

No. 25 of 2024.

National Capital District Commission (Amendment) Act 2024.

Certified on : 23/12/2024



No. of 2024.

National Capital District Commission (Amendment) Act 2024.

ARRANGEMENT OF SECTIONS.

1. Chairman and Deputy Chairman (Repeal and replacement of Section 6).

“6. CHAIRMAN AND DEPUTY CHAIRMAN.”.

2. Staff (Repeal and replacement of Section 20).

“20. STAFF.

20A. SUSPENSION OR DISMISSAL OF STAFF.”.

3. Manager (Repeal and replacement of Section 21).

“21. MANAGER.”.



No. of 2024.

An Act

entitled

National Capital District Commission (Amendment) Act 2024,

Being an Act to amend the *National Capital District Commission Act 2001*,

MADE by the National Parliament.

1. CHAIRMAN AND DEPUTY CHAIRMAN (REPEAL AND REPLACEMENT OF SECTION 6).

The Principal Act is amended by repealing Section 6 and replacing it with the following:

“6. CHAIRMAN AND DEPUTY CHAIRMAN.

(1) There shall be a Chairman and a Deputy Chairman of the Commission.

(2) Subject to this Act, the Governor is the Chairman of the Commission and the Deputy Governor is the Deputy Chairman of the Commission.

(3) Subject to this Act, the Chairman -

- (a) has the general oversight of the affairs and the management of the Commission and is to ensure that the Commission is performing its functions and achieving its objectives; and
- (b) shall conduct meetings of the Commission in accordance with this Act; and
- (c) on behalf of the Commission, shall present recommendations to the National Government on matters pertaining to the powers and functions of the Commission; and
- (d) shall manage the Commission in the planning and implementation of development and investment programs including the planning of the capital expenditure and the preparation of long-term financial projections; and
- (e) shall manage and assist where necessary in the preparation of statutory or management accounts and the preparation of management of budgets, estimates of capital and revenue expenditures, cash flows and other financial data or information or accounting records; and
- (f) in the discharge of his duties and in the exercise of his powers, shall conform with, observe and comply with all resolutions, regulations and directions from time to time made or given by the Minister; and

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- (g) in consultation with the Board, may recommend to the Minister for his approval and certification, proposed changes to the Commission's estimates of the receipts and expenditure for any financial year certified by the Minister under Section 32; and
- (h) shall review and, where necessary, order an investigation into the circumstances under which any transaction or deal involving any property or asset of the Commission was made; and
- (i) has such other functions as are specified in this Act; and
- (j) has such functions incidental to the functions specified in this subsection.

(4) Where the Chairman or Deputy Chairman ceases to be a member of the Commission, he ceases to be Chairman or Deputy Chairman of the Commission.

(5) Where the Chairman is -

- (a) on leave of absence; or
- (b) absent from the National Capital District; or
- (c) out of speedy or effective communication; or
- (d) otherwise unable to perform or is not readily available to perform the functions and responsibilities of Chairman,

the Deputy Chairman shall perform the functions and responsibilities for the Chairman of the Commission.

(6) Where, for protocol or ceremonial reasons, there is a need for an Office of Lord Mayor, the Chairman or, in his absence, the Deputy Chairman, is considered to hold the Office of Lord Mayor for such purposes.

(7) The Chairman, or in his absence, the Deputy Chairman, is responsible to the Minister regarding the Commission's performance of its functions."

2. STAFF (REPEAL AND REPLACEMENT OF SECTION 20).

The Principal Act is amended by repealing Section 20 and replacing it with the following new sections:

"20. STAFF.

(1) The staff of the Commission consists of -

- (a) the Manager appointed in accordance with Section 21; and
- (b) officers and employees appointed by the Commission as it considers necessary for the purposes of performing its functions.

(2) The Manager, officers and employees shall hold office on such terms and conditions as are determined by the Commission subject to the *Salaries and Conditions Monitoring Committee Act 1988*.

20A. SUSPENSION OR DISMISSAL OF STAFF.

(1) If a staff or an employee -

- (a) becomes permanently incapable of performing his duties; or
- (b) is incompetent to perform his duties; or
- (c) misbehaves or is negligent in the performance of his duties; or

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- (d) other than the written consent of the Chairman, engages in any paid employment or carries on business outside the duties of his office; or
 - (e) is convicted of an offence that is punishable under a law by imprisonment; or
 - (f) ceases to be ordinarily resident in the country; or
 - (g) commits an offence against this Act,
- the Commission may suspend or dismiss the staff or employee.

- (2) Where the Commission reasonably believes that there is -
 - (a) mismanagement of the financial affairs of the Commission; or
 - (b) a breakdown in the administration of the Commission; or
 - (c) a failure on the part of the Commission to provide adequate services to the public,the Commission may conduct its own investigation into the matters in Paragraphs (a), (b) and (c).

(3) The Commission may, in respect of the staff or employees of the Commission in Subsections (1) and (2), take such disciplinary steps as considered necessary including laying of a disciplinary charge, effecting of suspension or dismissal from employment in accordance with the established procedure as applicable to staff or employees of the Commission.”.

3. MANAGER (REPEAL AND REPLACEMENT OF SECTION 21).

The Principal Act is amended by repealing Section 21 and replacing it with the following new section:

“21. MANAGER.

(1) Subject to the consent of the Minister, the Commission shall appoint the Manager.

(2) The Commission may dismiss the Manager from office before the termination of the period for which he was appointed with the consent of the Minister.

(3) If the Manager fails to comply with Subsection (4), the Board of the Commission may suspend the Manager and appoint an Acting Manager prior to termination.

- (4) Subject to the directions of the Chairman, the Manager -
 - (a) is the Chief Executive Officer of the Commission; and
 - (b) manages the daily operations of the Commission; and
 - (c) is the head of the staff of the Commission; and
 - (d) in relation to policy, shall act in accordance with the directions of the Board or Chairman; and
 - (e) is the Section 32 officer of the Commission under the *Public Finances (Management) Act 1995*.

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(5) The Manager is entitled to attend all meetings of the Commission, but is not a member of the Commission and does not have the right to vote, and is not counted for the purposes of constituting a quorum.”

I certify that the above is a fair print of the *National Capital District Commission (Amendment) Act 2024* which has been made by the National Parliament.

Acting Clerk of the National Parliament.

I hereby certify that the *National Capital District Commission (Amendment) Act 2024* was made by the National Parliament on 28 November 2024.

Acting Speaker of the National Parliament.