

# ACT

*Supplement to the Sierra Leone Gazette Vol. CXXXVII, No. 37*

*dated Thursday, 3rd August, 2006*

*THE TELECOMMUNICATIONS ACT, 2006*

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SIGNED this 25th day of July, 2006

ALHAJI AHMAD TEJAN KABBAH,  
*President.*

No. 9

2006



Sierra Leone

**THE TELECOMMUNICATIONS ACT, 2006**

Short title.

**Being an Act to establish the National Telecommunications Commission and to provide for the licensing and regulation of telecommunications operators and for the promotion of universal access to basic telecommunication services, fair competition for the benefit of investors in, and the users of telecommunication networks and services, to improve the national, regional and global integration of Sierra Leone in telecommunications and to provide for other related matters.**

*[3rd August, 2006 ]* 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–

“Chairman” means the person appointed Commissioner and Chairman of the Commission;

“Commission” means the National Telecommunications Commission established by section 2;

“consumer” means a user or customer of telecommunications services;

“Executive Secretary” means the Executive Secretary appointed under section 14;

“frequency” means radio frequency;

“Government” means the Government of Sierra Leone;

“member” means a member of the Commission;

“Minister” means the Minister of Transport and Communications;

“public telecommunications” means telecommunications networks or services placed at the disposal of the public.

“resale” means the offering to the users or customers for profit of telecommunications services obtained from another telecommunications operator or service provider;

“Roads Authority” means the Sierra Leone Roads Authority;

“station” means a transmitter, receiver, a combination of transmitters and receivers or any accessory thereto which is used or intended to be used for radio communication;

“telecommunications” means a transmission, emission or reception of signs, signals, writing, images, sounds or intelligence of any nature by wire, radio, optical or other electro-magnetic systems whether or not such signs, signals, writing, images, sounds or intelligence have been subjected to rearrangement, computation or other processes by any means in the course of their transmission, emission or reception;

“telecommunications operator” has the meaning assigned thereto in section 22 and the expressions “operator” or public telecommunications operator” shall be construed accordingly;

“vessel” includes any ship, boat, air-cushioned vehicle or floating rig or platform used in any form of operations at sea or any other description of vessel.

## PART II – ESTABLISHMENT OF COMMISSION

2. (1) There is hereby established a body to be known as the National Telecommunications Commission. Establishment of National Telecommunications Commission.

(2) The Commission shall 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 bodies corporate may by law perform.

3. (1) The Commission shall have a common seal, the affixing of which shall be authenticated by the signatures of – Common seal.

(a) the Chairman or other members of the Commission generally or specifically authorised by the Commission for that purpose; and

(b) the Executive Secretary or other officer of the Commission authorised by the Commission for that purpose.

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

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

Composition  
of  
Commission.

**4.** (1) The Commission shall consist of a Commissioner as Chairman and six other members, all of whom shall be appointed by the President subject to the approval of Parliament.

(2) The Chairman shall be appointed from among persons with high integrity, extensive knowledge and practical experience in matters relevant to the functions of the Commission.

(3) Four of the other members shall consist of persons who collectively have knowledge, qualification and experience in the fields of economics, telecommunications, information technology, accounts, engineering, business management and law, and the other two members shall be representatives of a consumer watchdog organisation and a social service organisation respectively, including medical, religious and educational institutions:

Provided that, no person shall be appointed chairman or other member of the Commission if he has any interest in any telecommunications business or a licence issued under this Act.

Tenure of  
office of  
members of  
Commission.

**5.** (1) The Chairman and other members of the Commission shall hold office for a term of three years but shall be eligible for re-appointment.

(2) A member of the Commission may resign his office by written notice to the President and may be removed from office by him for inability to discharge the functions of his office, whether arising from infirmity of mind or body or any other cause, or for misconduct.

(3) On the death, resignation, removal or vacation of office of the Chairman or other member of the Commission, the President may appoint another person to serve for the unexpired term of the Chairman or that other member, as the case may be.

(4) A person shall cease to be a member of the Commission 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 Commission without reasonable cause;
- (f) if he resigns his office by written notice to the President.

**6.** The Chairman and the other members shall be paid such remuneration and allowances as the President may determine and shall be reimbursed by the Commission, for the expenses incurred in connection with the discharge of their functions.

Remuneration  
and expenses  
of members  
of  
Commission.

**7.** (1) The Commission 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 three months.

Meetings of  
Commission.

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

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