

PRESIDENT'S INTERNATIONAL AWARD SCHEME ACT, 2015

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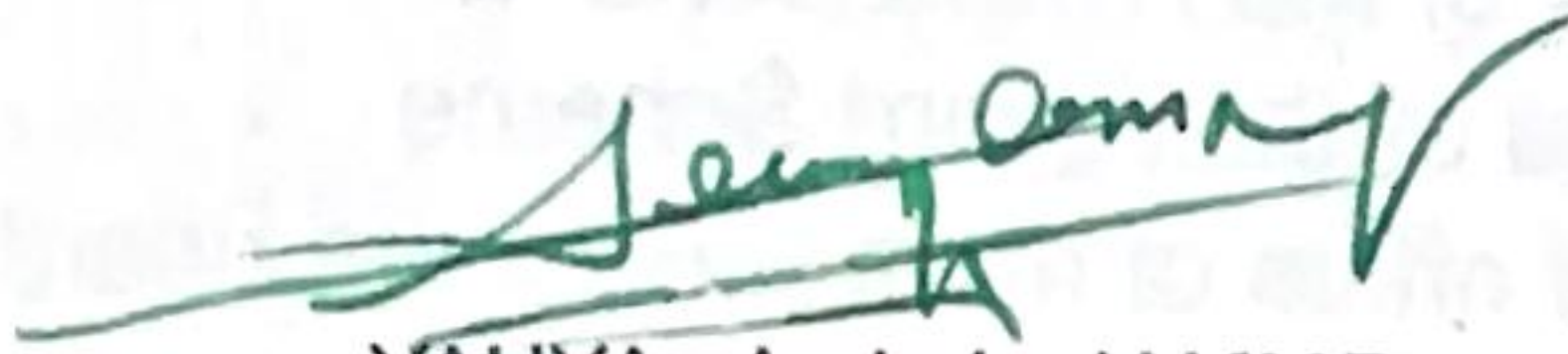
Supplement "C" to The Gambia Gazette No. 23rd of 28th September, 2015
President's International Award Scheme Act, 2015



THE GAMBIA
NO. 08 OF 2015

Assented to by The President,
this 1st day of October, 2015

LS


YAHYA A. J. J. JAMMEH
President

AN ACT to establish the President's International Award Scheme and its governing Board, to provide for the appointment of its management and staff, and for connected matters.

ENACTED by the President and National Assembly.

PART I – PRELIMINARY PROVISIONS

1. Short title

This Act may be cited as President's International Award Scheme Act, 2015.

2. Interpretation

In this Act, unless the context otherwise requires –

“Award Scheme” means the President's International Award Scheme established under section 3;

“Board” means the Board of Directors established under section 5 to govern the President's International Award Scheme;

“chairperson” means the chairperson of the Board of Directors of the Award Scheme;

“Executive Director” means the Executive Director of the Award Scheme appointed by the President under section 16;

“functions” includes powers and duties;

“Minister” means the Minister responsible for Youth and Sports; and “Ministry” shall be construed accordingly;

“President” means the President of the Republic of The Gambia and chief patron of the Award Scheme; and

“Secretary” means the Secretary to the Board of Directors of the Award Scheme appointed under section 9.

PART II – ESTABLISHMENT OF THE PRESIDENT'S INTERNATIONAL AWARD SCHEME AND ITS GOVERNING BOARD

3. Establishment of the President's International Award Scheme

(1) There is established by this Act, the President's International Award Scheme.

(2) The Award Scheme is a body corporate with perpetual succession and a Common seal and may –

- (a) sue or be sued in its corporate name;
- (b) enter into contracts and acquire, hold and dispose of property; and
- (c) in so far as is possible for a body corporate to do so, exercise the rights, powers and privileges and incur the liabilities and obligations of natural person of full age and capacity.

(3) The application of the common seal of the President's International Award Scheme to a document shall be authenticated by the signature of the Executive Director or such other person as may be authorised by the Executive Director in writing to sign on behalf of the Award Scheme.

(4) A document bearing the imprint of the seal of the Award Scheme shall be taken to be properly sealed unless the contrary is proved.

4. Functions of the President's International Award Scheme

(1) The Award Scheme shall –

- (a) identify and select potential youths for participation in the Award Scheme and for skills acquisition;
- (b) effectively run the Award Scheme to reach all young people wherever they live in The Gambia;
- (c) facilitate the aspirations and dreams of young Award Scheme participants to complete all levels of the Award Scheme namely –

- (i) Bronze Award Ceremony, which shall be authorised and presided over by respective schools and communities,
 - (ii) Silver Award Ceremony, which shall be authorised and presided over by Regional Governors or their designated representatives,
 - (iii) Gold Award Ceremony, which shall only be authorised and presided over by the President or his or her designated representative;
- (d) engage in entrepreneurship and business advisory services to young people;
 - (e) run professional and academic courses for members of its staff to strengthen its human resource base;
 - (f) engage in businesses or activities that strengthen its revenue base;
 - (g) where prudent and feasible, run soft loan schemes for members of its staff;
 - (h) engage in sporting, cultural, music and other entertainment activities for young people;
 - (i) engage in any other related activity for the development of young people of The Gambia; and
 - (j) participate in regional and global award forums as part of international award associations.
- (2) Persons between the ages of thirteen and thirty years may participate in the skills training programme, on payment of the agreed fees or upon waiver of such fees.
- (3) The Executive Director may, after consultation with the Board, reduce or waive the agreed fees.
- (4) All students, irrespective of age, may participate in the Award programme.
- (5) The Award Scheme may exercise such powers as are necessary to enable it to perform its functions or incidental to the proper discharge of those functions and, in particular, it may—

- (a) establish offices and branches in any place within The Gambia;
- (b) charge for any service it provides; and
- (c) consult and seek the advice of any person in the performance of its functions.

5. The Board of the Award Scheme

(1) There is established by this Act, the governing Board of the Award Scheme, which shall consist of -

- (a) a chairperson who shall be a person with extensive knowledge and experience in administration, management and the Award Scheme;
- (b) the Permanent Secretary of the Ministry;
- (c) a representative of the National Youth Council;
- (d) a representative of The Gambia Gold Award Holders' Association;
- (e) a representative from the private sector with extensive knowledge and experience in livelihood skills acquisition;
- (f) a representative of the Ministry of Higher Education, Research, Science and Technology; and
- (g) the Executive Director.

(2) Members of the Board shall be appointed by the President after consultation with the Public Service Commission.

6. Tenure of office of Members of the Board

(1) A member of the Board shall hold office for a term of three years, and is eligible for re-appointment for one further term.

(2) A person shall not be appointed a member of the Board or shall cease to be a member if he or she -

- (a) is adjudged to be of unsound mind;
- (b) has been convicted of an offence involving dishonesty or

fraud and not been granted a pardon; and

- (c) in the case of a person with professional qualifications, is disqualified or suspended from practicing his or her profession, other than on his or her own request.

(3) A member of the Board may resign by giving thirty days' notice in writing to the President.

7. Functions of the Board

The Board shall –

- (a) oversee the management and functions of the Award Scheme;
- (b) determine and review the strategic and operational direction of the Award Scheme;
- (c) consider emerging issues which may be material to the affairs of the Award Scheme;
- (d) maintain and keep under review, the capital and liquidity position of the Award Scheme;
- (e) review and approve proposals for the allocation of capital and other resources;
- (f) approve joint ventures, strategic partnerships and alliances which are relevant to the business of the Award Scheme;
- (g) approve the annual report, accounts and other significant statements issued to the Ministry;
- (h) recommend the appointment and removal from office of the Executive Director;
- (i) appoint the Secretary to the Board;
- (j) determine the remuneration, conditions of service and performance appraisal for the Executive Director and staff;
- (k) receive and consider high level reports on matters which are material;

(l) establish and maintain appropriate accounting policies and systems of planning, internal control and inspection; and

(m) advise the Executive Director as to the manner in which the functions of the Award Scheme are to be carried out.

8. Delegation of functions of the Board

(1) The Board may delegate any of its functions to the Executive Director to facilitate the efficient administration of the Award Scheme.

(2) The Board may at any time revoke the delegation to the Executive Director of any of its functions.

(3) A change in the holder of office of Executive Director shall not revoke any delegation to the Executive Director.

9. Appointment of Secretary to the Board

(1) The Board shall appoint as Secretary to the Board, a senior official of the Award Scheme with proven ability in administration.

(2) The Secretary shall be paid such allowances as the Board may determine but he or she shall have no voting rights on the Board.

10. Functions of the Secretary

(1) The Secretary to the Board shall -

(a) keep the books and records of the meeting of the Board;

(b) conduct correspondence on behalf of the Board;

(c) prepare the agenda and record the minutes of meetings of the Board; and

(d) perform such other duties as may be assigned to him or her by the Board or by the Executive Director.

(2) The Secretary shall be subject to the supervision and control of the Board and the chairperson

11. Meetings of the Board

(1) The Board shall meet at least once in every quarter at a place and time to be determined by the chairperson.

(2) The chairperson shall convene a meeting of the Board if requested to do so by the Executive Director or at least four members of the Board.

(3) The request for the meeting shall -

(a) be in writing;

(b) specify the agenda for which the meeting is to be convened; and

(c) be sent to each member of the Board not later than forty eight hours before the meeting.

(4) The quorum at a meeting of the Board is four members.

(5) The Board shall take decisions by a simple majority of the votes of its members present and in the event of an equality of votes, the person presiding shall have a casting vote.

(6) The chairperson shall preside at meetings of the Board at which he or she is present and if the chairperson is absent from a meeting, the members present shall select one of the members to preside.

(7) The minutes of a meeting of the Board shall be recorded by the Secretary and confirmed by the Board.

(8) After confirmation by the Board, the minutes shall be signed by the person who presided over the meeting.

(9) The Board may co-opt any individual to act as an adviser at its meeting, but a co-opted individual shall not be entitled to vote at any meeting and on any matter for decision by the Board.

(10) The validity of any proceeding of the Board is not affected by -

(a) a vacancy in its membership;

(b) a defect in the appointment of any of its members; or

(c) the fact that a person not entitled to do so, took part in the proceedings.

(11) The Board shall determine its own procedures.

12. Disclosure of interest

(1) A member of the Board who has a direct or indirect interest in a contract or undertaking with which the Award Scheme proposes to enter shall -

(a) disclose the nature of the interest to the Board; and

(b) if the Board so determines, not participate in any deliberation or vote in respect of the contract.

(2) A member of the Board who fails to comply with subsection (1) may be removed from the Board.

13. Transaction of business without a Board meeting

Notwithstanding the fact that a resolution of the Board was not passed at a meeting of the Board, it is a valid resolution if -

(a) it is signed or assented to by a majority of the members; and

(b) proper notice of the proposed resolution was given to each member.

14. Protection of members of the Board

An action, suit, prosecution or legal proceedings shall not be brought or instituted against a member of the Board personally, in respect of anything done by the member in pursuance of his or her functions as a member of the Board.

15. Allowance to members of the Board

Members of the Board and persons co-opted to the Board shall be paid such allowances as the Minister may approve.

**PART III – MANAGEMENT AND STAFF OF THE
PRESIDENT'S INTERNATIONAL AWARD SCHEME**

16. The Executive Director

(1) The Executive Director of the Award Scheme shall be appointed by the President after consultation with the Board and the Public Service Commission.

(2) The Executive Director is the Chief Executive Officer of the Award Scheme and shall –

- (a) execute and implement the policies of the Board;
- (b) transact the day-to-day business of the Award Scheme; and
- (c) ensure that the Award Scheme delivers its performance objectives within the agreed time.

(3) The Executive Director, acting on the advice of the Board, may establish such departments in the Award Scheme as he or she may consider necessary or expedient for the effective management of the Award Scheme.

17. Other Officers and Employees of the Enterprise

(1) The Board shall appoint such officers and employees as it considers necessary for the discharge of the functions of the Award Scheme on terms and conditions determined by the Board.

(2) The Board shall be responsible for the discipline and removal of employees of the Award Scheme.

(3) The Board shall adopt suitable policies in respect of the conditions of service of the staff.

(4) The Board may institute schemes for the training of its employees in administration, management and other capacities with a view to securing the benefit of their knowledge, experience and expertise in the conduct of the operations of the Award Scheme.

PART IV – FINANCIAL AND MISCELLANEOUS

18. Funds of the Award Scheme

The funds of the Award Scheme shall consist of—

- (a) moneys appropriated to the Award Scheme by the National Assembly;
- (b) loans granted to the Award Scheme, subject to the approval of the Minister and the minister responsible for finance;
- (c) income on any investment of money standing to the credit of the Award Scheme;
- (d) money from strategic partners and donors;
- (e) money collected by or on behalf of the Award Scheme by way of fees or charges; and
- (f) grants and gifts to the Award Scheme provided the terms and conditions attached to them are not inconsistent with the functions of the Award Scheme.

19. Estimates, accounts and audit

(1) The Award Scheme shall, not later than three months before the end of each financial year, prepare and submit to the Minister for approval, estimates of the income and expenditure of the Award Scheme for the ensuing year.

(2) The Award Scheme shall keep proper records and books of accounts of its Income, expenditure and transfers.

(3) The Award Scheme shall prepare, in respect of each financial year, a statement of accounts.

(4) The Award Scheme shall, within three months after the end of each financial year, submit its statement of accounts to the Auditor General for audit.

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

(6) The Award Scheme shall cause a management audit to be

prepared, if requested to do so by the Minister.

20. Annual report

(1) The Board shall, not later than three months after the end of each financial year, submit to the Minister in respect of that year, an annual report on the activities of the Award Scheme during the preceding year.

(2) The report shall include –

(a) information on the activities and policies of the Award Scheme;

(b) a copy of the audited accounts of the Award Scheme for the year and the Auditor General's report on them; and

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

(3) The Minister shall cause the report to be laid before the National Assembly within three months of the end of the immediately preceding financial year.

(4) The Executive Director shall provide to the Minister such information in respect of the affairs of the Award Scheme as the Minister may request.

21. Exemption from taxes and duties

The minister responsible for finance may exempt the Award Scheme from such taxes and duties as he or she may determine.

22. Judicial management of the Award Scheme

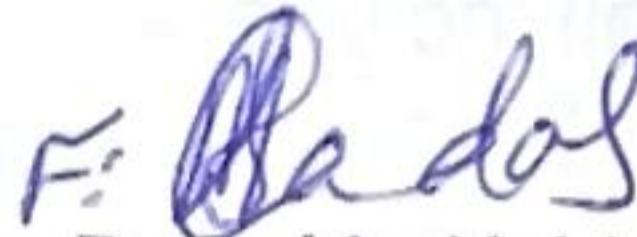
The Award Scheme may not be placed under judicial management unless authorised by an Act of the National Assembly specifically for that purpose.

23. Regulations

The Minister may make regulations for the effective implementation of the provisions of this Act.

President's International Award Scheme Act, 2015

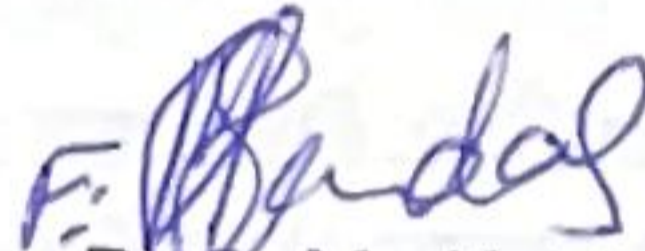
PASSED in the National Assembly this Seventeenth day of September,
in the year of Our Lord Two Thousand and Fifteen.



D. C. M. Kebbeh

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.



D. C. M. Kebbeh

Clerk of the National Assembly.