

**MILLENNIUM DEVELOPMENT AUTHORITY (AMENDMENT) ACT, 2015 (ACT  
897)**

ARRANGEMENT OF SECTIONS

Section

1. Long title of Act 702 amended
2. Section 2 of Act 702 amended
3. Section 3 of Act 702 amended
4. Section 7 of Act 702 amended
5. Section 8 of Act 702 amended
6. Section 9 of Act 702 amended
7. Section 16 of Act 702 amended
8. Section 19 of Act 702 amended
9. Section 19 A of Act 702 repealed
10. Section 20 of Act 702 amended
11. Section 20A of Act 702 repealed
12. Section 21 of Act 702 amended
13. Section 25 of Act 702 amended
14. Section 26 of Act 702 amended



REPUBLIC OF GHANA

**THE EIGHT HUNDRED AND NINETY-SEVENTH  
ACT  
OF THE PARLIAMENT OF THE REPUBLIC OF GHANA  
ENTITLED**

**MILLENNIUM DEVELOPMENT AUTHORITY (AMENDMENT) ACT, 2015**

**An Act** to amend the Millennium Development Authority Act, 2006 (Act 702) to make provision for national development programmes funded by the Government of Ghana, Development Partners or by both and to provide, for related matters.

**DATE OF ASSENT:** 26th October, 2015.

**PASSED** by Parliament and assented to by the President:

Section 1—Long title of Act 702 amended

The Millennium Development Authority Act, 2006 (Act 702) referred to in this Act as the “principal enactment” is amended by the substitution for the long title of

“AN ACT to establish the Millennium Development Authority to oversee, manage and implement the Programmes under the Millennium Challenge Account for poverty reduction through economic growth as set out in each agreement between the Government of Ghana and the Millennium Challenge Corporation acting for and on behalf of the Government of the United States of America and for any other national development programme of a similar nature funded by the Government of Ghana, a Development Partner or both and to provide for related matters.”

Section 2—Section 2 of Act 702 amended

Section 2 of the principal enactment is amended

(a) by the substitution for paragraph (a) of

“(a) to oversee and manage the implementation of the programmes under the Millennium Challenge Account;” and

(b) by the substitution for paragraph (b) of

“(b) to secure the proper and effective utilisation of funds granted to Ghana under each Compact and any other relevant agreement”.

Section 3—Section 3 of Act 702 amended

Section 3 of the principal enactment is amended

(a) by the substitution for paragraph (b) of

“(b) take the necessary steps to ensure the reduction of poverty through economic growth;”;  
and

(b) by the substitution for paragraph (d) of

“(d) provide programmes and projects as determined by the Board within the terms of the applicable agreement;”.

Section 4—Section 7 of Act 702 amended

The principal enactment is amended by the substitution for section 7 of

7. “Governing body of the Authority

(1) The governing body of the Authority is a Board composed of the following members:

(a) not less than seven and not more than eleven voting members comprising

(i) a chairperson;

(ii) a Minister or a representative of the Minister each from a Ministry, Department or Agency the functions of which are of direct relevance to the objectives and functions of the Authority;

(iii) the chief executive;

(iv) one representative from the private sector elected by the Private Enterprise Foundation;

(v) one representative elected by relevant non-governmental organisations; and

(vi) one representative elected by the Association of Ghana Industries from the private sector;  
and

(b) the following members without voting rights:

(i) the representative of the Millennium Challenge Corporation during the term of each Compact or of the- relevant Development Partner; and

(ii) any other person appointed to the Board during the term of each Compact with the agreement of the Government and the Millennium Challenge Corporation, or by the Government of Ghana, a Development Partner or both.

(3) The members of the Board shall be appointed by the President in accordance with article 70 of the Constitution.

(4) A member of the Board without voting rights may attend and participate in meetings of the Board.

Section 5—Section 8 of Act 702 amended

Section 8 of the principal enactment is amended in subsection (2)

(a) by the substitution for paragraph (b) of

“(b) review the quarterly performance of the Authority including statement of account of moneys disbursed from the funds of the Authority;” ; and

(b) by the substitution for paragraph (c) of

“(c) ensure adequate accountability to the stakeholders in compliance with the terms of each Compact and any other relevant agreement;”.

Section 6—Section 9 of Act 702 amended

Section 9 of the principal enactment is amended by the substitution for subsection (1) of

“(1) The chairperson and the other voting members of the Board shall hold office for a term of five years except that the representative from the private sector shall hold office for a period of two and a half years and is eligible for re-appointment for one term only.”.

Section 7—Section 16 of Act 702 amended

Section 16 of the principal enactment is amended

(a) by the substitution for paragraph (d) of

“(d) ensure that the procurement practices and processes are in compliance with each Compact or any other relevant agreement with a Development Partner;” ; and

(b) by the substitution for paragraph (e) of

“(e) collaborate with the Ministry of Finance to account for all funding in accordance with the fiscal plan under each Compact or any other relevant agreement with a Development Partner;”

Section 8—Section 19 of Act 702 amended

The principal enactment is amended by the substitution for section 19 of

19. “Funds of the Authority.

(1) The funds of the Authority include

(a) moneys granted to the Government of Ghana under each Compact;

(b) grants, donations, gifts and any other voluntary contributions to the Authority;

(c) moneys that may become lawfully payable to the Authority; and

(d) any moneys that are approved by Parliament.

(2) Subject to the funding rules under an agreement with a Development Partner, the Board shall, with the approval of the Minister responsible for Finance, open a bank account into which moneys received by the Authority shall be paid.

(3) Parliament shall approve such moneys as may be required of the Government under each Compact.”.

Section 9—Section 19 A of Act 702 repealed

Section 19 A of the principal enactment is repealed.

Section 10—Section 20 of Act 702 amended

The principal enactment is amended by the substitution for section 20 of

20. “Expenses of the Authority

The expenses for the administration and management of the Authority shall be paid from the funds of the Authority during each Compact Term and after that from moneys approved by Parliament.”.

Section 11—Section 20A of Act 702 repealed

Section 20A of the principal enactment is repealed.

Section 12—Section 21 of Act 702 amended

Section 21 of the principal enactment is amended by the substitution for subsection (1) of

“(1) The Board shall establish an accounting and internal audit mechanism that achieves a transparent accountability of the funds of the Authority.”.

Section 13—Section 25 of Act 702 amended

Section 25 of the principal enactment is amended in subsection (2)

(a) by the substitution for paragraph (f) of

“(f) matters on the management of infrastructure constructed under each Compact Term or any other agreement with a Development Partner;”; and

(b) by the substitution for paragraph (g) of

“(g) for the provision of credits and grants from the funds of the Authority;”.

Section 14—Section 26 of Act 702 amended

Section 26 of the principal enactment is amended (a) by the substitution for the definition of “Compact Term” of

“ “Compact Term” means each five year period commencing from the date of entry of a Compact unless earlier terminated under the Compact ,”; and

(b) by the substitution for the definition of “Compact” of

“ “Compact” means each Millennium Challenge Compact made between the United States of America, acting through the Millennium Challenge Corporation, a United States Corporation and the Government of the Republic of Ghana;”; and

(c) by the deletion of the definitions of

(i) “Fund”;

(ii) “intervention zone”;

(iii) “MCC”; and

**(iv) “MCC Fund”.**

**Date of Gazette Notification: 27th October, 2015.**