

ACT

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THE SIERRA LEONE BROADCASTING CORPORATION ACT, 2009

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SIGNED this 8th day of January, 2010.

DR. ERNEST BAI KOROMA,
President.



No. 1



2010

Sierra Leone

The Sierra Leone Broadcasting Corporation Act, 2009. Short title.

Being an Act to establish the Sierra Leone Broadcasting Corporation 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—
- “Board” means the Board of Trustees referred to in section 3;
- “Corporation” means the Sierra Leone Broadcasting Corporation an autonomous legal entity established by section 2;
- “Minister” means the Minister responsible for Information and Communication;
- “Broadcasting” means radio (audio) and TV (video audio) transmission via terrestrial transmitters, direct home satellite, or cable, using analogue or digital technologies and transmission of multimedia content via internet, mobile phones or using other broadcasting technologies that may be developed in the future transmitted for direct public receiving by an unlimited number of users;
- “Independent Media Commission” means the Independent Media Commission established by the Independent Media Commission Act, 2000 (Act No. 12 of 2000)
- “Sierra Leone Broadcasting Service” means the state owned radio and television service established in 1935 transmitting via terrestrial transmitters using analogue technology to an unlimited number of users.

PART II—ESTABLISHMENT OF CORPORATION

- Establishment of Sierra Leone Broadcasting Corporation. 2. (1) The Sierra Leone Broadcasting Service is hereby transformed into a body corporate to be known as the Sierra Leone Broadcasting Corporation.
- (2) The Corporation shall have 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 bodies corporate may by law perform.

(3) The Corporation shall have a common seal, the affixing of which shall be authenticated by the signatures of –

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

3. (1) The governing body of the Corporation shall be a Board of Trustees consisting of the following members – ^{Board of Trustees.}

- (a) a Chairman, who shall be a person competent and knowledgeable in the operation and management of broadcasting, appointed by the President subject to the approval of Parliament.
- (b) a representative each, of the following bodies, elected by their respective governing bodies
 - (i) Council of Paramount Chiefs;
 - (ii) Inter-Religious Council;
 - (iii) Women’s Forum;
 - (iv) Sierra Leone Bar Association;
 - (v) University of Sierra Leone (Engineering Department);

- (vi) Youth Council;
- (vii) Sierra Leone Association of Journalists;
and
- (viii) Civil Society Sierra Leone.
- (c) the Director-General of the Corporation who shall be *ex-officio* and Secretary to the Board.

(2) The members of the Board shall be persons of high personal probity, appointed by the President and subject to the approval by Parliament.

Tenure of members.

4. (1) The Chairman and members of the Board who are not *ex-officio* shall hold office for three years and shall be eligible for re-appointment for not more than two terms.

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

- (a) for his inability to perform the functions of his office by reason of infirmity of mind or body;
- (b) for proven misconduct;
- (c) if he becomes bankrupt or insolvent;
- (d) if he is convicted of an offence involving fraud or dishonesty;
- (e) if he fails to attend three consecutive meetings of the Board without reasonable cause; or
- (f) if he resigns his office by written notice to the President.

Functions of Board.

5. (1) Subject to this Act, the Board shall have control and supervision of the Corporation.

(2) It shall also be the responsibility of the Board to provide such policy guidance and advice as well as secure the efficient implementation of the functions of the Corporation and enhance the overall performance of the Corporation.

6. The Chairman and the other members of the Board and any person co-opted under subsection (5) of section 8, shall be paid such remuneration, fees and allowances and shall be reimbursed by the Corporation for expenses incurred in connection with the discharge of their functions as the Board may determine, with the approval of the Minister. Remuneration of Board.

7. (1) Where the Chairman or a member of the Board dies, resigns, is removed from office or is absent from Sierra Leone for a continuous period exceeding three months or by reason of illness unable to perform the functions of his office – Filling of vacancies.

- (a) the members of the Board shall, as the case may be, elect one of their number to act as Chairman until such time as the Chairman resumes his office or another is appointed in his stead; and
- (b) in the case of the members, the Chairman shall arrange, subject to this Act, to have another person appointed to the Board.

(2) Where a person is elected as Chairman or appointed as a member to fill a vacancy, he shall hold office for the remainder of the term of the previous Chairman or member, as the case may be and shall, subject to this Act, be eligible for reappointment.

8. (1) The Board shall meet for the dispatch of its business at such time and place as the Chairman may determine, but shall meet at least once every month. Meetings of Board.

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