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REPUBLIC OF GHANA

THE NINE HUNDRED AND THIRTY-NINTH

ACT

OF THE PARLIAMENT OF THE REPUBLIC OF GHANA
ENTITLED

NATIONAL YOUTH AUTHORITY ACT, 2016

AN ACT to establish the National Youth Authority, to develop a dynamic and disciplined youth imbued with a spirit of nationalism, and a sense of public service and morality, and to provide for related matters.

DATE OF ASSENT: 30th December, 2016

PASSED by Parliament and assented to by the President.

National Youth Authority

Establishment of the Authority

1. (1) There is established by this Act a body corporate to be known as the National Youth Authority.
(2) For the performance of its functions, the Authority may acquire and hold movable and immovable property, dispose of property and enter into a contract or any other transaction.
(3) Where there is hindrance to the acquisition of property, the property may be acquired for the Authority under the State Lands Act, 1962 (Act 125) and the cost shall be borne by the Authority.

Objects of the Authority

2. The objects of the Authority are to
 - (a) develop the creative potential of the youth;
 - (b) develop a dynamic and disciplined youth imbued with a spirit of nationalism, patriotism and a sense of propriety and civic responsibility; and
 - (c) ensure the effective participation of the youth in the development of the country.

Functions of the Authority

3. To achieve the object under section 2, the Authority shall
 - (a) formulate policies and implement programmes that will promote in the youth
 - (i) a sense of creativity, self-reliance, leadership, loyalty to the country discipline and civic responsibility; and
 - (ii) a sense of friendship and co-operation through exchange of ideas with recognised youth organisations in other countries in Africa and the world;
 - (b) develop the capacity of the youth to participate in decision making at all levels;
 - (c) establish and supervise youth leadership and skills training institutes; and
 - (d) in collaboration with the Ghana Youth Federation, organise annual youth conferences at the national, regional and district levels.

*Governance of the Authority***Governing body of the Authority**

4. (1) The governing body of the Authority is a Board consisting of
 - (a) a chairperson;
 - (b) a Chief Executive Officer of the Authority;
 - (c) one representative of the Ministry of Finance not below the rank of a Director;
 - (d) one representative of the Ministry of Education not below the rank of a Director;

- (e) one representative of the Ministry responsible for Youth Affairs not below the rank of a Director;
- (f) one representative of the Ministry responsible for Social Protection not below the rank of a Director;
- (g) one representative of the Ministry of Local Government not below the rank of a Director;
- (h) one representative of the National Development Planning Commission not below the rank of a Director;
- (i) one representative of the Organisation of Persons with Disability;
- (j) the Director-General of the National Service Scheme;
- (k) three representatives of the youth nominated by the National Youth Authority in consultation with the Ghana Youth Federation, at least one of whom is a woman; and
- (l) two persons nominated by the Minister, at least one of whom is a woman.

(2) The members of the Board shall be appointed in accordance with article 70 of the Constitution.

(3) The Board shall ensure the proper and effective performance of the functions of the Authority.

Tenure of office of members

5. (1) A member of the Board shall hold office for a period of not more than four years and is eligible for re-appointment for another term only.

(2) Subsection (1) does not apply to the Chief Executive Officer.

(3) A member of the Board, other than an ex-officio member, may at any time resign from office in writing addressed to the President through the Minister.

(4) The President may by letter addressed to a member revoke the appointment of that member.

(5) A member of the Board other than the Chief Executive Officer, who is absent from three consecutive meetings of the Board without sufficient cause, ceases to be a member of the Board.

(6) Where a member of the Board is, for a sufficient reason, unable to act as a member, the Minister shall determine whether the inability would result in the declaration of a vacancy.

- (7) Where there is a vacancy
 - (a) under subsection (3) or (5) or section 7(2),
 - (b) as a result of a declaration under subsection (6), or
 - (c) by reason of the death of a member,

the Minister shall notify the President of the vacancy and the President shall appoint a person to fill the vacancy.

Meetings of the Board

6. (1) The Board shall meet at least once in every three months for the dispatch of business at the times and in the places determined by the chairperson in consultation with the Chief Executive Officer.

(2) The chairperson shall, at the request in writing of not less than one-third of the membership of the Board, convene an extra-ordinary meeting of the Board at which a business shall not be transacted other than that stated in the agenda for that meeting.

(3) Notice of an ordinary meeting of the Board shall be given to each member of the Board at least fourteen days before the date of the meeting.

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

(5) The chairperson shall preside at meetings of the Board and in the absence of the chairperson, a member of the Board elected by the members present from among their number shall preside.

(6) Matters before the Board shall be decided by a majority of the members present and voting and in the event of an equality of votes, the person presiding shall have a casting vote.

(7) The validity of any proceedings of the Board shall not be affected by a vacancy in its membership or by a defect in the appointment of any member of the Board.

(8) The Board may co-opt a person to attend a Board meeting but that person shall not vote on a matter for decision at the meeting.

Disclosure of interest

7. (1) A member of the Board who has an interest in a matter for consideration shall

- (a) disclose the nature of the interest and the disclosure shall form part of the record of the consideration of the matter; and
- (b) not be present at, or participate in the deliberations of the Board in respect of the matter.

(2) A member ceases to be a member of the Board if that member has an interest in a matter before the Board and

- (a) fails to disclose that interest; or
- (b) participates in the deliberations of the matter.

Establishment of committees

8. (1) The Board may establish committees consisting of members of the Board or non-members or both to assist in the performance of the functions of the Board!

(2) Section 7 applies to members of committees of the Board.

Allowances

9. Members of the Board and members of a committee of the Board shall be paid the allowances approved by the Minister in consultation with the Minister responsible for Finance.

Ministerial directives

10. The Minister may give directives on matters of policy consistent with the provisions of this Act to the Board and the Board shall comply.

*Administrative and Financial Provisions***Chief Executive Officer**

11. (1) The President shall, in accordance with article 195 of the Constitution, appoint a Chief Executive Officer for the Authority.

(2) The Chief Executive Officer shall hold office on the terms and conditions specified in the letter of appointment.

Functions of the Chief Executive Officer

12. (1) The Chief Executive Officer is responsible for the day to day administration and operations of the Authority and is answerable to the Board in the performance of functions under this Act.

(2) Where the office of the Chief Executive Officer becomes vacant, the Board shall notify the Minister who in turn shall notify the President.

(3) Where the Chief Executive Officer is unable, by reason of illness or absence from the country, to perform the functions of the Chief Executive Officer, the Board shall authorise a Deputy Chief Executive Officer to perform the functions of the Chief Executive Officer until the Chief Executive Officer is able to perform those functions

(4)

Deputy Chief Executive Officer

13. (1) The Authority shall have two Deputy Chief Executive Officers.

(2) The President shall appoint the Deputy Chief Executive Officers in accordance with article 195 of the Constitution.

(3) The Deputy Chief Executive Officers shall hold office on the terms and conditions specified in their letters of appointment.

Functions of a Deputy Chief Executive Officer

14. (1) A Deputy Chief Executive Officer appointed under section 13 is responsible for

(a) Finance and Administration; or (h)
Programmes and Operations;

(2) Despite subsection (1), the Chief Executive Officer may assign to a Deputy Chief Executive Officer any other functions as the Chief Executive Officer may consider necessary for the effective performance of the functions of the Authority.

Secretary to the Board

15. (1) The Chief Executive Officer shall in consultation with the Board, designate an officer of the Authority as Secretary to the Board.

(2) The Secretary is responsible to the Board in the performance of the functions under subsection (3).

(3) The Secretary shall

(a) arrange the business for meetings of the Board and cause minutes of proceedings of the Board to be recorded and kept; and

(b) perform any other functions that the Board may assign.

Appointment of other staff

16. (1) The President shall, in accordance with article 195 of the Constitution, appoint other staff of the Authority that are necessary for the proper and effective performance of its functions.

(2) Other public officers may be transferred or seconded to the Authority or may otherwise give assistance to it.

Funds of the Authority

17. The funds of the Authority include

(a) moneys approved by Parliament;

(b) five percent of the District Assemblies Common Fund subject to the formula approved by Parliament in accordance with article 252 of the Constitution;

(c) return on investment of funds by the Authority;

(d) donations and grants; and

(e) any other moneys that are approved by the Minister responsible for Finance.

Application, of funds of the Authority

18. (1) The funds of the Authority shall be applied for the

(a) performance of the functions of the Authority;

(b) administrative expenses and oversight supervision by the Ministry which shall in any case not exceed five percent of the funds of the Authority.

(2) The Board shall ensure that the funds of the Authority are used solely for the purpose for which they are approved.

Accounts and audit

19. (1) The Authority shall keep books of account and proper records in relation to the accounts in the form determined by the Auditor-General.

(2) The Board shall submit the accounts of the Authority to the Auditor-General for audit within three months after the end of the financial year.

(3) The Auditor-General shall, not later than three months after the receipt of the accounts, audit the accounts and forward a copy of the audit report to the Minister.

Annual report and other reports.

20. (1) The Board shall, within one month after receipt of the audit report, submit to the Minister an annual report covering the activities and the operations of the Authority for the year to which the report relates.

(2) The annual report shall include the report of the Auditor-General.

(3) The Minister shall, within one month after the receipt of the annual report, submit the report to Parliament with a statement the Minister considers necessary.

(4) The Board shall submit to the Minister any other report which the Minister may request in writing.

*Regional Youth Committees and District Youth Committees***Regional Youth Committees**

21. (1) The Board shall, in consultation with the Minister responsible for each region, establish in each region, a Regional Youth Committee consisting of

- (a) the chairperson;
- (b) the Regional Co-ordinating Director;
- (c) the Regional Director of Health or a representative;
- (d) the Regional Youth Director or a representative;
- (e) the Regional Director of Education or a representative;
- (f) the Regional Social Welfare Director or a representative;
- (g) the Regional Community Development Director or a representative.
- (h) one representative of the Organisation of Persons with Disability in the region;
- (i) three representatives from the Regional Youth Federation; and

(j) two other persons nominated by the Minister responsible for the Region at least one of whom is a woman.

(2) A Regional Youth Committee shall meet at least once in every three months at a time and in a place determined by the chairperson.

(3) A Regional Youth Committee may prescribe its own procedure for the conduct of meetings.

Functions of Regional Youth Committee

22. A Regional Youth Committee shall oversee the implementation of the policies of the Authority at the regional level.

District Youth Committee

23. (1) The Board shall, in consultation with the respective District Assemblies, establish a District Youth Committee, consisting of

- (a) a chairperson with expertise in youth organisation;
- (b) the District Co-ordinating Director;
- (c) the District Director of Health;
- (d) the District Youth Coordinator;
- (e) the District Director of Education;
- (f) the District Social Welfare Director;
- (g) the District Community Development Director;
- (h) the District Sports Director;
- (i) one representative of the Organisation of Persons with Disability in the district nominated by the District Youth Federation;
- (j) three representatives from the district nominated by the District Youth Federation at least two of whom are women;
- (k) a representative of the Member of Parliament;
- (l) a representative of the traditional authority of the district and
- (m) a representative of the Social Services Committee of the Assembly.

(2) The chairperson shall be appointed by the Board in consultation with the District Assembly.

(3) The District Youth Committee shall assist the District Youth Unit of the Education, Youth and Sports Department of the District Assembly in the implementation of policies of the Authority in the District.

*Miscellaneous Provisions***Seal of the Authority**

24. (1) The Chief Executive Officer shall keep the common seal of the Authority and shall apply the seal to documents determined by the Board.

(2) The application of the seal of the Authority shall be authenticated by the signature of the Chief Executive Officer.

(3) The Board may in writing empower any person to execute an Instrument, or to enter into a contract on behalf of the Board.

Registration of Youth Organisation

25. (1) A District Assembly shall be responsible for the registration of a youth organisation within the District and shall upon receipt of an application, register an organisation as a youth organisation unless the aims or objectives of that youth organisation are contrary to the provisions of the Constitution and by-laws of the District Assembly.

(2) An application in respect of the registration of a youth organisation shall be made to the District Assembly and shall be accompanied by the prescribed fee.

(3) A youth organisation that operates in more than one region shall register with the Authority and the Registrar-General's Department,

Offences and penalties

26. A person or youth organisation that engages in an activity contrary to a provision of this Act, commits an offence and is liable on summary conviction to a fine of not less than fifty penalty units and not more than one hundred penalty units or to a term of imprisonment of not less than three months and not more than six months or to both.

Regulations

27. The Minister may, on the advice of the Board, by legislative instrument, make Regulations

(a) to prescribe the procedure for the registration of youth organisations;

(b) to provide for the supervision, regulation and administration of youth organisations;

(c) for guidelines for the determination of registration fees in consultation with the Minister responsible for Finance; and

(d) to provide for the effective implementation of this Act.

Interpretation

28. In this Act, unless the context otherwise requires,
- “Authority” means the National Youth Authority established under section 1;
 - “Board” means the governing body of the Authority established under section 4;
 - “Chief Executive Officer” means the person appointed under section 11;
 - “district” includes the area of scheme of a District Assembly, a Municipal Assembly and a Metropolitan Assembly;
 - “District Assembly” includes a Municipal Assembly and a Metropolitan Assembly;
 - “district youth festival” means a festival organised by the Authority at the district level for the youth;
 - “Minister” means the Minister responsible for the youth;
 - “small scale enterprise” includes an industry, project, enterprise, or economic activity which employs not more than one hundred people and whose total assets excludes land and building that do not exceed the Ghana cedi equivalent of one million United States Dollars ;
 - “youth” means a person between the ages of fifteen years and thirty-five years;
 - “youth activity” means an activity, programme or project undertaken by the youth;
 - “youth federation” means an amalgamation of youth organisations;
 - “youth organisation” means an organisation registered by the Authority as an association to achieve the objects of this Act; and
 - “youth project” means a piece of work organised by the Authority for the youth at the national, regional or district level.

Repeal and savings

29. (1) The following enactments are repealed:
- (a) National Youth Authority Act, 1974 (N.R.C.D. 241); and
 - (b) National Youth Authority (Amendment) Act, 1974 (N.R.C.D. 300).
- (2) Despite the repeal of the enactments in subsection (1), Regulations,

by-laws, notices, orders, directions, appointments or any other act lawfully made or done under the repealed enactments and in force immediately before the commencement of this Act shall be considered to have been made or done under this Act and shall continue to have effect until reviewed, cancelled or terminated.

Transitional provisions

30. (1) Despite the provisions of any enactment, a youth organisation in existence immediately before the commencement of this Act shall within thirty days after the coming into force of this Act apply to the relevant District Assembly to be registered.

(2) The assets, rights, obligations and liabilities of the National Youth Authority established under the National Youth Authority Act, 1974 (N.R.C.D. 241) and in force immediately before the commencement of this Act, are transferred to the Authority.

(3) A person in the employment of the National Youth Authority immediately before the commencement of this Act, shall on the coming into force of this Act be deemed to have been duly employed by the Authority established by this Act on terms and conditions which are not less in aggregate to terms and conditions attached to the post held by that person before the commencement of this Act.

Date of *Gazette* notification: 30th December, 2016