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GRENADA

**ACT NO. 2 OF 2012****I assent,**CARLYLE ARNOLD GLEAN  
*Governor-General.**5th January, 2012.*AN ACT to provide for the establishment of an authority  
to facilitate the development of sports in Grenada.*[ By Order ].*BE IT ENACTED by the Queen's Most Excellent Majesty,  
by and with the advice and consent of the Senate and House  
of Representatives, and by the authority of the same as  
follows—**PART I**

## PRELIMINARY

**1.** This Act may be cited as theShort title and  
commencement.**NATIONAL SPORTS COUNCIL ACT, 2012.**and shall come into force on such date as may be  
appointed by order made by the Minister published in the  
*Gazette.*

Interpretation.

**2.** For the purposes of this Act –

“Council” means the National Sports Council established under section 3;

“Fund” means the Reserve Fund established pursuant to section 11;

“Government” means Government of Grenada;

“member” means member of the Council established pursuant to section 3;

“Minister” means the Minister with responsibility for Sports;

“National Lotteries Authority” means the National Lotteries Authority established pursuant to section 3 of the National Lotteries Authority Act; and

“secretary” means the secretary to the Council.

**PART II**

**ESTABLISHMENT, STATUS AND FUNCTIONS  
OF THE COUNCIL**

Establishment of  
National Sports  
Council.

**3.—**(1) For the purposes of this Act, there is established a Council to be known as the National Sports Council.

(2) The Council shall be a body corporate to which section 49 of the Interpretation and General Provisions Act shall apply.

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(3) The provisions of the Schedule have effect with respect to the constitution of the Council and otherwise in relation thereto.

4.—(1) The functions of the Council shall be to—

Functions of  
the Council.

- (a) stimulate and facilitate the development of sports generally in Grenada;
- (b) develop, maintain and manage sporting facilities, including all playing fields provided by the Government for public use; save and except the Grenada National Stadium;
- (c) administer the funds of the Council and all Government grants allotted to sporting organizations;
- (d) develop an annual national sporting calendar, to be published no later than one month prior to the start of each calendar year;
- (e) facilitate and support the organising of national sporting events, including the Grenada National Championships, in collaboration with the respective national federations, ministries and agencies;
- (f) support the work of the national federations in the organization of regional and international sporting events taking place in Grenada;
- (g) provide oversight and support for all island-wide sporting competitions, through liaising with parish sports councils;

- (h) organize and implement training and development activities aimed at strengthening the operations and financial viability of various sporting federations;
- (i) support the implementing of development plans initiated by the respective national federations for introducing young persons to the respective sporting disciplines;
- (j) provide administrative and logistical support to all national federations through the establishment of a central sports secretariat;
- (k) facilitate and support the preparation of national teams for competition in regional and international sporting events; and
- (l) provide ongoing support in the establishment of the parish councils, including the design of standard templates for the development of constitutions and related governance processes.

(2) Subject to this Act, the Council may carry on any activity that appears to it to be requisite, advantageous or convenient for, or in connection with, the discharge of its functions under this Act.

Appointment of  
Chief Executive  
Officer.

**5.—**(1) The Council shall, with the approval of the Minister, appoint a Chief Executive Officer of the Council on such terms and conditions as it thinks fit.

(2) The Chief Executive Officer shall be responsible for the day to day functioning of the Council, the supervision of

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the staff of the Council and the implementation of all sporting policies.

(3) In addition to the functions stated under subsection (2), the Chief Executive Officer shall—

- (a) submit status reports to the Council with respect to work of the Council in such manner as may be determined by the Council;
- (b) co-ordinate and organize sporting events for the parish council;
- (c) organize the disbursement of funds in accordance with guidelines for national associations from the National Lotteries Authority;
- (d) assist with the organizing of training programmes for the parish councils;
- (e) identify projects that would assist the Council in raising funds;
- (f) hold quarterly meetings with the parish councils;
- (g) update the Council on the functioning and activities of the national and parish sports councils;
- (h) promote the work of the Council;
- (i) prepare an annual action plan and budget for the Council;

- (j) submit annual reports on his activities to the Council; and
- (k) perform any related duties that may be assigned to him from time to time.

Staff of the Council.

**6.** The Council may appoint on such terms and conditions as it thinks fit, such officers and employees as may be required for the proper and efficient discharge of the functions of the Council under the Act.

Delegation.

**7.—(1)** The Chief Executive Officer may delegate to an employee of the Council any of his powers under this Act other than the power of delegation given to him under this section.

(2) A reference in this Act to a power or a duty of the Chief Executive Officer shall, unless otherwise specified, include a reference to a power or duty of a person so delegated pursuant to subsection (1) of this section, within the limits of the delegation.

(3) A power or a duty delegated by the Chief Executive Officer under this section shall not be sub-delegated.

(4) Nothing in this section shall operate to diminish or derogate from the powers and duties of the Chief Executive Officer pursuant to the provisions of this Act.

Remuneration of members.

**8.** A member of the Council is entitled, in respect of the office he holds, to such remuneration and allowances, if any, as the Minister determines.



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**PART III****FINANCIAL**

**9.—(1)** The funds and resources of the Council shall consist of such— Funds and resources of the Council.

- (a) sums as may accrue from the operations of the Council;
- (b) sums or property as may become payable to or, as the case may be, vested in the Council;
- (c) sums as the Council borrows or as become available to the Council from sources other than those expressed in paragraphs (a) and (b);
- (d) amounts as may be voted by Parliament for that purpose; and
- (e) any other moneys, whether by gifts, grants, loans or otherwise, provided for the purposes of its functions under the Act.

(2) The Council shall keep proper record of its accounts and audit of its financial transactions in relation to the administration of its resources in accordance with the directions of the Director of Audit or any auditor duly appointed by the Director of Audit, for the purpose of auditing such accounts in respect of each financial year who shall submit a report on each audit to the Council.

(3) The Council shall, within three months after the end of each financial year, submit the accounts of the Council for audit by the Director of Audit or an auditor duly appointed by the Director of Audit.

(4) The members, officers and servants of the Council shall allow the Director of Audit, or any auditor duly appointed by the Director of Audit to have access to all books and documents relating to accounts and all cash and securities of the Council; and, on being requested by the Director of Audit, supply to him all information within their knowledge that relates to the operation of the Council.

(5) Any person who fails to comply with this section commits an offence, and is liable, on summary conviction, to a fine not exceeding one thousand dollars or imprisonment for a term not exceeding twelve months or both.

Application of  
funds of  
Council.

**10.** The funds of the Council shall be applied towards the—

- (a) meeting of the obligations, and the discharging of any functions of the Council and matters incidental to such obligations and functions; and
- (b) creation and maintenance of the Reserve Fund established under section 11.

Reserve fund.

**11.—**(1) The Council may, out of its funds, establish a fund to be known as the Reserve Fund.

(2) Subject to subsection (3) and section 15 (1), the Council shall—

- (a) have control over the management of the Fund;
- (b) determine what amounts shall be credited to the Fund; and
- (c) determine the purposes for which the Fund may be applied.

(3) No part of the Fund shall be applied otherwise than for the purposes of the Council.

**12.** The Chief Executive Officer shall, within three months after the end of each financial year, submit for the approval of the Council an annual report of activities, operations, undertakings, property and finances of the Council for that year. Annual report.

**13.—**(1) The Council shall as soon as possible, after the expiration of each financial year, and in any case no later than the 30th June in each year, submit to the Minister a report containing a— Report to be submitted to Minister and laid before Parliament.

- (a) detailed account of its activities for the preceding financial year; and
- (b) statement of its audited accounts.

(2) A copy of the report referred to in subsection (1) shall, together with a copy of the auditor's report pursuant to section 9 (2) shall be laid before the House of Representatives.

**14.—**(1) For the purposes of this section—

“property” includes all sporting facilities, and playing fields; save and except the Grenada National Stadium. Vesting of property and rights to the National Sports Council

(2) All property including rights owned and managed by the Government at the date of commencement of this Act is hereby vested in the National Sports Council.

(3) All liabilities that have been incurred by such property mentioned pursuant to sub-section (2) that are subsisting immediately before the date of commencement of this Act, shall of that date have effect as if they had been incurred by the Council.

#### PART IV

##### MISCELLANEOUS

Power of  
Minister to give  
directions.

**15.** (1) The Minister may, after consultation with the Chairman of the Council, give the Council directions of a general or specific character respecting the policy to be followed in the exercise and performance of its functions affecting matters that appear to the Minister to be of public interest, and the Council shall give effect to such directions.

(2) Notwithstanding subsection (1), the Council shall not, except with the prior approval of the Minister—

- (a) invest any of its funds in any securities;
- (b) dispose of any of its securities;
- (c) acquire or dispose of any real property;
- (d) enter any contract for the purpose of raising loans; and
- (e) assign, in respect of any office established by the Council, a salary in excess of such amount as the Minister determines.

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**16.** The Council may, with the approval of the Minister, <sup>Regulations.</sup> make regulations respecting the—

- (a) maintenance of order on premises under the control of the Council;
- (b) conditions under which premises under the control of the Council may be let or used;
- (c) powers and duties of officers appointed by the Council to assist in the administration of this Act and the regulations; and
- (d) prescribing of anything that is by this Act authorized or required to be prescribed.

**17.—(1)** Any person who— <sup>Offences.</sup>

- (a) willfully disrupts any sporting activity sponsored by the Council;
- (b) assaults any members, officer or servant of the Council in the execution of his duty;
- (c) enters or attempts to enter any sporting facility or playing field to make use of any such facilities or playing field under the control of the Council, other than that which is authorized by the Council;
- (d) damages any sporting facility or playing field under the control of the Council, save and except, the Grenada National Stadium,

commits an offence, and is liable, on summary conviction to a fine not exceeding one thousand dollars or imprisonment for a term not exceeding twelve months or both.

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(2) Any person who commits a breach of the regulations or any provision of this Act, for which no penalty is provided is guilty of an offence, and is liable, on summary conviction to a fine not exceeding one thousand dollars or imprisonment for a term not exceeding twelve months or both.

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SCHEDULE

Section 3(3)

1. The Council shall consist of not less than seven persons and not more than eleven persons appointed by the Minister.
2. The Minister shall appoint a member of the Council to be Chairman and another member to be Deputy Chairman.
3. In the case of the inability of any member to act, the Minister may appoint a person to act temporarily in the place of such member.
4. A member of the Council shall hold office for a period not exceeding three years and shall be eligible for re-appointment.
5. A person shall be disqualified from being a member of the Council and shall not become or continue to be appointed as a member of the Council if the person has—
  - (a) been convicted of an offence pursuant to the provisions of the Act;
  - (b) been found guilty of misconduct which is related to the performance of his functions under this Act;
  - (c) been absent, in the case of the Chairperson without leave granted by the Minister and in the case of a member, without leave granted by the Chairperson, from four consecutive meetings of the Council; or
  - (d) has become incapable, wilful or otherwise of carrying out his functions pursuant to the provisions of the Act; or
  - (e) has resigned his office by written notice to the Minister.
6. The appointment of a member shall not be terminated unless the member has been given a reasonable opportunity to make representations.

7. A member of the Council shall hold office for a term of three years unless he dies, resigns or has his appointment revoked before the end of that term, but—

- (a) a person who is appointed to fill a vacancy created by the death, resignation or removal from office of a former member shall hold office only for the unexpired portion of the term of that former member; and
- (b) every member is, on the expiration of the term of his appointment, eligible for re-appointment for a further term.

8. The Minister may grant leave of absence to a member of the Council and may appoint a person to act temporarily in the place of that member.

9. A member of the Council, other than the Chairman, may resign his office by instrument in writing addressed to the Minister, transmitted through the Chairman and from the date of the receipt of such instrument by the Minister, such member shall cease to be a member of the Council.

10. The Chairman may at any time resign his office by instrument in writing addressed to the Minister and from the date of the receipt of such instrument by the Minister, the Chairman shall cease to be Chairman and if the instrument so specifies, cease to be a member of the Council.

11. The Chairman, or, in the event of his being absent from Grenada or for any reason unable to act, the Deputy Chairman may at any time call a special meeting of the Council and shall call such a meeting within seven days after receiving a requisition to do so by any five members of the Council.

12. Five members of the Council shall form a quorum.

13. Decisions of the Council shall be by a majority of votes and where the voting is equal the Chairman shall, in addition to his original vote, have a casting vote.

14. The Council shall meet at times as may be expedient for the transaction of business and such meeting shall be held at such places and times and on such days as the Council determines.

15. Minutes of each meeting shall be duly kept by the Secretary or other person appointed by the Council for the purpose and shall be confirmed by the Council at its next meeting and signed by the Chairman or other person presiding at that meeting.

16. The names of the members as first constituted and every change in the membership thereafter shall be published in the *Gazette*.

17. The Council may co-opt persons to attend any of its meetings for the purpose of assisting or advising it respecting any matters with which it is dealing, but a co-opted member shall not have a right to vote.

18. Subject to this Schedule, the Council shall regulate its own proceedings.

19. All documents made by and all decisions of the Council shall be signified under the hand of the Chairman or any member authorised to act in that behalf or by the secretary.

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Passed by the House of Representatives on this 18th day of November, 2011.

RAPHAEL DONALD  
*Acting Clerk to the House of Representatives.*

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Passed by the Senate this 1st day of December, 2011.

RAPHAEL DONALD  
*Acting Clerk to the Senate.*

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GRENADA