] and [b] the revenue generated from concessions, licenses and agreements;
- (d) grants, donations, bequests or other contribution made to the Authority;
- (e) loans raised by the Authority;
- (f) proceeds of any investment made by the Authority; and
- (g) any other monies to which the Authority may otherwise become entitled.

25. (1) The revenue of the Authority for any financial year shall be applied in defraying the following- Applications of funds.

- (a) the remuneration, fees and allowances of the members of the Authority;
- (b) the salaries, fees, pensions, superannuation allowances and gratuities of the officers, agents, servants, technical and other advisers of the Authority;
- (c) operating expenses and expenditure on or provision for the maintenance of any of the property of the Authority and the discharge of the functions of the Authority properly chargeable to revenue account;
- (d) the dividends or interest on any stock issued on any loan, raised by the Authority;
- (e) sums required to be transferred to a sinking fund or otherwise set aside for the purpose of making provision for the redemption of stock or the repayment of other borrowed moneys;
- (f) such sums as it may be deemed appropriate to set aside in respect of depreciation of the property of the Authority;
- (g) any other expenditure authorized by the Board and properly chargeable to revenue account.

(2) The balance of the revenue of the Authority shall be applied to the creation of general or specific reserve funds to be used for maintaining and improving the financial soundness of the Authority and for financing further developments.

Investment of funds. 26. The Authority may from time to time invest, with the approval of the Board and the Minister, any of its funds not immediately required to be expended in the meeting of its obligations or in the discharge of its duties.

Estimate of income And expenditure of the Authority. 27. (1) The Authority shall as soon as practicable after the end of each financial year submit a report on its activities during the previous year and its proposed undertakings for the ensuing year to the Board and the Minister.

(2) The Authority shall submit to the Board and Minister returns of other reports on the financial position of the Authority as the Minister may from time to time require.

(3) The Authority shall, not later than 3 months before the commencement of the financial year submit the annual estimates of revenue and expenditure including capital expenditure to the Ministry for approval

Supplementary estimates 28. Notwithstanding section 28 the Authority may where circumstances make it unavoidable and as a transitional measure submit supplementary or adjusted statements of estimated income and expenditure to the Minister for approval

Authority to be subject to income tax. 29. (1) The Authority shall pay income tax on any income accruing from investments made by the Authority.

(2) Any enactment relating to the taxation of companies or trust funds shall apply to the Authority.

Borrowing powers of the Authority. 30. For the purposes of performing its functions and meeting its obligations under this Act the Authority may with the approval of the Board in concurrence with the Minister and the Minister responsible for Finance, borrow money or raise capital in any currency and from any source.

Accounts and audit 31. (1) The Authority shall keep proper books of accounts and proper records in relation to them in a form approved by the Auditor-General.

(2) The books of accounts of the Authority shall each year be audited by the Auditor-General or an auditor appointed by him and a report of the audit shall be submitted to the Authority.

32. (1) The Authority shall within six months after the end of each financial year submit to the Board an annual report of the activities, operations, undertaking, property and finances of the Authority for that year. Annual report.

(2) Subject to subsection (1), an annual report shall include-

- (a) a copy of the audited accounts of the Authority together with the audit report; and
- (b) any other reports made to or requested by the Ministry

(3) A copy of the annual report approved by the Board shall be sent to the Minister not later than 6 months after the end of the year to which the report relates and the Minister shall as soon as possible but not later than one month after the receipt of the report, cause the report to be laid before Parliament.

33. (1) The financial year of the Authority shall be the same as the financial year of Government Financial year of Authority.

PART VI-LICENSING AND OTHER RELATED PROVISIONS

34. A person shall not-

- (a) own a port;
- (b) provide a port service; or
- (c) operate a port facility

Authorization for Port operators.

unless the person holds a licence issued by the Authority

Application
for a licence.

35. (1) A person who wishes to acquire a licence under this Act shall make a written application to the Authority in a form prescribed by the Authority

(2) The applicant shall submit the application with the prescribed fee and all relevant information to support the application.

(3) The Authority shall within ten working days of receipt of an application acknowledge the receipt and within sixty days thereafter the Authority shall instruct an authorized officer to inform the applicant in writing of his decisions

(4) In making a decision under subsection (3) the Authority shall –

- (a) make inquiries and consult any person or other authorities as they may deem necessary to ascertain whether the applicant is capable of operating or rendering the services for which he is seeking the license;
- (b) cause a notice of the application for license to be published in the Gazette or any other medium as they may determine; and
- (c) consider any written notice of objection or other representation made in relation to the application;

(5) Subject to this Act, where the Authority is satisfied with an application, he shall grant the license.

(6) A licence issued under subsection (5) shall –

- (a) be in the prescribed form;
- (b) authorize the licensee to undertake the activity specified therein;
- (c) contain the terms and conditions as the Authority may think necessary; and

- (d) be valid for the period specified therein and subject to renewal.

36. (1) A licensee who wishes to transfer his licence shall apply to the Authority for an authorization to transfer the licences in the prescribed form and manner.

Transfer of
licence .

(2) The application made under subsection (1) shall be accompanied by the application of the proposed transferee, prescribed fee and all the relevant document to support the application.

(3) The Authority shall, in considering an application for transfer have regard to the same matters he considers during the grant of a new licence and shall approve the transfer if satisfied with the application of the proposed transferee

37. (1) A licensee who wishes to renew his licence shall make a written application to the Authority in the prescribed form, not later than three months before the expiration of the licence.

Renewal of
licence.

(2) The procedure for the application for a licence shall with the necessary modifications apply to the renewal of the licence.

(3) A licensee who fails to renew his licence or whose renewal application is rejected by the Authority shall cease to function as such.

38. (1) The Authority may suspend or cancel a licence where they are satisfied that -

Suspension or
Cancellation
of Licence.

- (a) the licensee has contravened a term of his condition of licence;
- (b) the licensee has given information to the Authority that is false or misleading in a material particular.

(2) A licence shall not be suspended or cancelled unless the Authority has given written notice of intention to the licensee together with the reasons for doing so.

(3) The Authority shall, in the notice under subsection (2), require the licensee to show cause in writing, within such time as may be specified in the notice why the licence should not be suspended or cancelled.

(4) The Authority shall, after considering the explanation of the licensee, inform the licensee in writing of his decision and reasons thereof.

Appeal.

39. Any person aggrieved by the decision of the Authority to reject an application, cancel or suspend a licence may appeal to the High Court within 30 days after receipt of the notification to reject the application or and suspend or cancel the licences.

**Concession or
Permit.**

40. (1) A person shall not provide in any port

(a) a marine service or facility;

(b) port service or facility

unless the person has a concession or permit granted by the Minister.

(2) A concession granted under this section shall not exceed a term of 25 years.

41. The Director-General shall maintain a register in which Register shall be recorded particulars relating to licences, concessions or permits issued under this Act.

PART VII UNFAIR COMPETITION

42. (1) A port operator shall not enter into any agreement Unfair whether legally enforceable or not which provides for - agreement .

- (a) rate-fixing
- (b) market-sharing
- (c) boycott of a supplier or apparatus
- (d) boycott of another licensee;

(2) A port operator shall not engage in any activity whether by act or omission which has or is intended to have the effect of unfairly preventing, restricting or distorting competition in relation to any business activity relating to another port operator.

43. (1) The Authority may subject to the approval of the Dominant Minister determine whether a port operator is in a dominant position position. in any aspect of providing services to a port.

(2) The Authority may subject to the approval of the Minister direct a port operator in a dominant position to cease any conduct which has or may have the effect of substantially lessening competition and to implement appropriate remedies.

(3) The Minister may by statutory instrument make regulations on dominant position and lessening competition and shall take into account -

- (a) the relevant market;
- (b) technology and commercial trends affecting market power;
- (c) the market shares of the port operator;

- (d) the port operator's power to make independent rate setting decisions;
- (e) the degree of product or service differentiation and sales promotion in the market; and
- (f) any other matter he considers to be relevant;

Lessening competition. 44. (1) A port operator who wishes to engage in lessening competition shall make a written application to the Authority

(2) A person applying for an authorization under this section shall submit with the application form an undertaking regarding his conduct in any matter relevant to the authorization.

(3) The Authority may subject to the approval of the Minister, grant the authorization if he is satisfied that it is in the national interest.

(4) An authorization granted by the Authority under subsection (3) may be withdrawn upon such terms and conditions of the Authority subject to the approval of the Minister.

PART VIII-ACCESS

Access. 45. (1) Subject to exemptions and safety measures as determined and published by the Authority a port operator shall provide fair and reasonable access to the facility.

(2) A port operator shall –

- (a) ensure that access to the facility is based on fairness and equity; and
- (b) use all reasonable endeavours to meet the requirements of a person seeking access to the port

(3) In this section “facility” includes a port, jetty and a wharf.

46. (1) A person seeking access may apply in writing to the Authority for the making of a determination in accordance with this Act. Determination of access.

(2) If a port operator and a person seeking access do not agree on the terms and conditions on which access is to be provided, the operator or the person seeking access may apply in writing to the Authority for the making of a determination specifying the terms and conditions on which access is to be provided.

(3) The Authority shall give notice in writing to the person making the application and to any other person affected by the application within 14 days after receipt of the application made under subsections (1) or (2), specifying –

- (a) any information that the Authority requires the person to give in order for the Authority to make a determination; and
- (b) a reasonable time within which the information should be provided.

(4) The Authority shall not make a determination if it considers that it would substantially impede the existing rights of success of another person who is unless that person is given an opportunity to make a submission to the Authority.

(5) Where there is a material change in circumstances, a person who is bound by a determination may apply in writing to the Authority for amendment or revocation of the determination.

(6) The Authority shall determine an application made under this section within 21 days of receipt of the application excluding the time notice is given under subsection (3) and the day on which the required information is received by the Authority.

(7) The Authority may extend the 21 days' time limit referred to under subsection (6) for a period not exceeding 30 days if the Authority-

- (a) is unable to determine the application within the 21 days' period; and
- (b) notifies the person seeking access and the port operator of the extension of time and the reasons why the Authority needs further time to determine the application.

(8) The Authority may refuse to make a determination if-

- (a) it considers that the application is without merit;
- (b) it is satisfied that -
 - (i) the port operator has not complied with its obligations under this Act;
 - (ii) the terms and conditions of access offered by the port operator does not constitute taking advantage of a substantial degree of market power in providing the prescribed services;
 - (iii) having regard to the functions of the Authority and to any other matter that the Authority considers relevant to refuse to make a determination.

(9) The non-prevailing party shall pay the costs incurred by the Authority in making a determination.

(10) A person who is aggrieved by a decision of the Authority under this section may appeal to the High Court.

47. (1) A port operator or any other person having access to a facility shall not engage in any conduct having the purpose of hindering access by another person in the reasonable exercise of a right of access. Hindering access

(2) A person whose right of access is hindered may apply in writing to the Authority for a determination.

(3) If the Authority determines that there has been a contravention of subsection (1) it may make a determination that the affected party is entitled to access on such terms and conditions as shall be specified in the determination.

48. (1) A licensee may apply in writing to the Authority for a determination approving the terms and conditions on which access to the facility is to be provided for the period specified in the determination. Conditions of access.

(2) The Authority shall give notice in writing within 14 days after receipt of the application to the person making the application specifying-

- (a) the information which the Authority requires; and
- (b) a reasonable time within which the information must be provided

(3) The Authority shall determine whether to accept or refuse an application made under this section within 21 days of receiving the application, excluding the period of time between the day on which notice is given under subsection (2) and the day on which the required information is received by the Authority.

PART IX - ACQUISITION OF LAND AND OTHER ASSETS

49. (1) The Minister may by order published in the Gazette compulsorily acquire private land or rights over or under private land for use by the Authority subject to the payment of compensation to the owner of the land. Power to acquire Private land

(2) The compensation referred to in subsection (1) shall be paid by the Government in the first instance, but the Authority shall refund to the Government any compensation so paid and all incidental expenses incurred by the Government.

Acquisition
and disposal
of assets

50. (1) The Authority may acquire by purchase or gift any property with the consent of the Minister, dispose or otherwise deal with such property acquired upon any terms and conditions as the Authority may deem fit.

(2) The Authority shall not sell, dispose or otherwise transfer any immovable property vested in it as a public property by the Government unless it has the written consent of the Minister and subject to any conditions imposed by the Minister

(3) The Authority may, with the consent of the Minister, sell, lease, dispose of or otherwise transfer any movable assets of the Authority on such terms and conditions as the Board may think fit.

Minister's
authorisation
before sale
of properties

51. The Authority shall not encumber its movable or immovable properties unless it obtains the written authorization of the Minister.

PART X-TARIFFS, DUES AND RATES

Application
of part

52. Subject to section 54 this Part shall apply to all types of vessel, cargo or shipment including cargo owned by the Government of Sierra Leone

Exemption

53. (1) This Part shall not apply to any vessel belonging to

- (a) the Armed Forces of Sierra Leone;
- (b) the Armed Forces of a foreign country extending reciprocal treatment to ship belonging to the Armed Forces of Sierra Leone;

- (c) vessels operating under charter by invitation or approval of the Government of Sierra Leone

54. (1) Subject to this Act the Authority may levy port charges, dues, rate and general tariff and from time to time prescribe charges or scale of charges and impose penalties or interest on outstanding charges in respect of port services. Dues payable to the Authority.

(2) Tariff in relation to providing port and other services shall include –

- (a) vessel traffic service charges;
- (b) pilotage dues for the provision of pilotage;
- (c) towage dues for the provision of tug services;
- (d) berthing charges for the use of berthing facilities and services;
- (e) charges for mooring of vessels and boats;
- (f) charges for embarkation and disembarkation of persons;
- (g) charges for use of ferry services;
- (h) charges for security services;
- (i) environmental charges;
- (j) hiring of craft; and
- (k) bunkering service.

(3) Tariff in relation to providing maintenance of port infrastructure, port terminals and port facilities shall include-

- (a) land rentals;

- (b) port dues for the provision and maintenance of entrance channels, breakwaters, basins and maintenance dredging within the port limits;
- (c) harbour access charges;
- (d) berth dues for the provision and maintenance of quay wall and other infrastructure;
- (e) any other services provided by the Authority in the execution of its duties.

(4) The Authority may, require any person to provide security as it deems necessary for the payment of any fee payable to the Authority.

(5) Where a request for the rendering of services or the provision of facilities are withdrawn or cancelled without prior notice of withdrawal or cancellation, the fees payable under this section shall remain due and payable as if the services of facilities had been rendered or provided.

(6) The Authority shall not directly levy any charges or dues for services which are provided by a concessionaire or licensee for which the concessionaire or licensee is authorized to collect charges and levies directly from port users.

(7) The Authority may with the approval of the Minister-

- (a) vary from time to time the charges prescribed under this section; and
- (b) impose such other charges as it deems necessary

(8) Charges under this section shall be published in the Gazette subject to the approval of the Minister.

55. (1) The Authority shall with the approval of the Board levy harbour dues and rates on every vessel – Harbours dues and rates .

- (a) entering or leaving a port or the approaches to a port in respect of the passengers, animal or cargo carried on the ship;
- (b) arrested at any berth or place within the port.

(2) The Authority may charge dues in respect of any movement of a vessel within a pilotage district.

56. (1) Subject to this part the Authority shall levy on a vessel -- Ship and pilotage dues.

- (a) ship dues and rates for anchorage, mooring buoy, buoys for pollution control, berthing and other services rendered to a vessel; and
- (b) pilotage dues.

57. (1) The following persons shall be liable to pay ship dues and rates charged for anchorage, mooring buoy, berthing and other services rendered to a vessel:-- Persons liable for payment of ship and pilotage dues

- (a) the master or owner of the ship;
- (b) every consignee or agent who has paid or made himself liable to pay any dues on account of the vessel in her port of arrival or departure.

(2) The following persons shall be liable to pay pilotage dues and rates charged on a vessel-

- (a) the Master or owner of the vessel;
- (b) in the case of pilotage inwards, any consignee or agent who has paid or made or undertaking to pay dues on account of the vessel in her port of arrival or departure;

- (c) in the case of pilotage outwards, every consignee or agent who has paid or made an advert to pay any dues on account of the vessel in her port of departure.

Levy of rates.

58. Subject to this Act the Authority shall make regulations for the levying of rates for the use of any facility, work or appliances provided or any service performed by the Authority for any vessel, goods and any of the following --

- (a) the landing, loading, shipping, wharfage, carnage, storage, carriage or demurrage of goods;
- (b) the carriage of passengers or animals;
- (c) the use by any vessel or person in any wharf;
- (d) the use of any gear, tackle, tool, instrument or staging supplied by the Authority for the purpose of any vessel using a wharf;
- (e) the use of any vessel, lighter, engine or boat for the extinction of fire belonging to or maintained by the Authority;
- (f) the towing and rendering of assistance to any vessel leaving or entering a wharf within or outside the port;
- (g) water supplied by the Authority;
- (h) the removal of waste or refuse from any vessel; and
- (i) monitoring port environmental pollution control.

59. (1) The Authority shall have a lien on any goods for the amount of all rates leviable under this Act and shall be entitled to seize and detain them until the rates are fully paid Lien on goods

(2) Where goods are to be discharged the rates shall become payable before the discharge of the goods

(3) Where goods are to be recovered from the premise of the Authority or to be shipped, the rates shall become payable before the goods are removed or loaded on board a ship

(4) The liens on goods for rates shall have priority over all other liens and claims against the goods.

60. The Authority may permit goods liable to a lien to be removed on production to the Authority of a receipt for the amount claimed as due. Discharge of lien

61. (1) Where the rates payable to the Authority for goods are not paid, the Authority shall sell the goods by public auction as follows- Sale by public auction.

- (a) at the expiration of 60 days from the time the goods were placed in its custody;
- (b) at such period not less than 24 hours after the discharge of the goods if the goods are perishable.

(2) The Authority shall give 21 days notice of the sale in the Gazette before a public auction unless –

- (a) the goods are perishable; or
- (b) the immediate sale is necessary in the opinion of the Authority,.

(3) The Authority shall notify the owner of the goods or his agent of the public auction, if the address (within Sierra Leone) of the owner of the goods or his agent is : -

- (a) on the manifest of the cargo
- (b) on any of the document which is in the custody of the authority; or
- (c) otherwise known.

(3) The title of bonafide purchaser of goods sold under this section shall not be invalidated by reason of an omission to send a notice under this section and the purchaser shall not be bound to inquire whether the notice has been sent.

Application
of proceeds
of sale.

62. (1) The proceeds of any sale under section 62 shall be applied by the Authority as follows and in the following order-

- (a) payment of customs and excise duties and warehouse rent owed in respect of goods;
- (b) payment of the expenses of the sale;
- (c) payment of the rates and expenses due to the Authority in respect of the goods; and
- (d) subject to subsection (2), the surplus (if any) paid to the owner of the goods on demand

(2) Where demands are not made within one year from the sale of the goods, the surplus of the proceeds of sale shall be paid to the general account of the Authority and all rights of the owner to the payment shall be extinguished.

Restriction on
categories
levies or
charges.

63. The Authority, a concessionaire or licensee shall not create or establish any category of fees, levies, rates, charges or surcharge on port users other than the levies, dues, fees and charges approved by the Minister.

64. (1) A concessionaire or licensee shall not collect dues or fees unless he has the written approval of the Authority.

Assignment
of Power

(2) The fees and dues referred to in subsection (1) shall be in accordance with the tariff approved by the Minister and published by the Authority.

65. (1) Notwithstanding any other law, where the Authority issues a notice stating that an amount specified in the notice is due in respect of dues or rates leviable under this Act against the agent, the master or owner of a vessel, the authorised officer shall not give any discharge or clearance to the vessel unless the relevant office of customs is notified in writing that-

Withholding
of Dues or
rates.

(a) security has been given by the vessel to the satisfaction of the Authority for the payment of the dues or rates;

(b) the dues or rates has been paid.

66. The Authority shall maintain a register at its office, in each port containing the dues and rates in force and the register shall be available for public inspection at business hours.

Public
register.

67. Notwithstanding anything contained in this Part the Authority may recover by civil suit any dues, rates, expenses, costs or balance in the case of a sale where the proceeds of sale are insufficient

Recovery of
dues or rates.

68. (1) The Authority may by Statutory Instrument make regulations-

Regulations
on dues
and rates

(a) for the levying of dues and rates;

(b) prescribing the condition in which any work or service in respect of which any rate is levied should be provided by the Authority;

- (c) prescribing the officer and the department of the Authority to whom due rates shall this review be delivered, place of delivery and the time within which it should be made;
- (d) prescribing the officer and department of the Authority to whom dues and rates shall be paid, the place of payment and the time within which payment should be made;
- (e) providing for the exemption of any vessel or class of vessels, cargo passengers or animal from any dues or rates of the remission of any dues or rates; and
- (f) for any other matter which the Authority deems necessary.

(2) The regulations made under this section may prescribe different dues or rates for –

- (a) different ports;
- (b) different classes of vessels, cargo, passengers or animals.

PART XI – REGULATION OF TARIFFS

Regulation of
Tariff.

69. (1) The Authority shall adopt approaches and methodologies which it considers necessary to meet the objectives specified in this Act or any relevant legislation and the Authority may regulate the tariff for services in such a manner as it considers appropriate.

(2) Tariff regulation shall include –

- (a) approving maximum rate of increase or minimum rate of decrease in tariff;

- (b) specifying pricing policies or principles whether by reference to a general tariff index, the cost of production, rate of return on assets employed, quantity, location, period or other specified factor relevant to the rate or supply of the services; and
- (c) monitoring the tariff levels of services.

70. (1) The Authority's power to regulate tariffs and fares charged by a port operator shall be limited to circumstances where- Limitation to regulate tariff.

- (a) the Authority, has upon the request of any person, conducted an investigation and made a finding to the effect that—
 - (i) there is no effective competition from other port operators to which the tariff or fare applies; and
 - (ii) the port operator has set its tariff or fares in a manner or to a level that is tantamount to an abuse of its dominant position or monopoly power;
- (b) the Authority at the request of an interested party makes a finding to the effect that a port operator has set its tariff or fare in such manner or such a level that is tantamount to an anti-competitive behaviour;
- (c) the port operator is providing a port service for the purpose of fulfilling a public service obligation.

71. A port operator shall file its tariff or range of tariffs with the Authority and the Authority shall publish the tariff rates charged to users and consumers for the respective services and the modifications. Filing and publication.

**PART XII-PILOTAGE, HARBOUR MASTER AND OTHER
RELATED PROVISIONS**

**Pilotage
licence.**

72. (1) A person shall not perform any pilotage duties within the pilotage district of Sierra Leone unless that person holds a licence issued by the Authority

(2) A person who requires a pilotage licence shall make a written application to the Authority in such form as may be prescribed by the Authority.

(3) A licence issued under this section shall-

- (a) be in the prescribed form; and
- (b) contain terms and conditions as prescribed by the Authority.

**Suspension or
revocation
of pilotage
licence.**

73. The Authority may suspend or revoke a pilotage licence where it is satisfied that a licensee has contravened a term or condition of his licence

**Functions of
a pilot.**

74. (1) It shall be the responsibility of a pilot to-

- (a) direct the movement of the vessel and to determine and control the movement of the tugs assisting the vessels within the pilotage district of Sierra Leone;
- (b) request from the harbour master the number of tugs required for pilotage.

(2) Where a disagreement arises between a pilot and the Master of the vessel regarding the number of tugs to be used, the harbour master shall make the final decision.

**Requirement
for Pilotage.**

75. (1) Subject to subsection (2) every vessel entering leaving or moving in a pilotage district within a port shall be supervised by a licensed pilot.

(2) For the purposes of this section, the following vessels can enter, leave or move in a pilotage district within a port without being supervised by a licensed pilot –

- (a) vessels belonging to the Armed Forces of the Republic of Sierra Leone;
- (b) vessels owned or operated by the Authority;
- (c) pleasure yachts;
- (d) ferry boats sailing exclusively within a port;
- (e) vessels not exceeding two hundred and fifty (250) gross tonnage; and
- (f) vessels exempted from compulsory pilotage by regulations made under this Act.

76. (1) The master of a vessel shall remain in command of the vessel and neither the master nor any person under the command of the master may while the vessel is under pilotage in any way prevent the pilot from carrying out his duties except in an emergency where the master may intervene to preserve the safety of the vessel, cargo or crew and take whatever action he considers reasonably necessary to avert the danger

Duties of the Master in relation to pilotage.

(2) Where the master of the vessel intervenes during an emergency under subsection (1), he shall immediately inform the pilot of the vessel, and after having restored the situation, he shall permit the pilot to proceed with the execution of his duties.

(3) The master of the vessel shall ensure that the officers and crew are at their posts, that a proper lookout is kept and that the pilot is given all necessary assistance in the execution of his duties.

77. The master of a vessel intending to enter a port in Sierra Leone shall before the departure of the ship for Sierra Leone submit to the relevant authority a statement setting out the following information –

Advance ship and Cargo information.

- (a) the name and physical particulars of the vessel;
- (b) names of last ten (10) ports of call and estimated time of departure for Sierra Leone;
- (c) the name(s) of ports of loading/discharging in Sierra Leone;
- (d) the estimated date of arrival in the port;
- (e) detailed information including tonnage of the cargo for the intended operation; and
- (f) any other document that the Authority may require.

Information
on arrival
And
departure.

78. The master of a vessel intending to enter or leave a port shall submit to the Authority any information it may require relating to the vessel, its cargo, estimated time of entering or leaving the port

Entering
without
permit.

79. (1) A merchant vessel shall not enter a port or any approaches to a port in Sierra Leone unless it obtains permission from the Authority.

(2) A merchant vessel which contravenes subsection (1) commits an offence, the merchant vessel will be seized and detained and released upon payment of a fine not less than US\$ 50,000.00 or its equivalent in Leones, within 72 hours upon seizure. A further fine of 5% of the amount fined for each day on which the fine is not paid, after the 72 hours.

Authority's
power in
relation to
pilots.

80. Subject to this Part the Authority -

- (a) shall certify and authorize qualified pilots for pilotage duties;
- (b) may delegate the pilotage services to third parties;
- (c) may do such other things in relation to pilots in the pilotage district as are necessary for carrying into effect the Authority's power and duties under this Part

81. (1) The Authority may by order establish a pilotage district in --

Establishment
of pilotage
districts

- (a) any port;
- (b) the approaches to any port;
- (c) inland waterways and territorial waters of Sierra Leone; or
- (d) the exclusive economic zone of Sierra Leone.

(2) An order made under subsection (1) may--

- (a) provide that in any pilotage district or in any part of a pilotage district, pilotage shall be compulsory; and
- (b) define the limits of any pilotage district, distinguishing, when pilotage is compulsory in a part of such district, the part of the district in which pilotage is compulsory.

(3) An order made under this section shall not take effect unless approved by the Minister.

82. A pilot may require the master of any vessel which he is piloting to confirm her draught, length, beam and any other information as may be required for the safe piloting of the vessel.

Confirmation
of principal
of vessel to
pilot.

83. The master or owner of a vessel navigating where pilotage is compulsory shall be answerable for any loss or damage caused by the ship and by any navigation of the ship in the same manner as he would if pilotage were not compulsory.

Liability of
master
or owner of
ship
under
pilotage

84. The Authority or the pilot shall not be liable for any loss or damage caused by anything done or omitted to be done by the pilot in good faith whilst performing his functions under this Act.

Liability of
pilot.

Limitation of
pilot's
liability.

85. (1) A pilot who has given a bond in accordance with regulations made under this Act shall not be liable for any loss or damage caused by anything done or omitted to be done by the pilot beyond the penalty of the bond and the amount payable to him for pilotage services in respect of the voyage in which he was engaged when the loss or damage occurred.

(2) The pilot shall undertake to give a bond in favour of the Authority in such sum as the Authority considers necessary for the proper performance of his duties under this Part and any regulations made thereto.

(3) Where the bond given by a pilot is in accordance with regulations made under this Act, payment of stamp duty shall not be applicable.

(4) Where any proceeding is taken against a pilot for neglect or want of skill in respect of which his liability is limited as provided by this section and other claims are made in respect of the same neglect or lack of skill, the Court in which the proceeding is taken may determine the amount of the pilot's liability.

(5) On payment of the amount determined under subsection (4), the Court may-

- (a) determine the amount of the pilot's liability and upon payment by him of such amount to the Court, distribute that amount ratably among the several claimants; and
- (b) stay any proceeding pending in any other court in relation to the same matter.

86. (1) The Authority shall appoint a harbour master for each port in Sierra Leone from among holders of a certificate of competency in marine navigation from a recognized University.

Appointment
of Harbour
Master

(2) A harbour master's appointment may contain a condition that makes the exercise of his functions subject to any directions given from time to time by the Authority on maritime safety and security.

87. (1) A harbour master may direct and control -

Functions
and general
Power of
harbour
Master.

- (a) the time and manner in which any vessel may enter or leave the port waters for which he is the harbour master;
- (b) the navigation and general movement of vessels within the pilotage district of Sierra Leone;
- (c) the position where and the manner in which any vessel may anchor or be secured within the pilotage district;
- (d) the following operations in the pilotage district
 - (i) taking stores and replenishment;
 - (ii) bunkering ;
 - (iii) fresh water;
 - (iv) ballast exchange

- (e) the removal of any vessel within the pilotage district as the Authority may direct;
- (f) the movement or mooring and unmooring of a vessel within the pilotage district;
- (g) the welfare of persons working or living on a vessel within the pilotage district ;
- (h) the removal or disposal of any residues and mixtures containing oil or noxious liquid substances, sewage and garbage from vessels in a port and requiring any such matter to be deposited in reception facilities in the port;
- (i) the detention of a vessel reasonably suspected of causing oil pollution and ensuring that the total cost of the pollution clean-up operation is recovered, or acceptable guarantees are provided, prior to the vessel being given permission to leave the port; and
- (j) any other matter necessary for carrying into effect the provisions of this Act.

(2) Where the harbour master has reason to believe that the master or owner of a ship has committed an offence under this Act, the harbour master may detain the ship.

(3) Where a non-Sierra Leonean ship is detained under subsection (2), the harbour master shall immediately notify the Authority who shall then inform the consul or diplomatic representative of the State whose flag the ship is entitled to fly or the appropriate maritime authority of that State.

(4) A harbour master who detains a ship under subsection (2) shall immediately release the ship if—

- (a) proceedings for the offence are not instituted within seven days beginning with the day on which the ship was detained,
- (b) proceedings for the offence, having been instituted within that period, are concluded without the master or owner being convicted;
- (c) the master or owner is convicted of the offence, if any costs or expenses ordered to be paid by him, and any fine imposed on him, have been paid; or
- (d) either -
 - (i) the sum of US \$500,000.00 or its equivalent in Leones is paid to the Authority by way of security; or
 - (ii) security which, in the opinion of the Authority, is satisfactory and is for an amount not less than US \$500,000.00 or its equivalent in Leones is given to the Authority by or on behalf of the master or owner;

88. Subject to this Part the Authority in consultation with the harbour master may appoint a person to exercise the harbour master's functions in relation to other ports in Sierra Leone

Delegation of harbour Master functions.

89. (1) The Master of a vessel shall not refuse or fail to comply with any direction given under this part unless he has a reasonable excuse.

Failure to comply With direction of Harbour Master

(2) A person shall not obstruct a harbour master or a person acting under the authority of a harbour master unless the person has a reasonable excuse for the obstruction.

(3) A person who contravenes this section commits an offence and shall be liable on conviction to a fine not less than US \$3,000.00 or its equivalent in Leones and in the case of a continuing offence to a further fine not less than US \$3,000.00 or its equivalent in Leones for each day the offence continues.

Liability of
harbour
master

90. The Authority or the harbour master shall be liable for any loss or damage caused by anything done or omitted to be done by the harbour master in good faith whilst performing his functions under this Part.

PART XIII- PIERS JETTIES AND WHARVES

Application
of part

91. This Part shall apply to any person including the Government and any Agency of Government

Restriction
on piers
Jetties and
wharves

92. (1) A person shall not erect, alter, extend, own or occupy a pier, jetty or wharf in a port, in the approaches to a port or any place within Sierra Leone unless the person has a concession or permit issued by the Authority with the approval of the Minister

(2) A person who wishes to erect, alter, extend, own or occupy a pier, jetty or wharf in a port, in the approaches to a port or any place within Sierra Leone shall make a written application to the Authority.

(3) The Authority may on payment of the prescribed fee and in the prescribed form grant a concession or permit for the activities referred to in subsection (1).

(4) A person who contravenes this section commits an offence and shall be liable on conviction to a fine not exceeding \$100,000.00 or its equivalent in Leones or imprisonment for a term not exceeding twelve months or to both such fine and imprisonment.

93. The Authority may by Statutory Instrument make regulations for the control and management of wharves, piers and jetties; as the Minister may approve

Regulations on wharves piers etc.

94. An authorized employee of the Authority may remove or cause to be removed any illegal pier, jetty or wharf in –

Removal of piers, jetties.

- (a) any port;
- (b) the approach to any port;
- (c) any portion of the port; or
- (d) any port within Sierra Leone where the pier, jetty or wharf is erected or operated

PART XIV – LIABILITY AND LEGAL PROCEEDINGS

95. The Authority shall not be liable for any injury loss, damage or cost sustained by any person as a result of default, negligence, breach or other wrongful act or omission of any licensee or concessionaire or any agent or employee of the licensee or concessionaire.

Non-liability of Authority.

96. The Authority, an authorized employee or representative of the Authority shall not be liable for any loss or damage caused by anything done or omitted to be done by the Authority, an authorized employee or representative of the Authority in good faith whilst performing any functions under this Act

Liability for acts of Authority.

97. (1) Where the Authority is not at actual fault or privity the Authority shall not be liable for any loss, damage or destruction caused to any vessel or goods on board any vessel in aggregate amount not less than \$20.00 or its equivalent in Leones for each ton of the vessel's tonnage.

Limitation of the Authority's liability.

(2) For the purposes of this Act, the tonnage of a vessel shall be as provided by the Merchant Shipping Act, 2003.

Liability for
loss or
damage to
goods

98. (1) Nothing in this Part shall impose on the Authority or any person duly authorized by it any liability for the loss or destruction of or damage to any goods arising from —

- (a) fire or flood, unless caused by the actual fault or privity of the Authority;
- (b) an act of God;
- (c) an act of war or public enemies;
- (d) arrest or seizure under legal process;
- (e) quarantine restrictions;
- (f) any act, omission or default of the owner or carrier of such goods;
- (g) strikes, lockouts or stoppages or restrains of labour from any cause whether partial or general;
- (h) riots and civil commotion;
- (i) saving or attempting to save life or property;
- (j) declaration of goods as overtime or abandoned goods or the sale by 'auction', destruction or any kind of disposal made pursuant to the declaration;
- (k) an act or omission of the consignor, consignee, depositor or the servant or agent of any person
- (l) insufficient or improper packing, defective or insufficient marks or leakage from defective drums, containers or packages;
- (m) the inherent wastage in bulk or weight, latent defect or natural deterioration;

(n) any deficiency in the contents of unbroken packages; or

(o) the dangerous nature of such goods

99. (1) In an action or suit against the Authority no execution, attachment or process shall be issued against the Authority until after three months from the date of the judgment but any sums of money which may, by judgement of the Court, be awarded against the Authority shall, subject to any directives given by the Court be paid from the funds of the Authority.

Restriction on execution against property of the Authority.

(2) For the purposes of this section, "suit" includes action and means a civil proceeding commenced by writ of summons or in such other manner as may be prescribed by rules of Court but does not include a criminal proceeding.

100. Notwithstanding any other law the Authority may not be placed under judicial management or liquidation except authorized by an Act of Parliament enacted specifically for that purpose

Judicial management and liquidation

PART XV--OFFENCES

101. A person who wilfully removes, destroys or damages any property belonging to or in the custody or possession of the Authority or prevents the property from being used as intended to be used commits an offence and shall be liable on conviction to a fine not less than US\$50,000.00 or its equivalent in Leones or imprisonment for a term not exceeding 3 years or both the fine and imprisonment and shall make good any loss, destruction or damage suffered by the Authority, including the expenses of any inspection or survey carried out by the Authority to ascertain the loss, destruction or damage.

Damage to property of Authority.

102. A person who establishes, installs, maintains, provides or operates any marine service or facility or any port service or facility without a concession commits an offence and shall be liable on conviction to a fine not less than US\$50,000.00 or its equivalent in Leones or imprisonment for a term not exceeding 12 months and in the case of a continuing offence to a further fine not less than US\$1,000.00 or its equivalent in Leones for each day during which the offence continues.

Unauthorized port.

Evasion of
dues.

103. An owner, agent or master of any vessel or consignee of any goods who evades or attempts to evade, neglects or omits to pay any dues, rates, charges, or fees payable under this Act, commits an offence and shall be liable on conviction to a fine not less than US\$40,000.00 or its equivalent in Leones or to imprisonment for a term not less than 12 months or to both such fine twice the amount of the dues, rate, charges or fees he evaded or attempted to evade, or neglected or omitted to pay

False
statement.

104. A person who makes any statement which he knows or ought to know to be false in a material particular in any return, claim or any document which is requested or authorized to be made by or under this Act or any regulations made under this Act, commits an offence and shall be liable on conviction to a fine not less than US\$20,000.00 or its equivalent in Leones or to imprisonment for a term not exceeding 12 months or to both such fine and imprisonment.

Safety of
vessels etc.

105. A person who—

- (a) wilfully and without lawful excuse loosens or removes from its moorings or from its fastenings alongside any wharf or dock, any vessel in the port without leave or authority from the master or owner of such vessel or person in charge of such wharf or dock;
- (b) without any lawful excuse discharges any gun in the port except for making a signal of distress or for such other purpose as is allowed by any law;
- (c) graves, beams or smokes any vessel in the port, boils or beats any pith, tar, resin, dammar, turpentine oil or other combustible matter onboard any vessel within the port, at any time such act is prohibited by any order of the Minister or contrary to the orders or directives of the Harbour Master or the master of such vessel;

- (d) does or omits to do any act onboard any vessel in the port which has caused or may cause fire onboard such vessel; or
- (e) uses a vessel or permits a vessel to be used in the port when the vessel is --
 - (i) in such a state that by reason of the defective condition of its hull, equipment or machinery or by reason of under-manning or otherwise the life of any person is likely to be endangered;
 - (ii) loaded with goods or passengers or with both goods and passengers so as to-
 - (aa) exceed the number of passengers allowed by the vessel's safety certificate to be carried or received on the vessel; and
 - (bb) submerge the appropriate subdivision load line on each side of the vessel when the vessel has no list

commits an offence and shall be liable on conviction to a fine not less than US\$30,000.00 or its equivalent in Leones or to imprisonment for a term not less than 12 months or both such fine and imprisonment.

106. (1) Where a vessel -

- (a) enters any port or approach to the port without permission issued by the Authority; or
- (b) fails to leave any port, approach to the port or any berth at the port when required to do so by the harbour master;

Offence by
Master of
vessel.

the master of the vessel commits an offence and shall be liable on conviction to a fine not less than US\$10,000.00 or its equivalent in Leones or to imprisonment for a term not less than 12 months or to both such fine and imprisonment.

(2) Where the master of a vessel fails to comply with paragraph (b) of subsection (1), the master shall in addition to the fine or imprisonment be liable to pay damages assessed in relation to the registered ton of the vessel for every hour that such vessel remains at the ports, approach to the port after the time for departure has expired.

(3) Where an offence under subsection (1) is proved to have been committed with the consent or connivance or, attributed to any neglect on the part of the owner of a ship, the owner shall be deemed to have committed the offence and shall be liable on conviction in the case of -

- (a) an individual to a fine of US\$2,000.00 or its equivalent in Leones for each day or part of a day during which the offence continues or to imprisonment for a term of 12 months;
- (b) a body corporate to a fine not less than US\$8,000.00 and a further fine of US\$3,000.00 or its equivalent in Leones for each day or part of a day during which the offence continues.

Loading of
Vessel.

107. (1) A master or owner of a vessel lying alongside a wharf or within any dock shall keep the vessel equipped ballasted or loaded to enable the vessel to be removed safely.

(2) A person who contravenes this section commits an offence and shall be liable on conviction to a fine not less than US\$5,000.00 or its equivalent in Leones.

108. (1) Any person who throws into a port waters any ballast or waste commits an offence and shall be liable on conviction to a fine not less than US\$30,000.00 or its equivalent in Leones. Throwing of ballast

(2) In the case of oil or chemical waste to a fine not less than US\$30,000.00 or its equivalent in Leones.

109. (1) Any owner, agent or master of a vessel entering or leaving a port or within the approaches of a port who gives false information of the type of vessel, its draught, length, beam or height to the Authority commits an offence and shall be liable on conviction to a fine not less than US\$100,000.00 or its equivalent in Leones or to imprisonment for a term not less than 12 months or to both such fine and imprisonment False information as to draught of vessel and cargo.

(2) For the purpose of this section "height" means the height of the vessel measured vertically from the waterline of the vessel to the highest point of the vessel including its cargo, structure or equipment onboard.

110. Any ship entering, leaving or changing her berth in any pilotage district in which pilotage is compulsory without a duly authorized pilot, commits an offence and the master of the ship shall be liable upon conviction to a fine not less than US\$7,000.00 or its equivalent in Leones. Navigating without a pilot.

111. Where a person not being a pilot navigates a ship in circumstances in which a pilot is to be engaged that person commits an offence and shall be liable on conviction to a fine not less than US\$7,000.00 or its equivalent in Leones. Illegal piloting

112. Any person who wilfully obstructs another person in the exercise of that person's duties under this Act commits an offence and shall be liable on conviction to a fine not less than US\$1,500.00 or its equivalence in Leones or to imprisonment for a term not exceeding 6 months or to both such fine and imprisonment. Obstruction.

113. (1) Any pilot who while piloting a ship by wilful breach of duty or negligence, drunkenness or impairment of the mind — Breach of duty by pilot.

- (a) does any act that causes the loss, destruction or serious damage of the ship or endangering the life of any person;
- (b) refuses or omits to do any lawful act to prevent the ship from loss, destruction or serious damage or preventing serious injury or loss of life,

commits an offence and shall be liable on conviction to a fine not less than US\$8,000.00 or its equivalent in Leones or imprisonment to a term of 3 years or to both such fine and imprisonment.

Loosening of moorings.

114. A person who wilfully sets adrift, cuts, breaks or unfastens the moorings of a ship in order to obtain salvage or for any other purpose commits an offence and shall be liable on conviction to a fine not less than US\$15,000.00 or its equivalent in Leones or to imprisonment for a term not exceeding 3 years or to both such fine and imprisonment.

Sinking of vessels.

115. Any person who wilfully sinks a ship in a port or the approach to the port commits an offence and shall be liable on conviction to a fine not less than US\$200,000.00 or its equivalent in Leones or imprisonment for a term not less than 5 years or to both such fine and imprisonment and shall in addition pay to the Authority the expenses incurred by the Authority in removing the ship.

Demanding improper charge.

116. Any employee of the Authority who with intent to defraud, demands or receives from any person liable to pay any dues or rates imposed under this Act or regulations made under this Act, a greater or lesser amount than is authorized to be levied, commits an offence and shall be liable on conviction to a fine not less than US\$5,000.00 or its equivalent in Leones or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

Offence by body of persons.

117. Where an offence under this Act is committed by a body of persons if the body of persons is a

- (a) body corporate, the Chief Executive Officer of that body shall be deemed to have committed the offence;
- (b) firm, every partner of that firm shall be deemed to have committed that offence.

PART XVI—MISCELLANEOUS PROVISIONS

118. (1) Notwithstanding any other law to the contrary no person, body or agency of Government other than the –

Limitations
on
government
agency.

- (a) Customs Department of the National Revenue Authority;
- (b) Immigration Services;
- (c) Maritime Administration ;
- (d) Health and quality control agency

shall operate or perform any function in the ports except as provided under this Act.

(2) Notwithstanding any other law to the contrary and without limiting subsection (1) any government agency whose function is connected with cargo, passengers or services in the ports shall immediately after the commencement of this Act, operate and perform such functions as permitted by the Authority.

(3) The agencies or bodies referred to under subsection (2) shall operate or perform any duty in the ports as and when required.

(4) A person, body or Government Agency given permit under this section shall prior to commencing work in any port notify the Authority for the following information-

- (a) the name of the agency;
- (b) the purpose of its intended presence in the port;

- (c) a copy of the request or permit issued in accordance with this section permitting the Agency to perform the duty;
- (d) the estimated duration of its presence in the port; and
- (e) the particulars of its officers including the number of such officers, the names and designation of such officers and the name of their immediate supervisor.

Exemption
of
authority's
land.

119. (1) The Authority shall be exempted from any law relating to town and country planning requirements.

(2) Notwithstanding any other law, a wharf shall not be regarded as hereditaments or tenement or have value for rating and the Authority shall not be required to pay any rates for wharves or any property situated in a wharf.

Damages to
property
of the
authority.

120. Where any amount in respect of dues, rates, fees or other charges levied in accordance with this Act against any ship is outstanding, at the request of the Authority, such ship shall not be given any discharge by the Customs Department unless the Authority notifies the Customs Department in writing that –

- (a) the amount of such dues, rates, charges, or fees has been paid; or
- (b) security has been given to the satisfaction of the Authority for the payment of such dues, rates, charges or fees.

Withholding
of clearance.

121. (1) Subject to this Act the Authority shall for the purpose of ensuring safety of navigation and shipping in Ports –

- (a) control marine and other traffic in each port;
- (b) control the entry, stay, movement and operations of vessels in ports and the departure of vessels from ports;

- (c) regulate the loading, discharge and storage of cargo and the embarkation and disembarkation of passengers in ports;
- (d) regulate the safe provision of pilotage services by certified pilots;
- (e) provide or procure tug services, certify tug port operators and regulate the safe provision of tug services by licensed tugs services by licensed tug port operators;
- (f) undertake dredging and maintain channels at the depth determined by the Authority;
- (g) remove or cause to be removed any obstruction or object from the waters of the ports that may pose a danger to shipping or navigation ; and
- (h) separate cargo from passengers operation to secure safety of life and protection against injury.

122. (1) The Authority may in consultation with the Sierra Leone Maritime Administration remove any wreck in or other obstruction to a port or its approaches or any timber, raft or other thing floating in a port, which endangers or obstructs or is likely to endanger or obstruct the free navigation of the port or the use of any dock or wharf therein.

(2) The owner of any wreck or thing removed by the Authority under subsection (1) shall be liable to pay the expenses of such removal and such wreck or thing shall be detained by the Authority until such expenses are paid.

(3) Where any wreck or thing is removed under subsection (1) and the expenses for removal is not paid within 14 days of the removal, the Authority may cause the wreck or thing to be sold by public auction and shall retain out of the proceeds of the amount necessary to meet the expenses of the removal and detention and shall remit the balance (if any) to the person appearing to be entitled.

Vessel under
arrest.

123. The Authority may move a vessel that has been arrested or attached by an order of court to another place within the port.

Preventing
accidents.

124. The Authority's employees or agent may for the purposes of preventing the occurrence of any accident preserving the safety of navigation or the safe operation of any service provided by the Authority or repairing any damage caused by the accident enter upon any land and-

- (a) cut down or remove any tree or other obstruction not being a building, which obscures the view of any beacon or other fixed signal or which is likely to cause any obstruction or any danger to the safety of navigation or of such service;
- (b) execute the other works as may be necessary to prevent the occurrence of any accident or to repair any damage caused as a result of any accident.

Routine
inspection.

125. (1) A person duly authorized in writing by the Authority may during office hours enter any premises occupied by a concessionaire or licensee to inspect any activity, process, building or facility in order to determine whether relevant contract conditions or special conditions are being complied with

(2) When conducting an inspection under subsection (1) the authorized person may require the concessionaire or licensee to produce any book, record, statement or other document relating to this Act for the purpose of obtaining copies or extracts.

(3) Where the concessionaire or licensee notifies the authorised officer of the confidentiality of certain documents referred to in subsection (2) the authorized person shall protect the confidentiality of such documents.

126. (1) The Minister may during any industrial unrest, strike or lock-out or any other event which gives rise to an emergency and creating a real and imminent threat to the national interest of Sierra Leone or public safety, with the approval of the President, authorize the Authority to- Emergency powers.

- (a) suspend any agreement with a concessionaire or licensee, take temporary possession (either by itself or through an authorized agent) of any undertaking of such concessionaire and operate it in such a manner as it deems fit; or
- (b) withdraw either partially or totally the use of any port service or facility from any person or class of persons from the general public.

(2) Where the Authority takes possession of any Port undertaking under subsection (1) adequate compensation shall be paid in an amount agreed between the Authority and the affected concessionaire or licensee.

(3) Where the Authority and the concessionaire or licensee fail to reach an agreement under subsection (2) the compensation payable shall be determined by a Court or tribunal of competent Jurisdiction whose decision shall be final and binding upon the parties.

127. (1) A person shall not employ or engage maritime labour in the ports unless the person is registered with a government agency responsible for the regulation of maritime labour. Employment of maritime labour.

(2) Nothing in subsection (1) shall prevent a port operator from engaging registered seafarer or dockworker directly as permanent workers or casual workers from the pool of seafarers or dockworkers registered with the Government agency referred to in subsection (1).

Monies recovered to be paid into account of Authority.

128. All fines, compensation, damages, cost or other sums directed to be paid in respect of any offence, proceeding or matter arising out of the performance of the duties, powers and functions of the Authority shall be paid into the bank account of the Authority.

Confidentiality.

129. Except for the purposes of this Act or any proceedings from a competent authority a person shall not disclose information obtained under this Act.

General penalty.

130. A person who fails to comply with any provision under this Act for which no penalty is created commits an offence and shall be liable on conviction to a fine not less than US\$8,000.00 or its equivalent in Leones or to imprisonment for a term not exceeding 12 months or to both the fine and imprisonment.

Modification of Laws.

131. The Merchant Shipping Act and any other enactment relating to this Act in existence upon the coming into operation of this Act shall apply with the necessary modifications necessary to give effect to this Act.

Transitional provision.

132. All licences and certificates issued under the Ports Act 1964 shall remain valid until their expiration.

Regulations.

133. The Minister may make regulations by statutory instrument generally for giving effect to this Act.

Repeal of of 1964.

134. (1) The Ports Act 1964 (Act No. 56 of 1964) is hereby repealed.

(2) Notwithstanding the repeal of the Ports Act under subsection (1) any rules or regulations made under the repealed Act and in existence immediately before the commencement of this Act, shall continue in operation until their expiration or until their express repeal or revocation under this Act.

SCHEDULE

Queen Elizabeth II Quay
Port of Nitti
Port of Pepel
Port of Thofayin

Passed in Parliament this *24th day of April*, in the year of our Lord Two Thousand and Twenty Three.

PARAN UMAR TARAWALLY,
Clerk of Parliament.

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

PARAN UMAR TARAWALLY,
Clerk of Parliament.