

CHAPTER 109.**WEST AFRICAN EXAMINATIONS COUNCIL**
(SIERRA LEONE STATUS).**ARRANGEMENT OF SECTIONS.****SECTION.**

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SCHEDULE.

CHAPTER 109.**WEST AFRICAN EXAMINATIONS COUNCIL**
(SIERRA LEONE STATUS).

38 of 1952.
22 of 1959.

An Ordinance to Provide for the Status and Functions, including the Powers and Duties, within Sierra Leone of the West African Examinations Council which was Established in the Gold Coast by the West African Examinations Council Ordinance, 1951, of the Gold Coast, and for Purposes Connected therewith.

[31ST DECEMBER, 1951.]

WHEREAS there was established in the Gold Coast by the West African Examinations Council Ordinance, 1951, (Gold Coast Ordinance No. 40 of 1951) the provisions of which are set out in the Schedule to this Ordinance and which is hereinafter referred to as "the Gold Coast Ordinance" the West African Examinations Council (hereinafter referred to as "the Council"):

AND WHEREAS the Council was so established to conduct, or to arrange for the conducting of, such examinations in the West African Territories (that is to say, the Gambia, the Gold Coast, Nigeria and Sierra Leone collectively) as may be necessary in the public interest:

AND WHEREAS the Gold Coast Ordinance makes provision for three members of the Council to be nominated by the Officer Administering the Government of Sierra Leone:

AND WHEREAS it is desirable to make statutory provision in Sierra Leone whereby the Council may be given status and functions, including powers and duties, within Sierra Leone:

1. This Ordinance may be cited as the West African Examinations Council (Sierra Leone Status) Ordinance, and shall be deemed to have had effect as from the 31st day of December, 1951 (being the date upon which the Gold Coast Ordinance came into operation), and shall apply to the Colony and Protectorate.

Short title,
commence-
ment and
application.

2. The Council established by section 3 and incorporated by section 5 of the Gold Coast Ordinance (which Council shall be known in Sierra Leone as the West African Examinations Council) shall also be within Sierra Leone a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name; and subject to the provisions of section 3, the Council shall have within Sierra Leone the like functions (which expression shall include powers and duties) as it has within Ghana under the provisions of the Gold Coast Ordinance.

Status and
functions of
the Council.

3. (1) The power to nominate three members of the Council conferred by paragraph (d) of sub-section (1) of section 4 of the Gold Coast Ordinance upon the Officer Administering the Government shall be exercised by the Governor in Council.

Modifications
in relation to
Sierra Leone,
of sections 4,
14 and 17
of the Gold
Coast Ordi-
nance.

(2) The provisions of section 14 of the Gold Coast Ordinance (which relates to accounts and audit) shall apply in relation to the functions of the Council in Sierra Leone, save that the accounts may be made up and audited in Ghana.

(3) The provisions of section 17 of the Gold Coast Ordinance (which relates to the acquisition of land) shall not apply in relation to the functions of the Council in Sierra Leone.

4. The provisions of sections 18, 19 and 21 of the Gold Coast Ordinance (which relate respectively to widows' and orphans' pensions, pensionable offices, and discipline) shall apply in relation to employees of the Council in Sierra Leone as though they were employed in Ghana.

Application
of sections 18,
19 and 21 of
the Gold
Coast
Ordinance.

SCHEDULE.*

THE WEST AFRICAN EXAMINATIONS ORDINANCE, 1951 (GOLD COAST
ORDINANCE NO. 40 OF 1951).

An Ordinance to provide for the establishment of a Council to conduct, or arrange for the conducting of, such examinations in the West African Territories as may be necessary in the public interest and for purposes connected therewith.

Date of
commence-
ment.

[31ST DECEMBER, 1951]

BE IT ENACTED by the Governor of the Gold Coast with the advice and consent of the Legislative Assembly thereof, as follows—

Short title.

1. This Ordinance may be cited as the West African Examinations Council Ordinance, 1951.

Interpreta-
tion.

2. In this Ordinance, unless the context otherwise requires—

“the Council” means the West African Examinations Council established by section 3 of this Ordinance;

“Local Committee” means a Committee established under subsection (1) of section 15 of this Ordinance;

“the West African Territories” means the Gambia, the Gold Coast, Nigeria and Sierra Leone collectively.

PART I.—ESTABLISHMENT AND CONSTITUTION OF THE COUNCIL.

Establish-
ment of the
Council.

3. For the purpose of holding such examinations in the West African Territories as may be necessary in the public interest there shall be hereby established a Council, to be called the West African Examinations Council.

Constitution
of the
Council.
22 of 1959
(of Sierra
Leone).

4. (1) The Council shall consist of the following members—

(a) the Chairman, nominated by the Council;

(b) four members nominated by the Governor in Council one of whom shall be a representative of the Council of the University College of the Gold Coast;

(c) four members nominated by the Officer Administering the Government of Nigeria;

(d) three members nominated by the Officer Administering the Government of Sierra Leone;

(e) two members nominated by the Officer Administering the Government of Gambia;

(f) two members nominated one by the University of Cambridge and the other by the University of London:

* The Ordinance, set out in this Schedule, was enacted in the Gold Coast in 1951 and was in force at the coming into operation of the Ghana (Constitution) Order in Council, 1957 (S.I. 1957/277), and continues to be in force.

The Ordinance, *qua* Schedule to Cap. 109, has been amended by No. 22 of 1959 of Sierra Leone, where this latter Ordinance is noted in the margin.

Provided that after the constitution of Local Committees under the provisions of sub-section (1) of section 15 of this Ordinance, the Council shall include such members, not in excess of sixteen in number, as shall be nominated by such Local Committees in accordance with the provisions of this Ordinance.

(2) A member nominated under the provisions of paragraphs (a) to (f) inclusive of sub-section (1) of this section shall retain his membership of the Council during the pleasure of the person who nominated him as a member of the Council.

(3) A member nominated by a Local Committee shall retain his membership of the Council for a period not exceeding four years from the date of his nomination, but without prejudice to the right of a Local Committee to nominate a retiring member for a further such period.

(4) Any member of the Council who has been nominated as the person for the time being holding a particular office shall be entitled to nominate, by notice to the Chairman, a temporary member to attend any particular meeting or meetings of the Council in his place and every such temporary member shall have all the powers and authority of the member whom he has replaced until such member notifies the Chairman that he proposes to resume his attendance at meetings of the Council or until the term of office of such member shall have terminated, whichever shall occur first.

(5) If any member of the Council who has been nominated by name is incapacitated by illness, absence from the West African Territories or other sufficient cause from performing the duties of his office, a temporary member may be nominated in the same manner as and in accordance with the same procedure under which the incapacitated member was nominated and every such temporary member shall have all the powers and authority of the member whom he has replaced until such member is again able to perform the duties of his office or until the term of office of such member shall have terminated whichever shall occur first:

Provided that in the case of such incapacity of the Chairman the Council may nominate an existing member of the Council to be the Chairman during the period of such incapacity.

5. (1) The Council shall be a body corporate having perpetual succession and a common seal and may sue and be sued in its corporate name.

Incorporation and seal of Council.

(2) The common seal of the Council shall not be used or affixed to any document save in pursuance of a resolution in that behalf passed at a duly constituted meeting of the Council and recorded in the minutes of such meetings.

PART II.—POWERS, DUTIES AND PROCEDURE OF COUNCIL.

6. The Council may—

(a) enter into contracts and do all things necessary for, or incidental to the purposes of this Ordinance;

(b) acquire and hold moveable or immoveable property and sell, mortgage, lease or otherwise deal with such property.

(c) borrow at interest, on the security of any corporate land or funds of the Council, such moneys as the Council may from time to time think

Powers of Council.
22 of 1959
(of Sierra Leone).