

Amendment
of Act No. 2
of 1992.

The Sierra Leone Roads Authority Act, 1992 is amended-

- (a) in section 2 by the insertion of the following definitions:-

““core road network” means the primary and secondary roads forming part of the national road network;

“national road network” means all the roads and ferries in Sierra Leone”.

- (b) by the repeal and replacement of section 5 by the following section:-

“Functions of Authority. 5 (1) The object for which the Authority is established is the control, development, maintenance, efficient planning and reliable management of the national road network to provide safe, reliable and sustainable means of transport.

(2) For the attainment of the object stated in subsection (1), the Authority shall-

- (a) develop a national policy on the maintenance, rehabilitation, improvement and management of the national road network and exercise control over its implementation;
- (b) specify the national road network and determine a functional classification scheme;
- (c) set the width of the right-of-way for roads which form part of the national road network;

- (d) develop strategies, programmes and projects for roads forming part of the national road network and road infrastructure facilities;

- (e) develop technical instructions and standards on roads forming part of the national road network;

- (f) formulate annual and multi-year activities and work programmes for roads forming part of the national road network and those forming part of the core road network;

- (g) delegate with the Minister’s approval the maintenance and protection of any road or ferry forming part of the national road network;

- (h) commission engineering, traffic and economic studies for the maintenance, safety and improvement of the national road network;

- (i) implement a road asset management system for the national road network;

- (j) commission location and design studies and preparation of construction plans, specifications, cost estimates and other documents;

- (k) subject to the Road Traffic Act, 2007, erect and maintain traffic signs on the national road network;

Act No. 5
of 2007.

- Act No. 1 of 2004.
- (l) propose vehicle weight and dimension limits for the protection of roads, bridges and ferries and ensure their enforcement in collaboration with the relevant enforcement body;
 - (m) determine the weight and dimension limits applicable to bridges or ferries and erect or place notices to that effect;
 - (n) provide technical guidance and support to local councils in the maintenance of roads devolved to them under the Local Government Act, 2004;
 - (o) support specialist road-related training organized or provided by any body or person;
 - (p) commission applied road-related research;
 - (q) keep adequate cost records and operate a management information system providing managers at all levels with timely and accurate information on commitments and expenditure for works and services for which they are responsible;
 - (r) carry out a comprehensive continuing programme of professional staff development and appropriate skills training for non-professional staff; and

- (s) carry out such other activities as may be required under this Act”.

- (c) by the repeal and replacement of Part III by the following Part:–

PART III – BOARD OF DIRECTORS

12. (1) The governing body of the Authority shall be a Board of Directors consisting of–

- (a) a Chairman who has knowledge and experience in matters relating to the functions of the Authority;
- (b) the professional head of the Ministry or his representative;
- (c) the Financial Secretary or his representative;
- (d) the Director of Local Government or his representative;
- (e) a representative of the Sierra Leone Institution of Engineers with knowledge and experience in road development, construction or maintenance;
- (f) five other persons; and
- (g) the Director-General.

(2) Members of the Board other than the members referred to in paragraphs (b), (c) and (d) of subsection (1) shall be appointed by the President on the recommendation of the Minister and subject to approval by Parliament.

(3) In appointing the members referred to in paragraph (f) of subsection (1) the President shall take gender into consideration.

13. (1) The Chairman and other members of the Board except the ex-officio members shall hold office for three years and shall be eligible for re-appointment for another term only.

Tenure of office of Board members.

(2) A member of the Board may resign from office by written notice to the President.

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

(4) Where any member of the Board is unable by reason of absence from Sierra Leone, illness or any other sufficient cause to perform the duties of office, the President may appoint another person to hold office in his place until that person is able to resume his duties or until the expiry of the term of office of that member, whichever occurs first.

(5) A person shall cease to be a member of the Board on any of the following grounds:-

- (a) if the person is absent from three consecutive meetings of the Board without reasonable excuse;
- (b) if the person becomes bankrupt;
- (c) if the person is convicted of an offence involving fraud or dishonesty;
- (d) for proven misconduct;
- (e) for inability to perform the functions of the office as a result of infirmity of mind or body.

Remuneration of members of Board.

14. The Chairman and other members of the Board shall be paid fees or allowances as may be recommended by the Board and approved by the Minister.

Meetings of Board.

14A. (1) The Board shall meet for dispatch of business at the time and place to be determined by the Chairman.

(2) The Chairman shall preside at meetings of the Board and in his absence the members present shall elect one of their number to preside.

(3) The quorum for a meeting of the Board shall be seven.

(4) The Chairman shall, at the request of three other members of the Board convene an extraordinary meeting of the Board at the place and time determined by the Chairman.

(5) Decisions of the Board shall be made by a majority of the votes of the members present and where the votes are equal, the Chairman or other member presiding shall have a casting vote.

(6) The Board may co-opt any person to act as an adviser at any of its meetings but that person shall not vote on any matter for decision by the Board.

(7) Any proposal circulated among all members of the Board and agreed to in writing by a two-thirds majority of all the members shall be of the same force and effect as a decision made at a duly constituted meeting of the Board and shall be incorporated in the minutes of the next meeting of the Board: but if a member of the Board requires that the proposal be placed before a meeting of the Board, this subsection shall not apply to the proposal.

(8) The Board shall submit a copy of the minutes of every meeting of the Board to the Minister within fourteen days after the meeting of the Board to which the minutes relate.

(9) Subject to this Act, the Board shall regulate the procedure at its meetings.

14B. (1) A member of the Board who has any interest whether direct or indirect, in any matter being considered by the Board, shall disclose the nature of that interest to the Board and the disclosure shall be recorded in the minutes of the Board. Disclosure of interest.

(2) The member of the Board shall not take part in the deliberation or decision of the Board relating to the matter.

(3) Any member who fails to disclose the interest shall be guilty of misconduct and be liable to be removed from the Board.

15. (1) The Board may, for the discharge of its functions appoint committees. Committees of Board.

(2) A committee shall consist of members of the Board or non-members or both.

(3) A committee shall submit a report of its proceedings at a time to be determined by the Board.

General functions of Board.

16. The Board shall have general control of the management, property, business and funds of the Authority and of all other matters relating to the Authority.

Delegation of powers by Board.

17. For the purpose of discharging its functions under this Act, the Board may delegate to the Director-General the following powers:—

- (a) to sign any contract for or on behalf of the Authority;
- (b) to collect any monies due to the Authority and to discharge debts owed to the Authority;
- (c) to sign, accept, negotiate, endorse and receive any negotiable instrument on behalf of the Authority;
- (d) to acquire or authorize the acquisition of any movable or immovable property and to transfer or allocate any funds of the Authority for that purpose;
- (e) to authorize the disposal of securities of any kind belonging to the Authority;
- (f) to open and operate current, deposit or credit accounts on behalf of the Authority at any bank or other financial institution, approved by the Board; and
- (g) to negotiate and obtain loans on behalf of the Authority and to determine the nature and conditions of the loans”.

(d) by the repeal and replacement of section 18 by the following section:—

“Appointment of Director-General.

18. (1) The Authority shall have a Director-General who shall be the chief executive of the Authority.

(2) The Director-General shall be a civil engineer with proven ability in management and shall be appointed by the President on the recommendation of the Minister and subject to approval by Parliament.

(3) The Director-General shall be appointed on the terms and conditions determined by the President on the recommendation of the Minister.

(4) The Director-General shall be responsible to the Board for—

- (a) the day-to-day management and administration of the Authority;
- (b) the implementation of the policies, programmes and plans relating to the functions of the Authority under this Act or any other enactment;
- (c) supervising and disciplining the other employees of the Authority;
- (d) arranging the business for meetings of the Board; and
- (e) performing other duties specified in this Act or as the Board may direct”.

(e) by the insertion after section 18 of the following section:—

18A. (1) The Authority shall have a Deputy Director-General who shall be an engineer and who shall be appointed by the President on the recommendation of the Minister and subject to approval by Parliament, on the terms and conditions determined by the President on the recommendation of the Minister. Deputy Director-General

(2) The Deputy Director-General shall assist the Director-General in the performance of the Director-General’s duties and act when the Director-General is absent.

(3) The Deputy Director-General shall work under the supervision of the Director-General and shall have general responsibility for the area engineers”.

(f) by the repeal and replacement of subsection (1) of section 19 by the following subsection:-

“Execution of contract.

19. (1) The use of the seal of the Authority shall be authenticated by—

- (a) the Chairman or other member of the Board generally or specifically authorized by the Board for that purpose; and
- (b) the Director-General or other officer of the Authority authorized by the Board for that purpose”.

(g) by the repeal and replacement of section 20 by the following section:—

“Other employees of Authority.

20. (1) The Board may on the recommendation of the Director-General, engage such officers and employees as it may think necessary for the proper and efficient conduct of the business and functions of the Authority and on the terms and conditions that the Board may determine.

(2) The Authority may also engage the services of consultants and advisers as the Board may, on the recommendation of the Director-General, determine.

(3) Public officers may be transferred or seconded to the Authority or may otherwise be required to give assistance to the Authority.

(4) If a public officer eligible to receive a pension on retirement is seconded to the Authority, the period during which he serves with the Authority shall, for the purposes of computation of the time and amount of pension under any enactment relating to pensions and applicable to him be deemed to be service in the public service.

(5) The Authority shall adopt suitable policies in respect of conditions of service of staff which shall be compatible with the best standards of practice in other semi-autonomous or parastatal organizations.

(6) The Authority shall with the approval of the Minister, make regulations establishing schemes for pensions, gratuities and other retirement benefits in respect of employees of the Authority and the regulations may include provisions for the grant of benefits to the dependants of its employees or their legal representative

(7) The Authority shall for the purpose of achieving maximum efficiency in the discharge of its functions under this Act, institute schemes for the training of its employees administrative, engineering, technical, managerial or in other capacities with a view to securing the benefit of their knowledge, experience and expertise in the conduct of the operations of the Authority”.

(h) by the repeal and replacement of sections 23 and 24 by the following sections:—

23. The financial year of the Authority shall be the same as the financial year of Government”. “Financial year of Authority.

24. The Authority shall be financed by a fund consisting of— “Funds of Authority.

(a) monies approved from the Road Maintenance Fund established by the Road Maintenance Fund Administration Act, 2010; Act No. 3 of 2010.

(b) monies appropriated by Parliament for the purposes of the Authority;

(c) loans, grants or gifts from any person, body or organization;

(d) monies accruing from investments made by the Authority or from the sale of any assets of the Authority;