

NATIONAL COMMISSION FOR CIVIC EDUCATION ACT, 1993 (ACT 452)

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REPUBLIC OF GHANA

**THE FOUR HUNDRED AND FIFTY-SECOND
ACT
OF THE PARLIAMENT OF THE REPUBLIC OF GHANA
ENTITLED**

THE NATIONAL COMMISSION FOR CIVIC EDUCATION 1993

AN ACT to establish the National Commission for Civic Education, to provide for its composition and functions and for other matters relating to its organisation.

DATE OF ASSENT: 6th July, 1993

BE IT ENACTED BY PARLIAMENT as follows—

Section 1—Establishment of National Commission for Civic Education .

There is established by this Act a National Commission for Civic Education referred to in this Act as "the Commission."

Section 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 of the people of Ghana;
- (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, from time to time, programmes at the national, regional and district levels aimed at realising the objectives of the Constitution;
- (d) to formulate, implement and oversee programmes intended to inculcate in the citizens of Ghana awareness of their civic responsibilities and an appreciation of their rights and obligations as free people; and
- (e) to assess for the information of Government, the limitations to the achievement of true democracy arising from the existing inequalities between different strata of the population and make recommendations for re-dressing these inequalities.

Section 3—Independence of Commission.

Except as otherwise provided in the Constitution or in any other law which is not inconsistent with the Constitution, the Commission shall not be subject to the direction or control of any person or authority in the performance of its functions.

Section 4—Composition of the Commission.

The Commission shall consist of—

- (a) a Chairman;
- (b) two Deputy Chairmen; and
- (c) four other members.

Section 5—Appointment of Members.

Members of the Commission shall be appointed by the President acting on the advice of the Council of State.

Section 6—Qualification of Members.

- (1) Members of the Commission shall be persons who are qualified to be elected as members of Parliament.
- (2) Members of the Commission shall be persons who do not hold office in any political party.

Section 7—Terms and Conditions of Service of Members of Commission.

- (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 of the Commission 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 such terms and conditions as may be approved by Parliament.
- (3) The Chairman and the two Deputy Chairmen of the Commission shall not, while they hold office on the Commission hold any other public office.

Section 8—Filling Vacancies.

- (1) Where a member of the Commission other than the Chairman is incapacitated by illness or any other cause from performing the functions of his office, the President may, acting on the advice of the Council of State appoint another person to perform his functions until the member is able to resume the performance of his duties.
- (2) Where the Chairman of the Commission dies, resigns, is removed from office or is absent from Ghana for a continuous period exceeding three months or is by reason of illness unable to perform the functions of his office, one of the Deputy Chairmen as directed by the President shall act as Chairman until the Chairman is able to perform the functions of his office or until a new Chairman is appointed.

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

Section 9—Resignation.

The Chairman or a member of the Commission may resign his office by notice addressed to the President.

Section 10—Removal of Members of Commission.

(1) The procedure for the removal of the Chairman or a Deputy Chairman from office shall be the same as those applicable for the removal of a Justice of the Court of Appeal and a Justice of the High Court respectively 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 the functions of his office or for any just cause.

Section 11—Meetings of Commission.

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

(2) The quorum at a meeting of the Commission shall be four of the members of the Commission that includes the Chairman or a Deputy Chairman.

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

(4) The Chairman shall preside at each meeting of the Commission but in his absence one of the Deputy Chairmen shall preside.

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

(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 Commission.

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

Section 12—Power to Co-opt.

The Commission may co-opt any person to act as an adviser at its meetings but no co-opted person is entitled to vote at a meeting.

Section 13—Commission to Appoint Committees.

The Commission may appoint committees made up of members or non-members or both and may assign to them such functions as the Commission may determine except that a committee consisting entirely of non-members may only advise the Commission.

Section 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 such other functions as the Commission may assign to him and shall be assisted in the performance of his functions by any of the employees of the Commission that the Commission may direct.

Section 15—Other Staff of the Commission.

- (1) The Commission shall employ such other officers and employees as may be reasonably necessary for the effective discharge 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.

Section 16—Regional and District Branches of Commission.

- (1) There shall be in each Region and District of Ghana regional and district branches of the Commission.
- (2) There shall be appointed for each regional and district branch of the Commission such officers as the Commission shall determine.
- (3) The Commission may create such other lower structures as would facilitate its operations.

Section 17—Functions of Regional and District Branches.

A regional or a district branch of the Commission shall perform in respect of the Region or District such of the functions of the Commission specified under this Act as the Commission may direct.

Section 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 Commission shall be charged on the Consolidated Fund.

Section 19—Accounts.

- (1) The Commission shall keep proper books of account and proper records in relation to them and the account books and records of the Commission shall be in a form approved by the Auditor-General.
- (2) The books and accounts of the Commission shall be audited by the Auditor-General or by an auditor appointed by him within a period of six months after the end of the financial year.

Section 20—Annual Report.

The Commission shall, annually submit to Parliament a report indicating the activities and operations of the Commission in respect of the preceding year.

Section 21—Offences.

A person who wilfully obstructs the Commission or otherwise interferes with the Commission in the discharge of its functions commits an offence and is liable on conviction to a fine not exceeding ₪500,000 or to a term of imprisonment not exceeding six months or to both.

Section 22—Regulations.

(1) The Commission may by legislative instrument make regulations for carrying the provisions of this Act into effect.

(2) The exercise of the power to make regulations under subsection (1) may be signified under the hand of the Chairman or in his absence that of a Deputy Chairman.

Section 23—Repeal.

The National Commission for Democracy Law, 1988 (PNDCL. 208) is repealed.