

**ACT 452**  
**NATIONAL COMMISSION FOR CIVIC EDUCATION ACT, 1993**  
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SECTION

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**ACT 452**  
**NATIONAL COMMISSION FOR CIVIC EDUCATION ACT, 1993<sup>1</sup>**

**AN ACT to establish a National Commission for Civic Education, in accordance with article 231 of the Constitution and to provide for other related matters.**

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1. The Act was assented to on 6th July, 1993.

*Establishment***1. Establishment of National Commission for Civic Education**

(1) In accordance with article 231 of the Constitution there is hereby established a National Commission for Civic Education.

(2) The Commission is a public corporation as defined in article 295 of the Constitution.

**2. The functions of the Commission**

The functions of the Commission are,

- (a) to create and sustain within the society the awareness of the principles and objectives of the Constitution as the fundamental law;
- (b) to educate and encourage the public to defend the Constitution at all times, against all forms of abuse and violation;
- (c) to formulate for the consideration of Government, programmes at the national, regional and district level to realise the objectives of the Constitution;
- (d) to formulate, implement and oversee programmes intended to inculcate in citizens an awareness of their civic responsibilities and an appreciation of the rights and obligations of citizens as a free people; and
- (e) to assess for the information of the Government, the limit to the achievement of true democracy caused by the inequalities between different levels of the population and to make recommendations to redress these inequalities.

**3. Independence of Commission**

As provided in article 234 of the Constitution, except as otherwise provided in the Constitution or in any other law which is not inconsistent with the Constitution, the Commission is not subject to the direction or control of a person or an authority in the performance of its functions.

*Administration***4. Composition of the Commission**

In accordance with article 232 of the Constitution the Commission consists of

- (a) the chairman,
- (b) two deputy chairmen, and
- (c) four other members.

**5. Appointment of members**

The members of the Commission shall be appointed by the President in accordance with article 70 of the Constitution.

**6. Qualification of members**

A person is qualified to be a member of the Commission, if that person,

- (a) is qualified to be elected as a member of Parliament, and
- (b) does not hold an office in a political party.

**7. Terms and conditions of service of members of the Board**

(1) The chairman of the Commission shall enjoy the same terms and conditions of service as a Justice of the Court of Appeal and a deputy chairman shall enjoy the same terms and conditions of service as a Justice of the High Court.

(2) The other members of the Commission shall hold office on the terms and conditions approved by Parliament.

(3) The chairman and the two deputy chairmen shall not hold any other public office while serving on the Commission.

**8. Filling vacancies**

(1) Where a member of the Board, other than the chairman, is incapacitated by illness or any other sufficient cause from performing the functions of a member of the Board, the President may, acting on the advice of the Council of State appoint another person to perform those functions until the member is able to resume the performance of those functions.

(2) Where the chairman of the Board dies, resigns, is removed from office or is absent from the Republic for a continuous period exceeding three months or is by reason of illness unable to perform the functions of the chairman, one of the deputy chairmen as directed by the President shall act as chairman, until the chairman is able to perform the functions as chairman or until a new chairman is appointed.

(3) Where a person is appointed as a member to fill a vacancy, the person shall hold office for the remainder of the term of the previous member and is eligible for re-appointment.

**9. Resignation**

The chairman or a member of the Board may resign from office by notice addressed to the President.

**10. Removal of members of the Board**

(1) The procedure for the removal of the chairman or a deputy chairman from office shall be respectively, the same as those applicable for the removal of a Justice of the Court of Appeal or a Justice of the High Court under the Constitution.

(2) Any other member of the Commission may be removed from office by the President acting on the advice of the Council of State for inability to perform as a member of the Board or for a just cause.

### **11. Meetings of the Commission**

(1) The Commission shall meet at least once in every month for the despatch of business at a time and place determined by the chairman.

(2) The quorum at a meeting of the Commission is four of the members including the chairman or a deputy chairman.

(3) A notice of four clear days for every meeting of the Commission shall be given to a member.

(4) The chairman shall preside at the meetings of the Commission but in the absence of the chairman, one of the deputy chairmen shall preside.

(5) The validity of the proceedings of the Commission shall not be affected by a vacancy in its membership or a defect in the appointment of a member.

(6) Questions before the Commission shall be decided by a majority of the members present and voting and where there is equality of votes the chairman shall have a second or casting vote.

(7) The chairman shall summon a special meeting of the Commission within fourteen days of the receipt of a written request signed by not less than four members of the Board.

(8) Except as otherwise provided in this Act, the Commission shall regulate the procedure at its meetings.

### **12. Power to co-opt**

The Commission may co-opt a person to act as an adviser at its meetings but a co-opted person is not entitled to vote at a meeting.

### **13. Commission to appoint committees**

The Commission may appoint committees made up of members or non-members or both, and may assign to a committee a function as determined by the Commission except that a committee consisting entirely of non-members may only advise the Commission.

### **14. Secretary**

(1) The Commission shall in consultation with the Public Services Commission appoint a secretary to the Commission.

(2) The secretary shall, in consultation with the chairman, arrange the business, record and keep minutes of the meetings of the Commission.

(3) The secretary shall perform any other functions determined by the Commission and shall be assisted in the performance of these functions by any of the employees of the Commission as directed by the Board.

**15. Other staff of the Commission**

(1) The Commission shall employ any other officers and employees as are reasonably necessary for the effective performance of its functions.

(2) The officers and employees shall be appointed by the Commission in consultation with the Public Services Commission.

(3) Other public officers may be transferred or seconded to the Commission or may otherwise give assistance to it.

**16. Regional and district branches of Commission**

(1) There shall be in each region and district, regional and district branches of the Commission.

(2) The Commission shall determine and appoint officers for the regional and national branches.

(3) The Commission may create any other lower structures as will facilitate to its performance of the functions of the Commission.

**17. Functions of regional and district branches**

A regional or district branch of the Commission shall perform the functions assigned to it by the Commission.

*Finance***18. Expenses of Commission charged on Consolidated Fund**

The administrative and operational expenses of the Commission including salaries, pensions and allowances payable to or in respect of persons serving with the Commissioner are, in accordance with article 239 of the Constitution, charged on the Consolidated Fund.

**19. Accounts**

(1) The Commission shall keep proper books of account and proper records in relation to them in a form approved by the Auditor-General.

(2) The books and accounts of the Commission shall be audited by the Auditor-General a period of six months after the end of the financial year.

**20. Annual report**

The Commission shall submit an annual report to Parliament indicating the activities and operations of the Commission for the preceding year.

*Miscellaneous***21. Offences**

A person who wilfully obstructs the Commission or otherwise interferes with the Commission in the performance of its functions commits an offence and is liable on summary conviction to a fine not exceeding two hundred penalty units or to a term of imprisonment not exceeding six months or to both the fine and imprisonment.

**22. Regulations**

(1) The Commission may by Legislative Instrument make Regulations to carry out the provisions of this Act.

(2) The exercise of the power to make regulations shall be signified by the personal signature of the chairman or in the absence of the chairman, a deputy chairman.

**23. Interpretation**

In this Act, unless the context otherwise requires,

“**Auditor-General**” includes an auditor appointed by the Auditor-General;

“**Commission**” means the National Commission on Civic Education established by article 231 of the Constitution.

**24. Repeal**

*Spent.*<sup>2</sup>

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2. This section repealed the National Commission for Democracy Law, 1988 (P.N.D.C.L. 208).