No. 11 2006

Sierra Leone Citizenship (Amendment) Act

Passed in Parliament this 28th day of September, in the year of our Lord two thousand and six.

J.A. CARPENTER,
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.

J.A. CARPENTER,
Clerk of Parliament.

Note: (This Act No. 11 of 2006 supersedes the Act No. 10 of 2006 by the same title published in Government Notice No. 222 as supplement to the Sierra Leone Gazette No. 50 dated Thursday, 26th October, 2006).
1. This Act shall come into operation on such date as the Minister may fix by Order in a statutory instrument.

2. Subsection (1) of section 1 of the Sierra Leone Citizenship Act, 1973 is amended as follows:

“mother” means a natural but not an adoptive mother”.

“person of negro African descent” means a person whose mother or father and any of the grand parents of the mother or father is or was a Negro of African descent”.

3. The proviso to section 2 of the principal Act is repealed and replaced by the following proviso:

“Provided that his father, mother or any of his grand parents was born in Sierra Leone and is or was a person of Negro African descent”.

4. Section 9 of the principal Act is repealed and replaced by the following section:

9. Notwithstanding anything contained in this Act, no person applying for citizenship under sections 7 and 8 shall be granted a certificate of naturalization unless:

(a) he is of full age and capacity;

(b) he has taken an oath of allegiance to the Republic of Sierra Leone in accordance with the First Schedule;

(c) he has made and registered a declaration satisfactory to the Minister concerning residence and employment; and

(d) he has paid such fees as may be prescribed”.

5. Section 10 of the principal Act is repealed and replaced by the following section:

“Dual citizenship.

10. A citizen of Sierra Leone may hold a citizenship of another country in addition to his citizenship of Sierra Leone”.

6. Section 16 of the principal Act is repealed and replaced by the following section:

“Deprivation of citizenship in the public interest.

16. The Minister may by Order, deprive any person, who is a citizen by naturalization, of his citizenship if he is satisfied that it would not be conducive to the public good that such person, being of full age and capacity, should continue to be a citizen of Sierra Leone”.

7. The principal Act is amended by the insertion immediately after section 19 of the following new section:

9A. A citizen of Sierra Leone may hold a citizenship of another country in addition to his citizenship of Sierra Leone”.

8. The principal Act is amended by the insertion immediately after section 19 of the following new section:

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9A. A citizen of Sierra Leone may hold a citizenship of another country in addition to his citizenship of Sierra Leone”.

8. The principal Act is amended by the insertion immediately after section 19 of the following new section:
19A. Where any citizen of Sierra Leone, being of full age and capacity, has at any time-

(a) acquired the citizenship of any foreign country-

(i) by birth; or

(ii) by any voluntary or formal act; or

(b) done any act or thing the sole or primary purpose of which or the effect of which was or is to acquire the citizenship of a foreign country,

and that person ceased to be a Sierra Leonean citizen by reason thereof, he may, if he so wishes resume his Sierra Leonean citizenship.

8. The principal Act is amended by the insertion immediately after section 22 of the following new section:-

22A Where the Minister deprives a person of his citizenship under sections 16 and 19, the person may appeal to a committee comprising-

(a) a judge of the Superior Court of Judicature to be appointed by the Chief Justice, who shall be chairman;

(b) the Ombudsman;

(c) the chairman of the Human Rights Commission;

(d) a representative each of the Christian Council of Sierra Leone and the Sierra Leone Council of Imams.

(2) An appeal against deprivation of citizenship shall be supported by an affidavit setting out the grounds of the appeal.

(3) The Committee, after considering an appeal under subsection (1) may uphold or reverse the decision of the Minister, in which latter case the appellant’s citizenship shall be restored ".

9. Sections 6, 11 and 23 of the principal Act are hereby repealed.

10. The Third Schedule to the principal Act is amended by the repeal of paragraph (e) thereof.