IN THE FIRST SESSION OF THE SEVENTH
PARLIAMENT OF THE FOURTH
REPUBLIC OF GHANA

REPORT OF THE
COMMITTEE ON EMPLOYMENT, SOCIAL
WELFARE AND STATE ENTERPRISES

ON THE

MIDDLE BELT DEVELOPMENT
AUTHORITY BILL, 2017
REPORT OF THE PARLIAMENTARY SELECT COMMITTEE ON EMPLOYMENT, SOCIAL WELFARE AND STATE ENTERPRISES ON THE MIDDLE BELT DEVELOPMENT AUTHORITY BILL, 2017

1.0 INTRODUCTION

The Middle-Belt Development Authority Bill, 2017 was presented before Parliament and read the first time on 31st July 2017. In accordance with Article 106 (4) and (5) of the Constitution and Order 184 of the Standing Orders of the House, the Bill was referred by the Rt. Hon. Speaker to the Committee on Employment, Social Welfare and State Enterprises for consideration and report.

2.0 DELIBERATION

The Committee held a stakeholder meeting in Kumasi to solicit inputs on the Bill from participants from the Ashanti, Brong-Ahafo and the Eastern-Regions. The Committee subsequently held a meeting to consider the Bill in detail.

Pursuant to the directive on the referral, the Committee considered the Bill together with the Leadership of the Finance Committee, the Committee on Local Government and Rural Development and the Committee on Poverty Reduction Strategy. The Hon. Minister for Special Development Initiatives, Mrs. Mavis Hawa Koomson and her technical team were in attendance to support the work of the Committee. The Leader of the House joined the Committee for considerable periods.
The Committee on Employment, Social Welfare and State Enterprises expresses its appreciation to the Leadership of the three other Committees for their inputs and co-operation.

The Committee acknowledges the contribution and support of the Hon Minister and her technical team, as well as the drafters from the Attorney General's Office. The Committee also expresses appreciation to the Majority Leader for attending to the workshop and making contributions that provided profound illumination to the business of the Committee. The Committee is equally grateful to different stakeholders for their contribution.

3.0 REFERENCE

2.1 The Committee made reference to the following documents during its deliberations:

a. The 1992 Constitution
b. The Standing Orders of Parliament
c. The Savana Accelerated Development Authority Act, 2010 (Act 805)
d. Memorandum from Stakeholders.

4.0 OBJECT OF THE BILL

The object of the Bill is to provide for the establishment of the Middle Belt Development Authority to provide a framework for accelerated economic and social development of constituencies and areas in the Ashanti, Brong-Ahafo and the Eastern Regions of the Republic of Ghana.
5.0 CONTENT OF THE BILL

The Bill is made up of 32 clauses arranged into the following group section captions:

Section caption 1 (Clause 1-3) establishes the Middle Belt Development Authority. The objects and functions of the Authority are captured under this section.

Section caption 2 (clause 4-12) deals with the Governing Body of the Authority and provides among others, the composition and functions of the Board, duties and liabilities of a member of the Board, disclosure of interest and establishment of committees.

Section caption 3 (Clause13-18) provides for the Administration of the Authority, which includes the appointment and functions of the Chief Executive Officer, Secretary to the Board, and Internal Audit Unit.

Section caption 4 (Clause 19-26) relates to the Finances of the Authority.

Section caption 5 (Clause 27-32) deals with Miscellaneous provisions covering such items as public consultation and notice, offences and penalties, regulations and interpretation.

6.0 BACKGROUND

The government recognises that Article 36(2) of the 1992 Constitution obligates the state to take all necessary steps to establish a sound and
healthy economy whose underlying principles shall, among other things include undertaking even and balanced development of all the regions and every part of each region of Ghana, and in particular, improving the conditions of life in the rural areas and generally addressing any imbalance in development between the rural and the urban areas. It is in pursuance of this that the government proposed to established the Middle Belt Development Authority.

7.0 OBSERVATIONS AND RECOMMENDATIONS

7.1 The Committee observed that the establishment of the Middle Belt Development Authority will enable the country bring constituencies within the Middle Belt into mainstream development. It was noted for instance that the Infrastructure for Poverty Eradication Programme (IPEP) would make provision for annual allocation of funds for each constituency. This, together with other sources of funds will enable the Authority implement capital projects and stimulate investments for job creation, accelerated development and improvements in the lives of the rural communities.

7.2 It was further observed that the setting up of the Middle Belt Authority would complement the work of the District Assemblies within the Middle Belt. To this end, it was imperative that the Authority works hand in hand with the District Assemblies, in particular, for the achievement of common objectives in the constituencies. This, the Committee noted is incorporated into the Bill which mandates for the Authority, in the performance of its functions, to co-operate with key statutory institutions like the
National Development Planning Commission (NDPC), Ministries Department and Agencies, (MDAs) as well as District Assemblies.

This is to ensure that programmes of the Authority are consistent with national development plan and that duplications of its functions are avoided.

7.3 As part of its functions, the Authority would lead and co-ordinate local development initiatives in the Middle Belt. This will entail, among others, facilitating public-private partnership to promote investments, and supporting the acquisition of credit by indigenous (wholly owned) local entities which operate within the zone. This, the Committee believes, will help grow indigenous entities and also provide the incentive for them to relocate or site their operations in rural communities to create job opportunities for the people.

7.4 Per clause 28 of the Bill, the Authority may consult the public on major projects that it (the Authority) plans to implement. The Committee however expressed the view that the active involvement of the beneficiary communities in the initiation and implementation of the programmes of the Authority will go a long way to ensure the successful implementation of such programmes/projects. The Committee therefore recommends that the Bill makes it mandatory for the Authority to hold public consultations on all major projects. This will promote transparency, accountability and community ownership of the projects implemented by the Authority.
8.0 CONCLUSION

The establishment of the Middle Belt Development Authority will help speed up socio-economic development of the Middle Belt Zone. However, it is important to recognise that the Middle Belt Zone, with its vegetative cover and mineral resources, faces a number of challenges such as deforestation, destruction of the environment and pollution of waterbodies through human activities. The Authority should therefore endeavor to implement programmes/projects that will help address some of these challenges and promote sound environmental practices.

The Select Committee on Employment, Social Welfare and State Enterprises therefore recommends to the House to adopt its report on the Middle Belt Development Authority Bill, 2017, subject to the proposed amendments in the appendix.

HON. KWAME ANYIMADU-ANTWI
CHAIRMAN, COMMITTEE ON EMPLOYMENT, SOCIAL WELFARE & STATE ENTERPRISES

ANTHONY AGYEKUM
CLERK TO THE COMMITTEE

October 2017
PROPOSED AMENDMENTS

Clause 1 – Amendment proposed – sub-clause (3), line 1, insert “a” before “hindrance”.

Clause 2 – Amendment proposed – paragraph (c), sub-paragraph (ii), line 2, after “each” insert “District or”

Clause 2 – Amendment proposed – paragraph (d), line 1, delete “formulate and”.

Clause 3 – Amendment proposed – paragraph (c), line 1, delete “and institutions”.

Clause 3 – Amendment proposed – paragraph (h), line 1, delete “execute identified” and insert “ensure the execution of”.

Clause 3 – Amendment proposed – paragraph (m), line 3, after “Agencies” insert “Regional Coordinating Councils,”.

Clause 3 – Amendment proposed – paragraph (o), line 1, delete “serve as an agent of the Government in” and insert “facilitate”.

Clause 3 – Amendment proposed – paragraph (p), line 2, after “targets”, insert “are met”; and before “in” delete “met” and insert “achieved”

Clause 3 – Amendment proposed – paragraph (r), delete entire paragraph

Clause 3 – Amendment proposed – paragraph (s), delete entire paragraph.
Clause 4 - Amendment proposed – sub-clause (1) paragraph (a), delete “nominated by the President”.

Clause 4 - Amendment proposed – sub-clause (1) paragraph (c), line 1, after “representative” insert “each”, and in Lines 1 and 2, delete “in the Northern Development Zone”. Also in Line 2 before “Regional House of Chiefs, insert “respective”.

Clause 4 - Amendment proposed – sub-clause (1) paragraph (d), line 1, delete “of” and insert “responsible for”.

Clause 4 – Amendment proposed – insert a new paragraph after paragraph (d) as follows:

“one person from the Ministry responsible for Special Development Initiatives”

Clause 4 - Amendment proposed - paragraph (h), line 1, delete “six” and insert “three”, and in Line 2, after “least” delete “two” and insert “one”. Also in the same line 2, after “whom” delete “are” and insert “is”

Clause 4 - Amendment proposed – Sub-clause (3), delete entire sub-clause (3) and insert “The President shall in appointing a member of the Board have regard to the member’s integrity, knowledge, expertise and experience in matters relevant to the objects and functions of the Authority”

Clause 5 - Amendment proposed – sub-clause (2) paragraph (f), line 1, delete “and strategies”.
Clause 8 - Amendment proposed – sub-clause (3), line 1, after “is” delete “eight” and insert “seven”.

Clause 8 - Amendment proposed – sub-clause (4), line 2, after “Board” insert “other than the Chief Executive”.

Clause 10 - Amendment proposed – sub-clause (1) line 2, after “Board” delete “or” and insert “and”, after “non-members” delete “or both”

Clause 10 – Amendment proposed – insert a new sub-clause after sub-clause (1) as follows: “A committee of the Board shall be chaired by a member of the Board”

Clause 14 - Amendment proposed – sub-clause (2), line 3, after “relieved”, delete “from” and insert “of”.

Clause 19 - Amendment proposed – paragraph (b), line 1, after “moneys” delete “from” and insert “allocated for”, and in Line 2, delete “project” and insert “Programme”.

Clause 19 - Amendment proposed – paragraph (i), before “internally” insert “any other”.

Clause 23 - Amendment proposed – sub-clause (1), lines 1 and 2 delete the words “duties, fees, and other charges”

Clause 23 - Amendment proposed – sub-clause (2), lines 2 and 3, delete “or variation of tax to” and insert “duties, fees other charges payable by”.

Clause 23 - Amendment proposed – sub-clause (3), delete entire sub-clause.
Clause 26 - Amendment proposed – sub-clause (2), paragraph (b), delete paragraph (b) and insert “a performance report”

Clause 26 - Amendment proposed – sub-clause (2), paragraph (c), delete entire paragraph (c)

Clause 26 - Amendment proposed – sub-clause (2), paragraph (e), delete entire paragraph (e)

Clause 26 - Amendment proposed – sub-clause (2) paragraph (f), delete entire sub-paragraph (iv) and insert “the cost of project executed by the Authority”.

Clause 27 – Amendment proposed – Headnote, delete “for private sector”.

Clause 27 - Amendment proposed – sub-clause (1), line 1 after “Authority” delete “shall grant and extend incentives to the private sector” and insert “may extend support to the private sector, public sector”

Clause 28 - Amendment proposed – sub-clause (1), line 1 after “Authority” delete “may” and insert “shall”.

Clause 28 - Amendment proposed – sub-clause (2), line 2, after “shall” insert the words “,not less than seven days before the date of the public consultation,”

Clause 32 - Amendment proposed – Interpretation for “annual allocation”, line 3, delete “Central Government” and insert “Parliament”
Clause 32 - Amendment proposed – Interpretation of “Central Government” delete “Central Government” from the Interpretation

Clause 32 - Amendment proposed – Interpretation for “donors”, delete the definition of donors and insert “donors include governmental and non-governmental organisations and any other development partners”

Clause 32 - Amendment proposed – Interpretation for “Infrastructure for Poverty Eradication Project”, line 1, delete “Project” and insert “Programme”

Clause 32 – Amendment proposed – Interpretation for “National Planning Commission” delete “National Development Planning Commission”.

Clause 32 - Amendment proposed – Interpretation of “Minister” delete and insert “Minister” means “the Minister responsible for Special Development Initiatives”

Clause 32 - Amendment proposed – “public resources” delete from interpretation clause

Clause 32 – Amendment proposed – Interpretation for “risk finance instrument” delete the word “means” and insert “includes”