

ACT

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THE PERSONS WITH DISABILITY ACT, 2011

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SIGNED this 20th day of April, 2011.

DR. ERNEST BAI KOROMA,
President.



No. 3



2011

Sierra Leone

The Persons with Disability Act, 2011.

Short title.

Being an Act to establish the National Commission for Persons with Disability, to prohibit discrimination against persons with disability, achieve equalization of opportunities for persons with disability 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-

“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;

“locality” means the area of jurisdiction of a local council established under the Local Government Act, 2004.

Act No 1 of 2004.

“medical practitioner” means a person registered as a medical practitioner or dental surgeon under the Medical Practitioners and Dental Surgeon’s Act, 1994;

Act No. 12 of 1994.

“Minister” means the Minister responsible for social welfare;

“Ministry” means the Ministry responsible for social welfare;

“National Revenue Authority” means the National Revenue Authority established by the National Revenue Authority Act, 2002;

Act No. 11 of 2002.

“organizations for persons with disability” means associations or societies formed for the purpose of rendering services to persons with disability;

“organizations of persons with disability” means associations or societies formed by persons with disability for their welfare and protection;

“proprietor” includes an owner or manager of premises.

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

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

(2) The Commission shall be a body corporate with perpetual succession and capable of acquiring, holding and disposing of movable and immovable property, 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 Commission shall have a common seal the use of which shall be authenticated by the signatures of the Chairman and the Executive Secretary or by any other member designated in that behalf by the Commission.

Composition
of
Commission.

- 3.** (1) 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.

(2) The Chairman shall be appointed by the President on the recommendation of the Minister and subject to the approval by Parliament.

4. (1) The Chairman and other members of the Commission except representatives referred to in paragraph (b) of section 3 and the Executive Secretary shall hold office for a term of three years and shall be eligible for re-appointment for another term only. Tenure of office of members of Commission.

(2) A person shall cease to be a member of the Commission if-

- (a) the member's term expires;
- (b) the member resigns by written notice addressed to the Minister;
- (c) the member fails to attend three consecutive meetings of the Commission without reasonable cause;
- (d) the member dies or is physically or mentally incapacitated as to be unable to perform the functions of his office;
- (e) the member becomes bankrupt or insolvent; or
- (f) the member is convicted of an offence involving fraud or dishonesty.

5. (1) Where a person ceases to be a member of the Commission under the circumstances specified in subsection (2) of section 4- Filling of vacancies.

- (a) the members of the Commission shall, where the person is the Chairman, elect one of their number to act as Chairman until such time as another person is appointed in his stead;
- (b) in the case of any other member, except the Executive Secretary, the Chairman shall arrange, subject to this Act, to have another person appointed to the Commission.

(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.

Functions of Commission.

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 on its own or, on complaint by any person, any allegation of discrimination against a person with disability and issue a report on it;

- (f) put into operation schemes and projects in collaboration with the Ministry, for self-employment or regular or sheltered employment for the generation of income by persons with disability;
- (g) support and secure the rehabilitation of persons with disability within their own communities and social environment;
- (h) co-ordinate services provided in Sierra Leone for the welfare and rehabilitation of persons with disability and implement programmes for vocational guidance and counseling;
- (i) register and maintain a database of-
 - (i) persons with disability;
 - (ii) institutions, associations and organizations, both public and private that provide services for the rehabilitation and welfare of persons with disability;
 - (iii) places at which services for the rehabilitation of persons with disability are provided;
 - (iv) persons with disability whose condition require constant medical attention;
 - (v) various levels of skills, training and job placement of persons with disability;
- (j) provide, as far as possible-
 - (i) assistive devices, appliances and other equipment to persons with disability; and

- (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

7. (1) The Commission shall have power to do such things ^{Powers of Commission.} as are necessary or convenient to be done for or in connection with the performance of its functions and in particular-

- (a) on the recommendation of a medical board set up by the Ministry responsible for health to issue Permanent Disability Certificates to persons with disability to make them eligible to all the rights and privileges provided for persons with disability under this Act;
- (b) to conduct inquiries into any matter relating to the welfare and rehabilitation of persons with disability and a person being investigated and all witnesses will be invited to appear before the Commission to give evidence on oath;
- (c) appoint an officer or officers who shall be empowered to investigate and report to the Commission any infringement of this Act;
- (d) to establish committees consisting of members and non-members of the Commission and where necessary to co-opt experts to serve on such committees;
- (e) to vest in or delegate to any committee established under paragraph (d) such functions of the Commission as the Commission may determine; and
- (f) to engage or make arrangements with other persons to carry out research or supply information, on the rehabilitation of persons with disability.

(2) The Commission shall refer to the court for contempt any person who without justifiable cause fails to comply with an order, decision or directive of the Commission within a specified time.

(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

Executive Secretary.

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- Funds of Commission.

- (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. Financial year of the Commission.

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. Accounts and audit.

(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. Annual report of Commission.

(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.

(3) A copy of the annual report approved by the Commission shall be submitted to the President not later than four months after the end of the year to which the report relates and the President shall, as soon as possible but not later than one month after receipt of the report cause it to be laid before Parliament.

PART V—RIGHTS AND PRIVILEGES OF PERSONS WITH DISABILITY

Right to free education.

14. (1) Every person with disability shall have a right to free education in tertiary institutions accredited by the Tertiary Education Commission and approved by the Ministry responsible for education.

(2) The Government shall ensure the structural adaptation of educational institutions to make them easily accessible to persons with disability.

(3) Every school shall provide facilities for learning by people with disability.

Protection from discrimination in educational institutions.

15. (1) A person with disability shall not be denied admission to or expelled from an educational institution by reason only of his disability.

(2) Educational institutions shall take into account the special needs of persons with disability with respect to the use of school facilities, class schedules, physical education requirements and other similar considerations.

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

Courses to be introduced in public educational institutions etc.

16. (1) Educational institutions shall endeavour to introduce in their institutions sign language and braille.

(2) Students in public educational institutions who specialize in courses for instruction of persons with disability shall be entitled to Government scholarships or grants.

Provision of free medical services.

17. (1) Every person with disability shall be provided with free medical services in public health institutions.

(2) Where disability is detected in the course of a medical examination, the attending medical practitioner shall submit to the

medical board established under section 7, a preliminary certificate of disability showing the kind of disability the person is afflicted with or likely to be afflicted with.

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

Compulsory screening at health centres.

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

Prohibition of denial of 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 allowances 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-

Protection from discrimination in employment.

- (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.

(2) Notwithstanding subsection (1), an employer shall not be regarded as having discriminated against a person with disability if-

- (a) the act or omission alleged to constitute the discrimination was not wholly or mainly attributed to the disability of the person;
- (b) the disability in question makes it impossible for the person to perform the particular type of employment;
- (c) special facilities or modifications, whether physical, administrative or otherwise, are required at the work place to accommodate the person with disability, which the employer cannot reasonably be expected to provide.

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

Employer to retain or redeploy employee.

21. An employer shall-

- (a) retain an employee at his position; or
- (b) re-deploy the employee at a place or position within the establishment,

if the employee acquired the disability while working in the establishment.

Discriminatory contracts void.

22. Any contract for employment or for the provision of goods, facilities or services or any other agreement shall be void in-so-far as it purports to deny any person with disability, any right or privilege conferred under this Act or in any other way, limits the operation of this Act.

Tax deductions for employers of persons with disability.

23. (1) Subject to subsection (2), a private employer who engages a person with disability with the requisite skills or qualification, whether as a regular employee, apprentice or learner may apply to the National Revenue Authority for a deduction from his taxable income of an amount equivalent to twenty-five percent of the total amount paid as salary or wages to the employee.

(2) No deduction shall be made from taxable income pursuant to subsection (1) unless the employer presents proof-

- (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.

Right to barrier-free environment.

(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.

Access to public transport.

(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-

Adjustment orders.

- (a) setting out a full description of the premises;
- (b) stating the grounds on which the Commission considers that the premises are inaccessible to persons with disability;
- (c) requiring the proprietor to undertake at his own expense and within a stipulated period, such measures as may be specified in order to secure reasonable access to the premises by persons with disability;
- (d) stating the period within which the measures referred to in paragraph (c) shall be effected.

(2) The Commission shall, before serving an order under subsection (1), serve notice upon the proprietor concerned-

- (a) specifying the ground upon which the adjustment order is to be issued and the nature of the action which the Commission considers necessary to rectify the situation which has given rise to the proposed order;
- (b) stipulating the maximum period that the Commission considers reasonable for the implementation of the action it proposes to order; and
- (c) calling on the proprietor, if he wishes to do so, to make representation to the Commission within thirty days from the date of service of the notice.

(3) After considering any representation made pursuant to paragraph (c) of subsection 2, the Commission may issue or defer the issuance of an adjustment order.

(4) A proprietor may within thirty days of the issuance of an adjustment order, appeal to the court against the issuance of the adjustment order, on any of the following grounds:-

- (a) that he cannot reasonably be expected to bear the whole or any part of the expenses required in implementing the adjustment order;
- (b) that the period stipulated for implementing the adjustment order is unreasonable;

- (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 grounds 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.

Right of access to public premises, services and amenities.

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.

Sports and recreation.

(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.

(4) For the purposes of subsection (3), the Ministry responsible for sports shall after consultation with the Commission, provide the necessary and suitable environment including-

- (a) architectural infrastructure;
- (b) apparatus and equipment;
- (c) training and medical personnel;
and
- (d) transportation facilities,
for the effective participation of persons with disability.

Voting access. **29.** The National Electoral Commission shall ensure that during elections, polling stations are made accessible to persons with disability and shall provide such persons with the necessary assistive devices and services to facilitate the exercise of their right to vote.

Organizations to register. **30.** (1) Every organization of or for persons with disability shall register with the Commission in such form as the Commission may determine.

(2) All existing organizations of or for persons with disability shall, within twelve months after the coming into operation of this Act, register with the Commission in such form as the Commission may determine.

(3) Every registration shall be renewed annually.

PART VI—ESTABLISHMENT OF NATIONAL DEVELOPMENT FUND FOR PERSONS WITH DISABILITY

National Development Fund for Persons with Disability. **31.** (1) There is hereby established a fund to be known as the National Development Fund for Persons with Disability.

(2) The sources of the Fund shall be-

- (a) Government annual subventions;
- (b) any other donations which the Commission may receive for the purposes of the Fund.

(3) The Fund shall be applied for the benefit of persons with disability.

(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- Board of Trustees.

- (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.

PART VII—RELIEF AND INCENTIVES

Relief from duties etc.

33. (1) Materials, articles, equipment and motor vehicles that are modified or designed for the use of persons with disability shall be exempt from import duty, goods and services tax, demurrage charges, port charges and any other levy which would in any way increase their cost to the disadvantage of persons with disability.

(2) All goods, items, implements or equipment donated to organizations of or for persons with disability shall be exempt from import duties.

Deductions from income tax.

34. (1) Any donation, bequest, subsidy or financial assistance which may be made to the Commission or Government agency or organization involved in the rehabilitation of persons with disability shall be allowed as a deduction from the donor's gross income for the purpose of computing taxable income.

(2) The Minister responsible for finance or other appropriate authority shall endeavour to provide, subject to any other relevant enactment, incentives to local manufacturers of technical aids and appliances used by persons with disability in accordance with the investment incentives policy approved by Cabinet.

PART VIII—OFFENCES AND PENALTIES

Concealment of person with disability, etc.

- 35.** A parent, guardian or next-of-kin or carer who-
- (a) conceals a person with disability; or
 - (b) fails to register a person with disability,

commits an offence and shall on conviction be liable to a fine not exceeding two million leones or to imprisonment for a term not exceeding one year or to both the fine and imprisonment.

Causing disability to another.

36. (1) Any person who willfully or negligently causes a disability to another person, commits an offence and is liable on conviction to a fine not exceeding twenty million leones or to imprisonment for a term not exceeding five years or to both the fine and imprisonment.

(2) The court may in addition to the penalty prescribed in subsection (1), order the convicted person to pay to the victim as compensation, such sum of money as the court may think appropriate.

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. General penalty.

(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. Additional facilities for persons with disability.

(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 this Act. Disability issues units.

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

- (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.

- (a) matters affecting the violation of the rights of persons with disability or the deprivation of the rights of persons with disability or the deprivation of their property; and
- (b) such other matters or cases as the Attorney-General may think fit.

(2) The Rules of Court Committee shall make rules providing for-

- (a) the exemption for persons with disability from the payment of fees in relation to matters or cases described in subsection (1); and
- (b) the provision of sign language interpretation, braille services and physical guide assistance to persons with disability whenever they attend court.

Regulations. **42.** The Commission may by statutory instrument make regulations generally for the efficient implementation of this Act.

Passed in Parliament this *10th day of March*, in the year of our Lord two thousand and eleven.

VICTOR A. KAMARA,
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.

VICTOR A. KAMARA,
Clerk of Parliament.

- (a) matters affecting the violation of the rights of persons with disability or the deprivation of the rights of persons with disability or the deprivation of their property; and
- (b) such other matters or cases as the Attorney-General may think fit.

(2) The Rules of Court Committee shall make rules providing for-

- (a) the exemption for persons with disability from the payment of fees in relation to matters or cases described in subsection (1); and
- (b) the provision of sign language interpretation, braille services and physical guide assistance to persons with disability whenever they attend court.

Regulations. **42.** The Commission may by statutory instrument make regulations generally for the efficient implementation of this Act.

Passed in Parliament this *10th day of March*, in the year of our Lord two thousand and eleven.

VICTOR A. KAMARA,
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.

VICTOR A. KAMARA,
Clerk of Parliament.

THE PERSONS WITH DISABILITY ACT, 2011

ARRANGEMENT OF SECTIONS

Section No.

PART I-PRELIMINARY

1. Interpretation.

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

2. Establishment of Commission.
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PART III – STAFF OF COMMISSION

9. Executive Secretary.

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PART IX—MISCELLANEOUS

38. Additional facilities for persons with disability.
39. Disability issues units.
40. Power to take legal action.
41. Regulations for free legal services
42. Regulations.

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. General penalty.

(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. Additional facilities for persons with disability.

(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 this Act. Disability issues units.

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

(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.