

**LOCAL GOVERNMENT (KOMENDA-EDENA –EGUAFO-ABRIM MUNICIPAL ASSEMBLY) (ESTABLISHMENT) INSTRUMENT, 2007**

IN exercise of the powers conferred on the Minister responsible for Local Government and Rural Development by subsection (1) of section 3 of the Local Government Act, 1993 (Act 462) and with the prior approval of the Cabinet, this Instrument is made this 1st day of November 2007.

**Establishment of Assembly**

1. There is hereby established a Municipal Assembly to be known as the Komenda-Edena-Eguafo-Abrim Municipal Assembly referred to in this Instrument as “Assembly” for the area specified in the First Schedule to this Instrument.

**Composition of members of Assembly**

2. (1) The Assembly shall consist of the following members:

- (a) The Municipal Chief Executive;
- (b) 36 persons representing the electoral areas within the Municipality elected by universal adult suffrage in accordance with regulations made for that purpose by the Electoral Commission;
- (c) the member or members of Parliament from the constituencies that fall within the area of authority of the Assembly, except that such member or members shall have no voting rights; and
- (d) other persons not exceeding 30 per cent of the total membership of the Assembly appointed by the President in consultation with the traditional authorities and other interest groups in the Municipality.

(2) The members appointed under sub-paragraph (d) of sub-regulation (1) may be re-appointed

(3) Elections to the Assembly shall be held once every four years except that such elections and elections to Parliament shall be held at least six months apart.

(4) For the purpose of election to the Assembly the area of authority of the Assembly shall be divided into the electoral areas specified in the First Schedule to this Instrument.

(5) The Assembly may conduct its business in English and in any Ghanaian language common to the communities in the Municipality.

(6) The emoluments of the members of the Assembly shall unless otherwise provided in Act 462 be determined by the Assembly and shall be paid out of the resources of the Assembly.

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**Functions of Assembly**

3. (1) The Assembly shall perform the functions conferred on District Assemblies by the Local Government Act, 1993 (Act 462).

(2) Without limiting the scope of sub-paragraph (1) of this regulation the Assembly shall perform the functions set out in the Second Schedule to this Instrument.

**Common Seal**

4. (1) The Assembly shall have a Common Seal which shall be as the Minister may approve by notice in the *Gazette*.

(2) Until the time as the Common Seal approved in sub-paragraph (1) is available, a rubber stamp bearing the inscription “Komenda-Edena-Eguafo-Abrim Municipal Assembly” shall be used as the Common Seal

**Administrative area of authority**

5. The area of authority of the Assembly shall comprise the area specified in the First Schedule to this Instrument.

**Location of principal offices of assembly**

6. The Assembly shall establish its principal offices at **Elmina** where meetings of the Assembly shall be held.

**Inaugural Meeting**

7. (1) The Assembly shall hold its inaugural meeting on such date as the Minister shall with the prior approval of the Cabinet determine.

(2) A Presiding Member of the Assembly shall be elected at the inaugural meeting

**Revocation**

8. (1) The Local Government (Komenda-Edena-Eguafo-Abrim Assembly) (Establishment) Instrument, 1988 (L.I. 1382) is hereby revoked.

(2) Despite the revocation under Regulation 8 (1), units that were in existence under the revoked Instrument immediately before the commencement of these Regulations shall operate as units under the Assembly within which they fall under this Instrument until the electoral areas are revised by the Electoral Commission.

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**FIRST SCHEDULE**

AREA OF AUTHORITY AND ELECTORAL AREAS

1. Afutuakwa
2. Railway Station-Dompim
3. Akrofrom Techiman
4. Trafo
5. Dantwe
6. Dwabronoso
7. Abesewa
8. Praso
9. Asempanaye Dansame
10. Kushea/Achiano
11. Breku/Besiako
12. Dadiesoaba
13. Dominase/Nduaso
14. Atintan
15. Anwiasu
16. Akonfudi/Endwa
17. Sabina/Nimanda
18. Nyankomasi-Brofoyedur
19. Juaso
20. Basofi Ningo-Gangan
21. Bediadia Sienchem
22. Akrompong Wurakese
23. Odumasi
24. Wawase
25. Awisam/Obrayeko
26. Asaaman

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**SECOND SCHEDULE**

**FUNCTIONS OF THE ASSEMBLY**

It is be the duty of the Assembly—

1. to promote and safeguard public health and for this purpose the Ministry of Health shall assign Medical Officers of Health, health inspectors and other staff as appropriate except semi-skilled and unskilled laborers to the District Assembly for the proper discharge of this duty;
2. to cause the District to be inspected regularly for the detection of nuisances or any condition likely to be offensive or injurious to health;
3. if satisfied that a nuisance or any condition likely to be offensive or injurious to health exists, to cause proper steps to be taken to secure the abatement of the nuisance or the removal of the condition;
4. to ensure the provision of adequate and wholesome supply of water throughout the entire District in consultation with the Community Water and Sanitation Agency/Ghana Water Company Ltd;
5. to establish, install, build, maintain and control public latrines, lavatories urinal and wash places;
6. to establish, maintain and carry out services for the removal of night-soil from any building and for the destruction and treatment of such night-soil;
7. to establish, maintain and carry out services for the removal and destruction of all refuse, filth and carcasses of dead animals from any public or private place;
8. to regulate any trade or business which may be noxious or injurious to public health or a source of danger to the public or which otherwise it is in the public interest to regulate;
9. to provide for the inspection of all meat, fish, vegetables and all other foodstuffs and liquids of whatever kind or nature intended for human consumption whether exposed for sale or not; and to seize, destroy and otherwise deal with all such foodstuffs or liquids as are unfit for human consumption and to supervise and control the manufacture of foodstuffs and liquids of whatever kind or nature intended for human consumption;
10. to provide, maintain, supervise and control slaughter-houses and pounds and all such matters and things as may be necessary for the convenient use of slaughter-houses;
11. to prevent and deal with the outbreak or the prevalence of any disease;

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12. to prevent the spread of and exterminate tsetse-fly, mosquitoes, rats, bugs and other vermin;
13. to prohibit or regulate the making of borrow-pits or other excavations;
14. to establish and maintain cemeteries;
15. to provide crematoria where in the opinion of the Assembly it is expedient so to do;
16. to regulate or prohibit the sinking of wells and provide for the closure of wells;
17. to establish, maintain and control pounds, seize and impound any stray animal and provide for the payment of compensation for damage done by such animal;
18. to provide that the owner or occupier of any land or tenements maintain clear and keep free from vegetation, the roads, streets or paths adjoining his land or tenements;
19. to provide for the control, destruction and licensing of dogs;
20. to provide for the control, regulation, inspection, supervision and licensing of—
  - (i) social halls, dance halls and places of entertainment;
  - (ii) lodging and eating houses;
  - (iii) any premises or land in or upon which any profession, occupation, trade or business is carried on; and
  - (iv) occupations as the Minister may specify in an Instrument from time to time;
21. to establish and operate clinics and dressing stations in consultation with the Ministry of Health;
22. to construct, repair and maintain and keep clean all streets;
23. to divert or alter where necessary the course of any street;
24. to provide or arrange for electric lighting in streets and other public places and where necessary to provide and maintain electricity supply in consultation with the Electricity Company of Ghana;
25. to construct, repair and maintain all public roads other than trunk roads but including feeder roads and to undertake road rehabilitation programmes within the District;
26. to prescribe the conditions subject to which the erection and construction, demolition, re-erection, and re-construction, conversion and re-conversion, alteration, repair, sanitation and ventilation of public and private buildings and structures may be undertaken and carried out;

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27. to provide for building lines and the layout of buildings, to prepare and undertake and otherwise control schemes for improved housing layout and settlement;
28. to prescribe the conditions to be satisfied on a site for any building or for any class of buildings;
29. to prohibit the construction of any new building unless and until the building plans thereof have been submitted to and approved by the Assembly;
30. to provide for the demolition of dangerous buildings and for the recovery of any expenses incurred in connection therewith;
31. to maintain, as agents of Central Government, all public buildings, including prestige buildings put up by the Central Government and previously maintained by the Public Works Department;
32. to maintain as agents of the Ghana Highway Authority, trunk road lying within the boundaries of the area of authority of the Assembly;
33. to take steps to ensure the effective maintenance of all Government properties within its area of authority;
34. to prohibit or regulate the use in any defined area of any inflammable material in the construction or repair of any building;
35. to control and regulate the sitting of advertisements and hoardings or other structures designed for the display of advertisements;
36. to build, equip, open, close and maintain markets, prohibit the erection of stalls in places other than markets and prevent the sale and purchase of goods or stock near established markets or elsewhere;
37. to fix days and hours during each day on which a market may be held and prevent the sale and purchase of goods in markets on any day or at any hour except, those fixed;
38. to regulate and control markets including the fixing of and collation of stallages rents and tolls;
39. (1) to require the owner of any premises to do any of the followings acts—
  - (i) to remove, lower or trim to the satisfaction to the Assembly any tree, shrub or hedge overhanging or interfering in any way with the traffic in any street or with any wires or works thereof;
  - (ii) to remove any dilapidated fence or structure abutting on any public place;
  - (iii) to paint, distemper, white-wash or color-wash the outside walls or roof of any building forming part of the premises;

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- (iv) to tidy the premises; and
- (v) to remove any derelict car or other vehicles;
- (2) in the event of the owner failing to comply with a notice from the Assembly requiring him to perform any of the acts specified in sub-paragraphs (i-v) of paragraph (1) the Assembly shall be at liberty to undertake the work and surcharge the owner with the cost;
- 40. to build, equip and maintain all public basic and special schools as are in the opinion of the Minister for Education, after consultation with the Minister responsible for Local Government, required in its area;
- 41. to advise the Minister for Education on all matters relating to basic schools and such other matters as may be referred to it by the Minister for Education;
- 42. to be responsible for—
  - (i) postings and transfers within its area of authority of teachers including pupil teachers;
  - (ii) keeping records of Teachers;
  - (ii) discipline of teachers in accordance with the disciplinary code laid down by the Ghana Education Service;
  - (iv) appointment of school welfare officers;
  - (v) recommending teachers for study leave;
  - (vi) appointment of head teachers in accordance with rules laid down by the Ghana Education Service;
  - (vii) supervision of basic schools;
  - (viii) formation of education committees;
  - (ix) collection of statistical data and other information;
  - (x) in-service training for public teachers;
  - (xi) nursery school education;
  - (xii) approval for the opening of private basic schools
  - (xiii) payment of teachers' salaries from funds made available by Government;
  - (xiv) indenting for the supply and distribution of textbooks; and
  - (xv) disbursement of Education Grants;
- 43. to provide for the control and regulation of-
  - (i) concerts, musical or theatrical performances, cinemas, fairs, circuses and other entertainment to which admission is to be obtained on payment of moneys or of any reward, except where the whole proceeds are being devoted to charity; and
  - (ii) horse-racing meetings;

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44. to grant and maintain scholarships or bursaries to suitable persons to attend any school or other educational institution in Ghana or elsewhere;
45. to provide for the establishment and maintenance of facilities for arts and crafts, for recreation and sports;
46. to establish, maintain control and contribute to bands for musical performances in public places and at functions arranged by the Assembly, and generally to provide musical entertainment in such places and at functions;
47. to arrange for the provision of public libraries in consultation with the Ghana Library Board;
48. with the prior approval of the Ghana Museums and Monuments Board, to control the disposal of any African antique work of art;
49. to organize community development programmes to improve and enrich rural life through running literacy and adult education classes, organizing voluntary contributions and communal labor for the provision of such facilities and services as water supplies, roads, school buildings, community centre and public places of convenience; and teaching village women the management of home and care of children;
50. to take such measures as would promote the well-being of under-privileged children and the stability of the distress family;
51. to organize and maintain child care centre and ensure the proper running and management of such centre;
52. To establish, run and manage children's homes and offer parental care for the deprived, namely, orphans and those that are neglected or abandoned;
53. To render relief services in the form of supply of material during natural disasters, e.g. floods, fire, earthquakes, accidents;
54. to be responsible for the improvement of agriculture including extension services and allotments for the agricultural purposes;
55. to control methods of husbandry;
56. to allocate land in the ownership of the Assembly for farming purposes and to regulate the system of farming on such land;
57. to provide services for the improvement of livestock;
58. to prevent and control animal diseases;
59. to prohibit, restrict or regulate the hunting, capture, killing or sale of animals or birds or any specified kind of animal or bird;
60. to provide for measures for soil and water conservation;

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61. to provide for the fencing of land and for the maintenance and repair of such fences;
62. to take every step to encourage persons to plant specified crops for the maintenance of themselves and their families;
63. to plant trees in any street and to erect tree-guards to protect the same; provided that the streets shall not be unduly obstructed thereby;
64. to regulate or prohibit the planting, cutting, tapping, or destruction of any tree or vegetation growing along any street, road or path or in any public place;
65. to establish and manage, on commercial basis, rural and small-scale industries and farms;
66. to promote tourism in the Municipality in co-operation with the Regional Co-ordinating Council and the Tourist Development Board;
67. subject to the control and direction of the Registrar of Births and Deaths, to register all births and deaths occurring within the Municipality;
68. to appoint in consultation with the Registrar of Births and Deaths such registration staff as may be necessary for the proper discharge of births and deaths registration duties;
69. to make such financial contribution as the Assembly deems necessary for the maintenance of any traditional authority, which possesses any functions, which relate to any part of its area;
70. to establish and maintain tree nurseries and forest plantation and sell the produce;
71. to compile and maintain a record of all tenant formers and the rents and tribute which should be paid by them;
72. to prohibit or restrict the driving or use of vehicles generally or any specified class on any specified road or specified direction on any specified road;
73. to regulate the use and conduct of public vehicles, to regulate routes and parking places to be used by such vehicles to appropriate particular routes, roads, streets, and parking places to specified classes of traffic and when necessary to provide the identification of licensed vehicles as defined in the Road Traffic Act;
74. to license any vehicle used for taxi, bicycle, motor bicycle and to prescribe the fees to be paid in respect of any such bicycle or vehicle;
75. to establish, acquire and maintain transport services by land or water, including ferries;

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76. to establish, maintain and control parks for motor and other vehicles;
77. to establish and maintain in consultation with the Ghana Postal Services Corporation, Postal Agencies where necessary;
78. to lay down rules and regulations in respect of private and public property to ensure adequate fire protection;
79. to prevent and control fire outbreak including bush fire;
80. to promote the development of all sports within the area of authority of the Assembly;
81. to organize sports activities within its area of authority and to provide facilities as may be recommended by the national body responsible for sports;
82. to perform as an agent of the national body responsible for sports in maintaining such sports facilities as may be assigned to it by the national body;
83. to advise to the exclusion of all others on all matters of sports relating to its area of authority;
84. to prohibit, restrict, regulate and license the manufacture, distillation, sale, transportation, distribution, supply, possession and consumption of akpeteshi, palm-wine, and all kinds of description of fermented liquor usually made by citizens of Ghana or adjacent countries;
85. to license petrol service and filling stations within the township; and
86. to provide information centre, where necessary in consultation with the Ministry of Information.

HON. KWADWO ADJEI DARKO, MP  
*Minister for Local Government,  
Rural Development and Environment*

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Entry into force: