

**IN THE FIRST MEETING OF THE FOURTH  
SESSION OF THE EIGHTH PARLIAMENT OF THE  
FOURTH REPUBLIC OF GHANA**

**REPORT OF THE COMMITTEE ON ROADS AND  
TRANSPORTATION**

**ON THE**

**NATIONAL ROADS AUTHORITY BILL, 2023**

**MARCH, 2024**

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**REPORT OF THE COMMITTEE ON ROADS AND  
TRANSPORTATION ON NATIONAL ROADS AUTHORITY  
(NRA) BILL, 2023**

**1.0 INTRODUCTION**

The National Roads Authority (NRA) Bill, 2023, was laid in Parliament on Wednesday, 6<sup>th</sup> December, 2023 by the Hon Minister responsible for Roads and Highways, Mr. Kwasi Amoako-Attah. The Bill was subsequently referred to the Committee on Roads and Transportation for consideration and report in accordance with article 103 (3) of the 1992 Constitution and orders 165 and 253 of the Standing Orders of Parliament.

Following the referral, the Committee met with the Hon Minister responsible for Roads and Highways and officials of the Ministry on Tuesday, 20<sup>th</sup> December, 2023. The Committee met with key stakeholders on Wednesday, 7<sup>th</sup> February, 2024. Subsequently, the Committee met on Saturday, 9<sup>th</sup> March, 2024 to deliberate on the Bill. The Committee is grateful to the Hon Minister, officials of the Ministry of Roads and Highways and Stakeholders for attending upon the meeting.

**2.0 REFERENCE DOCUMENTS**

The Committee made reference to the following documents during its deliberations:

- i. The 1992 Constitution of Ghana
- ii. The Standing Orders of Parliament of Ghana
- iii. The National Roads Authority Bill, 2023

**3.0 BACKGROUND**

The road sector plays a major role in Ghana's transportation system by supporting economic growth, regional integration, and social development. Presently, the segregation of the institutional framework, has resulted in inefficiencies, inconsistent road surfaces, and challenges in the effective management of the road network.

Demographic changes, economic growth as well as urbanization have increased the pressure on existing road networks. Furthermore, factors such as escalating traffic volume, insufficient maintenance and a lack of coordination among existing agencies have compounded the situation.

Research and best practices from countries such as Canada, South Africa, India, Kenya and Dubai towards addressing similar challenges have been positive. Emerging developments including evolving transportation patterns and advancements in technology have necessitated the establishment of a unified authority to effectively confront the challenges facing road network in the country.

The setting up of the National Roads Authority therefore seeks to address the limitations and challenges associated with the existing systems towards achieving a well-planned, well maintained and safe road network in the country. Also, the integration is anticipated to streamline operations, enhance coordination as well as maximize the impact of investments in the road sector to serve the needs of the populace.

#### **4.0 PURPOSE OF THE BILL**

The purpose of the NRA Bill, 2023 is to establish the National Roads Authority as a unified body responsible for the planning, development, maintenance and management of the national road network in the country and to provide for related matters.

#### **5.0 PROVISIONS OF THE BILL**

The National Roads Authority Bill, 2023 contains a total of Sixty (60) Clauses

**Clauses 1 to 3** establishes the National Roads Authority as a corporate body to among others plan, develop and maintain the national road network. It also enumerates the functions of the Authority which provide safe, reliable and efficient road infrastructure and also develop measures for road safety infrastructure to reduce accidents on road networks.

**Clauses 4 to 12** generally deal with the governance of the Authority and spells out the duties and liabilities of the members of the Board, it also put

into consideration, allowances of members of the Board and directives for the Board on matters of policy.

**Clauses 13 to 22** deal with the administrative provisions of the Authority in accordance with the article 195 of the 1992 Constitution. It further provides for the appointment of a Solicitor-Secretary, Road inspectors and other staff of the Authority. An internal audit unit is also provided for in accordance with the Internal Audit Agency Act, 2003 (Act 658).

**Clauses 23 to 29** provide for funds of the Authority to include moneys approved by Parliament, bank account for the Authority, the submission of annual report and other reports to the Minister. outlines the borrowing powers of the Authority in accordance with section 76 of the Public Financial Management Act, 2016, (Act 921 and also makes provision for tax exemption in accordance with article 174 of the 1992 Constitution and the Exemptions Act, 2022 (Act 1083).

**Clauses 30 to 35** seeks to establish the Road Infrastructure Development Fund and also outlines the object of the Fund and related services such as investments of moneys for road infrastructure development.

**Clauses 36 to 40** deal with the classification of assets of the Authority based on the nature and purpose of the asset modalities in the acquisition and commercialization of special assets to generate revenue and promote sustainable financing and other facilities for the road network.

**Clauses 41 to 60** relate to miscellaneous matters among others on the responsibilities of the District Assemblies in the maintenance of local roads within the districts, compensation for damages done to any property by authorized persons, custody and use of common seal of the Authority, empowering the Authority to impose fees, levies or charges in accordance with the Fees and Charges (Miscellaneous Provisions) Act 1080).

## **6.0 JUSTIFICATION FOR THE BILL**

Currently, the road sector is plagued with several challenges and limitations. The existing lack of coordination and separate mandates among the various agencies have led to duplicated efforts, lack of maintenance culture, inconsistent standards as well as project delays. The

demographic changes, economic growth and urbanization have also increased the strain on the existing road network.

In view of these developments, there has been a growing demand for improved infrastructure, evolving transportation patterns and technological advancements.

To address this growing demand, research and analysis of countries such as South Africa, Kenya, Uganda, India, Canada, New Zealand, and Dubai as well as stakeholder engagements, has led to the creation of a policy for the establishment of the National Roads Authority.

The Ghana Highways Authority, the Department of Urban Roads and the Department of Feeder Roads have been placed under one authority for effective management of national roads.

This is to ensure effective coordination and maximize the use of national investments in the road sector for the use of both urban and rural areas.

## **7.0 FINANCIAL IMPACT**

The Authority aims at having a positive financial impact through revenue generation and the management of expenditure. It is intended that revenue generation would increase through the collection of tolls, road usage fees, and partnership with the private sector for infrastructure development and maintenance. Through strategic budget planning and transparent criteria, allocation of financial resources will be efficiently prioritized.

The National Roads Authority would also explore leveraging funding opportunities, such as public-private partnerships and accessing grants and concessional funding.

In order to promote long-term financial sustainability, the NRA will establish robust financial strategies, revenue generation mechanisms, expenditure planning and risk management frameworks. These interventions would aim at optimized allocation of resources, fostering partnerships and contributing to the wholistic development of the country's road sector.

## **8.0 INTERMINISTERIAL/AGENCY CONSULTATION**

Extensive Stakeholder Consultations were carried out to enhance the content of the Bill. The Stakeholders consulted include the Ministry of Roads and Highways, Ghana Highways Authority, Department of Feeder Roads, Department of Urban Roads, Office of the Head of Civil Service, the Parliamentary Select Committee on Roads and Transportation, Ghana Institution of Engineering and Local Government Institute among others.

## **9.0 OBSERVATIONS AND RECOMMENDATIONS**

### **9.1 Establishment of National Roads Authority**

The Committee observed that there was the need for road sector agencies to fall under a single unit hence the establishment of the National Roads Authority. It was noted that the fragmented nature of existing agencies under the Ministry had resulted in duplication of functions, weak linkages and limited capacity of individual agencies among others. In the view of the Committee, the unified approach would improve planning and more importantly ensure the efficient utilisation of scarce resources which is a major challenge facing the country.

### **9.2 Acquisition of Right of Way**

The Committee noted with concern, the non-acquisition of some right of ways by the Ministry. It further noted that inadequate resources posed a challenge to the Ministry's ability to acquire right of ways which may lead to encroachment. This situation further worsens the plight of the Ministry in terms of compensation payments.

The Committee therefore recommends that the Ministry of Roads and Highways puts in measures to secure right of ways across the country. In the view of the Committee, the Ministry could leverage on leasing properly acquired right of ways to utility providers such as Telecommunication companies and Electricity Company of Ghana Limited (ECG) as well as service providers to augment revenue for road sector development.

### **9.3 Gender Parity in the Composition of Board**

The Committee underscored the need for the appointing authority to be gender sensitive in composing members to the Board of the proposed NRA. The committee had consensus on this issue taking cognisance of recent developments on the Affirmative Action Bill in the country.

**10 CONCLUSION**

The Committee, after examining the National Roads Authority Bill, 2023, proposes the attached amendments and recommends that the House adopts its Report on the National Roads Authority Bill, 2023.

Respectfully submitted.

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**HON KENNEDY NYARKO OSEI**  
**CHAIRMAN, COMMITTEE ON ROADS**  
**AND TRANSPORTATION**



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**EUNICE K. ABEKA (MRS)**  
**SCHEDULE OFFICER,**  
**COMMITTEE ON**  
**ROADS AND**  
**TRANSPORTATION**

## AMENDMENTS PROPOSED ON THE NATIONAL ROADS AUTHORITY BILL, 2023

1. **Clause 2 – Amendment proposed** – Line 1, after “maintain” insert “, protect”
2. **Clause 2 – Amendment proposed** – Line 2, delete “Ghana” and insert “the country”
3. **Clause 3 – Amendment proposed** – Line 1, delete “objects” and insert “object”
4. **Clause 3 – Amendment proposed** – Paragraph (j), after “to” insert “subsection (2) of”
5. **Clause 3 – Amendment proposed** – After paragraph “(l)” insert a new paragraph “(m)” with the following:

“(m) collect tolls and pay into the Road Fund;”
6. **Clause 4 – Amendment proposed** – Subclause (1), paragraph (d)(ii), line 1, delete “Institute” and insert “Institution” and in lines 2 and 3, delete “Ghana Institute of Engineering; and” and insert “Institution;”
7. **Clause 4 – Amendment proposed** – Subclause (1), paragraph (d), after (ii), insert the following new subparagraphs

“(iii) Ghana Hydrological Authority;  
(iv) Land Use and Spatial Planning Authority; and”
8. **Clause 4 – Amendment proposed** – Subclause (1), paragraph (e), lines 1 and 2, after “user”, delete “and two of whom are women” and insert “nominated by the Minister”
9. **Clause 4 – Amendment proposed** – Subclause (3), lines 1 and 2, delete “paragraph (a) and (e) of”. Also, line 2, delete “expertise and experience” and insert “expertise, experience and gender”



10. **Clause 5 – Amendment proposed** – Subclause (2), line 2, delete “the funding for which exceeds a specified threshold determined by the Minister.
11. **Clause 6 – Amendment proposed** – Insert the following new Subclause (5):
- “(5) A member of the Board who refuses or fails to pay a fine imposed on the member under subsection (4) ceases to be a member of the Board.”.
12. **Clause 17 – Amendment proposed** – Subclause 1, line 2, after “a”, insert “lawyer as”
13. **Clause 17 – Amendment proposed** – Insert a new subclause (2) after subclause (1) with the following:
- “(2) The Solicitor-Secretary is the head of a Legal Department.”
14. **Clause 18 – Amendment proposed** – Subclause (2), paragraph (a), delete “in the premises” and insert “within the right of way”
15. **Clause 23 – Amendment proposed** – Paragraph (b), delete “fees and charges accruing to the Authority in the performance of the functions of the Authority” and insert “internally generated fund”
16. **Clause 23 – Amendment proposed** – Insert a new paragraph (d) after paragraph (c) with the following:
- “(d) moneys allocated to the Authority from the Road Fund;”
17. **Clause 29 – Amendment proposed** – Delete and insert the following:
- “The Authority may be exempt from the payment of taxes and duties subject to article 174 of the Constitution and the Exemptions Act, 2022 (Act 1083).
18. **Clause 32 – Amendment proposed** – Paragraph (a), lines 1 and 2, delete “, designated for road infrastructure development”
19. **Clause 35 – Amendment proposed** – Line 1, delete “in” and insert “of”

20. **Clause 38 – Amendment proposed** – Subclause (1), line (1), delete “Board” and insert “Minister”
21. **Clause 39 – Amendment proposed** – Subclause (1), line (1), delete “Board” and insert “Minister”
22. **Clause 41 – Amendment proposed** – Delete
23. **Clause 42 – Amendment proposed** – Paragraph (b), line 2, delete “trunk”
24. **Clause 42 – Amendment proposed** – Paragraph (e), line 3, delete “trunk”
25. **Clause 42 – Amendment proposed** – Paragraph (f), lines 1 and 2, delete “whether temporarily or permanently” and insert “temporarily”
26. **Clause 42 – Amendment proposed** – Paragraph (g), delete
27. **Clause 45 – Amendment proposed** – Line 2, delete “actions taken or omitted” and insert “acts or omissions”
28. **Clause 46 – Amendment proposed** – Subclause (1), line 1, delete “bridge” and insert “road or related infrastructure”
29. **Clause 46 – Amendment proposed** – Subclause (1), paragraph (a), line 1, delete “passing over” and insert “running into”
30. **Clause 46 – Amendment proposed** – Subclause (1), paragraph (b), line 1, delete “passing over” and insert “running into”.
31. **Clause 46 – Amendment proposed** – Subclause (1), paragraph (b), line 1, after “bridge” insert “and”
32. **Clause 48 – Amendment proposed** – Subclause (2), line 3, after “days”, delete “after the request by the Authority” and insert “from the date of receipt of the request”
33. **Clause 48 – Amendment proposed** – Subclause (3), line 2, delete “administration” and insert “administrative”

34. **Clause 53 – Amendment proposed** – The Office of the Attorney-General directed to redraft clause 53 taking into consideration clause 41.
35. **Clause 57 – Amendment proposed** – Line 1, after “may” insert “within twelve months of the coming into force of this Act,”
36. **Clause 57 – Amendment proposed** – Paragraph (f), Delete
37. **Clause 58 – Amendment proposed** – Interpretation for “road user” and “road infrastructure” to be provided by the Office of the Attorney-General and Ministry of Justice.
38. **Long Title of the Bill – Amendment proposed** – Line 2, insert “, protect” after “maintain”