

LAWS OF THE GAMBIA

THE GAMBIA PRINTING AND PUBLISHING CORPORATION ACT

CHAPTER 32:03

**Act No.
12 of 1998**

**Amended by
Act No. 6 of 2004**

(1) There is hereby established a corporation to be known as the Gambia Printing and Publishing Corporation.

(2) The Corporation shall be a body corporate with perpetual succession and shall have power to acquire, hold and dispose of property, to sue and be sued, to enter into contracts and to do all things necessary for the purposes of the Act.

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CORPORATION ACT****ARRANGEMENT OF SECTIONS****SECTION**

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CHAPTER 32:03

THE GAMBIA PRINTING AND PUBLISHING
CORPORATION ACT

An Act to establish The Gambia Printing and Publishing Corporation and to make provision for connected matters.

[Act No. 12 of 1998 amended by Act No. 6 of 2004.]

1. Short title

This Act may be cited as The Gambia Printing and Publishing Corporation Act.*

2. Interpretation

In this Act, unless the context otherwise requires—

“**Board**” means the Board of Directors of the Corporation;

“**Chairperson**” means the Chairperson of the Board;

“**Corporation**” means The Gambia Printing and Publishing Corporation*;

“**Managing Director**” means the Managing Director of the Corporation;

“**Minister**” means the Minister for the time being responsible for the administration of this Act.

3. Establishment of the Corporation

(1) There is hereby established a Corporation to be known as The Gambia Printing and Publishing Corporation.

(1A) The unit formerly known as the Book Production and Material Resources Unit is hereby merged with the National Printing and Stationery Corporation to form The Gambia Printing and Publishing Corporation.

[Act No. 6 of 2004.]

(2) The Corporation shall be a body corporate with perpetual succession and a common seal and shall have power to acquire, hold and dispose of property, to enter into contracts, to sue and be sued in its corporate name and to do all things necessary for the purposes of this Act.

* No date has been appointed for the commencement of this Act.

4. Objects of the Corporation

- (1) The objects of the Corporation are—
- (a) to print and publish, on a commercial basis, documents for or on behalf of the Government, public enterprises and private corporations or any other person;
 - (b) to print, publish, distribute and market books and other reading materials for schools, institutions of higher learning and the general public;
 - (c) to purchase in The Gambia for distribution and marketing, books and other educational materials and equipment which are produced in The Gambia;
 - (d) to provide consultancy services in printing administration and management;
 - (e) to explore the markets of neighbouring West African States and other countries with a view to exporting on a commercial basis any of the products of the Corporation;
 - (f) to carry out any activities as may appear to the Corporation to be incidental, beneficial or conducive to the attainment of its objectives;
 - (g) to perform any other function as the Minister may by order confer on the Corporation;
 - (h) to acquire copyright in any work;
 - (i) to procure office stationery and requisites for resale at competitive prices to Government, Local Government Authorities and the private sector;
 - (j) distributing text books and other materials to schools, especially primary and junior secondary schools throughout the country;*
 - (k) producing supplementary reading materials for schools;*
 - (l) publishing and printing books for private authors;*
 - (m) commissioning authors to write books;*
 - (n) undertaking commercial jobs of all kinds; * and
 - (o) providing broad support services to education, in general, by providing assistance to schools, the non-formal education sector, training institutions and similar bodies in the production of textbooks and all forms of literary materials.*

[Act No. 6 of 2004.]*

* Commencement date not yet appointed.

(2) The Corporation has monopoly to print and publish for sale, all Government and local authority publications, forms and other documents, and may where the need arises subcontract such works to any other printing or publishing institution.

5. Board of Directors

(1) The governing body of the Corporation is a Board of Directors.

(2) The Board consists of the following persons—

(a) a Chairperson;

(b) the Permanent Secretary, Ministry of Communication, Information and Information Technology;

(c) the Permanent Secretary Ministry of Finance and Economic Affairs;

(d) the Solicitor-General and Legal Secretary;

(e) two other members one of whom shall be appointed Vice-Chairperson; and

(f) the Managing Director who shall be the Secretary to the Board.

(3) The non-*ex officio* members of the Board shall be appointed by the President after consultation with the Public Service Commission and shall hold office subject to such terms and conditions as the Minister may determine.

(4) The non-*ex officio* members of the Board shall hold office for three years but shall be eligible for re-appointment.

(5) A member of the Board who has any interest financial or otherwise, whether direct or indirect, in an undertaking which is the subject matter of a decision before the Board, shall disclose in writing to the Board the nature of his or her interest and shall not participate in any discussion or decision of the Board relating to the matter.

(6) A member of the Board who fails to disclose his or her interest under subsection (5) of this section shall be removed from the Board.

6. Meetings of the Board

(1) The Chairperson shall preside at all meetings of the Board and in his or her absence the Vice-Chairperson shall preside.

(2) The quorum at every meeting of the Board shall be five.

(3) The decisions of the Board shall be determined by a majority of those present and voting, but where the votes are equally divided, the Chairperson shall have a casting vote.

7. Resignation and removal

A non-*ex officio* member of the Board may resign his or her office by notice in writing to the President and may be removed from office by the President.

8. Remuneration

The members of the Board shall with the approval of the Minister, receive such remuneration, fees and allowances as may be determined by the Corporation.

9. Functions of the Board

The functions of the Board are to—

- (a) provide leadership and prudent supervision of the Corporation;
- (b) ensure the public accountability of the Corporation;
- (c) define policy objectives and to exercise all the powers conferred on the Corporation; and
- (d) set up realistic criteria against which the performance of management and staff of the Corporation may be evaluated.

10. Committees of the Board

The Board may on such terms as it may determine appoint such committees as it may consider necessary to perform such functions or advise the Board on such matters as the Board may direct.

11. Managing Director

(1) The Corporation shall have a Managing Director who shall be appointed by the President after consultation with the Public Service Commission and the Board.

(2) The Managing Director shall be the Chief Executive of the Corporation and shall, subject to the general control of the Board on matters of policy, and subject in particular to such rules as the Board may make under this Act, be charged with the direction of the day to day business of the Corporation and of its administration and organisation and control of all employees of the Corporation.

(3) The Board may delegate to the Managing Director such of its function as are necessary to enable him or her to transact efficiently the day to day business of the Corporation and for this purpose the Board may, from time to time, issue written instructions.

12. Appointment of staff

The Board shall employ such employees as it thinks necessary for the due discharge of its functions, upon such terms as to remuneration or otherwise as it may determine.

13. Service Rules

(1) The Managing Director may with the approval of the Board make rules relating to conditions of service of staff.

(2) The Board may with the approval of the Minister grant pensions, gratuities or retirement allowances to officers or employees and may require officers or employees to contribute to any pension or contributory scheme.

14. Funds of the Corporation

(1) The funds of the Corporation shall include—

- (a) all moneys accruing to the Corporation in the course of its operations;
- (b) an annual prepayment quarterly made to the Corporation by Government in respect of printing services for the Ministries;
- (c) all moneys accruing to the Corporation from the Government by way of grant, endowment, subvention or otherwise;
- (d) any loan granted to the Authority by the Government or any person or institution; and
- (e) any other grants, donations and endowments that may be received within and outside The Gambia.

(2) The funds of the Corporation shall be kept in a bank approved by the Board.

(3) The Corporation may, with the prior approval of the Board from time to time, raise or borrow such sums of money as may be necessary for or in connection with the purposes of this Act.

(4) The Corporation shall apply the funds at its disposal or any part of the funds for the carrying out of their powers, functions, responsibilities and operations under this Act and to the establishment and for the maintenance of its general reserve and of such other reserves as the Minister may, from time to time, direct.

15. Accounts and audit

(1) The Corporation shall keep books of account and proper records.

(2) The Auditor-General shall cause the books of account of the Corporation to be audited at such times as he or she may determine but shall cause the same to be audited at least at the end of each financial year.

(3) The audited accounts shall be submitted to the Board not later than three months after the end of the financial year to which they relate.

(4) The Board shall upon receipt of the report of the auditors forward the report to the Minister.

16. Annual report

(1) The Corporation shall, not later than two months after the end of financial year, submit to the Minister, in respect of the financial year, an annual report on the financial position and performance of the Corporation.

(2) The report under subsection (1) shall include—

(a) a statement on the income, source of income and application of the moneys of the Corporation;

(b) information with regard to the operation and performance of the Corporation; and

(c) such other information as the Minister may require.

(3) The Minister shall, not later than three months after the end of the financial year, cause the report to be laid before the National Assembly.

(4) The Managing Director shall also, from time to time, provide the Minister with such information relating to the affairs of the Corporation as the Minister may request.

[By operation of the Constitution.]

17. Vesting of assets

(1) On the commencement of this Act, there shall be transferred and vested in the Corporation all, assets, rights, obligations, liabilities of the Government Printing and Stationery Office.

(2) The former assets, liabilities and obligations of the National Printing and Stationery Corporation and the Book Production and Material Resources Unit are hereby transferred to The Gambia Printing and Publishing Corporation.*

(3) For the avoidance of doubt, at the coming into force of this Act, all assets, rights and obligations of the National Printing and Stationery Corporation and the Book Production and Material Resources Unit shall vest in The Gambia Printing and Publishing Corporation.

[Act No. 6 of 2004.]*

* Commencement date not yet appointed.

18. Regulations

The Board may, with the approval of the Minister, make regulations for the proper execution and efficient management of the purposes of this Act.

CHAPTER 32:03

THE GAMBIA PRINTING AND PUBLISHING CORPORATION ACT

SUBSIDIARY LEGISLATION

No Subsidiary Legislation
