

IN THE THIRD MEETING OF THE FOURTH SESSION OF
THE THIRD PARLIAMENT OF THE FOURTH REPUBLIC OF
GHANA

REPORT OF THE COMMITTEE ON SUBSIDIARY
LEGISLATION ON THE LOCAL GOVERNMENT
(METROPOLITAN ASSEMBLY) (ESTABLISHMENT)
(AMENDMENT) INSTRUMENTS, 2004 L.I.'s 1804 - 1806

1.0 INTRODUCTION

The legislative Instruments listed below were laid before Parliament on Friday, 16th July, 2004 and subsequently referred to the Committee on Subsidiary Legislation for consideration and report pursuant to article 11(7) of the Constitution and Standing Order 166 respectively.

The Instruments are:

1. Local Government (Accra Metropolitan Assembly) (Establishment) (Amendment) Instrument, 2004 L.I. 1804
2. Local Government (Kumasi Metropolitan Assembly) (Establishment) (Amendment) Instrument, 2004 L.I. 1805
3. Local Government (Shama Ahanta) East Metropolitan Assembly) (Establishment) (Amendment) Instrument, 2004 L.I. 1806

2.0 REFERENCE DOCUMENTS

In considering the referrals the Committee had recourse to:

- The 1992 Constitution and
- The Local Government Act 1993, Act 462

and reports as follows:

3.0 BACKGROUND

By virtue of section 3 (1) of the Local Government Act 1993, Act 462, the Minister for Local Government and Rural Development is empowered to establish by Legislative Instruments Assemblies for each District, Municipal or Metropolis for effective Local Government administration. The Instruments in reference were issued in furtherance of the above provisions.

4.0 DELIBERATIONS

The Committee met on Wednesday 27th and Thursday 28th September, 2004 and considered the above-listed Instruments. The following were in attendance at the invitation of the Committee:

- Mr. K.A. Dankwa - Director, Policy Planning, Monitoring and Evaluating Division of the Ministry Local Government and Rural Development
- Mr. P.V. Appiah - Attorney General's Department

The Committee is grateful to them for their attendance and participation in its deliberations.

5.0 OBJECT OF THE INSTRUMENTS

The three Instruments seek to provide for the establishment of administrative heads who will be responsible for the day to day administration of the Sub-Metropolitan District Councils of the Accra, Kumasi and Shama Ahanta East Metropolitan areas respectively for the effective and efficient management of the specified areas.

6.0 OBSERVATIONS

The Committee observed that, steady growth in population and rapid expansion in various towns and suburbs over the years within the above named Metropolitan areas have resulted in a number of difficulties regarding the effective and efficient management of these Metropolitan areas by their respective Chief Executives.

Secondly, the Metropolitan Chief Executives are at the moment confronted with a number of issues and may therefore not be in the position to assume full responsibility for effective management of the Sub-Metropolitan District Councils as well.

The Committee is of the considered view that, the proposed head of the Sub-Metropolitan District Councils will be adequately resourced to provide requisite administrative leadership for the management and development of the Sub-Metropolitan District Councils. The proposed heads of

the various Sub-Metropolitan District Councils will report to the Metropolitan Chief Executives.

7.0 RECOMMENDATION AND CONCLUSION

The Committee noted that the provisions of the Instruments are in conformity with the parent Act and the procedural requirements specified in Standing Orders 166 (2) and (3). The Committee therefore recommends that in accordance with Article 11 (7) of the Constitution, this House allows the Local Government (Metropolitan Assemblies) (Establishment) (Amendment) Instruments, 2004 L.I.'s 1804 - 1806 to come into force with the effluxion of time.

Respectfully submitted.



**HON. FRANCIS AGBOTSE
CHAIRMAN**



**EBENEZER AHUMAH DJIETROR
CLERK**