

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

**REPORT OF THE JOINT COMMITTEE ON
EMPLOYMENT, SOCIAL WELFARE AND
STATE ENTERPRISES AND YOUTH,
SPORTS AND CULTURE**

ON THE

YOUTH EMPLOYMENT AGENCY

BILL, 2014

DECEMBER 2014

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REPORT OF THE JOINT COMMITTEE OF EMPLOYMENT, SOCIAL WELFARE AND STATE ENTERPRISES AND YOUTH, SPORTS AND CULTURE ON THE YOUTH EMPLOYMENT AGENCY BILL

1.0 INTRODUCTION

In accordance with Article 103 of the 1992 Constitution of Ghana, the Minister of Employment and Labour Relations, Hon. Haruna Iddrisu on Tuesday 11th November, 2014 laid before the House, the Youth Employment Agency Bill, 2014. Pursuant to Article 106 of the Constitution and Standing Orders 125, 184 and 187, Mr. Speaker referred the bill to the Joint Committee on Employment, Social Welfare and State Enterprises and Youth, Sports and Culture for consideration and report to the House.

2.0 CONSIDERATION OF THE BILL

The Joint Committee on Employment Social Welfare and State Enterprises and Youth, Sports and Culture as mandated under Article 106 (4) of the Constitution of Ghana and Standing Orders 184 and 187 held several meetings with stakeholders to examine the bill in detail.

The Committee is grateful to the following for their inputs and support during the deliberations:

1. Hon. Haruna Iddrisu, Minister for Employment and Labour Relations,
2. Hon. Mohammed Baba Jamal Ahmed, Deputy Minister for Employment and Labour Relations
3. Mr. Kobby Acheampong, Acting Executive Director, Ghana Youth Employment and Entrepreneurial Development Agency
4. Mr. Kojo Fynn, Administrator, District Assemblies Common Fund
5. Mr. Sam Garbah, Administrator, GETFUND
6. Mr. George Blankson, Commissioner General, Ghana Revenue Authority
7. Dr. Joseph Agyepong, Chief Executive, Zoom Lion Group of Companies and representative of Service Providers to GYEEDA

8. Official from the National Health Insurance Scheme
9. Officials of the Ghana Revenue Authority
10. Officials of the Ghana Youth Employment and Entrepreneurial Development Agency

3.0 REFERENCE DOCUMENTS

The Committee made reference to the following documents during deliberations on the Bill:

1. The 1992 Constitution of the Republic of Ghana
2. The Standing Orders of the Parliament of Ghana
3. The Youth Employment Agency Bill, 2014
4. Ministerial Impact Assessment and Review Committee Report on the Ghana Youth Employment and Entrepreneurial Agency (GYEEDA REPORT)
5. Government Action paper on the Ministerial Impact Assessment and Review Committee Report on the Ghana Youth Employment and Entrepreneurial Agency

4.0 OBJECT OF THE BILL

The object of the bill is to establish the Youth Employment Agency to develop, coordinate, supervise and facilitate the creation of jobs for the youth. The Agency will also coordinate all youth employment and entrepreneurial programmes and respond to the employment needs of the youth.

5.0 CONTENT OF THE BILL

The Bill is made up of 32 clauses and is divided into the following parts:

Part One - Establishment of the Agency (Clauses 1 – 3)

Part Two - Governance of the Agency (Clauses 4-11)

- Part Three - Administrative Provisions (Clauses 12-15)
- Part Four - Programmes for Youth Development (Clauses 16-17)
- Part Five - Financial Provisions (Clauses 18 - 20)
- Part Six - Youth Employment Fund (Clauses 21-26)
- Part Seven - Regional Committees and District Committees
(Clauses 27 - 30)
- Part Eight - Miscellaneous provisions (Clauses 31-32)

6.0 OBSERVATIONS

- 6.1 It was realised that the bill seeks to address the ever-increasing problem of unemployment among the youth, perceived to be a threat to national security. It would facilitate employment for the youth in various economic ventures in all districts across the nation.
- 6.2 It was also observed that the bill proposes to mainstream all staff of the Youth Entrepreneurial Agency into the civil service in order to effectively monitor their activities and ensure that they work efficiently and effectively as desired.
- 6.3 It was again realised that the modules run by the Agency would help address the rural-urban migration of the youth by providing jobs at the districts for the youth. It will again provide opportunities for self employment ventures.
- 6.4 The operations of the Agency would further promote private-public partnership through collaboration with Private Sector Partner Service Providers in preparing proposals in respect of specific modules and programmes. This partnership is expected to be nurtured in accordance with financial and administrative enactments to promote accountability.
- 6.5 It was noted that the bill seeks to formalize the already existing sources of funding of the Agency. However it was noted that the statutory funding sources including the National Health Insurance Scheme, the District Assemblies Common Fund and the GET Fund are currently under a lot of stress due to an expansion in their scope of operation.

6.6 The Committee again took into consideration the recommendations in the Ministerial Impact Assessment and Review Committee Report on the Ghana Youth Employment and Entrepreneurial Agency (GYEEDA) and the government action paper on the report. It further noted the efforts being made by various government institutions to effect the recommendations in the white paper.

7.0 **RECOMMENDATIONS**

- 7.1 The Committee recommends that the Agency when established should operate within the legal framework of its establishment and statutory requirements. This, it is believed would help eliminate the mistakes of the past and restore confidence in the Agency.
- 7.2 The Committee again recommends that the Ministry of Employment and Labour Relations should ensure that the Agency strictly conform to the Public Procurement Act, the Labour Act, and administrative instruments in the management of its funds to ensure effective, efficient and accountable use of these funds.
- 7.3 The Committee while lauding the integration of the Agency into the Civil Service recommends that there should be streamlining of staff into their appropriate staff levels to make the programme compact to deliver service at a cost-effective manner and ensure that the national payroll is not over burdened.
- 7.4 The Committee further recommends that other innovative ways of resourcing the Agency should be explored in the near future since the statutory funding sources including the National Health Insurance Scheme, the District Assemblies Common Fund and the GET Fund are currently challenged financially due to an expansion in their mandates.
- 7.5 The Committee finally recommends that in fostering partnership with Private Sector Partner Service Providers the Agency should ensure that Service providers engaged have the capacity and commitment to perform the duties of their engagement. Agreements should also be made within the confines of the law and the law should be enforced in periods of conflict or misunderstanding.

7.6 The Committee recommends that institutions earmarked for the implementation of recommendations in the government action paper should expedite action on their mandate to ensure social justice.

8.0 PROPOSED AMENDMENTS

The Committee after careful consideration of the provisions of the Bill proposes the following:

- Clause 2: Amendment proposed: line (2) delete “the creation of jobs” and substitute “employment”
- Clause 3: Amendment proposed: paragraph (c) line (1) delete “create employment for the youth and”
- Clause 3: Amendment proposed: Paragraph (h) delete “in youth employment” and substitute “of the youth to prepare them for employment”
- Clause 5: Amendment proposed: Paragraph (c) line (1) delete “control” and substitute “regulate”
- Clause 6: Amendment proposed: Head note delete and substitute “Tenure of office of Members of the Board”.
- Clause 6: Amendment proposed: Sub-clause (2) after “Agency” insert “and the coordinator of the National Youth Authority”
- Clause 13: Amendment proposed: Sub-clause (2) delete
- Clause 14: Amendment proposed: Sub-clause (2) line (2) delete “fund” and substitute “Agency”
- Clause 16: Amendment proposed: line (1) delete “on a yearly basis”
- Clause 17: Amendment proposed: Sub-clause (1) line (2) delete “specific”
- Clause 17: Amendment proposed: Sub-clause (1) line (2) after “modules” delete “of” and substitute “and”.
- Clause 17: Amendment proposed: Sub-clause (2) delete and substitute “The Agency may engage a private sector service provider in accordance with financial and administrative enactments for the implementation of modules and programmes”

- Clause 18: Amendment proposed: delete
- Clause 19: Amendment proposed: Sub-clause (2) line (1) delete "commission" and substitute "Agency"
- Clause 19: Amendment proposed: Sub-clause (3) lines (3) delete "Minister" and substitute "Board"
- Clause 20: Amendment proposed: Sub-clause (3) delete and substitute "The Auditor-General shall audit the accounts of the agency annually and submit his report on the audit to Parliament not later than three months after the audit"
- Clause 21: Amendment proposed: delete
- Clause 22: Amendment proposed: delete
- Clause 23: Amendment proposed: Head note delete and substitute "Sources of funds of the Agency"
- Clause 23: Amendment proposed: Paragraph (a) delete all words after "Parliament"
- Clause 23: Amendment proposed: Paragraph (b) delete and substitute "Fifteen percent of the allocation to District Assemblies from the District Assemblies Common Fund".
- Clause 23: Amendment proposed: Paragraph (c) delete "ten" and substitute at least "three"
- Clause 23: Amendment proposed: Paragraph (d) line (1) delete "five" and substitute "At least two".
- Clause 23: Amendment proposed: Insert the following new paragraphs;
- a. "At least Sixty percent of communications service tax" and
 - b. "Loans contracted by the agency in accordance with laid down statutory procedures"

- Clause 24: Amendment proposed: Head note delete “the Fund” and substitute “Funds of the Agency”
- Clause 24: Amendment proposed: Sub-clause (1) delete opening statement and substitute “the Board shall apply the funds of the Agency”
- Clause 24: Amendment proposed: Sub-clause (d) line (1) delete “as approved by the Minister responsible for finance”
- Clause 24: Amendment proposed: Sub-clause (2) line (1) delete “Fund” and substitute “funds of the Agency”
- Clause 24: Amendment proposed: Sub-clause (2)
- Clause 25: Amendment proposed: Head note delete and substitute “Management of the funds of the Agency”
- Clause 25: Amendment proposed: delete “Fund” and substitute “funds of the Agency”
- Clause 26: Amendment proposed: Head note delete “Fund” and substitute “Funds of the Agency”
- Clause 26: Amendment proposed: line (1) delete “moneys for the Fund” and substitute “funds of the agency”
- Clause 27: Amendment proposed: Sub-clause (1) paragraph (g) subparagraph (i) delete “Foundation” and substitute “Federation”
- Clause 27: Amendment proposed: paragraph (h) line (1) before “persons” delete “three” and substitute “two” and after “Minister” insert “at least”.
- Clause 27: Amendment proposed: Insert a new paragraph
(a) A Representative of the National House of Chiefs
- Clause 29: Amendment proposed: Paragraph (c) delete and substitute “District Labour Officer”
- Clause 29: Amendment proposed: Paragraph (f) delete and substitute “the District Coordinating Director”

- Clause 29: Amendment proposed: Paragraph (g) sub-paragraph (i) delete “Foundation” and substitute “Federation”
- Clause 29: Amendment proposed: Paragraph (h) delete and substitute the following:
 A representative of the following:
 (i) District Traditional Councils
 (ii) Member of Parliament
- Clause 29: Amendment proposed: Sub-clause (1) insert a new paragraph:
 (i) A woman entrepreneur nominated by the District Chief Executive
- Clause 30: Amendment proposed: Delete and insert the following new sub-clause “The District Committees shall carry out the following functions in the districts,
 (a) Be responsible for the implementation of the policies of the Agency
 (b) Oversee the activities of the Agency
- Clause 31: Amendment proposed: Paragraph (b) after “disbursement of “ delete “the Fund” and substitute “funds of the Agency”.
- Clause 32: Amendment proposed: Interpretation of “Private Sector Partner Service Provider” line (3) delete “Authority” and substitute “Agency”
- Clause 32: Amendment proposed: Interpretation of “School drop-out” delete
- New Clause: Amendment proposed: Insert the following new clause:
Secretary to the Agency
 (1) The Agency shall have a secretary
 (2) The Secretary shall be appointed in accordance with Article 195 of the Constitution.

(3) The Secretary shall perform functions that the Board of the Agency may direct or as the Chief Executive may delegate.

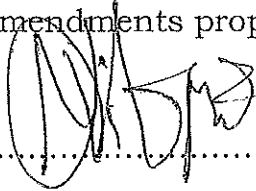
Long Title: Amendment proposed: line (3) delete "creation of jobs" and substitute "employment"

8.0 CONCLUSION

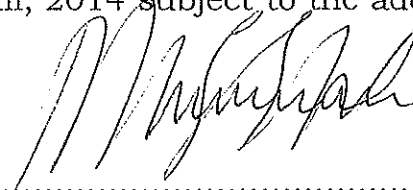
The Committee has carefully examined the provisions of the Bill in the light of its object and purpose and is of the view that its passage would address the employment needs of the youth.

However, some members of the Committee expressed concerns about certain provisions of the Bill and government white paper which should be implemented.

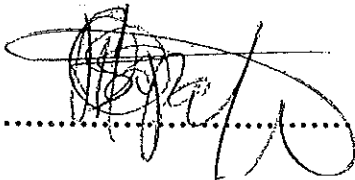
The Committee therefore recommends to the House by majority decision, the passage of the Youth Employment Agency Bill, 2014 subject to the adoption of the amendments proposed.



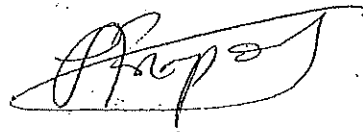
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VICE CHAIRMAN, COMMITTEE ON
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