

S.M.C.D. 54
SPORTS ACT, 1976

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S.M.C.D. 54
SPORTS ACT, 1976(1)

AN ACT to provide for the promotion and encouragement of amateur and professional sports and for related matters.

Establishment of the National Sports Authority

1. Establishment of the National Authority

- (1) There is hereby established an authority to be known as the National Sports Authority.

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

(3) The National Authority may, for the performance of its functions under this Act, purchase, hold, manage or dispose of movable or immovable property and may enter into a contract or any other transaction.

2. Compulsory acquisition

Where there is a hindrance to the acquisition of property under subsection (3) of section 1, the property may be acquired for the National Authority under the State Property and Contracts Act, 1960 (C.A. 6) or under the State Lands Act, 1962 (Act 125), which Act shall apply with respect to the acquisition, with the necessary modifications to provide for the vesting of the property acquired in the National Authority and for the cost of the acquisition to be defrayed by the National Authority.

Objectives and Functions of the National Authority

3. The objectives of the National Authority

The objectives of the National Authority are,

- (a) to promote and encourage the organisation and development of, and mass participation in, amateur and professional sports, and
- (b) to co-ordinate and integrate the efforts to raise the standards of performance in amateur and professional sports.

4. Functions

(1) Without prejudice to section 3, the National Authority shall, for the purposes of giving effect to its objectives,

- (a) organise and assist financially or otherwise the participation of citizens in amateur and professional sports at district, regional, national and international levels;
- (b) be responsible for taking insurance cover for the sportsmen, sportswomen and sports officials chosen to represent the Republic in or outside the Republic in respect of the risks that are reasonable and incidental to sports;
- (c) provide financial and any other assistance that the Minister considers reasonable to a team or person for the purpose of enabling that team or person to represent the Republic in international competitions in or outside the Republic;
- (d) encourage citizens to participate in sporting activities;
- (e) provide sports instructors to a team, person or an organisation who or which in the opinion of the Council reasonably needs instructors;
- (f) provide and maintain sports centres and facilities for use by citizens;
- (g) maintain playing fields and stadia provided by the National Playing Fields Board or any other body approved by the Minister;
- (h) promote the establishment of both amateur and professional associations of sports at the district, regional and national levels;

- (i) provide financial assistance to sporting associations as appears to the Council to be deserving of assistance;
- (j) provide the regional sports councils with financial and any other assistance as the Council considers necessary to enable them to promote, encourage and develop sports effectively in their respective regions;
- (k) provide the universities in the Republic, the Armed Forces, the Police Service, the Prisons Service, schools and colleges financial and any other assistance for the holding of special sports festivals;
- (l) undertake and encourage research into matters relating to sports;
- (m) do any other acts that are reasonably incidental or conducive to the attainment of the objectives of the National Authority.

(2) The National Authority has the sole right, in international relations affecting amateur or professional sports or both, to make on behalf of the regional sports councils and the national sports associations, the necessary arrangements for competitions, technical assistance and recruitment of coaches.

(3) The arrangements shall be concluded through the Ministry responsible for Sports and the appropriate Government agency.

5. Membership

- (1) The governing body of the National Authority is a Council consisting of
- (a) the executive chairman appointed under section 29 as the chairman of the Council,
 - (b) one representative of the Ministry responsible for Sports,
 - (c) seven distinguished sporting personalities nominated by the Minister two of whom are women, and
 - (d) one representative each of the Armed Forces and the Police Service.

(2) The members of the Council shall be appointed by the President in accordance with article 70 of the Constitution.

6. Disqualification for membership

- (1) A person is not qualified to be a member of the Council if that person
- (a) has been sentenced to death or to a term of imprisonment exceeding twelve months without the option of a fine or has been convicted of an offence involving dishonesty or moral turpitude and has not in each case been granted a free pardon;
 - (b) having been declared as an insolvent or a bankrupt under a law in the Republic or any other country, is an undischarged insolvent or bankrupt;
 - (c) is adjudged to be a person of unsound mind; or
 - (d) in the case of a person possessed of professional qualifications, is disqualified or suspended otherwise than at that person's request from practicing that profession in the Republic or in any other country by the order of a competent authority made in respect of that person personally.

(2) A person shall not be disqualified from being a member under paragraph (d) of subsection (1), if five years have passed since the disqualification.

7. Tenure of office

(1) A member of the Council, other than the executive chairman and the representative of the Ministry responsible for Sports,

(a) shall hold office for a period of two years;

(b) may resign from office by writing addressed to the executive chairman who shall communicate that information to the Minister.

(2) A person who is a member of the Council by virtue of paragraph (b) or (d) of section 5, shall cease to be a member on the cancellation of the nomination by the authority responsible for the nomination to the Council by writing addressed to the executive chairman, who shall communicate that information to the Minister.

(3) A member of the Council, other than the executive chairman, may be removed from office if the President is satisfied that it is in the public interest to do so.

(4) Where the office of a member of the Council, other than that of the executive chairman becomes vacant before the expiry of the term of office, the executive chairman shall notify the Minister and the authority responsible for the nomination of the vacancy.

(5) Where the vacancy occurs, the President may appoint a person to fill the vacancy.

(6) A person appointed by virtue of subsection (5), shall hold office for the unexpired term of the previous holder's term of office.

(7) Where a member of the Council is incapacitated by reason of absence from the Republic or illness or any other sufficient cause from the performance of functions, the executive chairman shall inform the Minister who shall notify the President for the appointment of a person to act in the place of that member until the incapacity has terminated or until the expiry of the term of office whichever occurs first.

(8) Where the office of executive chairman is vacant or if the executive chairman is unable to perform the function of office, the chief administrative officer referred to in section 29 shall act until the vacancy is filled or until the executive chairman is able again to perform those functions.

(9) A person ceasing to hold office as a member is eligible to be re-appointed to the Council.

8. Meetings of the Council

(1) The Council shall meet at least once in every month for the dispatch of business at the times, and places, appointed by the executive chairman.

(2) The executive chairman shall preside at the meetings of the Council and in the absence of the executive chairman the chief administrative officer shall preside and, in the absence of both of them, a person elected by the members present from among their number shall preside.

(3) The quorum at a meeting of the Council is seven.

(4) Questions proposed at a meeting of the Council shall be determined by a simple majority of members present and voting and, in the event of an equality of votes, the person presiding shall have a casting vote.

(5) The Council may co-opt a person to act as an adviser at any of its meetings, but a person co-opted

is not entitled to vote at the meeting on a matter for decision by the Council.

(6) The validity of a proceeding of the Council shall not be affected by a vacancy among its members or by a defect in the appointment of any of them.

(7) A member of the Council who has an interest in a company or an undertaking with which the Authority proposes to enter into a contract or has an interest in a contract which the Authority proposes to enter into shall disclose in writing to the Council the nature of the interest and is disqualified from participating in the deliberations of the Council on the contract and from voting in a decision on the contract.

(8) A member of the Council who infringes subsection (7) shall cease to be a member of the Council.

9. Committees of the Council

(1) The Council shall appoint the committees which it considers necessary for assisting it in the performance of its functions under this Act.

(2) A committee may comprise persons who are members of the Council or any other persons or both and shall perform the functions assigned to it by the Council.

10. Remuneration payable to members of the Council

(1) A member of the Council, a person co-opted under subsection (5) of section 8 and a member of a committee of the Council may be paid the remuneration approved by the Minister and the Minister responsible for Finance.

(2) Subsection (1) does not apply to the executive chairman.

Assembly of Sports

11. The Assembly of Sports

There shall be a body known as the Assembly of Sports.

12. Composition of the Assembly

(1) The Assembly comprises

- (a) the executive chairman as the chairman of the Assembly and the other members of the Council,
- (b) the chairman or the representative of the body known as the National Olympic and International Games Fund-Raising Committee,
- (c) one representative of each regional sports council,
- (d) the chairman or the representative of the National Amateur Sports Association of each prescribed sport,
- (e) one representative of each prescribed institution,
- (f) the head of the Sports Division of the Ministry responsible for Education, and
- (g) one representative of the National Professional Sports Association of each prescribed professional sports.

(2) For the purposes of subsection (1),

“**prescribed institution**” means the Prisons Service, each of the Universities in the Republic, the Physical Education Association, the Sports Medical Association, the National Youth Council and any other institution prescribed by the Minister by the Regulations;

“**prescribed professional sport**” means professional boxing, professional golf, horse racing and any other professional sport prescribed by the Minister by the Regulations;

“**prescribed sport**” means soccer, boxing, athletics, cricket, volleyball, basketball, lawn tennis, table tennis, swimming, hockey, golf, squash, handball, cycling, gymnastics, judo, chess, weight-lifting, shooting, wrestling and any other sport prescribed by the Minister by the Regulations.

13. Functions of the Assembly

The Assembly is an advisory, consultative and deliberative body and shall

- (a) consider and discuss matters relating to sports that the Council may submit to it and to give advice to the Council on those matters, making the proposals that the Assembly considers appropriate,
- (b) give its opinion on the matters relating to sports that the Minister refers to it through the Council, and
- (c) submit the proposals that it considers appropriate to the Council on a matter relating to sports.

14. Disqualification for membership

Section 6 applies to membership of the Assembly as it applies to membership of the Council.

15. Tenure of office

(1) The members of the Assembly, other than the following members, shall hold office for twelve months:

- (a) the executive chairman and the other members of the Board,
- (b) the representative of each regional sports council, and
- (c) the representative of the Ministry responsible for Education.

(2) A member of the Assembly, other than the executive chairman, the representative of the Ministry responsible for Sports and the representative of the Ministry responsible for Education, may resign from office by writing addressed to the executive chairman who shall inform the Minister.

(3) A person who holds office as a member by virtue of the nomination by an authority or a body shall cease to hold office on the nomination being cancelled by writing addressed to the executive chairman who shall inform the Minister.

(4) Where it appears to the Assembly that a member of the Assembly, other than the executive chairman or a person who is a member by virtue of paragraph (a) of subsection (1) of section 12, should be removed from office on the grounds of misconduct or inability to perform the functions of office, the Assembly may, after consultation with the authority or body responsible for the nomination to the Assembly, make a recommendation to that effect to the Minister.

(5) Where the Minister is satisfied with a recommendation made under subsection (4) or if the Minister is otherwise satisfied, whether a recommendation has been made or not, that the member should be removed from office in the public interest, the Minister shall so inform the President.

(6) Where the office of a member of the Assembly, other than the executive chairman, becomes vacant before the expiry of the term of office, the executive chairman shall inform the Minister and the authority or body responsible for the nomination.

(7) Where a vacancy occurs the authority or body responsible for the nomination of a person in place of the previous holder may nominate a person to fill the vacancy.

(8) A person so nominated shall hold office for the unexpired term of the previous holder's term of office.

(9) Where a member of the Assembly, other than the executive chairman or a person who is a member of the Assembly by virtue of paragraph (a) of subsection (1) of section 12, is incapacitated by reason of absence from the Republic or illness or any other sufficient cause from the performance of the functions of office, the executive chairman shall inform the authority or body responsible for the nomination of that person, for the nomination of another person to act in the place of that member until the incapacity has terminated or until the expiry of the term of office, whichever occurs first.

(10) Where a person who is a member of the Council and of the Assembly ceases to be a member of the Council or ceases for the time being to act as a member, that member shall also cease to be a member of the Assembly or to act as a member until the time that person again becomes a member of the Council or resumes acting.

(11) A person appointed or nominated to replace, or to act for, a member or required by this Act to act for a member on the Council shall be a member of the Assembly or act in that member's place on the Assembly until the time that the substituted person ceases to be a member of the Council or ceases to act under section 7.

(12) A person ceasing to hold office as a member of the Assembly is eligible to serve again as a member of the Assembly.

16. Meetings of the Assembly

(1) The Assembly shall meet not less than four times in a year for the dispatch of business at the times and places appointed by the executive chairman.

(2) The executive chairman shall, on the written request of the Minister or on the request in writing of not less than ten members of the Assembly, including not less than four representatives of the regional sports councils, convene a special meeting of the Assembly to transact an extraordinary business on a date specified in the request.

(3) A request made by members, other than the executive chairman, shall be transmitted to the executive chairman with a summary of the business to be transacted at least twenty-one days before the date on which the meeting is expected to be held.

(4) Particulars of the business to be transacted at a meeting of the Assembly shall be circulated to members with the notice of the meeting.

(5) The quorum at a meeting of the Assembly held under subsection (1) is fifteen and the quorum at a meeting of the Assembly held under subsection (2) shall be ten including not less than four representatives of the regional sports councils.

(6) The executive chairman shall preside at meetings of the Assembly and in the absence of the executive chairman, the chief administrative officer shall preside, and, in the absence of both of them a person elected by members of the Assembly present from among their number shall preside.

(7) A question proposed at a meeting of the Assembly shall be decided by a simple majority of the members present as determined by acclamation or by voting.

(8) The executive chairman, or any other person presiding at a meeting of the Assembly shall, in the case of an equality of votes, have a casting vote.

(9) The Assembly may co-opt a person to act as an adviser at any of its meetings, but a person so co-opted is not entitled to vote at a meeting on a matter for decision by the Assembly.

(10) The validity of a proceeding of the Assembly shall not be affected by a vacancy among its members or by a defect in the appointment or nomination of any of them.

(11) Subject to this section and the Regulations, the Assembly may regulate its own procedure and the procedure of its committees.

17. Committees of the Assembly

(1) The Assembly may appoint committees it considers necessary from among its members for assisting it in the performance of its functions under this Act and may assign to a committee a function that the Assembly thinks fit.

(2) A committee may co-opt a person as an adviser at a meeting, but a person co-opted is not entitled to vote on a matter for decision by the committee.

18. Allowances to members of the Assembly

(1) A member of the Assembly shall not be paid a remuneration for acting as a member of the Assembly, but may be paid the travelling and any other allowances approved by the Minister and the Minister responsible for Finance.

(2) A member of a committee of the Assembly and a person co-opted under subsection (9) of section 16 or under subsection (2) of section 17 may be paid the allowances approved by the Minister and the Minister responsible for Finance.

Regional and District Sports Councils

19. Regional sports councils

(1) There shall be a regional sports council in respect of each Region.

(2) A regional sports council is a branch of the National Authority but shall be attached to the Office of the Regional Minister.

20. Composition of regional sports councils

A regional sports council consists of

- (a) the Regional Minister or the representative of the Regional Minister as the chairman,
- (b) an officer of the National Authority as the regional sports organiser designated as the executive secretary of the regional sports council, and

- (c) nine other members including a representative of each district sports council within the Region, nominated by the Regional Minister.

21. Functions of regional sports councils

The functions of a regional sports council are,

- (a) to promote, encourage and develop sports throughout the Region;
- (b) to co-ordinate the sporting activities of the district sports councils within the Region;
- (c) to advise the district sports councils on the provision of their financial requirements in the annual estimates of the National Authority and serve as the channel for the issue of moneys to the district sports councils;
- (d) to prepare and submit to the National Authority at the times and in the form prescribed by the National Authority, annual estimates of income and expenditure in respect of sports in the Region based on estimates submitted by the district sports councils within the Region;
- (e) to co-ordinate the activities of the district sports councils within the Region in relation to the care and maintenance and provision of sports facilities in the Region;
- (f) to prepare and submit to the National Authority returns on sporting activities in the Region at the times and in the form prescribed by the National Authority;
- (g) to exercise any other functions assigned to it by the National Authority.

22. Tenure of office of members of regional sports councils

(1) The members of a regional sports council, other than the Regional Minister or the Minister's representative and the executive secretary, shall hold office for a period of twelve months.

(2) A member may, by writing addressed to the chairman of the council and copied to the executive secretary, resign from office.

(3) The Regional Minister may, after consultation with the district sports council which nominated the member, by writing addressed to the member and copied to the executive secretary, remove the member from office on stated grounds of misconduct or inability to perform the functions of office.

(4) A person ceasing to hold office as a member of a regional sports council is eligible to serve again on a regional sports council.

23. District sports councils

(1) A district shall have a district sports council.

(2) A district sports council is a branch of the National Authority but shall be attached to the office of shall be district chief executive.

24. Membership of district sports councils

A district sport council consists of

- (a) the district chief executive or the executive's representative as the chairman,
- (b) the district sports organiser as an officer of the National Authority and designated as executive secretary of the district sports council, and

- (c) five other members nominated by the district chief executive after consultation with the executive secretary.

25. Functions of district sports councils

- (1) The functions of a district sports council are,
 - (a) to organise sporting activities in the district;
 - (b) to liaise with the regional sports council in the promotion of the development of sports;
 - (c) to care for and maintain sports facilities within the district;
 - (d) to prepare and submit financial estimates to the regional sports council at that times and in the form prescribed by the regional sports council;
 - (e) to prepare and submit returns on sporting activities in the district to the regional sports council at the times and in the form requested by the regional sports council; and
 - (f) to perform any other functions that the regional sports council may assign to it.
- (2) The transactions between the National Authority and a district sports council shall be through the regional sports council of the Region.

26. Tenure of office of members of district sports councils

- (1) The members of a district sports council, other than the district chief executive or the executive's representative and the executive secretary shall hold office for a period of twelve months.
- (2) A member may by writing addressed to the chairman of the council and copied to the executive secretary resign from office.
- (3) The district chief executive may, after consultation with the executive secretary, by writing addressed to the member and copied to the executive secretary, remove the member from office on stated grounds of misconduct or inability to perform the functions of office.
- (4) A person ceasing to hold office as a member of a district sports council is eligible to serve again on a district sports council.

27. Allowances payable to members

A member of a regional or a district sports council may be paid the allowances approved by the Minister and the Minister responsible for Finance.

Administration

28. Secretariat

There shall be established a secretariat of the National Authority headed by the executive chairman appointed under section 29 through which, subject to this Act, the day-to-day administration of the affairs of the National Authority shall be carried out.

29. Executive chairman and other staff

- (1) There shall be an officer of the National Authority to be known as the executive chairman.

(2) The executive chairman shall be appointed by the President in accordance with article 195 of the Constitution and shall hold office upon the terms and conditions stated in the instrument of appointment.

(3) The President shall appoint for the National Authority in accordance with article 195 of the Constitution

- (a) the chief administrative officer,
- (b) the chief sports organiser,
- (c) the deputy chief sports organiser, and
- (d) the chief accountant.

(4) Subject to article 195 of the Constitution, the Minister acting on the recommendation of the executive chairman is responsible for the promotion, discipline, dismissal and removal of a person in respect of each of the posts referred to in subsection (3).

(5) The appointment of a person to a post specified in subsection (3) is subject to an advertisement of the vacancy indicating the minimum qualification required for the appointment, and an interview as a result of the advertisement, unless a person is being seconded from a post of the Public Services to fill a vacancy in any of those posts, or unless in a case where a person is being promoted to that post from among the employees of the National Authority, the Minister directs that there should be no advertisement.

(6) A person appointed to a post specified in subsection (3) shall, subject to subsection (4) hold office on the terms and conditions determined by the Board.

(7) The National Authority shall engage any other employees as may be expedient for the proper and efficient performance of its functions on the terms and conditions determined by the Council.

(8) The President shall in accordance with article 195 of the Constitution appoint, promote, discipline, dismiss or remove the employees referred to in subsection (9).

(9) The Council may engage the services of consultants and advisers determined by the Board on the recommendation of the executive chairman.

30. Functions of the executive chairman

(1) The executive chairman is responsible, subject to the directions on matters of general policy given from by the Council, for

- (a) the day-to-day direction of the business of the National Authority;
- (b) the implementation of the policy decisions of the National Authority;
- (c) the organisation and control of the employees of the National Authority including transfers and postings of employees and the maintenance of efficiency among the employees;
- (d) liaising between the Council, the Assembly and the Minister with a view to ensuring effective implementation of this Act;
- (e) *Omitted;2(2)*
- (f) the performance of any other functions assigned by the Council.

(2) *Omitted.3(3)*

31. Functions of the chief administrative officer

(1) When not acting as executive chairman in place of the substantive holder, the chief administrative officer shall act as secretary to the Council and the Assembly.

(2) As secretary, the chief administrative officer shall, subject to the directions of the Council or the Assembly, arrange the business for and cause to be recorded and keep minutes of the meetings of the Council or the Assembly.

(3) The minutes of the Council and the minutes of the Assembly shall be recorded and kept separately in a register and signed by the person presiding at the meeting in respect of which the minutes were recorded.

(4) As secretary, the chief administrative officer shall perform any other functions directed by the Council and the Assembly or that the executive chairman may by writing direct and shall be assisted by the employees directed by the executive chairman.

32. Internal auditor

(1) The National Authority shall have an internal auditor who shall be appointed in accordance with article 195 of the Constitution.

(2) The internal auditor shall be responsible to the executive chairman for the performance of functions.

(3) The internal auditor shall prepare and submit to the executive chairman as soon as practicable after the end of each month a report on the internal audit work carried out during that month.

(4) The internal auditor shall make in the report the observations that are necessary as to the conduct of the financial affairs of the National Authority during the month to which the report relates.

(5) In addition to the requirements of subsection (3), the internal auditor shall prepare and forward quarterly a summary of reports prepared under subsection (3) to the Auditor-General and to the Council.

(6) This section shall be read and construed as one with the Internal Audit Agency Act, 2000 (Act 658) and where there is a conflict that Act shall prevail.

Financial Provisions

33. Funds of the National Authority

(1) The funds of the National Authority include

- (a) the grants received from the Government for the performance of its functions;
- (b) the loans granted to the National Authority by the Government or a banking institution;
- (c) the moneys accruing to the National Authority in the course of the performance of its functions under this Act including proceeds of matches and competitions; and
- (d) gifts.

(2) The moneys received by or on behalf of the National Authority shall be deposited to the credit of the National Authority in a bank approved by the Council.

34. Borrowing powers

(1) Subject to article 181 of the Constitution, the National Authority may obtain loans and any other credit facilities from the banks approved by the Minister and the Minister responsible for Finance.

(2) Without prejudice to subsection (1), the National Authority may, with approval, borrow from any other source whether temporarily by way of overdraft or otherwise.

(3) The Minister responsible for Finance may, on behalf of the Government, guarantee the performance of an obligation or undertaking of the National Authority under this section and may prescribe the maximum sums of money which the National Authority may borrow under this section.

(4) The moneys falling due to be paid by the Government under a guarantee provided under this section are hereby charged on the Consolidated Fund.

35. Budget of the National Authority

(1) The Council shall, not later than two months before the end of each financial year, prepare and submit to the Minister responsible for Finance for the approval of the Government, an annual budget or financial plan in respect of the ensuing financial year comprising estimates of expected recurrent, development and capital expenditure of the National Authority in that financial year.

(2) The budget or financial plan shall be in that form approved by the Minister and the Minister responsible for Finance.

(3) After the budget or financial plan is approved by the Government the executive chairman shall ensure that the moneys approved are not used otherwise than as approved without the approval of the Minister responsible for Finance.

36. Finance and economics committee

(1) The Council shall establish a finance and economic committee.

(2) The committee shall consist of five persons appointed by the Council and may comprise members of the Council or others or both the members of the Council and non-members.

(3) The committee shall be responsible generally for the proper administration of the finances of the National Authority and shall, in particular

- (a) study the current and long-term financial requirements of the National Authority and advise on how grants and moneys provided by the Government to the National Authority should be used in the best interests of sports in the Republic;
- (b) work out a financial policy for the disbursement of finance to the national associations of sports or groups of sports;
- (c) advise on the best way of organising the importation and sale of sports equipment;
- (d) keep under constant review the finances of the National Authority and keep the Council informed as to the state of its finances;
- (e) to perform any functions assigned to it by the Council.

37. Financial year

(1) The financial year of the National Authority shall be the same as that of the Government.

(2) *Spent.*4(4)

38. Accounts and audit

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

(2) The Council shall prepare an annual statement of accounts in the form and containing the particulars directed by the Auditor-General.

(3) The books and accounts of the National Authority shall be audited each year by the Auditor-General.

(4) The Auditor-General shall, not later than the 30th day of September in each year, forward to the Minister a copy of the audited accounts of the National Authority for the financial year immediately preceding and the Auditor-General's report on the audit.

(5) The report of the Auditor-General shall state

- (a) whether proper books of accounts have been kept by the National Authority, and
- (b) whether the financial statement of the National Authority was prepared on a basis consistent with that of the preceding year and is in agreement with the books of account of the National Authority.

(6) The Auditor-General shall call the attention of the Minister to a matter falling within the scope of the audit which should be brought to the attention of the President.

(7) The Minister shall as soon as practicable on receiving the report lay a copy of it before Parliament.

Miscellaneous

39. Annual report

(1) The Council shall, as soon as possible after the expiration of each financial year, but within six months after the expiration of that financial year, submit to the Minister an annual report dealing generally with the activities and operations of the National Authority and the implementation generally of this Act within that year.

(2) Without prejudice to the generality of subsection (1), the annual report shall include

- (a) information with regard to the proceedings of the Council and the policy of the National Authority and the proceedings of the Assembly within the year as the Council considers appropriate;
- (b) the audited accounts of the National Authority together with the Auditor-General's report on the accounts;
- (c) reports submitted in relation to that year by the internal auditor under section 32; and
- (d) any other information that the Minister may in writing request.

(3) The executive chairman shall forward copies of the annual report to the Minister responsible for Finance, the State Enterprises Commission and the Government Statistician.

(4) The Minister shall as soon as possible, after receiving the annual report, lay the report before the President.

(5) The Council shall submit to the Minister any other reports concerning the implementation of this Act that the Minister may in writing request.

40. Directions by the Minister

The Minister may give directions in writing to the Council on matters of policy and the Council shall be bound to comply with the directions.

41. Officers of Authority are public officers

For the purposes of this Act or any other enactment the employees of the National Authority are public officers.

42. Regulations

(1) The Minister may, by legislative instrument, make Regulations for the purpose of giving effect to the principles contained in this Act.

(2) Without prejudice to subsection (1), the Regulations may

- (a) make provision relating to the establishment, composition and functions of sports associations, whether national, regional or district and whether amateur or professional, and may make different provisions for different association;
- (b) provide for the take-over and management by the Council temporarily of the affairs of a sports association for the purpose of ensuring efficient and proper management of the affairs of the associations;
- (c) provide for the issue of licences in respect of a matter relating to sports and provide for fees to be charged in relation to the licences;
- (d) require the maintenance of a depreciation fund or staff welfare fund or both;
- (e) provide for the establishment of a welfare fund for sportsmen and sportswomen or a group of them, and provide for the provision of moneys for the fund including the payment into it of a percentage of the gate takings of a particular sport; and
- (f) prescribe as a penalty for the infringement of a provision of the Regulations a fine not exceeding two hundred and fifty penalty units or to a term of imprisonment not exceeding twelve months or to both the fine and the imprisonment.

43. By-laws

(1) The Council may, subject to the Regulations and to any other enactment, make by-laws or any other instruments for the purpose of regulating a matter falling within the scope of the objectives and functions of the National Authority.

(2) Without prejudice to the general effect of subsection (1), the Council may, subject to the Social Security Act, 1972(5) make by-laws or any other instruments under subsection (1) for providing for the conditions of service of the staff of the National Authority, including the operation of a contributory provident fund.

44. Repeals and transfer of assets and liabilities

Spent.6(6)

45. Interpretation

In this Act, unless the context otherwise requires,

“**Assembly**” means the Assembly of Sports established by section 11;

“**citizen**” means a citizen of Ghana;

“**Council**” means the governing body of the Authority;

“**district**” means the area of authority of a District Assembly;

“**Minister**” means the Minister responsible for Sports;

“**National Council**” means the National Sports Authority established by section 1;

“**prescribed institution**”, “**prescribed professional sport**” and “**prescribed sport**” have the meanings respectively assigned to them in section 12;

“**Region**” means a Region of Ghana;

“**Regulations**” means Regulations under the Act.

46. Commencement

Spent.7(7)

Endnotes

1 (Popup - Footnote)

1. This Act was issued as the Sports Decree, 1976 ([S.M.C.D. 54](#)), made on the 11th day of August, 1976 and notified in the *Gazette* on 20th August, 1976.

2 (Popup - Footnote)

2. As offending [article 195](#) of [the Constitution](#). The paragraph reads:

“The exercise of the powers of the National Council under [subsection \(7\)](#) of [section 29](#) of this Decree and the power of the Council to engage consultants and advisers under subsection (8) of that section.”

3 (Popup - Footnote)

3. As offending [article 195](#) of [the Constitution](#). The subsection reads:

“In the discharge of the functions under [paragraph \(e\)](#) of [subsection \(1\)](#) of this section the Chief Executive shall be assisted by a committee of the National Council appointed under [section 9](#) of this Decree.”

4 (Popup - Footnote)

4. The subsection provided that,

“The period between the commencement of this Decree and the 30th day of June, 1976 shall be deemed to be the first financial year of the National Council.”

5 (Popup - Footnote)

5. N.R.C.D. 127.

6 (Popup - Footnote)

6. This section provided that,

“(1) The Sports Council of Ghana Decree, 1969 (N.L.C.D. 330) and the Ghana Boxing Board of Control Decree, 1969 (N.L.C.D. 362) are hereby repealed and the Sports Council of Ghana and the Ghana Boxing Board of Control existing respectively under the enactments immediately before the commencement of this Decree are hereby dissolved.

(2) All property, rights, assets, obligations and liabilities of the said Ghana Sports Council and Ghana Boxing Board of Control are hereby transferred to the National Council.

(3) Without prejudice to the general effect of subsection (2) of this section, all employees of the Ghana Sports Council and the Ghana Boxing Board of Control are hereby transferred to the employment of the National Council.

(4) Without prejudice to the general effect of subsection (3) of this section

(a) the person holding office immediately before the publication of this Decree in the *Gazette* as Director of Sports and Chief Executive of the Sports Council of Ghana shall be deemed to have been duly appointed Chief Executive and Executive Chairman under this Decree;

(b) any person holding the office of Chief Administrative Officer, Chief Sports Organiser, Deputy Chief Sports Organiser or Chief Accountant of the Sports Council of Ghana immediately before publication of this Decree in the *Gazette* shall be deemed to have been duly appointed to the corresponding post under this Decree;

(c) any person holding office as Regional Sports Organiser, Deputy Regional Sports Organiser or Sports Development Officer of the Sports Council of Ghana immediately before the publication of this Decree in the *Gazette* shall be deemed to have been duly appointed to the corresponding post under this Decree.”

7 (Popup - Footnote)

7. This section provided for the 1st day of March, 1976 as the day on which the Decree shall be deemed to have come into force.