

**CENTRE FOR URBAN TRANSPORTATION ACT, 2010 ACT 799**

**ACT**

**OF THE PARLIAMENT OF THE REPUBLIC OF GHANA**

**ENTITLED**

**CENTRE FOR URBAN TRANSPORTATION ACT, 2010**

AN ACT to establish the Centre for Urban Transportation to serve as a Centre of expertise in urban transportation and to facilitate the conduct of research into urban transportation, provide technical assistance and knowledge on urban transport to policy makers and for related matters.

DATE OF ASSENT:

PASSED by Parliament and assented to by the President

*Establishment, Object and Functions of the Centre* **Establishment of the Centre for Urban Transportation**

1. (1) There is established by this Act a body to be known as the Centre for Urban Transportation.

(2) The Centre is a body corporate with perpetual succession, and a common seal and may sue and be sued in its corporate name.

(3) The Centre may for the performance of its functions acquire and hold movable or immovable property and may enter into a contract or any other transaction.

(4) Where there is hindrance to the acquisition of property, the property may be acquired for the Centre under the State Property and Contracts Act, 1960 (C.A. 6) or the State Lands Act, 1962 (Act 125) and the cost shall be borne by the centre.

**Object of the Centre**

2. The object of the Centre is to serve as a centre of expertise and excellence in urban transportation and to facilitate the conduct of research into Urban transportation systems in order to improve urban transportation in the country.

### **Functions of the Centre**

3. For the purpose of achieving its object, the Centre shall

(a) make recommendations on Urban Transport Policy and Strategy for the consideration of urban transport policy makers, Urban Transport Operators and managers of the Urban Transport System;

(b) provide innovative solutions to urban transport problems; (c) provide technical assistance and knowledge on urban transport to policy makers, regulators, planners, operators and managers of urban transport;

(d) on request, build the capacity of relevant stakeholders in all urban transportation and related issues;

(e) provide information on innovations, standards, policy recommendations or schemes developed by the Centre and which may be applied to urban transport policy, operations and management, or to general transportation or any other relevant aspect of public policy formulation;

(f) take relevant measures within its mandate to draw the attention of policy makers, operators and managers of urban transportation to the need to take relevant multi-disciplinary and multi-modal issues into account in the development and implementation of urban transportation policy;

(g) recommend appropriate combination of traffic engineering measures, management and regulatory mechanisms of public transport industry including a Bus Rapid Transit that may be implemented in appropriate urban areas;

(h) promote environmentally sustainable modes of transport and lowering of transport related Green House Gas emissions along transport corridors and urban areas;

(1) initiate, conduct and support research to improve urban transportation;

(j) collect, collate, analyse and disseminate up-to-date information on urban transport and issue guidelines on how recommendations of the Centre may be applied by persons and entities in the public and private sector;

(k) keep a database of persons and entities that the Centre may liaise and work with in the performance of its function;

(l) identify specific research and other projects of relevance to urban transport and make the necessary recommendation to government and other relevant agencies;

(m) initiate, organise and participate in promotional activities including exhibitions, conferences and seminars for the stimulation of discussions, the acquisition or dissemination of knowledge on specific urban transport issues;

(n) collaborate with District Assemblies, transport operators, policy makers, Ministries, Departments and Agencies and any other entity concerned with Urban Transport;

(o) keep a data base of technological applications relating to urban transport and recommend appropriate technologies that may be adopted in this country;

(p) on request and subject to an appropriate contract, monitor, evaluate and audit the implementation of government policies on urban transport to assess the effectiveness of those policies;

(q) encourage co-ordinated employment of modern urban strategies;

(r) encourage and promote the commercialization of research results;

(5) undertake or collaborate in the collation, publication and dissemination of the results of research and other useful technical information;

(u) promote human resource development in relation to urban transport and to encourage the training of urban transport

personnel and research workers through the provision of grants and fellowships;

(v) establish relationships and collaborate with

(i) relevant research institutions, international and local organisations, universities, and the private sector that have objectives similar to the object of the Centre; and

(ii) other urban transportation organisations for the sharing of experiences, knowledge and lessons among others;

(w) provide consultancy services and technical support services for a fee;

(x) monitor and ensure the performance of public bodies, agencies and organisations in relation to the use of services received from the Centre; and

(y) perform any other function necessary for the attainment of the object of the Centre

### **Governing Body of the Centre**

4. (1) The governing body of the Centre is a Board consisting of

(a) a chairperson who shall be a person with considerable knowledge of urban transport and who is not employed in the public service;

(b) one representative each, not below the rank of director of

the Ministry responsible for:

(i) Roads;

(ii) Transport;

(iii) Local Government; and (iv) Environment;

(c) one representative each of the

(i) Drivers and Vehicle Licensing Authority;

(ii) National Development Planning Commission; and (iii) National Road Safety Commission;

(d) one person appointed from an accredited tertiary institution that offers a programme in urban transportation;

(e) two persons with experience in urban transportation or municipal engineering from the private sector;

(f) one person representing urban transport operators, selected in consultation with urban transport operators; and

(g) the Chief Executive Officer of the Centre.

(2) The Chairman and other members of the Board shall be appointed by the President of the Republic in accordance with article 70 of the Constitution.

### **Functions of the Board**

5. (1) The Board shall ensure the proper and effective performance of the functions of the Centre,

(2) Without limiting subsection (1), the Board shall

(a) approve the annual operating plan and budget of the Centre;

(b) review the quarterly performance of the Centre including the statement of account;

(c) ensure cooperation and coordination with stakeholders;

(d) recommend remuneration of the staff of the Centre; and (e) institute measures to facilitate the effectiveness of the Centre and the attainment of its object.

### **Tenure of Office**

6. (1) A member of the Board shall hold office for a period not exceeding three years and is eligible for re-appointment but a member shall not be appointed for more than two terms.

(2) Subsection (1) does not apply to the Chief Executive Officer of the Centre.

(3) A member of the Board may at any time resign from office in writing addressed to the President through the Minister.

(4) A member of the Board, other than the Chief Executive Officer of the Centre, who is absent from three consecutive meetings of the Board without sufficient cause ceases to be a member of the Board.

(5) The President may by letter addressed to a member revoke the appointment of that member.

(6) Where a member of the Board is, for sufficient reason, unable to act as a member, the Minister shall determine whether the inability would result in the declaration of vacancy.

(7) Where there is a vacancy

(a) under subsection (3), (4), (5) or section 8 (2), or

(b) as a result of a declaration under subsection (6,) or

(c) by reason of the death of a member, the minister shall notify the President of the vacancy and the President shall appoint a person to fill the vacancy.

## **Allowances**

**10.** Members of the Board and members of a committee of the Board shall be paid allowances approved by the Minister in consultation with the Minister responsible for Finance.

## *Administration and Finance*

### **Administration and Divisions of the Centre**

**11.** (1) The Board may establish divisions or units it considers necessary for the effective performance of the functions and the administration of the Centre.

(2) Subject to subsection (1), the Centre may have the following divisions:

(a) Technical Support;

(b) Capacity Development;

(c) Urban Transport Policy Delivery;

(d) Finance and Administration; and (e) Monitoring and Evaluation.

(3) There shall be appointed for each division a Director and for a Unit a Head.

(4) Each director or head shall be responsible for the management of the division or unit and shall answer to the Chief Executive Officer. (5) Qualifications for the appointment as director shall be determined by the Board.

(6) The staff strength, duties and functions of each division or unit shall be determined by the Board on the recommendation of the Chief Executive Officer.

(7) A regional or district office of the centre shall be provided with public officers that the President shall appoint in accordance with article 195 of the Constitution.

(8) A regional or district office of the Centre shall perform the functions of the Centre in the region or district that the Board may direct.

### **Ministerial responsibility and directives**

**12.** The Ministry of Local Government and Rural Development shall have ministerial responsibility for the Centre and the Minister may give directives to the Board on matters of policy and the Board shall comply.

### **Chief Executive Officer**

13. (1) The President in accordance with article 195 of the Constitution shall appoint a person who has the requisite qualifications, experience and skills for the performance of the functions of the Centre as the Chief Executive Officer of the Centre.

(2) The Chief Executive Officer shall hold office

(a) on the terms and conditions specified in the letter of appointment; and

(b) for a term of not more than four years but is eligible for reappointment.

### **Functions of the Chief Executive Officer**

**14.** (1) The Chief Executive Officer is responsible for the day to day administration of the Centre and is answerable to the Board for the performance of the functions under this Act.

(2) Without limiting subsection (1), the Chief Executive Officer

(a) direct and coordinate the work of the Centre;

(b) with the assistance of the directors of the divisions or heads units draw up the implementation plans, budget and programme of activities of the Centre for the approval of the Board;

(c) collaborate with other stakeholders to ensure that the objectives of the Centre are achieved;

(d) assist the Board to appraise the performance contracts of other management staff of the Centre; and

(e) perform other functions determined by the Board as necessary for the achievement of the objective of the Centre.

(3) The Chief Executive Officer may delegate a function to an officer of the Centre but shall not be relieved from the ultimate responsibility for performance of the delegated function.

### **Performance Contracts**

**15.** The Board may enter into performance contracts with the Chief Executive Officer and other managerial staff of the Centre

### **Secretary of the Centre**

**16.** (1) The President in accordance with the article 195 of the Constitution shall appoint a Secretary for the Board of the Centre.

(2) The Secretary

(a) is answerable to the Chief Executive Officer;

(b) shall keep accurate records of proceedings and decisions of the Board; and

(c) shall perform any functions determined by the Board or the Chief Executive Officer.

### **Appointment of other staff**

**17.** (1) The President, in accordance with article 195 of the Constitution, shall appoint other staff of the Centre that are necessary for the proper and effective performance of the functions of the Centre.

(2) Other public officers may be transferred or seconded to the

Centre or may otherwise give assistance to the Centre.

(3) The Board may engage the services of persons with relevant expertise on the recommendations of the Chief Executive Officer.

### **Funds of the Centre**

**18.** The funds of the Centre include moneys

(a) approved by Parliament for the Centre;

(b) from fees paid for the provision of services by the Centre to (i) Metropolitan, Municipal and District Assemblies, and

(ii) Ministries Departments and Agencies

(c) from fees from the provision of services which may be local

or international;

(d) from proceeds received by the Centre from investments; (e) from funding from Development Partners;

(f) from donations, grants, gifts, and income from other sources received for the activities of the Centre.

### **Accounts and Audit**

**19.** (1) The Board shall keep books of account and proper records in relation to them in the form approved by the Auditor-General.

(2) The Board shall submit the accounts of the Centre to the Auditor-General for audit within three months after the end of the financial year.

(3) The Auditor-General shall, not later than three months after the receipt of the accounts, audit the accounts and forward a copy of the Audit report to the Minister.