

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

**REPORT OF THE  
COMMITTEE ON EDUCATION**

*ON THE*

**COMPLEMENTARY EDUCATION  
AGENCY BILL, 2019**

Acc No 1827  
Class No. BR/CEA/19

# REPORT OF THE COMMITTEE ON EDUCATION ON THE COMPLEMENTARY EDUCATION AGENCY BILL, 2019

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## 1.0 INTRODUCTION

- 1.1 The Complementary Education Agency Bill, 2019 was presented to the House and read the first time on Monday, 22<sup>nd</sup> July, 2019 by the Hon. Minister for Education, Dr. Matthew Opoku Prempeh. The Bill was subsequently referred to the Committee on Education for consideration and Report by the Rt. Hon Speaker. This was in accordance with Article 106 (4) and (5) of the 1992 Constitution of the Republic of Ghana and Order 186 of the Standing Orders of the House.
- 1.2 The Committee on Education met and considered the Bill. Present at the Committee's meetings to assist in its deliberations were the two Hon. Deputy Ministers for Education, Dr. Yaw Osei Adutwum and Mrs. Gifty Twum-Ampofo, officials from the Ministry of Education and the Non-Formal Education Division of the Ministry of Education.
- 1.3 The Committee expresses its appreciation to the Hon. Deputy Ministers, and officials from the Ministry of Education and the Non-Formal Education Division for their invaluable contributions.

## 2.0 REFERENCE DOCUMENTS

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

- i. The 1992 Constitution of Ghana.
- ii. The Standing Orders of the Parliament of Ghana.
- iii. The Education Act, 2008 (Act 778).
- iv. The State Lands Act, 1962 (Act 125).

### **3.0 BACKGROUND**

Since the First Republic, the Ministry of Education, through its Non-formal Education Division, has been providing a range of lifelong education programmes and opportunities for a number of Ghanaians, mostly adults outside the formal education system. The Non-Formal Education Division focuses mostly on providing basic literacy and numeracy skills to beneficiaries with the view to making them more functional in their various trades and occupations.

Government has however recognised that in order to carry every citizen along the path of development, there is the need to expand and provide further learning opportunities through complementary education to Ghanaians, including children and adults, who are outside the formal educational system. It is expected that complementary education would provide them with knowledge, skills and mind-set that are considered fundamental for their personal advancement to enable them contribute effectively and efficiently to community and national development.

In the light of the above, and having regard to new developments and innovations in the field of complementary education, Government is seeking to transform the Non-Formal Education Division of the Ministry of Education into a distinctive Complementary Education Agency through the requisite legal framework that would empower the Agency to respond adequately to emerging trends in complementary education.

### **4.0 OBJECT OF THE BILL**

The Bill seeks to establish the Complementary Education Agency to provide for educational programmes outside the formal education system.

## 5.0 HIGHLIGHTS OF THE BILL

The Bill is made up of thirty-seven clauses and divided into seven sections as follows:

### a. Establishment of the Complementary Education Agency

Clauses 1 to 3 deal with the establishment of the Complementary Education Agency. Clause 1 establishes the Agency as a corporate body and provides for the acquisition of land by the State on behalf of the Agency, where there is a hindrance to the acquisition. Clause 2 deals with the object of the Agency, while Clause 3 spells out the functions of the Agency.

### b. Governance of the Agency

Clauses 4 to 10 provide for the governance of the Agency. Clause 4 makes provision for the governing body of the Institute Agency. Clauses 5, 6, 7 and 8 cover the tenure of office of members of the Board, meetings of the Board, disclosure of interest and establishment of committees of the Board. The allowances of members of the Board and members of committees of the Board are provided for in Clause 9. Under Clause 10, the Minister responsible for Education may issue policy directives.

### c. Administration of the Agency

Clauses 11 to 18 deal with the administration of the Agency. Clauses 11, 12, 13 and 14 make provisions for the appointment and functions of the Executive Director of the Agency and the Deputy Executive Directors. The appointment of other staff, Secretariat of the Agency, Divisions and Units of the Agency, and the Internal Audit Unit of the Agency are dealt with in Clauses 15, 16, 17 and 18.

d. Financial Provisions

Clauses 19 to 22 deal with financial matters. The sources of funds of the Agency are specified in Clause 19. Clause 20 provides for the bank account of the Agency. Standard provisions on accounts and audit, and annual report and other reports of the Agency are also spelt out in Clauses 21 and 22.

e. Organisation of Complementary Education

Clauses 23 to 26 make provision for the organisation of complementary education. Clause 23 mandates the Agency to organise and conduct all forms of complementary education in the country, taking into consideration access to complementary basic education, youth and adult learning and education, gender issues relating to the literacy and empowerment of women, among others. Clause 24 empowers the Agency to establish learning centres while Clause 25 authorises the Agency to validate and mainstream all forms of complementary education in consultation with relevant regulatory bodies.

f. Decentralised Complementary Education

Clauses 27 to 35 provide for decentralised complementary education. Clause 27 establishes regional offices of the Complementary Education Agency. Clause 28 spells out the functions of a regional office of the Agency. The appointment and functions of a Regional Director of Complementary Education are provided for in Clauses 29 and 30. Clause 31 stipulates that the budget of the regional offices of the Agency shall form part of the budget of the national office.

Clauses 32, 33, 34 and 35 make provision for the establishment of a district office of the Agency, the functions of a district office of the Agency, the appointment and functions of a District Director of Complementary Education.

g. Miscellaneous Provisions

Clauses 36 and 37 encompass miscellaneous provisions. Clause 36 gives the Minister responsible for education, the enabling power to make Regulations. Clause 37 interprets the words and phrases used in the Bill.

## 6.0 **OBSERVATIONS**

### 6.1 Provision of Basic Functional Literacy to Disadvantaged Groups

The Committee observed that the Complementary Education Agency, will provide basic functional literacy to disadvantaged groups, offer complementary education pathways from primary to tertiary level and also provide opportunities for different trade groups to access training in occupational skills. The programme thus offers the opportunity for individuals or groups to access education in the form that is more meaningful, and at places and times suitable for beneficiaries.

In this regard, the Agency will, as part of its functions, set up Learning Centres and organise all forms of complementary education. It will also design and promote strategies and programmes to facilitate the conduct of all forms of complementary education to promote literacy in communities, improve lifelong learning and education, offer literacy skills in support of sustainable livelihoods for out-of-school children, youth, men, women and the elderly.

## 6.2 Development of Programmes for Specific Needs of Groups and Communities

The Committee noted that the Complementary Education Programme has been designed as a fit for purpose education system that recognises and responds appropriately to the peculiar circumstances, challenges and needs of various groups and communities. The Agency, in the performance of its functions, is expected to develop programmes for specific groups, including out-of-school children at various levels, and non-literate youth and adults. The programmes entail the provision of complementary basic education, and access to youth and adult learning and education that takes into consideration gender issues in respect of literacy and women empowerment, among others.

In furtherance of this, the Agency is mandated under Clause 23(2) of the Bill to determine, on an annual basis, communities in which complementary education shall be provided and where training shall be conducted. This is to ensure that complementary education is not a straight-jacket for individuals, groups and communities with different needs, but packaged to meet the specific needs of groups and communities.

## 6.3 Validation and Accreditation of Complementary Education

The Committee noted that in order to streamline the delivery of complementary education by various providers, including those in the private domain, provision has been made under Clause 25 of the Bill for the Agency to validate and mainstream all forms of complementary education, in consultation with relevant regulatory bodies. To this end, the Agency shall facilitate the granting of accreditation to Learning Centres having regard to the knowledge and skills that a learner would acquire outside the formal education system. Furthermore, the Agency shall put in place, a mechanism to recognise prior learning for the

purposes of certification, qualification and progress within a lifelong learning framework.

#### 6.4 Formulation of Policies and Guidelines to Promote Complementary Education

In order to ensure the qualitative delivery of the complementary education programme, the Agency would have the mandate to formulate policies and guidelines to promote complementary education. The Agency shall also co-ordinate and implement activities within the circles of complementary education, as well as monitor and evaluate the implementation of approved learning programmes in the complementary education sector. In addition, it will engage facilitators for the provision of various forms of complementary education, taking into account the ability to facilitate or conduct lessons, experience in working with youth and adults, as well as the ability to work in diverse environments.

These regulatory measures, the Committee observed, would contribute a great deal to mainstreaming and enhancing the provision of complementary education, and also make it more structured and responsive to the needs of learners.

#### 6.5 Development of Partnerships with Various Stakeholders to Consolidate Complementary Education

The Committee noted that the Complementary Education Agency, when established, will develop partnerships with various stakeholders to consolidate complementary education and the development of occupational skills.

The Committee further noted that in spite of the invaluable contributions of Civil Society Organisations (CSOs) to the development of complementary education in the country over the years, no provision was made in the Bill for the inclusion of a representative from CSOs on



the Governing Body of the Complementary Education Agency. Given the rich experience of CSOs in the provision of complementary education, and the positive impact their presence on the Board could make on the decisions of the Board, the Committee recommends that a representative of CSOs be included on the Governing Board of the Agency.

#### 6.6 Transitional Provision

The Committee noted that no transitional provision was included in the Bill to cater for the smooth transition of the Non-Formal Education Division to the Complementary Education Agency. Accordingly, the Committee recommends a transitional provision clause to guarantee the employment of staff of the Non-Formal Education Division, the transfer of the rights, assets, liabilities, and properties of the Division to the Agency, among others.

### 7.0 **PROPOSED AMENDMENTS**

The Committee, having regard to the observations made during its deliberations, proposes the amendments in the attached Appendix for consideration and adoption by the House.

### 8.0 **CONCLUSION AND RECOMMENDATION**

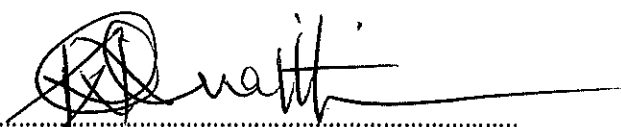
Ghana's quest to empower its citizens to participate actively in the economic life of the country, and contribute meaningfully to the governance process can only be fully achieved through an education system that promotes inclusiveness, equity, and designed to meet the specific needs of citizens, particularly those outside the formal education system.

Without doubt, the establishment of the Comprehensive Education Agency is an important step towards the overall development of the

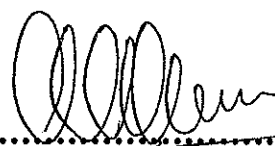
country. The complementary education programme will ensure that no citizen, no matter their circumstances and the community in which they live, is left behind in the provision and acquisition of knowledge, skills and lifelong learning opportunities to make them more functional and self-reliant for decent livelihoods.

Against this background, the Committee recommends to the House to approve its Report on the Complementary Education Agency Bill, 2019.

Respectfully submitted.



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**WILLIAM AGYAPONG QUAITTOO (HON.)**  
**(CHAIRMAN, COMMITTEE ON**  
**EDUCATION)**



.....  
**ABIGAIL ABA ANSO**  
**(CLERK TO THE COMMITTEE)**

JULY 2020

## APPENDIX

### PROPOSED AMENDMENTS

- i. **Clause 1** - **Amendment proposed** - Subclause (1), *delete* and *insert* the following:
- “There is established by this Act the Complementary Education Agency as a body Corporate”.
- ii. **Clause 1** - **Amendment proposed** - Subclause (2), line 1, *delete* “its” and *insert* “the”.
- iii. **Clause 1** - **Amendment proposed** - Subclause (2), line 2, *delete* “movable and immovable”.
- iv. **Clause 1** - **Amendment proposed** - Subclause (3), lines 1 and 2, *delete* “immovable property, the immovable property” and *insert* “land, the land”.
- v. **Clause 3** - **Amendment proposed** - Paragraph (b), *delete* and *insert* the following:
- “provide complementary education pathways or opportunities in the formal education system from primary to tertiary levels for persons including out-of-school children;”
- vi. **Clause 3** - **Amendment proposed** - Paragraph (d), line 1, *delete* “orientation of”.
- vii. **Clause 3** - **Amendment proposed** - Paragraph (o), *delete* the entire paragraph.

- viii. **Clause 4** - **Amendment proposed** - Subclause 1, Paragraph (b), *delete* and *insert* the following:
- “two retired senior staff of the Ministry of Education not below the rank of a Deputy Director with considerable experience in Non-Formal Education nominated by the Minister, one of whom is a woman”.
- ix. **Clause 4** - **Amendment proposed** - Subclause (1), Paragraph (c), *delete* and *insert* the following:
- “the Director-General of the Commission for Technical and Vocational Education and Training”.
- x. **Clause 4** - **Amendment proposed** - Subclause (1), Paragraph (d), subparagraph (ii), *delete* the entire subparagraph.
- xi. **Clause 4** - **Amendment proposed** - Subclause (1), *add* the following new paragraph:
- “( ) one representative of Civil Society Organisations involved in complementary education, on a rotational basis;”.
- xii. **Clause 5** - **Amendment proposed** - Subclause (1), line 1, *delete* “three” and *insert* “four”.
- xiii. **Clause 5** - **Amendment proposed** - Subclause (1), lines 2 and 3, *delete* “but a member shall not be appointed for more than two terms” and *insert* “for another term only”.
- xiv. **Clause 5** - **Amendment proposed** - Subclause (7), closing phrase, line 2, after “vacancy” *insert* “for the unexpired term”.

- xv. **Clause 6** - **Amendment proposed** - Subclause (1), line 2, after “business at” *delete* “the” and *insert* “a”.
  
- xvi. **Clause 6** - **Amendment proposed** - Subclause (2), line 3, after “Board at” *delete* “the” and *insert* “a”.
  
- xvii. **Clause 6** - **Amendment proposed** - Subclause (6), line 2, after “vote” *delete* “on a matter for decision at the meeting”.
  
- xviii. **Clause 6** - **Amendment proposed** - Subclause (8), line 2, *delete* “its meetings” and *insert* “the meetings of the Board”.
  
- xix. **Clause 8** - **Amendment proposed** - Subclause (2), *delete* and *insert* the following:  
  

“A committee composed of members and non-members of the Board shall be chaired by a member of the Board”.
  
- xx. **Clause 10** - **Amendment proposed** - Line 2, after “Board”, *insert* “and the Board shall comply”.
  
- xxi. **Clause 14** - **Amendment proposed** - *Add* the following new subclause:  
  

“( ) The more senior Deputy Executive Director shall act in the absence of the Executive Director.”.
  
- xxii. **Clause 16** - **Amendment proposed** - Subclause (1), line 1, after “effective” *insert* “and efficient”.
  
- xxiii. **Clause 17** - **Amendment proposed** - Line 2, after “effective” *insert* “and efficient”.
  
- xxiv. **Clause 20** - **Amendment proposed**- Line 2, *delete* “Board” and *insert* “Agency”.

- xxv. **Clause 21** - **Amendment proposed** - Subclause (1), *delete* and *insert* the following:
- “The Board shall ensure that the Agency keep books, records, returns and other documents relevant to the accounts in the form approved by the Auditor-General”.
- xxvi. **Clause 22** - **Amendment proposed**- Subclause (1), lines 1 and 2, *delete* “audit report” and *insert* “audited accounts”.
- xxvii. **Clause 23** - **Amendment proposed**- Subclause (3), paragraph (a), *delete* “the”.
- xxviii. **Clause 23** - **Amendment proposed**- Subclause (3), paragraph (e), line 2, *delete* “drop outs” and *insert* “out-of-school children”.
- xxix. **Clause 23** - **Amendment proposed**- Subclause (3), *add* the following new paragraph:
- “access to formal education”.
- xxx. **Clause 24** - **Amendment proposed** - Subclause (3), paragraph (b), line 2, *delete* “women, the youth and the elderly;” and *insert* “the youth and adults;”.
- xxxi. **Clause 24** - **Amendment proposed** - Subclause (3), paragraph (f), *delete* “adult”.
- xxxii. **Clause 25** - **Amendment proposed** - Subclause (1), line 1, *delete* “organisations” and *insert* “regulatory bodies”.

- xxxiii. **Clause 25** - **Amendment proposed** - Subclause (3), *delete* the entire subclause.
- xxxiv. **Clause 25** - **Amendment proposed** - *Add* the following new clause:  
 “The Agency shall provide alternative certification programmes for purposes of awarding certificates that are equivalent to High School certificates”.
- xxxv. **Clause 26** - **Amendment proposed** - Subclause (3), *delete* and *insert* the following:  
 “The Agency may collaborate with any other public/private body/institution for the purpose of engaging personnel to serve as facilitators for the Agency”.
- xxxvi. **Clause 27** - **Amendment proposed** - Headnote, *delete* and *insert* the following:  
 “Regional offices of the Agency”.
- xxxvii. **Clause 27** - **Amendment proposed** - *Delete* and *insert* the following:  
 “(1) There shall be regional offices of the Agency in each Region.  
 (2) A regional office of the Agency shall be known as a Regional Complementary Education Agency”.
- xxxviii. **Clause 27** - **Amendment proposed** - *Add* the following new subclause:  
 “A Regional Complementary Education Agency Shall be provided with public officers appointed by the President in accordance with article 195 of the Constitution”.

- xxxix. **Clause 28** - **Amendment proposed** - Paragraph (a), line 2, *delete* “subsection” and *insert* “section”.
- xl. **Clause 29** - **Amendment proposed** - Subclause (1), *delete* and *insert* the following:  
 “There shall be a Regional Director of Complementary Education in each regional office of the Agency”.
- xli. **Clause 31** - **Amendment proposed** - Lines 2 and 3, *delete* “Complementary Education”.
- xlii. **Clause 32** - **Amendment proposed** - Subclause (1), *delete* and *insert* the following:  
 “( ) There shall be district offices of the Agency in each District.  
 ( ) A district office of the Agency shall be known as a District Complementary Education Agency”.
- xliii. **Clause 33** - **Amendment proposed** - Line 3, before “efficient” *insert* “effective and” and in line 4, *delete* “areas within the”.
- xliv. **Clause 34** - **Amendment proposed** - *Delete* and *insert* the following:  
 “There shall be a District Director of Complementary Education in each district office of the Agency”.
- xlv. **Clause 35** - **Amendment proposed** - *Delete* and *insert* the following:  
 “A District Director of Complementary Education  
 (a) shall oversee the objectives of the Agency in the District; and



(b) is answerable to the Regional Director of Complementary Education”.

- xlvi. **Clause 36** - **Amendment proposed** - Opening phrase, *delete* and *insert* the following:
- “The Minister shall, within twelve months after the coming into force of this Act and on the advice of the Board, by legislative instrument, make Regulations to provide for”.
- xlvii. **Clause 36** - **Amendment proposed** - Paragraph (e), after “effective” *insert* “and efficient”.
- xlviii. **Clause 36** - **Amendment proposed** - *Add* the following new paragraph:
- “( ) the qualification for the appointment of Facilitators under this Act;”.
- xlix. **Clause 37** - **Amendment proposed** - Interpretation of “lifelong learning”, line 2, *delete* “which is”.
1. **Clause 37** - **Amendment proposed** - Interpretation of “lifelong learning framework”, lines 2 and 3, *delete* “and which provides” and *insert* “to provide”.
- li. **Clause 37** - **Amendment proposed** - Interpretation of “National Service Secretariat”, *delete*.
- lii. **Clause 37** - **Amendment proposed** - Interpretation of “National Qualifications Framework”, *delete*.
- liii. **Clause 37** - **Amendment proposed** - *Add* the following new interpretation:
- “District” means Metropolitan, Municipal and District Assembly”.

liv. **Clause 37**

- **Amendment proposed** - *Add* the following new interpretation:

“Ministry” means Ministry responsible for Education”.

lv. **New Clause**

- **Amendment proposed** - *Add* the following new clause:

**“Budget of a District Complementary Education Agency**

( ) The budget of a District Complementary Education Agency shall form part of the budget of the national office of the Agency”.

lvi. **New Clause**

- **Amendment proposed** - *Add* the following new clause:

**“Transitional Provisions**

( ) The rights, assets, liabilities and properties vested in the Non-Formal Education Division of the Ministry immediately before the coming into force of this Act are transferred to the Complementary Education Agency established under section 1 of this Act.

( ) Moneys in a bank account held by or on behalf of the Non-Formal Education Division of the Ministry immediately before the coming into force of this Act is transferred to the Agency established under this Act.

( ) An officer of the Non-Formal Education Division of the Ministry immediately before the coming into force of this Act, shall, on the coming into force of this Act be deemed to have been duly employed by the Agency established under this Act on the terms and conditions which are not less favourable in aggregate to the terms and conditions attached to the post held by that officer immediately before the coming into force of this Act.

( ) Proceeding taken by or against the Non-Formal Education Division of the Ministry may be continued by or against the Agency established under this Act.

( ) A contract or an arrangement subsisting between the Non-Formal Education Division of the Ministry and any other person immediately before the coming into force of this Act shall subsist between that person and the Agency”.