

NATIONAL SPORTS COUNCIL ACT, 2000

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SUPPLEMENT "C" TO THE GAMBIA GAZETTE
NO. 6 OF 22ND DECEMBER 2000

National Sports Council Act, 200

THE GAMBIA
NO. 6 OF 2000.

Assented to by the President,
This Fourteenth day of December 2000,

Yahya A.J.J.Jammeh
President

AN ACT to provide for the establishment of the National Sports Council and to make provisions for matters connected therewith –

(14th December 2000)

ENACTED by the President and the National Assembly.

PART 1 – PRELIMINARY

Short Title - 1. This Act may be cited as the National Sports Council Act, 2000.

Interpretation: 2. In this Act, unless the context otherwise requires –

“Council” means the National Sports Council;

“Divisional Sports Committee” means the Sports Committee set up in each Administrative Division;

“Member” means a member of the Council;

“National Sports Association” means any group or body of persons operating in The Gambia and having as its principal object the promotion or organization on a national basis of any sporting activity;

“Secretary of State” means the Secretary of State responsible for the administration of this Act:

“Tobacco Products (Advertisement Levy) Fund” means the tobacco Products (Advertisement Levy) Fund established under the Tobacco Products (Advertisement Levy) Fund Act, 2000.

PART II – NATIONAL SPORTS COUNCIL

Establishment
know as the
Of National
Sports Council
capable of suing
and being sued
subject to this Act,
corporate may by law perform.

3. Of the Council are to-
Council There is hereby established a Council to be
National
Sports Council which shall be a body corporate
performing all acts that body
corporate may by law perform.

Composition
Of Council

4. The Council shall consist of the following –

- a) A Chairperson who shall be appointed by the Secretary of State;
- b) The President of the Gambia Olympic Committee or his or her representative;
- c) The Permanent Secretary of the Department of State for Education or his or her representative who shall not be below the rank of Principal Assistant Secretary;
- d) The elected Chairperson of each Divisional Sports Committee;
- e) The Director of Youth and Sports or his or her representative who shall not be below the rank of assistant Director;

- f) Three persons experienced in sports and two of whom shall be female appointed by the Secretary of State; and
- g) The Executive Secretary who shall serve as Secretary to the Council.

Functions of

5. The functions

- a) Advise the Secretary of State on matters relating to sports;
- b) Act as the main promotional and co-ordinating agency of sports in the country;
- c) Strengthen the cohesion among the various structures of The Gambia Sports Associations and other Sporting Organization:
- d) Act as the approving authority for the registration of National Sports Associations;
- e) Assist in co-ordination, monitoring and evaluating the implementation and impact of the programmes with the policy framework.
- f) Develop, promote and co-ordinate all forms of amateur and professional sports at the national and international levels;
- g) Promote the diversification of sports to all parts and at all levels in the country;
- h) Ensure that National Sports Associations at all levels conform to the national and international rules, regulations, norms standards and codes of conduct governing the particular sport;
- i) Encourage the development, provision and maintenance of sports facilities for all concerned and ensure their equitable distribution and proper use;
- j) Assist registered National Sports Associations in the recruitment of competent coaches, instructors and other technical assistants in

building capacity and enhancing performance in sports;

- k) Offer assistance to migrant Gambian sports persons in their sports engagements in foreign countries;
- l) Raise and maintain a fund from such sources and by such means as the Secretary of State may approve to enable the Council to carry out its functions and achieve its goals;
- m) Administer the All Africa Games and all other sporting programmes organized by the Supreme Council for Sports in Africa or other recognized bodies; and
- n) Administer and manage the Sports Development Fund.

Tenure of member shall Office

- 6. Except in the case of ex-office members, a hold office for four years, subject to renewal.

Removal or member to vacate his Suspension Of Members

- 7. (1) The Secretary of State may require a or her Office if the Secretary of State is member -
 - (a) Has been guilty of any conduct that renders him or her unsuitable as a member; or
 - (b) Has failed to comply with the conditions of his or her office fixed by the Secretary of State; or
 - (c) Is mentally or physically incapable or incompetent in carrying out his or her functions as a member.

- 2. The Secretary of State may suspend a member against whom criminal proceedings have been instituted for an offence in respect of which a sentence of imprisonment or

a fine may be imposed, and while that member is so suspended he or she shall not carry out any functions.

Vacation of 8. The office of a member shall become vacant -
Office by
Members

a. One month after the date upon which he or she gives notice in writing to the Secretary of State of his or her intention to resign, or on the expiry of such other period of notice as he or she and the Secretary of State may agree;

b. On the date he or she begins to serve a sentence of imprisonment imposed by a court of law; or
Upon removal by the Secretary of State.

Filling of 9. On the death of, or the vacation of office by a member, except in the
Vacancies ex-officio, the Secretary of State shall appoint a person to fill the
In Council vacancy.

Meetings and 10. (1) The Council shall hold its first meeting on such date and at such
Procedure of place as the Secretary of State may fix and thereafter the Council
Council shall meet for the dispatch of business and adjourn, close and thereafter the Council shall meet at least once every quarter.

(2) The Chairperson of the Council shall, on the written request of the Secretary of State or not fewer than two members, convene a special meeting of the Council, as determined by the Chairman.

(3) Written notice of any special meeting convened under subsection (2) shall be sent to each member not later than forty-eight hours before the meeting and shall specify the business for which the meeting has been convened.

(4) If the Chairperson is absent from a meeting of the Council, the members present may elect one of their number to presided at that meeting as Chairperson.

- (5) Two-thirds majority of the members of the Council shall form a quorum at any meeting of the Council.
- (6) All acts, matters or things authorized or required to be done by the Council may be decided by a majority vote at a meeting of the Council,
- (7) At all meetings of the Council, each member present shall have one vote on each question before the Council and, in the event of an equality of votes, the Chairperson shall have a casting vote in addition to a deliberative vote.

Olympic Committee 11. (1) The Council shall ensure the election of an Olympic Committee in accordance with the Olympic Charter for the purpose of ensuring The Gambia's effective representation at each Olympic Games and for carrying out functions relating thereto.

- (2) Members of the Olympic Committee shall hold office on such conditions as provided by the Olympic Charter.

Remuneration And Expenses Of Members of Council 12. Members of the Council shall be paid such allowances as the Secretary of State may determine

Disclosure of Interest of Members of Council 13. (1) If a member of the Council or a spouse of such member-

- a. Knowingly acquires or holds a direct or indirect pecuniary interest in a company or association of persons applying or negotiating for a contract with the Council, or
- b. Owns immovable property or a right in immovable property or a direct or indirect pecuniary in a company or association of persons which results in his or her private interests coming or appearing to come into conflict with his or her duties as a member, that member shall forthwith disclose that fact to the Council.

- (2) A member referred to in subsection (1) shall not take part in consideration or discussion of or vote on, any matter before the

Council which relates to any contract, right, immovable property or interest to in subsection(1).

Execution of 14. An agreement, a contract or an instrument approved by the Council may
Contracts and be entered into or executed on behalf or the Council by any person or
Instruments body authorized by the Council for that purpose.
By Council

Minutes of 15. (1) The Council shall cause minutes of all proceedings and decisions
Proceedings taken at every meeting of the Council to be entered in books kept for
Of Council for that purpose.

(2) The minutes referred to in subsections (1) which purport to be signed by the Chairperson of the meeting to which the minutes relate or by the Chairperson of the next following meeting of the Council shall be accepted for all purposes as prima facie evidence of the proceedings of and decisions taken at the meeting to which the minutes relate.

Divisional Sports 16. (1) There shall be divisional Sports Committees in each Administrative
Council Division,

- 2) The Divisional Sports Committees shall be under the control, supervision and direction of the Council.
- 3) A Divisional Sports Committee shall –
 - a. Work closely with the Council fro the development of sports in its Division in accordance with the Sports Policy and Plan of Action;
 - b. Organise sporting associations and activities in its Division: and
 - c. Carry out such other functions as delegated to it by the Council

PAR III – REGISTRATION OF NATIONAL SPORTS ASSOCIATIONS

Registration 17.(1) For the purpose of this Part, the Council shall keep and maintain a

Of National Sports
Association

register of National Sports Associations.

- (2) Where any amendment is made to the constitution or rules of registered National Sports Association, or any alteration occurs in any of the matters or things in respect whereof particulars are required to be given as prescribed, such National Sports Association shall forthwith give particulars in writing of such amendment or alteration, as the case maybe, to the Council.
- (3) As soon as is practicable after receiving an application referred to in subsection (2), the Council shall consider the application.
- (4) Upon receiving particulars of any amendment to the constitution or rules of a registered national association, the Council shall, if
- (5) it is satisfied as to the suitability of the amendment, cause the amendment to be registered in the books of the Council.

Discipline of registered National Sports Associations 18. (1) Where the Council considers that any registered National Sports Association has -

- (a) Ceased to operate as a National Sports Association,
Or
- (b) Failed to comply with any provision of this Act, or
- (c) Conducted itself in a manner which is contrary to the National Interest; or
- (d) Failed to comply with it's constitution,

The Council may, after affording the National Sports Association concerned an opportunity of making representation on the matter, suspend, ban or expel all or any of its officers from holding office in any association registered under this Act.

- (2) Where the Council has taken any action referred to in subsection.

- (1) The Secretary of State may, on the recommendation of the Council, appoint a committee to administer the affairs of the Association concerned.
- (3) A committee appointed under subsection (2) shall have all the rights, duties and responsibilities of the governing body it has displaced but shall be answerable to the Council and to the members of the National Sports Association.
- (3) Where a committee has been appointed under subsection (2), the committee shall, as soon as practicable, take steps for the appointment of a new governing body of the association concerned in accordance with the constitution and rules of the association.

PART IV – FINANCIAL PROVISIONS

Funds of the Council 19. (1) The funds of the Council shall consist of -

- (a) Monies appropriated by the National Assembly;
 - (b) Entry fees to and miscellaneous takings at sporting events organized and administered by the Council;
 - (c) Receipts from any trading or marketing activity carried out by the Council itself or jointly with some other person or organization; and
 - (d) Any other monies or assets to which the Council may become entitled, whether through its activities in carrying out its objects or otherwise.
- (2) There is hereby established a Sports Development Fund into which shall be paid such sums as are due to the fund from the Tobacco Products (Advertisement Levy) Fund and other sources.
 - (3) The Sports Development Fund shall be administered and managed by the Council and used for the development of sports.
 - (4) The Council shall invest its funds in a manner approved by the Secretary of State.

Levies 20. (1) The Council may impose a levy on –

- (a) All registered National Sports Associations; and
- (b) Tickets sold for admission to any sporting event

Provided that –

- (i) Any levy on registered National Associations shall be imposed on all such associations without distinction, unless the Secretary of State in any particular case, on the application of the Council, grants an exemption,
- (ii) Any levy on tickets sold shall not be more than ten percent of the price of admission paid for the ticket,

(2) The Secretary of State may, by order on the recommendation of the Council, impose a levy on any product or activity for sports development.

(3) A levy imposed under subsection (2) shall be paid into the Sports Development Fund.

Holding of 21. All monies received by the Council shall be paid into the bank account.

Funds by
Council

Accounts and 22. (1) The Council shall keep proper books of accounts of its income and expenditure and ensure the same for all registered National Sports Associations

- (2) The Council shall prepare, in respect of each financial year, a statement of accounts.
- (3) The accounts of the Council shall, in respect of each financial year, be subject to audit by the Auditor General.
- (4) The Council shall within three months of the end of each financial year, submit its statement of accounts to the Auditor General.

(5) The audited accounts of the Council and the Auditor General's report on those accounts shall form part of the Auditor General's annual report to the National Assembly.

PART V – SECRETARIT

Executive Secretary and Support Staff any duties as directed 23. (1) The Secretary of State, in consultation with the Council, shall appoint the Executive Secretary who shall be the administrative secretary to the Council and shall carry out any duties as directed by the Council.

(2) The Council shall, with the approval of the Secretary of State, appoint the staff of the Council Appeal to the Sports Tribunal

25. Any person who is aggrieved by a decision of the Council may appeal against the decision to the Sports Tribunal

Protection of The Gambia in Employment of any reduction in Members of National Teams 26. Where any person has been selected to represent any sporting event such person shall not suffer any reduction in seniority, leave, salary or other benefits or be discharged from his or her employment on the ground that he or she is required to be away from his or her place of employment for the purposes of such REPRESENTATION.

Regulations 27. The Secretary of State may, after consultation with the Council, make regulations for the better carrying out of the provisions of this Act.

PASSED in the National Assembly this Thirteenth day of November, in the year of Our Lord Two Thousand.

M.S.JALLOW
Ag. Clerk of the National

Assembly.

THIS PRINTED IMPRESSION has been carefully compared by me with the Bill which has passed in the National Assembly, and found by me to be a true and correct copy of the said Bill.

M.S.JALLOW

Ag. Clerk of the National Assembly