

RESOLUTIONS OF THE STANDING COMMITTEE ON PUBLIC PETITION ON THE GAMBIA TOURISM BOARD STAFF PETITION

CONSIDERING section 109 (2 and 3) of the 1997 Constitution of the Republic of The Gambia which gives power to the National Assembly to establish Committees to investigate or inquire into the activities or administration of Ministries, Departments and Agencies of Government;

COGNISANT of clause 97 (3) (a) of the Standing Orders of the National Assembly on the remit of Committees;

REAFFIRMING the powers conferred on the Auditor General as per Section 160 (2) (a) and Section 221 relating to the Code of Conduct of Public Officers;

GUIDED by Clause 128 of the Standing Orders: Actions in Relation to Petitions;

RECOGNINISING the role of the National Assembly as per section 102 (e) of the Constitution, to advise the President on any matter which lies within his or her responsibility;

UNANIMOUSLY convinced the necessity to take appropriate measures in ensuring efficiency and effectiveness of the Gambia Tourism Board especially in relation to land allocation, awarding of contracts, abuse of office, and general mal-administration;

NOW hereby resolves:

ON THE ECO-LODGES CONTRACT

- 1) That the Chairman of the Contracts Committee (Mr. Ousainou Senghore) must be investigated by the IGP for mis-guiding the Contracts Committee members by giving a wrong analysis of the financial performance of Lerr Group which eventually affected the scoring or the evaluation process, and if found wanting be prosecuted for the said crime.
- 2) That the Gambia Tourism Board must be reprimanded for allocating the contracts for all the lots to one bidder, which is in contravention to the GPPA's recommendations.
- 3) That The Gambia Public Procurement Authority must ensure that all recommendations made on contracts are adhered to and implemented by awarding institutions.
- 4) That the Finance and Public Accounts Committee (FPAC) must further investigate who gave the authority to build a hotel at Barra that was eventually abandoned, costing millions and report back to the National Assembly on or before 1st December, 2024.

- 5) That GT Board must pay the suppliers for the materials they would need without any further delay and there should be no additional changes in design.
- 6) That the Select Committee on Tourism, Culture, Youth and Sport, must ensure the recommencement of the Eco-lodges' construction on the existing contracts or renew the said contracts.
- 7) That the Inspector General of Police must investigate the contractual agreement to establish facts that surround the whole contractor's under-performance and ascertain issues surrounding the establishment of the proposed Sir Dawda Kairaba Hotel in Barra and prosecute the Lerr Group if the company is found wanting, and report back to the Committee on or before 1st December 2024.
- 8) That the contractor or the Gambia Revenue Authority must provide evidence of payment of VAT to FPAC on the amount that has been disbursed to the Contractor, on or before 10th December, 2024.
- 9) That the FPAC must further investigate the GPPA's reason for approval to GT Board regarding the Lots to be given to different contractors instead of one contractor and report back to the Assembly on or before 1st December, 2024.
- 10) That the Ministry of Tourism must hire the services of an Independent Property Evaluator to value the current cost investment on the sites; how much money has been invested and the contractor to refund the full balance of the money paid to him on or before 1st December, 2024. The Ministry must report back to the Assembly, on before 1st February, 2025
- 11) That, henceforth, Government must cease awarding contracts to the Lerr Group due to serious under-performance on Eco-lodges and other Government projects.

ON STAFF EMPLOYMENT MATTERS

- 1) That the Select Committee on Tourism and the Ombudsman must monitor and ensure that all the senior staff deployed and wrongfully terminated/dismissed as a result of this petition, are recalled to the Head Office and reinstated to their former posts with immediate effect. The Select Committee and the Ombudsman must report back to the Assembly on the implementation of this resolution on or before 1st December, 2024.

- 2) That the Ministry of Tourism and Culture must ensure that all the staff who were deducted 50% salary as per the directive from the Minister must be paid back all the amounts legally due to them on or before 1st December, 2024 and report to the Assembly on or before 15th December, 2024.
3. That the Auditor General must institute a staff audit, to commence from January, 2017 to December, 2023 to ascertain the way and manner appointments and promotions are conducted at GTB and report back to the FPAC on or before 1st February, 2025.
4. That Board of GT Board must ensure that all departments are headed by qualified, experienced and competent personnel as per the Act. The Select Committee on Tourism must monitor this, and report back to the Assembly, periodically.
5. That the Ministry of Tourism must immediately desist from taking major decisions on the operation of the GT Board without channeling them through the Governing body.

ON LAND ALLOCATION IN THE TOURISM DEVELOPMENT AREA

1. That the National Assembly must establish a Parliamentary Enquiry to investigate land allocations from 2017-2024 in the TDA on or before 1st February, 2025.
2. That the Auditor General must appoint a Quantity Surveyor to look at all the investment project applications and advice on the total investment quoted. Any understatement of cost must be revisited and matched with the investment. The AG must report back to the Assembly by 1st February, 2025.
3. That the Inspector General of Police must investigate the Priority Leisure Group company (who were allocated a huge land measuring 107m x 75m x 42m x 47m x 76m at the centre of the TDA (prime land) at Duplex area, for the fact that the list of the shareholders as per the requirements was not indicated in the Memorandum and Article of Association and the amount stated as the amount for investment (D27.5) is considered too low for such investment. If found wanting, the IGP must further prosecute the Company.
4. The IGP must investigate the land issued to MOAB Capital Ltd as a lease was acquired by the investor before paying the 5% levy.
5. That Auditor General must conduct proper findings and prepare a detailed report on all the revenues collected from the levies, and how it is expended and report back to FPAC on or before 1st February, 2025.

6. That the Executive must set up a Lands Committee that shall include the following sectors: GT Board, Lands Office, National Environment Agency and Geology Unit, to ensure that allocation of land in the TDA is properly vetted to avoid duplication and ensure sectorial collaboration, on or before 1st December, 2024. The Select Committee on Regional Government and Lands and the Select Committee on Tourism and Culture must monitor this and report back to the Assembly on or before 1st February, 2025.
7. That as per the Cabinet approval of the 5% development levy, there should not be any discretion by the Minister of Tourism and Culture to waive levy for any investor. All land allocations must be made by the Governing Body and not the Minister of Tourism and Culture. If there needs to be any waiver, the Governing body must conduct a cost-benefit analysis and make justification for further approval by Cabinet.

ON GOVERNANCE STRUCTURE OF THE GT BOARD – GOVERNING BODY

- 1) That the Minister of Tourism must not give directives to the Chairman of the Governing body to act upon his instructions as this is not provided for in the Act. All activities must be sanctioned by the Governing Body, who informs the Minister to endorse as per the GT Board Act 2011.
- 2) The Ombudsman must investigate the manner of the dissolution of the Governing Council and how the dismissal of the Council's Chairman, Mr. Abdoulie Bax Touray was conducted, and report back to FPAC on or before 1st December, 2024.

ON THE GT BOARD HEAD OFFICE COMPLEX CONTRACTUAL AGREEMENT

- 1) The IGP must investigate the initial contract of the Head Office of the GT Board at the Tropics and what have been signed on the new Head Office built by the Construct Company Ltd, and report back to FPAC on or before 1st December, 2024.
- 2) That the Auditor General must conduct a cost benefit analysis on the land allocated to Construct Company Ltd, the funds paid to the company and the total cost of building of the new GT Board head office. The Auditor General must report back to FPAC on or before the 1st February, 2025.
- 3) That Auditor General, within 90 days, should inquire into the rental contribution of D900,000 by Construct Company Ltd to GT Board during the period of construction, to ascertain whether it is properly accounted for.

ON THE BUDGET ALLOCATION FOR THE MINISTRY OF TOURISM AND CULTURE

- 1) That the GT Board must immediately stop fuel supply to the Minister and Permanent Secretary, Ministry of Tourism and Culture on a weekly basis. Supply of fuel to them must only be made if they are on the errands of GT Board.
- 2) That the GT Board must ensure that all expenses made to the Ministry of Tourism must be captured in the Annual Activity Report and Financial Statements of the Board.

ON CONFLICT OF INTEREST AT THE GT BOARD

- 1) That a more diverse Governing Board must be established at the GT Board comprising of members from different backgrounds, views and interests to ensure vigorous decision-making process and guard against conflict of interest.
- 2) That the Governing Board of GTB must formulate a policy document to address issues of Conflict of Interest to ensure that spouses or mother/father or son/daughter does not participate in a Board meeting that concerns their interest.
- 3) That Officials or head of institutions that are adversely mentioned in an inquiry should be suspended until investigations are completed.