LOCAL GOVERNMENT (ATWIMA KWANWOMA DISTRICT ASSEMBLY) (ESTABLISHMENT) INSTRUMENT, 2017

In exercise of the power conferred on the Minister responsible for Local Government and Rural Development by subsection (1) of section 3 of the Local Governance Act, 2016 (Act 936) and with the prior approval of the Cabinet, this Instrument is made this 31st day of May, 2017.

Establishment of Assembly

1. There is hereby established a District Assembly to be known as the Atwima Kwanwoma District Assembly referred to in this Instrument as "Assembly" for the area specified in the First Schedule.

Composition of members of Assembly

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

(a) the District Chief Executive,

(b) twenty-two persons representing the electoral areas within the District 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 the member or members shall have no voting rights, and

(d) other persons not exceeding thirty 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 District.

(2) The members appointed under paragraph (d) of subregulation (1) may be reappointed.

(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.

(5) The Assembly may conduct its business in English and in any Ghanaian language common to the communities in the District.
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(6) The emoluments of the members of the Assembly shall, unless otherwise provided in the Local Governance Act, 2016 (Act 936), be determined by the Assembly and shall be paid out of the resources of the Assembly.

Functions of Assembly
3. (1) The Assembly shall perform the functions conferred on District Assemblies by the Local Governance Act, 2016 (Act 936).

(2) Without limiting the scope of subregulation (1), the Assembly shall perform the functions set out in the Second Schedule.

Common Seal
4. (1) The Assembly shall have a Common Seal which shall be approved by the Minister and published in the Gazette.

(2) Until the time as the Common Seal approved in subregulation (1) is available, a rubber stamp bearing the inscription “Atwima Kwanwoma District 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.

Location of principal offices of assembly
6. The Assembly shall establish its principal offices at Twedie where meetings of the Assembly shall be held.

Inaugural Meeting
7. (1) The Assembly shall hold its inaugural meeting on the 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 (Atwima Kwanwoma District Assembly) (Establishment) Instrument, 2007 (L.I. 1853) is hereby revoked.
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(2) Despite the revocation of L.I. 1853, 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
(regulations 1, 2(4) and 5)

AREA OF AUTHORITY AND ELECTORAL AREAS

1. Boko
2. Twedie
3. Edwenease Foase
4. Foase Kobrisol
5. Trabuom
6. Jechi
7. Afrancho/Chichibon
8. Nwineso No.1
9. Nwineso No.2
10. Nwineso No.3
11. Kromoase
12. Aburaso
13. Kwanwoma Akyeremade
14. Yabi
15. Dida
16. Apimanim
17. Bebu
18. Ampabame No.2
19. Heman/Apampatia
20. Adumasa Afaatia
21. Brofoyedu
22. Kotwi/Twindurease
23. Trede
24. Ampabame No.1
25. Kwanwoma
26. Mpatasie
27. Ejuampong
28. Abotiaso Konkori
29. Afrancho
30. Bekwaimin
31. Ahenema Kokoben
32. Krofofrom
33. Ampeyoo Asaago
FUNCTIONS OF THE ASSEMBLY

1. (1) A District Assembly shall
   (a) exercise political and administrative authority in the district;
   (b) promote local economic development; and
   (c) provide guidance, give direction to and supervise other administrative authorities in the district as may be prescribed by law.

(2) A District Assembly shall exercise deliberative, legislative and executive functions.

(3) Without limiting subsections (1) and (2), a District Assembly shall
   (a) be responsible for the overall development of the district;
   (b) formulate and execute plans, programmes and strategies for the effective mobilisation of the resources necessary for the overall development of the district;
   (c) promote and support productive activity and social development in the district and remove any obstacles to initiative and development;
   (d) sponsor the education of students from the district to fill particular manpower needs of the district especially in the social sectors of education and health, making sure that the sponsorship is fairly and equitably balanced between male and female students;
   (e) initiate programmes for the development of basic infrastructure and provide municipal works and services in the district;
   (f) be responsible for the development, improvement and management of human settlements and the environment in the district;
   (g) in co-operation with the appropriate national and local security agencies, be responsible for the maintenance of security and public safety in the district;
(h) ensure ready access to courts in the district for the promotion of justice;

(i) act to preserve and promote the cultural heritage within the district;

(j) initiate, sponsor or carry out studies that may be necessary for the discharge of any of the duties conferred by the Act or any other enactment; and

(k) perform any other functions that may be conferred under any other enactment.

(4) A District Assembly shall take the steps and measures that are necessary and expedient to

(a) execute approved development plans for the district;

(b) guide, encourage and support sub-district local government bodies, public agencies and local communities to perform their functions in the execution of approved development plans;

(c) initiate and encourage joint participation with other persons or bodies to execute approved development plans;

(d) promote or encourage other persons or bodies to undertake projects under approved development plans; and

(e) monitor the execution of projects under approved development plans and assess and evaluate their impact on the people's development, the local, district and national economy in accordance with government policy.

(5) A District Assembly shall co-ordinate, integrate and harmonise the execution of programmes and projects under approved development plans for the district and other development programmes promoted or carried out by Ministries, Departments, public corporations and other statutory bodies and non-governmental organisations in the district.

(6) A District Assembly in the discharge of its duties shall

(a) be subject to the general guidance and direction of the President on matters of national policy; and

(b) act in co-operation with the appropriate public corporation, statutory body or non-governmental organisation.
LOCAL GOVERNMENT (ATWIMA KWANWOMA DISTRICT ASSEMBLY) (ESTABLISHMENT) INSTRUMENT, 2017

(7) Public corporations, statutory bodies and organisations shall co-operate with a District Assembly in the performance of their functions.

(8) In the event of a conflict between a District Assembly and an agency of the central Government, public corporation, statutory body, non-governmental organisation or individual over the application of subsection (5) or (6), the matter shall be referred by either or both of the parties to the Regional Co-ordinating Council for resolution.

(9) The Instrument that establishes a particular District Assembly or other Instrument may confer additional functions upon the District Assembly.

HON. HAJIA ALIMA MAHAMA, (MP)
Minister for Local Government and Rural Development

Date of Gazette notification: 31st May, 2017.

Entry into force: