(3) The Commission shall submit a report of any investigation to the Minister and may in its report recommend the payment of compensation for victims of discrimination.

(4) Any person who is aggrieved by a recommendation of the Commission made in a report may appeal to the court.

Meetings of Commission

8. (1) The Commission shall meet not less than four times in every year at such time and place as the Chairman shall determine.

(2) The Chairman shall preside at every meeting of the Commission at which he is present and in his absence another member elected by the members present shall preside.

(3) The quorum at a meeting of the Commission shall be five.

(4) Each member shall have one vote but in the case of an equality of votes, the Chairman or other person presiding shall have a casting vote.

PART III - STAFF OF COMMISSION

9. (1) The Commission shall have an Executive Secretary who shall be appointed by the Commission on such terms and conditions as the Commission may determine.

(2) The Executive Secretary shall hold office for a term of five years and shall be eligible for re-appointment for another term only.

(3) The Executive Secretary shall be a person with-

(a) formal qualification in any profession relevant or appropriate to the functions of the Commission; and

(b) such proven ability in administration and management as the Commission may determine.

(4) The Executive Secretary shall-

(a) be responsible to the Commission for the day-to-day administration of the Commission including arrangement of the business, recording and keeping of the minutes of the meetings of the Commission and the supervision and discipline of the other staff of the Commission;

(b) consult with Ministries, local councils, and other relevant organizations and institutions to secure the implementation of measures decided by the Commission; and

(c) perform such other functions related to this Act as the Commission may direct.

(5) The Commission shall employ such other staff in its Secretariat as may be necessary for the discharge of its functions on such terms and conditions as the Commission may determine.

PART IV - FINANCIAL PROVISIONS

10. The activities of the Commission shall be financed by a fund consisting of-

(a) monies appropriated by Parliament for the purposes of the Commission;

(b) gifts, grants or donations from any person or organization whether local or external.

11. The financial year of the Commission shall be the same as the financial year of Government.

12. (1) The Commission shall keep proper books of accounts and proper records in relation to the accounts in a form approved by the Auditor-General.

(2) The Commission shall prepare within a period of three months after the end of each financial year, a statement of its accounts.

(3) The books of accounts shall be audited annually by the Auditor-General or by an auditor appointed by him and a report on the audit shall be submitted to the Commission.

13. (1) The Executive Secretary shall within three months after the end of each financial year, submit for the approval of the Commission an annual report of the activities, operations, finances and properties of the Commission for that year.

(2) Subject to subsection (1), an annual report shall include a copy of the audited accounts of the Commission together with the audit report on the audited accounts.
Where disability is dealt with in the course of a medical
service...

(1) A person with disability shall provide records for learning by
people with disability with disability.
(2) The Commission shall consider if a right to receive
education in equality to other students is provided.
(3) A copy of the annual report approved by the
Commission and approved by the Ministry responsible for
Education shall be submitted to the President and other
members of the Commission.

Part V - Rights and Protections of Persons with
Disability

Every person with disability shall have a right to receive
education in equality to other students.
(ii) access to available information and technical assistance to all public and private institutions, associations and organizations concerned with persons with disability;

(k) assist the Government in the formulation of suitable curricula for teacher training institutions, vocational rehabilitation centres and other training facilities, for persons with disability;

(l) assess and report to the Minister on the welfare and rehabilitation of persons with disability and advise on the relative priorities to be given to the implementation of those measures;

(m) issue adjustment orders under section 26;

(n) consult with the Government about the provision of suitable and affordable housing for persons with disability;

(o) carry out measures for public information on the rights of persons with disability and the provisions of this Act;

(p) perform such functions in relation to the welfare and rehabilitation of persons with disability as the Commission may think necessary.

(2) In addition to the functions set out in subsection (1), the Commission shall collaborate with the Ministry and relevant agencies of Government for the provision in all localities of an integrated system of formal and non-formal education for persons with disability and the establishment, where possible, of braille and recorded libraries for persons with visual disability.

19. Any child who visits a health centre for medical treatment shall be screened for the purpose of detecting early signs of disability.

19. (1) No person shall deny a person with disability having the requisite skills and qualifications, access to opportunities for suitable employment.

(2) An employee with a disability shall be subject to the same terms and conditions of employment and the same compensation, privileges, benefits, incentives or allowance as employees without disability.

(3) A person who contravenes subsection (1) or (2) commits an offence.

(4) The Commission shall endeavour to secure employment for persons with disability.

20. (1) Subject to subsection (2), no employer shall discriminate against a person with disability in relation to:

(a) the advertisement of employment;

(b) the recruitment for employment unless the disability makes it impossible for the person to perform the particular type of employment;

(c) the creation, classification or abolition of posts;

(d) the determination or allocation of wages, salaries, pensions, accommodation, leave or other such benefits;

(e) the choice of persons for posts, training, advancements, apprenticeships, transfer, promotion or retrenchment;

(f) the provision of facilities related to or connected with employment; or

(g) any other matter related to employment.
and

complaint to persons with disabilities.

(9) Assume duties, appointments and other

provide, if possible:

pursuant to this section with disabilities,

various levels of skills, abilities and

persons with disabilities whose

provisions or services, which satisfy,

places of work which satisfy

employment of persons with disabilities

provided services for the employment

persons with disabilities.

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(9) Register and maintain a database of

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(2) Where a person is elected or appointed as a Chairman or a member to fill a vacancy, the Chairman or other member 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.

6. (1) The object for which the Commission is established is to ensure the well-being of persons with disability.

(2) Without prejudice to the generality of subsection (1), it shall be the function of the Commission to-

(a) formulate and develop measures in collaboration with the Ministry, designed to achieve equal opportunities for persons with disability by ensuring as far as possible that they obtain education and employment and participate fully in sporting, recreational and cultural activities and are afforded equal access to community and social services;

(b) co-operate with Government during every national census to ensure that accurate figures of persons with disability are obtained in the country, for purposes of planning;

(c) advise the Minister on the provisions of any international treaty or agreement relating to the welfare or rehabilitation of persons with disability and its benefits to the country;

(d) recommend measures to prevent discrimination against persons with disability;

(e) investigate or inquire into its own or, on complaint by any person, any allegation of discrimination against a person with disability and issue a report on it;

(a) certified by the Ministry responsible for labour that the person with disability in respect of whom he claims the deduction is under his employment; and

(b) that the person with disability so employed is accredited by the Commission as to his disability, skills and qualifications.

(3) A private employer who employs or modifies his physical facilities or avails special services in order to provide reasonable accommodation for employees with disability may apply to the National Revenue Authority for additional deduction from his net taxable income an amount equivalent to fifty percent of the direct cost of the improvements, modifications or special services.

24. (1) Persons with disability shall be entitled to a barrier-free environment to enable them to have access to buildings, roads and other social amenities and assistive devices and other equipment to assist their mobility.

(2) A proprietor of a public building shall adapt it to suit persons with disability in such a manner as may be specified by the Commission.

(3) All proprietors of public buildings shall comply with subsection (1) within five years of the coming into operation of this Act.

25. (1) Operators of public service vehicles shall adapt such vehicles to convey persons with disability, in such manner as may be specified by the Commission.

(2) The adaptation of the public service vehicles shall be effected within five years of the coming into operation of this Act.

(3) For the purposes of this section, "public service vehicles" means transport that provides the public with general or special service on a regular and continuing basis.

26. (1) Where the Commission considers that any public premises are inaccessible to persons with disability by reason of any structural, physical or other impediment, the Commission may serve on the proprietor of the premises concerned an adjustment order-
3. The Commission shall consist of—

(a) a Chairman who shall be a person with knowledge on disability issues;

(b) one representative each of the Ministries responsible for the following:
   (i) social welfare;
   (ii) finance;
   (iii) youth and sports;
   (iv) health;
   (v) education;
   (vi) employment;
   (vii) transport;
   (viii) tourism and culture.

(c) four representatives of the Sierra Leone Union on Disability Issues and other organizations of persons with disability including at least one female;

(d) two representatives from non-governmental organizations dealing with disability issues; and

(e) the Executive Secretary.

(c) that the nature of the action required to be taken in terms of the adjustment order is, in the circumstances of the case, unreasonable; or

(d) that adequate access to the premises concerned may be secured without recourse to the action required by the adjustment order.

(5) Upon hearing an appeal under subsection 4, the court may—

(a) confirm, vary or set aside the adjustment order; or

(b) make such order as it thinks fit.

(6) An order made pursuant to subsection (5) may be subject to such terms and conditions as the court may think fit.

(7) A person who fails to comply with an adjustment order made pursuant to this section is guilty of contempt.

27. No person shall, on the ground of a disability alone, deny a person with disability—

(a) admission into any premises to which members of the public are ordinarily admitted; or

(b) the provision of any services or amenities to which members of the public are entitled, unless the denial is based on a genuine concern for the safety of persons with disability or the public.

28. (1) Subject to subsection (2), persons with disability shall be entitled to the use of public recreational or sports facilities for their social, sporting or recreational activities, free of charge, subject to the prior approval of the management of the facilities.

(2) Subsection (1) shall not apply in cases where the recreational or sports facilities are hired exclusively on a private basis.

(3) Persons with disability shall be entitled to participate in all national and international sports events organized solely for persons with disability.
as described by law pertaining to the right of persons with disabilities to participate in the conduct of local government and include the right to participate in the conduct of local government as defined by law.
PARTI—PRELIMINARY

Interpretation

1. In this Act, unless the context otherwise requires—

“adjustment order” means an order made by the Commission under section 26;

“assistive devices and services” means carers, implements, tools and specialized services provided by people to persons with disability to assist them in education, employment or other activities;

“Board of Trustees” means the Board of Trustees established by section 32;

“child” means a person under the age of sixteen;

“Commission” means the National Commission for Persons with Disability established by section 2;

“court” means the High Court;

“disability” means a physical, sensory, mental or other impairment which has a substantial long-term adverse effect on a person’s ability to carry out normal day-to-day activities;

“discrimination” means treatment of a person with a disability less favourably solely or mainly on the ground of that person’s disability and includes using words, gestures or caricatures that demean, scandalize or embarrass a person with disability;

“educational institutions” include educational, technical and vocational institutions;

“Fund” means the National Development Fund for Persons with Disability established by section 31;

(4) Without limiting the generality of subsection (3) the Board of Trustees may utilize proceeds of the Fund to—

(a) contribute to the expenses, including capital expenses, of organisation of or for persons with disabilities;

(b) contribute to the expenses, including capital expenses, of institutions that train carers of persons with disability;

(c) contribute to the capital expenses of projects undertaken by the Government for the benefit of persons with disability;

(d) provide or contribute to the cost of assistive devices and services.

32. (1) The Fund shall be managed by a Board of Trustees which shall consist of—

(a) the Chairman of the Commission;

(b) the Executive Secretary who shall be the Secretary;

(c) two representatives of the Ministry;

(d) a representative of the Ministry responsible for finance;

(e) one representative each of organization of persons with visual disability, hearing disability, mental disability and physical disability respectively; and

(f) not more than three representatives of donors who in the opinion of the Minister provide substantial support for the welfare of persons with disability;

(2) The Commission shall appoint a person as treasurer to the Fund.
The Persons with Disability Act, 2011

S. L. O. N. E.

No. 3

PART VII - OFFENCES AND PENALTIES

Section

A person...

Dr. Ernest Bai Koroma

Presiden

Signed this 20th day of April, 2011.

Present Parliament assembled.

Enacted by the President and Members of Parliament in this

Date of Comm.

and proclaimed.

been an Act to establish the National Commission for

Persons with Disability, to provide for the promotion of opportunities for persons with

disability, to provide for the discharge of its functions and to make

enforcement.

Commission.

Chairman:

Commissioner:

Commissioner:

Commissioner:
37. (1) Any person who commits an offence under this Act for which no penalty is provided shall on conviction be liable to a fine not exceeding five million leones or to a term of imprisonment not exceeding two years or to both the fine and imprisonment.

   (2) Any person who fails to comply with any order of the Commission other than an adjustment order made under section 26 commits an offence and is liable on conviction to a fine not exceeding five million leones or to a term of imprisonment not exceeding two years or to both the fine and imprisonment.

PART IX--MISCELLANEOUS

38. (1) Every television station shall provide a sign language inset or sub-titles in all newscasts and educational programmes, and in all programmes covering events of national significance.

   (2) All persons providing public telephone services shall as far as possible, install and maintain telephone devices or units for persons with hearing disability and tactile marks on telephone sets to enable persons with visual disability to communicate through the telephone system.

39. Every Government Ministry shall establish and maintain a disability issues unit for the purpose of facilitating the implementation and compliance with this Act.

40. The Commission may take appropriate legal action if it is of the view that:

   (a) a person or group of persons is engaged in a practice which is discriminatory under this Act, and

   (b) the discrimination is a significant and substantial infringement of the rights of persons with disability and raises issues of public interest.

41. (1) The Attorney-General may, after consultation with the Commission and the General Legal Council, make regulations providing for free legal services for persons with disability in respect of the following:

   Regulations for free legal services.
PART I—FINANCIAL PROVISIONS

9. Executive Secretary

PART III—STAFF OF COMMISSION

10. Meetings of Commission
11. Functions of Commission
12. Fixing of Remuneration
13. Constitution of Commission
14. Disestablishment of Commission

PART II—ESTABLISHMENT OF THE NATIONAL COMMISSION FOR PERSONS WITH DISABILITY

1. Interpretation

ARRANGEMENT OF SECTIONS

THE PERSONS WITH DISABILITY ACT, 2011

Supplement to the Sierra Leone Gazette Vol. CXLI. No. 22

ACT

date 3rd May, 2011

Cabinet No. 22 of 3 May, 2011.

CABINET ORDER NO. 22 OF 3 MAY, 2011.

PART II—PRELIMINARY

Section No. 2

THE PERSONS WITH DISABILITY ACT, 2011

Supplement to the Sierra Leone Gazette Vol. CXLI. No. 22

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