

PARLIAMENTARY SERVICE ACT, 1993 (ACT 460)

ARRANGEMENT OF SECTIONS

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REPUBLIC OF GHANA

**THE FOUR HUNDRED AND SIXTIETH
ACT
OF THE PARLIAMENT OF THE REPUBLIC OF GHANA
ENTITLED
THE PARLIAMENTARY SERVICE ACT, 1993**

AN ACT to provide for the establishment of a Parliamentary Service in accordance with article 124 of the Constitution and to provide for related matters.

DATE OF ASSENT: 23RD NOVEMBER, 1993

BE IT ENACTED by Parliament as follows—

Section 1—Establishment of Service.

(1) There is established by this Act a Parliamentary Service, referred to in this Act as “the Service”, which shall form part of the public services of Ghana.

(2) The Service shall comprise such departments as may be prescribed by regulations made under section 18 of this Act.

Section 2—Membership of the Service.

The members of the Service shall be—

- (a) the Clerk of Parliament, his Deputies and Assistants;
- (b) the Secretary to the Board; and
- (c) such other persons that may be employed by the Service.

Section 3—Functions of Service.

The functions of the Service are—

- (a) to provide support services to Parliament and any committee or agency of Parliament for the purpose of ensuring the full and effective exercise of the powers of Parliament; and

(b) to provide such other services as Parliament may by resolution determine or as may be prescribed by regulations made under section 17 of this Act.

Section 4—The Board.

The governing council of the Service shall be the Parliamentary Service Board referred to in this Act as “the Board”.

Section 5—Composition.

The Board shall consist of—

- (a) the Speaker who shall be the chairman;
- (b) four other members all of whom shall be appointed by the Speaker, acting in accordance with the advice of a Committee of Parliament; and
- (c) the Clerk to Parliament.

Section 6—Tenure of Office.

(1) A member of the Board appointed under paragraph (b) of section 5 of this Act shall hold office for four years upon such terms and conditions as the Speaker acting in accordance with the advice of a Committee of Parliament may determine.

(2) A member of the Board, specified in subsection (1) of this section may resign his office by notice in writing addressed to the Speaker and may be removed by the Speaker acting in accordance with the advice of a committee of Parliament, by writing addressed to him on grounds of disability, neglect of duty or stated misconduct.

(3) A member of the Board ceasing to hold office is eligible for re-appointment.

(4) Where a member of the Board appointed under paragraph (b) of section 5 of this Act is absent from Ghana or incapacitated by illness or other cause from performing the functions of his office, the Speaker, acting in accordance with the advice of a Committee of Parliament may appoint another person to act in his office until the member is able to resume the performance of his functions.

(5) A member of the Board shall continue to hold office notwithstanding the dissolution of Parliament and until the first sitting of the next Parliament when he shall cease to hold office.

Section 7—Board to Promote Welfare and Dignity of Parliament.

In addition to any other function under this Act, and the Standing Orders, the Board shall promote the welfare of members of Parliament and members of staff and the dignity of Parliament.

Section 8—Meetings of Board.

(1) The Board shall ordinarily meet for the transaction of business at such times and at such places as the Board may determine but shall meet at least once in every month.

(2) A special meeting of the Board shall be called upon a written request signed by the Speaker or by a majority of the members of the Board addressed to the Secretary to the Board.

(3) At every meeting of the Board at which he is present the Speaker shall preside and in his absence a member of the Board elected by the members present from among themselves shall preside.

(4) A question proposed at a meeting of the Board shall be determined by a simple majority of members present and voting and in the event of an equality of votes the person presiding shall have a second or casting vote.

(5) The quorum at a meeting of the Board shall be three.

(6) The Board may co-opt any person to advise it at its meetings but no co-opted person is entitled to vote on any matter for decision by the Board.

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

Section 9—Board to Control the Service.

The Board shall have general control of the management of the Service on matters of policy.

Section 10—The Speaker.

The Speaker shall, subject to the decisions of the Board, have ultimate responsibility for the administration, organisation and control of employees within the Service.

Section 11—Minister for Parliamentary Affairs.

The Minister responsible for Parliamentary Affairs or the Leader of the House shall liaise between Parliament, the Office of the President, Cabinet and the Service on any matters that relate to the institutions.

Section 12—The Clerk to be in Charge of day-to-day Affairs.

(1) There shall be a Clerk to Parliament who shall be the head of the Parliamentary Service, and shall be responsible for the day-to-day business of the Service.

(2) The Clerk shall be answerable to the Speaker.

Section 13—Secretary to Board.

(1) There shall be an officer within the Service designated as the Secretary to the Board.

(2) The Secretary shall act as secretary to the Board, and shall arrange the business for and cause to be recorded and kept the minutes of the meetings of the Board.

(3) The Secretary shall also perform such functions as the Board may direct or as the Speaker may delegate to him and shall be assisted in the performance of his functions by such of the staff of the Service as the Board may on the recommendation of the Speaker direct.

Section 14—Appointment of Members of Service.

(1) The appointment of the Clerk and the other members of the staff in the Service shall be made by the Board in consultation with the Public Services Commission.

(2) The Board may after consultation with the Public Services Commission delegate any part of the functions conferred on it by subsection (1) of this section to the Speaker or any member of the Service in respect of such posts as may be specified in the delegation.

(3) Public officers may be transferred or seconded to the Service or may otherwise give assistance to it.

Section 15—Expenses of Service.

The administrative and operational expenses of the Service including salaries and allowances payable to or in respect of persons serving on the Board are hereby charged on the Consolidated Fund.

Section 16—Accounts and Audit.

(1) The Service shall keep books of account and proper records in relation to them and the accounts and records of the Service shall be in a form approved by the Auditor-General.

(2) The accounts of the Service shall be audited and reported on by the Auditor-General in accordance with article 187 of the Constitution.

Section 17—Annual Report.

(1) The Board shall, as soon as possible after the expiration of each financial year, but within three months after the termination of that year, submit to Parliament an annual report dealing generally with the activities and operations of the Service within the year which shall include such other information as Parliament may request.

(2) A copy of the annual report shall be forwarded to the Minister responsible for Finance and such other person or authority as Parliament may determine.

Section 18—Regulations.

(1) The Board shall with the prior approval of Parliament by constitutional instrument, make regulations providing generally for the effective and efficient administration of the Service.

(2) Without prejudice to the general effect of subsection (1) of this section, regulations shall —

(a) prescribe the terms and conditions of service of officers and other employees in the Service; and

(b) divide the Service into such branches, divisions or departments as the Board may consider expedient for the effective and efficient administration of the Service.