

ACT

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THE SIERRA LEONE METEOROLOGICAL AGENCY ACT , 2017

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Passed in Parliament this *20th day of July*, in the year of our Lord two thousand and Seventeen.

IBRAHIM S. SESAY,
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.

IBRAHIM S. SESAY,
Clerk of Parliament.

SIGNED this *21st day of September, 2017.*

DR. ERNEST BAI KOROMA,
President.



No. 8



2017

Sierra Leone

The Sierra Leone Meteorological Agency Act, 2017.

Short title.

Being an Act to establish the Sierra Leone Meteorological Agency in place of the Department of Meteorology 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-

“Agency” means the Sierra Leone Meteorological Agency established under section 2;

“Board” means the Board of Directors under section 3;

“Chairman” means the Chairman of the Board appointed under subsection (3) of section 3;

“Climatic change” means a change of climate attributed directly or indirectly to human (anthropogenic) activity that alters the composition of the global atmosphere and which is observed over comparable time periods often leading to extreme climate events such as global warming;

“climatology” means the study of the climate system;

“Director-General” means the Director-General of the Agency appointed under section 15;

“Member” means a member of the Board;

“Meteorology” means the study of the physical and chemical dynamics of the atmosphere together with the associated weather phenomena;

“Minister” means the Minister of Transport and Aviation; and “Ministry” shall be construed accordingly.

PART II- ESTABLISHMENT OF THE SIERRA LEONE METEOROLOGICAL AGENCY

Establishment of Agency.

2. (1) There is hereby established a body to be known as the Sierra Leone Meteorological Agency.

(2) The Agency shall be a body corporate, having perpetual succession and capable of acquiring, holding and disposing of any property, whether movable or immovable, 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 Agency shall have a common seal, the use of which shall be authenticated by the signatures of –

- (a) the Chairman or any other member of the Board authorised either generally or specifically by the Board in that behalf; and
- (b) the Director-General or some other person authorised by the Board in that behalf.

3. (1) The governing body of the Agency shall be a Board in which shall be vested, subject to this Act, the control and supervision of the Agency. Board of Agency.

(2) The Board shall consist of a Chairman and the following other members -

- (a) the Permanent Secretary, Ministry of Transport and Aviation;
- (b) the Financial Secretary, Ministry of Finance and Economic Development;
- (c) the Permanent Secretary, Ministry of Agriculture, Forestry and Food Security;
- (d) the Permanent Secretary, Ministry of Water Resources;
- (e) the Permanent Secretary, Ministry of Defence;
- (f) the General- Manager, Sierra Leone Airports Authority;
- (g) the Executive-Director, Environment Protection Agency;
- (h) the Executive-Director, Sierra Leone Maritime Administration;
- (i) the National Security Co-ordinator, Office of National Security;
- (j) the Director-General Sierra Leone Civil Aviation Authority

- (k) three other members of whom two shall be women appointed by the President with proven knowledge and experience in matters relating to the functions of the Agency
- (l) the Director-General as ex-officio who shall be the Secretary to the Board.

(3) The Chairman shall, on the advice of the Minister and subject to the approval of Parliament be appointed by the President from among persons with proven knowledge in meteorology, climatology and climate change matters.

Tenure of members.

4. (1) The Chairman and members of the Board referred to in paragraph (k) of sub section (2) of section (3) shall hold office for 3 years and shall be eligible for re-appointment once only.

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

- (a) inability to perform the functions of his office by reason of infirmity of mind or body;
- (b) 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;
- (f) if he resigns by written notice to the Board.

Meetings of Board.

5. (1) The Board shall meet for the dispatch of its business at least 3 times a year and at such times as the Chairman may determine.

(2) The Chairman shall preside at every meeting of the Board, and in his absence, the members present shall appoint a member from among themselves to preside at that meeting.

(3) A minimum of three members of the Board may, by notice in writing signed by them, request the Chairman to summon a special meeting of the Board for such purposes as may be stated in the notice.

(4) The Chairman or, in his absence, the member appointed to act in his behalf shall summon a special meeting within five days of his receipt of the notice referred to in subsection (3).

(5) The quorum at any meeting of the Board shall be 6.

(6) The Chairman or other person presiding shall have a casting vote where there is an equality of votes.

(7) Any proposal circulated among all members and agreed to in writing by a two-thirds majority of all members shall be of the same force or 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, this subsection 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 issue for the decision by the Board.

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

(10) Subject to this Act, the Board shall regulate its own procedure.

6. (1) A member of the Board who has any interest, whether direct or indirect, in any matter being considered or to be considered by the Board, shall disclose the nature of his interest to the Board and the disclosure shall be recorded in the minutes of the Board and such member shall not take part in any deliberation or decision of the Board relating to that matter.

Disclosure of interest.

(2) A member of the Board who contravenes subsection (1) shall be guilty of misconduct and shall be removed from the Board.

Immunity of members of Board etc.

7. (1) No action or other proceedings 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 of his functions under this Act.

(2) No member of the Board shall be personally liable for any debt or obligation of the Agency.

Committees of Board.

8. (1) The Board may, for the discharge of its functions, appoint one or more committees to perform such functions as the Board may determine.

(2) A committee shall consist of members of the Board or non-members or both as the Board may decide.

(3) Without prejudice to the generality of subsection (1), the Board shall appoint an audit committee consisting of such members of the Board, excluding the Director-General and performing such functions as the Board may determine.

(4) A committee shall submit a report of its proceedings to the Board at such time as the Board may determine.

Functions of Board.

9. (1) Subject to this Act, the Board shall have the control and supervision of the Agency, including overseeing the sound and proper financial management of the Agency.

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

Remuneration of members.

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

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

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 member, the Chairman shall arrange, subject to this Act, to have another person appointed to the Board.

(2) Where a person is appointed 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 re-appointment.

PART III- FUNCTIONS AND POWERS OF AGENCY

12. (1) The object for which the Agency is established is to serve as the sole authority for the provision of meteorological and climatological services throughout Sierra Leone.

Functions of Agency.

(2) Without prejudice to the generality of subsection (1) the Agency shall have responsibility to—

(a) advise Government on all aspects of meteorology, climatology, climate change and other climate related issues;

(b) develop Government policy in the field of meteorology, climatology, climate change and other climate related issues;