

# **BILL**

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*dated 24th November, 2017*

## **THE NATIONAL SPORT AUTHORITY OF SIERRA LEONE ACT, 2017**

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No.



2017

**Sierra Leone**

**A BILL ENTITLED**

**The National Sport Authority of Sierra Leone Act, 2017.** Short title.

**Being an Act to establish the National Sport Authority of Sierra Leone for the promotion, encouragement, development and supervision of sports and sporting activities in Sierra Leone 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 –

“Minister” means the Minister responsible for sports;

“Executive Director” means the Executive Director of the Authority under section 15;

“Deputy Executive Director” means the Deputy Executive Director of the Authority under section 17;

“Sierra Leone Sport Foundation” means a foundation established under subsection (1) of section 22 and charged with the responsibility of raising funds for sports development in Sierra Leone;

“Sierra Leone Anti-Doping Authority” means the Sierra Leone Anti-Doping Authority established under subsection (1) of section 22 and charged with the responsibility of monitoring anti-doping activities in Sierra Leone and ensures proper implementation of and compliance with national anti-doping codes.

## PART II – ESTABLISHMENT OF THE AUTHORITY

Establishment of the National Sport Authority of Sierra Leone. 2. (1) There is hereby established a body to be known as the National Sport Authority of Sierra Leone.

(2) The Authority shall be a body corporate having perpetual succession and capable of acquiring, holding and disposing of any property, whether movable or immovable, and of 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 Authority shall have a common seal, the use of which shall be authenticated by the signatures of –

(a) the Chairman or other member of the Board authorised either generally or specially by the Board in that behalf; and

(b) the Executive-Director or some other person authorised by the Board in that behalf.

3. (1) The governing body of the Authority shall be a Board Board of Authority. in which shall be vested, subject to this Act, the control and supervision of the Authority.

(2) The Board shall consist of a Chairman and the following other members –

(a) the Permanent Secretary;

(b) the Solicitor-General;

(c) the Director of Tourism;

(d) the Chief Medical Officer;

(e) the Chief Education Officer;

(f) the Chief of Defence Staff;

(g) the Inspector General of Police;

(h) the Commissioner, National Youth Commission;

(i) the President, National Olympic Committee;

(j) 2 persons, one whom shall be a woman, appointed by the President on the recommendation of the Minister from the following–

- (i) persons engaged in non-Olympic sports; and
- (ii) sport and health management professionals of a university or tertiary institution in Sierra Leone;
- (k) the Deputy Executive-Director, as ex-officio; and
- (l) Executive Director, as ex-officio, who shall be the Secretary to the Board.

(3) The Chairman shall, on the advice of the Minister and subject to the approval of Parliament be appointed by the President from among persons with proven knowledge in sports and sporting activities.

Tenure of members.

4. (1) The Chairman and persons referred to in paragraph (j) (3) of sub section (2) of section 3, shall hold office for a period of 3 years and shall be eligible for re-appointment once only.

(2) A person shall cease to be a member of the Board on any of the following grounds–

- (a) inability to perform the functions of his office by reason of infirmity of mind or body;
- (b) for proven misconduct;
- (c) if he becomes bankrupt or insolvent;
- (d) if he is convicted and sentenced for an offence involving fraud or dishonesty;
- (e) if he fails to attend three consecutive meetings of the Board without reasonable cause or;

- (f) if he resigns his office by written notice to the Minister.

5. (1) The Board shall meet for the dispatch of its business Meetings of at least once every two months at the offices of the Authority and at Board. such time as the Chairman may determine.

(2) The Chairman shall preside at every meeting of the Board, if present, and in his absence, the members present shall appoint a member from among themselves to preside at that meeting.

(3) A minimum of three members of the Board may, by notice in writing signed by them, request the Chairman to summon a special meeting of the Board for such purposes as may be stated in the notice.

(4) The Chairman or, in his absence, the member appointed to act in his behalf shall summon a special meeting within five days of his receipt of the notice referred to in subsection (3).

(5) The quorum at any meeting of the Board shall be 5.

(6) The Chairman or other person presiding shall have a casting vote where there is an equality of votes.

(7) Any proposal circulated among all members and agreed to in writing by a two-thirds majority of all members shall be of the same force or effect as a decision made at a duly constituted meeting of the Board and shall be incorporated in the minutes of the next succeeding meeting of the Board:

Provided that, if a member requires that such proposal be placed before a meeting of the Board, this subsection shall not apply to such proposal.

(8) The Board may co-opt any person to attend and participate in its deliberations on any matter but such person shall not vote on any issue for the decision by the Board.

(9) The Board shall cause minutes of all its meetings to be taken and signed by the Chairman and kept in the proper form.

(10) Subject to this Act, the Board shall regulate its own procedure.

Disclosure of interest.

6. (1) A member of the Board who has any conflict of interest, whether direct or indirect in any matter being considered or to be considered by the Board, shall disclose the nature of his interest to the Board and the disclosure shall be recorded in the minutes of the Board and such member shall not take part in any deliberation or decision of the Board relating to that matter.

(2) A member of the Board who contravenes subsection (1) shall be guilty of misconduct and shall be liable to be removed from the Board.

Immunity of members of Board.

7. (1) No action or other proceedings shall lie or be instituted against any member of the Board or member of a committee of the Board for or in respect of any act or thing done or omitted to be done in good faith in the exercise of his functions under this Act.

(2) No member of the Board shall be personally liable for any debt or obligation of the Authority.

Committees of Board.

8. (1) The Board may, for the discharge of its functions, appoint one or more committees to perform such functions as the Board may determine.

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

(3) Without prejudice to the generality of subsection (1), the Board shall appoint an audit committee consisting of such members of the Board, excluding the Executive-Director, and performing such functions as the Board may determine.

(4) A committee shall submit a report of its proceedings to the Board at such time as the Board may determine.

9. (1) Subject to this Act, the Board shall have the control and supervision of the Authority, including overseeing the sound and proper financial management of the Authority. Functions of Board.

(2) It shall also be the responsibility of the Board to provide such policy guidance and advice as will secure the efficient implementation of the functions of the Authority and enhance the overall performance of the Authority.

10. The Chairman and the other members of the Board and any person co-opted by the Board under subsection (8) of section 5 shall be paid such remuneration; fees and allowances approved by the Minister and shall be reimbursed by the Authority for expenses incurred in connection with the discharge of their functions as the Board may, with the approval of the Minister, determine. Remuneration of members.

11. (1) Where the Chairman or a member of the Board dies, resigns, is removed from office or is absent for a continuous period exceeding 3 months or is by reason of illness unable to perform the functions of his office for a continuous period of 6 months— Filling of vacancies.

(a) the members of the Board shall, as the case may be, elect one of their number to act as Chairman until such time as the Chairman resumes his office or another is appointed in his stead; and

(b) in the case of the member, the Chairman shall, subject to this Act, have another person appointed to the Board.

(2) Where a person is appointed as Chairman or appointed as a member to fill a vacancy, he shall hold office for the remainder of the term of the previous Chairman or member and shall, subject to this Act, be eligible for re-appointment.

PART III—OBJECTS, FUNCTIONS AND POWERS OF  
AUTHORITY

Objects of  
Authority.

12. (1) The object for which the Authority is established is to—
- (a) provide leadership in the development of sports in Sierra Leone;
  - (b) encourage participation of Sierra Leoneans in sports;
  - (c) provide resources, services and facilities to enable Sierra Leoneans to pursue and achieve excellence in sports while furthering their educational, vocational skills and other aspect of their personal development;
  - (d) improve the sporting abilities of Sierra Leoneans generally including the improvement of the standard of coaching in sports;
  - (e) foster co-operation in sports between Sierra Leoneans and other countries; and
  - (f) to encourage and promote private sector sponsorship in sports.
- (2) In this section, reference to Sierra Leoneans includes persons who are ordinarily resident in Sierra Leone.

Functions of  
Authority.

13. (1) The Authority shall have responsibility to—
- (a) advise the Minister in relation to the development of sports;

- (b) co-ordinate activities in Sierra Leone for the development of sports;
- (c) develop and implement programmes that promote equality of access to and participation in sports by all Sierra Leoneans;
- (d) develop and implement programmes for the recognition and development of—
  - (i) persons who excel or who have the potential to excel in sports; and
  - (ii) persons who have achieved, have the potential to achieve standards of excellence as sports coaches, umpires, referees or officials essential to the conduct of sports;
- (e) initiate, encourage and facilitate research and development in relation to sports including sports science and sports medicine;
- (f) provide sports medicine services to persons participating in programs of the Authority;
- (g) to control and maintain the facilities of the Authority;
- (h) collect, distribute information and provide a the Authority;
- (i) raise funds through the Sierra Leone sports foundation or by other means for the purposes of the Authority;

- (j) consult and co-operate with appropriate authorities in the regions and districts and with other persons, associations and organisations on matters related to the activities of the Authority;
- (k) provide advice on matters related to sports to the National Olympic Committee of Sierra Leone, other persons, bodies or associations;
- (l) co-operate with national and international sporting organisations to foster a sporting environment that is free from the un-sanctioned use of performance enhancing drugs;
- (m) promote anti-doping practices;
- (n) deliver key programmes in line with Sierra Leone government's sports policy objectives;
- (o) provide funding support and other technical assistance to sporting organisations to deliver participation and high performance and improve their sustainability and effectiveness;
- (p) establish the nexus amongst other relevant sector players in the national youth development agenda;
- (q) build collaboration, alignment and effectiveness within the Sierra Leone Sports sector;
- (r) established, develop, manage and maintain facilities for the purpose of the Authority; and
- (s) provide information and advice on matters related to the activities of the Authority.

(2) The Authority shall perform its functions within or outside Sierra Leone.

(3) The Authority may perform any of its functions in co-operation with any region, district, person, Association or Organisation;

(4) The function of the Authority under subsection (1) may only be performed to the extent that it does not overlap any of the functions of the Sierra Leone Anti-Doping Authority established under subsection (1) of section 22.

14. (1) The Authority shall have powers to do all things necessary or convenient to be done for or in connection with the performance of its functions and in particular may impose such fees or charges as is reasonable in respect of—

- (a) access to use of any of the resources or facility of the Authority;
- (b) the provision of programs, services, information or advice by the Authority; and
- (c) the admission of persons to events and activities conducted by the Authority.

(2) The powers of the Authority may be exercised within or outside Sierra Leone.

#### PART IV – ADMINISTRATIVE PROVISIONS

15. (1) The Authority shall have an Executive-Director who shall be appointed by the Board upon such terms and conditions as the Board shall, after consultation with the Minister, determine.

(2) No person shall be appointed an Executive-Director unless he has proven knowledge and experience in sports development and hold such other academic qualifications as may be required by the Board.

16. The Executive-Director shall be responsible to the Board for the performance of the following functions—

Powers of Authority.

Appointment of Executive-Director.

Functions of Executive-Director.

- (a) receive applications and register sports bodies;
- (b) issue registration certificates to sports bodies in such form as may be prescribed by the Authority;
- (c) impose such conditions to the licence as he deems necessary, including suspension or revocation of a licence;
- (d) provide overall leadership in the conduct and management of the day-to-day business or activities of the Authority;
- (e) initiate and maintain high-level contact with interested parties, both local and international, in relevant areas of the operations of the Authority;
- (f) monitor and supervise the preparation of the annual budgets and reports of the Authority for the review and approval of the Board;
- (g) oversee the work and discipline of the other staff of the Authority; and
- (h) to carry out such other functions as may be assigned by the Board or necessary for the purposes of the Authority.

Appointment of Deputy Executive-Director.

17. (1) The Authority shall have a Deputy Executive-Director who shall be appointed by the Board upon such terms and conditions as the Board shall, after consultation with the Minister.

(2) No person shall be appointed a Deputy Executive Director unless he has proven knowledge and experience in sports governance and management and hold such other academic qualifications as may be required by the Board.

18. The Deputy Executive-Director shall be responsible to the Board for the performance of the following functions—

Functions of Deputy Executive-Director.

- (a) provide support to the Executive Director in the conduct and management of the day-to-day business or activities of the Authority;
- (b) manage and superintend over technical matters and advise the Board through the Executive Director;
- (c) initiate and maintain high-level contact with interested parties, both local and international, in relevant areas of the operations of the Authority;
- (d) assist in monitoring and supervising the preparation of the annual budgets and reports of the Authority for the review and approval of the Board;
- (e) oversee the work and discipline of the other staff of the Authority;
- (f) carry out such other functions as may be assigned by the Board or necessary for the purposes of the Authority.

19. (1) The Authority shall have, in addition to the Executive-Director, Deputy Executive Director, a secretariat consisting of a Secretary, Finance Officer, Administrative Officer and such other additional technical and administrative staff, as may be required for the efficient performance of the functions of the Authority.

Other staff of Authority.

(2) The Secretary and the other staff of the Authority shall be appointed by the Board subject to such terms and conditions as the Board shall determine.

(3) The Authority may delegate to the Executive-Director—

- (a) the power for the appointment of such grade or categories of staff as the Authority may require;
- (b) the power to enter into an agreement with an independent body or agency for the purpose of carrying out the functions of the Authority for and on behalf of the Authority.

Secondment of public officers.

20. Public officers may at the instance of the Authority, be seconded or otherwise render assistance to the Authority but the Authority may request the withdrawal of any such seconded staff who is unable to carry out assigned functions in a manner satisfactory to the Authority.

Protection of officers.

21. No officer or employee of the Authority or any person acting on the directions of an officer or employee of the Authority shall be liable in respect of any matter or thing done by him in good faith under this Act.

Establishment of Sierra Leone Sport Foundation and Sierra Leone Anti-Doping Authority.

22. (1) There is hereby established within the Authority 2 autonomous entities to be known respectively as “Sierra Leone Sport Foundation” and “Sierra Leone Anti-Doping Authority”

(2) The Sierra Leone Sport Foundation shall be responsible to raise funds for the development of sports in Sierra Leone and the Sierra Leone Anti-Doping Authority shall be responsible to monitor anti-doping activities in Sierra Leone and ensure proper implementation of and compliance with national anti-doping codes.

#### PART V—REGISTRATION AND SUPERVISION OF SPORT INSTITUTIONS

23. No person, institution or organization shall carry out any sporting activity for and on behalf of Sierra Leone unless that person or institution is registered by the Authority under this Act.

National sport institutions to register.

24. (1) A person, institution or organization who wishes to carry out any activity for and on behalf of Sierra Leone shall apply to the Authority for authorisation for that purpose.

Registration of sport institutions.

(2) An application to the Authority for authorisation to carry out sporting activity for and on behalf of Sierra Leone under subsection (1) shall be made in such form, subject to such terms and conditions and be accompanied by such fees as may be prescribed by the Authority.

25. (1) The Authority shall, on the successful registration of a sport institution under section 24 issue a registration certificate in such form as may be prescribed by the Authority.

Registration certificate.

(2) A registration certificate issued under subsection (1), unless subsequently revoked, shall be conclusive evidence for all purposes that the sport institution has been duly registered under this Act.

26. (1) The Authority may revoke or suspend the registration of a sport institution where it is satisfied that such sport institution—

Refusal, revocation, of suspension registration.

- (a) has been registered as a result of a fraud or a mistake or misrepresentation in any particular matter;
- (b) failed to comply with any of the conditions imposed by the Authority under section 24;
- (c) has contravened this Act or any regulation made under this Act;

- (d) is inactive or is no longer a fit and proper entity to be registered to represent its sports in Sierra Leone;
- (e) is hindering the development of the particular sport and it is in the public interest to revoke or suspend its registration;
- (f) has failed or neglected to remedy any malpractice, misconduct or irregularity on the part of its office bearers or its members within the period specified in the written notice given by the Authority; or
- (g) is inactive, un co-operative or obstructive in the implementation of the regulations, policies or guidelines made under or pursuant to this Act.

(2) The Authority shall, before revoking or suspending the registration of a sport institution under subsection (1), give the sport institution an opportunity to submit reasons, if any, against the proposed revocation or suspension.

Appeals. 27. Any sport institution aggrieved by a decision of the Authority in—

- (a) refusing to register such sport institution;
- (b) imposing conditions on the registration of such sport institution; or
- (c) revoking or suspending the registration of such institution or body;

under section 26 may, within thirty days from the date of the notification of the decision of the Authority, appeal to the Minister whose decision thereon shall be final.

PART VI—THE NATIONAL INSTITUTE OF SPORT, DISTRICT SPORT PARTICIPATION AND SUSTAINABLE SPORT DIVISION AND CORPORATE OPERATIONS DIVISION

28. (1) There is hereby established a department within the Authority to be known as the National Institute of Sport, which shall have the primary responsibility for –

The National Institute of Sport.

- (a) developing programmes for vocational and pastoral care and competition opportunities for athletes, coaches and other sport officials;
- (b) fostering a national approach to applied performance research.

(2) The National Institute of Sport shall be headed by a Director appointed by the Board, on such terms and conditions as shall be specified by the Board

29. (1) There is hereby established a department within the Authority to be known as the Participation and Sustainable Sport Division, which shall have the primary responsibility for –

Participation and Sustainable Sport Division.

- (a) providing specialist support in building of the capability and capacity of national sporting organisations;
- (b) developing and implementing of participation plans and generally enhancing collaboration between national sporting organisations and other relevant partners; and

- (c) coordinating international sports development programmes and funding arrangements for schools and other communities.

(2) The Participation and Sustainable Sport Division shall be headed by a Director appointed by the Board, on such terms and conditions as shall be specified by the Board.

Corporate  
Operations  
Division.

30. (1) There is hereby established a department within the Authority to be known as the Corporate Operations Division which shall be responsible for –

- (a) providing business capability and services to support all divisions of the national sporting organisations;
- (b) creating an enabling environment that will support efficient delivery of the Authority's Strategic Plan including the development of–
  - (i) human resources capabilities;
  - (ii) information and automation technology;
  - (iii) sound financial and asset management practices;
  - (iv) sport facilities and services.

(2) The Corporate Operations Division shall be headed by a Director appointed by the Board, on such terms and conditions as shall be specified by the Board

#### PART VII – FINANCIAL PROVISIONS

31. (1) The activities of the Authority shall be financed by funds consisting of – Funds of Authority.

- (a) any moneys appropriated from time to time by Parliament for the purposes of the Authority;
- (b) all moneys paid to the Authority by way of fees or charges;
- (c) all moneys given to the Authority by way of gifts, endowments, bequest, grant or other contributions by persons and organisations for the purposes of the Authority;
- (d) all returns on investment, if any; and
- (e) all other moneys which may, from time to time, accrue to the Authority.

(2) The funds of the Authority shall be applied only for the purposes of the approved budget of the Authority.

32. (1) The Authority shall keep proper books of account and other records in relation to the activities, property and finances of the Authority in a form approved by the Auditor-General, and shall prepare in respect of each financial year of the Authority a financial statement which shall include– Accounts and audit of the Authority.

- (a) balance sheet accounts;
- (b) income and expenditure accounts; and

(c) source and application of funds;

(2) The accounts of the Authority kept under subsection (1) shall, not later than two months after the end of each financial year, be audited by the Auditor-General or an auditor appointed by him.

(3) For the purposes of subsection (2), the Auditor-General or the auditor appointed by him shall be entitled to have access to all books of account, vouchers and other financial records of the Authority and to require such information and explanation thereon as he may think fit.

(4) The Authority shall provide the Auditor-General or the auditor appointed by him with all necessary and appropriate facilities for the examination of the accounts and records of the Authority.

(5) The Auditor-General or the auditor appointed by him shall submit to the Authority a report on the audited accounts and the financial statements referred to in subsection (1) and shall, in his report draw attention to –

- (a) any irregularities in the accounts;
- (b) any matters that are likely to adversely affect the operations of the Authority; and
- (c) any other matter which, in his opinion, ought to be brought to the notice of the Authority.

Financial  
year of  
Authority.

33. The financial year of the Authority shall be the same as the financial year of Government.

34. (1) The Authority shall, within three months after the end of the financial year, submit to the Minister a report on the performance of its functions during that year and on its policy and programmes. <sup>Annual report.</sup>

(2) The annual report shall include the accounts and annual financial statement prepared under section 19 and the report of the audit thereon.

(3) The Minister shall lay copies of the annual report before Parliament within two months after he has received the report.

(4) The Authority shall make copies of the report available to all stakeholders once it has been laid before Parliament.

#### **PART VIII – MISCELLANEOUS PROVISIONS**

35. (1) The Minister may by statutory instrument make Regulations as it considers necessary or expedient for giving effect to this Act. <sup>Regulations.</sup>

(2) Without prejudice to the generality of subsection (1), the Minister may make regulations prescribing –

- (a) the procedure for the application for registration and registration of sport bodies and the fees to be charged for such registration;
- (b) the duties, powers and functions of sport bodies;
- (c) the procedure for appeals by sport bodies and the fees to be charged thereof;

- (d) the procedure for the appointment of coaches, referees, umpires, and judges by sport bodies.
- (e) all matters relating to the dissolution of sport bodies and the revocation of registration of sport bodies;
- (f) the disqualification of office bearers of sport bodies in certain circumstances.

Repeal and savings.

36. (1) The National Sport Council Act, 1965 (Act No. 65 of 1965) is hereby repealed.

(2) Any sport body registered under the National Sport Council Act, 1964 shall on the date of coming into effect of this Act cease to be registered and shall within 5 months thereof apply to the Authority to be registered under this Act.

(3) All licences, certificates, orders, rules and other statutory instruments made under the National Sport Council Act, 1965 shall remain in force until expressly repealed.

#### MEMORANDUM OF OBJECTS AND REASONS

This Bill provides for the establishment of the National Sport Authority of Sierra Leone.

**Part I**—deals with interpretation. It defines words used in the Bill.

**Part II**—deals with the establishment of the National Sport Authority of Sierra Leone.

**Clause 3**—provides that the Board of Authority shall consist of a Chairman and the following other members –

- (a) the Permanent Secretary;
- (b) the Solicitor-General;
- (c) the Director of Tourism;
- (d) the Chief Medical Officer;
- (e) the Chief Education Officer;
- (f) the Chief of Defence Staff;
- (g) the Inspector General of Police;
- (h) the Commissioner, National Youth Commission;
- (i) the President, National Olympic Committee;
- (j) 2 persons appointed by the President on the recommendation of the Minister form–
  - (i) persons engaged in non-Olympic sports; and

- (ii) sport and health management professionals of a university or tertiary institution in Sierra Leone;
- (k) the Deputy Executive Director, as ex-officio; and
- (l) Executive Director, as ex-officio, who shall be the Secretary to the Board.

**Clause 9**—deals with the functions of the Management Board which include providing policy guidance and advice for the efficient implementation of the functions of the Authority.

**Part III**—deals with objects, functions and powers of Authority.

**Clause 12**—stipulates that the object for which the Authority is established is to generally provide leadership in the development of sports in Sierra Leone.

**Clause 13**—provides for the functions of Authority among which is the responsibility to advise the Minister in relation to the development of sports.

**Part IV**—deals with administrative provisions. It provides for the appointment of an Executive-Director, Deputy Executive-Director and other staff of the Authority.

**Part V**—deals with financial provisions of the Authority.

**Clause 31**—provides that the activities of the Authority shall be financed by funds consist of –

- (a) any moneys appropriated from time to time by Parliament for the purposes of the Authority;
- (b) all moneys paid to the Authority by way of fees or charges;

- (c) all moneys given to the Authority by way of gifts, endowments, bequest, grant or other contributions by persons and organisations for the purposes of the Authority;
- (d) all returns on investment, if any; and
- (e) all other moneys which may, from time to time, accrue to the Authority.

**Part VI**—Miscellaneous contains Clause 27 which makes provision for the Authority statutory to make regulations as it considers necessary or expedient for giving effect to this Act.

Made this *day of* , 2017

AHMED KHANOU,  
*Minister of Sport.*

FREETOWN,  
SIERRA LEONE,  
, 2017.