

**IN THE FOURTH SESSION OF THE
SIXTH PARLIAMENT OF THE FOURTH
REPUBLIC OF GHANA**

**REPORT OF THE COMMITTEE ON
YOUTH, SPORTS AND CULTURE**

ON THE

SPORTS BILL, 2016

Acc No: 1634 C1

Class No: BR/SB/16

REPORT OF THE PARLIAMENTARY SELECT COMMITTEE ON YOUTH, SPORTS AND CULTURE ON THE SPORTS BILL, 2016

1.0 INTRODUCTION

- 1.1 The Sports Bill, 2016 was laid in Parliament on Tuesday, 15th March 2016, and referred by the Rt. Hon. Speaker to the Committee on Youth, Sports and Culture for consideration and report, pursuant to article 106(4) and (5) of the 1992 Constitution and Order 125 and 187 of the Standing Orders of Parliament.
- 1.2 The Committee had the benefit of further clarification from the Hon. Minister for Youth and Sports, Mr. Edwin Nii Lantey Vanderpuye, his Deputy Hon. Vincent Oppong Asamoah and officials from the Attorney-General's Department. The Committee expresses its appreciation to them for their assistance.

2.0 REFERENCE

- 2.1 The Committee availed itself of the following reference documents during its deliberations:
 - a. The 1992 Constitution of the Republic of Ghana.
 - b. The Standing Orders of Parliament.
 - c. The Sports Decree 1976 (S.M.C.D 54).
 - d. The Sports Regulations, 2011 (L.I. 1988).

3.0 OBJECT OF THE BILL

The Bill seeks to establish the National Sports Commission to provide for the development, promotion and management of amateur and professional sports and to enable the country operate its sports in conformity with international law and practices.

4.0 CONTENT OF THE BILL

Clauses 1 to 3 provide for the establishment, objectives and functions of the National Sports Commission.

Clauses 4 to 10 deal with the establishment of the governing body, tenure of members and other related matters.

Clauses, 11, 12, 13, and 14 provide for the appointment and functions of the Director-General as well as other staff of the Commission.

Clause 15 deals with the funds of the Commission, while clauses 16 to 17 deal with Accounts and Audit, Annual Reports and other Reports of the Commission.

Clauses 18 to 20 make provision for the establishment of a Public Interest Committee.

Clauses 21 to 28 cover the establishment, functions and tenure of Regional and District Sports Committees.

Clause 28 provides for Regulations, whilst Clause 30 and 31 deal with Interpretation and Repeal and Savings.

5.0 OBERVATIONS AND RECOMMENDATIONS

5.1 The Committee noted that presently, there are inconsistencies in the sports legislations in the country. Besides, there is the need to ensure that these legislations are consistent with international laws and practices. The establishment of the National Sports Commission to provide for the development, promotion and management of sports will therefore go a long way to streamline the operations and activities of the sports industry and make it more competitive in the international arena.

The Committee, however observed that although the Commission, among others is expected to serve as the regulator of the sports sector, its functions as provided in the Bill, do not fully articulate this important regulatory role. The Committee therefore recommends that functions such as licensing of sports facilities and operators, and setting of standards for the establishment and operation of

sporting facilities should be captured as part of the functions of the Commission.

- 5.2 The Committee expressed concern about the name "National Sports Commission" ascribed to the agency. The Committee acknowledges that the Commission will, among others, exercise some regulatory functions to ensure that sanity prevails in the activities of the various sports associations and the sports sector in general. However, the Committee is of the view that the nomenclature "National Sports Authority" if maintained, stands to easily project and communicate the agency's regulatory mandate to stakeholders and the general public.
- 5.3 Article 37(5) of the Constitution provides, among others, that sports should be used as a means of fostering national integration, health and self-discipline as well as international friendship and understanding.

The Committee noted that national games and sports festivals have been organised at one time or another over the years, with the view to promoting national integration. However, the organisation of such events has not been regular, partly due to the absence of a legal framework mandating a designated institution to perform that function. This Committee recommends that provision should be made under clause 3 of the Bill to assign the National Sports Commission, the responsibility of organising such games.

- 5.4 Clauses 18 to 20 provide for a Public Interest Committee (PIC) with the mandate to administer and develop sports, and also promote accountability in the development and management of the national sports teams.

The Committee noted that the role of the PIC is virtually similar to that of the Commission. Furthermore, there is no clear relationship between the PIC and the Commission as the PIC reports directly to the Minister in the performance of its functions. The existence of a parallel body, in the Committee's view might potentially conflict or interfere with the role of the Commission and create undesirable tensions and rivalry. The reporting relationship where the PIC is expected to deal directly with the Minister in the performance of its

functions, without reference to the Commission may eventually undermine the Authority of the Commission. It emerged, for instance, that the National Sports Authority is confronted with a similar challenge of getting some associations deal with the Ministry through the Authority.

The Committee underscores the need to ensure that any institutional arrangement which has the potential to interfere with or undermine the authority of the Commission is avoided.

- 5.5 The Committee noted that one of the functions of the PIC relates to ensuring transparency and accountability in the development and management of the national teams. Much as this is considered a good cause, the Committee is of the opinion that there are existing institutions such as the Auditor-Service mandated to ensure transparency and accountability in the application of public funds; therefore, the role of the PIC in this regard may be redundant. It is worth noting that during the Committee's meeting with stakeholders, nearly all the participants expressed concern about the practicability of the PIC.

The Committee recommends that the functions of the PIC be transferred to the Commission.

6.0 CONCLUSION

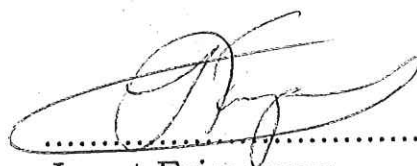
The role of sports in the socio-economic development of a country cannot be overemphasized. Sports are an avenue for promoting good health, fostering national cohesion and international friendships and promoting economic development. To reap these benefits, there is the need to provide appropriate structures, policies and legislation to ensure professionalism in the administration and management of sports in the country.

The Committee therefore recommends that the Report of the Select Committee on Youth, Sports and Culture on the Sports Bill, 2016 be approved by the House.

Respectfully submitted



.....
Hon. Kobena Mensah Woyome
Chairman, Committee on Youth,
Sports and Culture



.....
Janet Frimpong
Clerk to the Committee