



The local government system in

Ghana



Key facts

POPULATION (Census 2000): 18,912,079**AREA:** 238,533 sq km**CAPITAL:** Accra**LOCAL GOVERNMENT CONTRIBUTION TO GDP:** -**CURRENCY:** Ghanaian cedi (GHS)**HEAD OF STATE AND GOVERNMENT:**

President John Atta Mills

FORM OF GOVERNMENT: constitutional republic**PARLIAMENTARY SYSTEM:** unicameral**STATE STRUCTURE:** unitary**LANGUAGES:** English (official)

Akan, Dagaare, Dagbani, Dangme, Ewe, Ga, Gonja, Kasem, Nzema (government-sponsored)

NATIONAL ELECTIONS: last: 2008; **turnout:**69.5%; **next:** 2012**LOCAL ELECTIONS: last:** 2010; **turnout:** -**next:** 2014

SUMMARY

Ghana is a constitutional democracy with two spheres of government: central and local. Local government is enshrined in the constitution, as is decentralisation, and the main relevant legislation is the Local Government Act 1993. There are three types of assemblies, which are the highest levels of local government: metropolitan, municipal and district. There are also sub-structures that do not hold any legislative or rating powers and undertake activities delegated to them by the assemblies: sub-metropolitan, district, urban, town, zonal and area councils and unit committees. The district assemblies are responsible for the setting and collecting of local revenue. There are also numerous grants transferred from central to local government, the most important

of which is the District Assemblies' Common Fund, where not less than 7.5% of GDP must be transferred to and distributed by the assemblies annually. The assemblies are responsible for the provision of basic education, although central government retains control over education policy. The districts are also responsible for public health, environmental protection and sanitation, whilst social welfare is a shared responsibility.

1. CENTRAL GOVERNMENT

Ghana is a constitutional democracy with a unicameral parliament. The head of state and government is the executive president who is directly elected by universal adult suffrage, with a minimum of 50% of the vote. Where 50% is not obtained, there is a run-off between the two

top candidates within 21 days of the first poll. The president can serve for a maximum of two four-year terms. The 230 members of parliament are directly elected by universal suffrage from single-seat constituencies under the first-past-the-post system for four-year terms. The cabinet, known as the Council of Ministers, is nominated by the president and approved by parliament.

The president also has an appointed advisory Council of State made up of 25 prominent citizens who advise the president. Of these 25, there must be one member who has held each of the following positions: chief justice, chief of defence, staff inspector-general of police, and president of the National House of Chiefs. One further representative member is indirectly elected from each of the ten regions by an



Table 1. Distribution of councils and population (Census 2000)

Region	No. of assemblies ⁵			No. of sub-districts			Unit	Population (Census 2000)
	Metro	Municipal	District	Town	Area	Zone		
Ashanti	1	6	20	n/a	n/a	n/a	n/a	3,612,950
Brong Ahafo	0	7	15	n/a	n/a	n/a	n/a	1,815,408
Central	1	6	10	n/a	n/a	n/a	n/a	1,593,823
Eastern	0	6	15	n/a	n/a	n/a	n/a	2,106,696
Greater Accra	2	6	2	n/a	n/a	n/a	n/a	2,905,726
Northern	1	1	18	n/a	n/a	n/a	n/a	1,820,806
Upper East	0	2	7	n/a	n/a	n/a	n/a	920,089
Upper West	0	1	8	n/a	n/a	n/a	n/a	576,583
Volta	0	3	15	n/a	n/a	n/a	n/a	1,635,421
Western	1	2	14	n/a	n/a	n/a	n/a	1,924,577
TOTAL	6	40	124	n/a	n/a	n/a	16,000^c	18,912,079
Largest^a	1,657,856	Smallest^b	52,849	-	-	-	-	-

a) Accra Metropolitan Assembly b) Kadjebi District, Volta region Source: Ghana Statistical Service¹

electoral college made up of two nominated councillors from each district within the region; and the final 11 members are appointed by the president.

The country is divided into ten administrative units or regions, each headed by a regional minister appointed by the president.

2. LEGAL BASIS FOR LOCAL GOVERNMENT

2.1 Constitutional provisions:

Local government is enshrined in the constitution (Article 241/3), as is decentralisation (Article 240/2). Article 35(5d) requires the state 'to take appropriate measures to ensure decentralisation in administrative and financial machinery of government and to give opportunities to people to participate in decision-making at every level in national life and government'. The constitution also establishes the District Assemblies' Common Fund (DACF) and provides that 'not less than 5% of the total revenues of Ghana' be paid into it for use in district assembly capital works (see section 9).

2.2 Main legislative texts:

- Civil Service Law 1993 (PNDCL 327)
- Local Government Act 1993 (Act 462)
- National Development Planning (System) Act 1994 (Act 479)
- National Development Planning Commission Act 1994 (Act 480)
- District Assemblies' Common Fund Act 1993 (Act 455)
- Local Government Service Act 2003 (Act 656)
- Institute of Local Government Studies Act 2003 (Act 647).

3. STRUCTURE OF LOCAL GOVERNMENT

3.1 Local government within the state:

The assemblies are the highest units of local government. There are three types: metropolitan, municipal and district. There are also sub-district political and administrative structures which are subordinate bodies of the assemblies. These include sub-metropolitan, district, urban, town, zonal and area councils and unit committees. They perform functions assigned to them by law or delegated to them by the assemblies.

3.2 Ministerial oversight:

The Minister for Local Government and Rural Development is responsible for local government, including:

- Local government policy
- Monitoring the effectiveness of local government and the decentralisation process
- Advising government on local government issues
- Promoting and administering local government training institutions
- Acting in an advisory capacity to district assemblies and approving their by-laws.

The supervisory role of the minister has led to the suspension of district assemblies where financial irregularities were discovered, however, the power to suspend assemblies is vested in the president. Regional ministers chair Ghana's regional coordinating councils (RCCs), which comprise representatives from the district assemblies and traditional authorities in the region.

3.3 Council types:

The assemblies are the main units of local government. There are three types: six metropolitan, 40 municipal and 124 districts. The metropolitan assemblies cover urban areas with populations over 250,000. Municipal assemblies are single-town councils with populations of 95,000 and more. The district assemblies cover a wider geographical area combining rural areas and small towns. The metropolitan structure is four-tiered while the municipal and district assemblies have a three-tiered system. The lower tiers are called sub-structures and comprise town, area, zone and unit.

3.3.1 Assemblies: District, metropolitan and municipal assemblies all have the same internal political structures. The political-administrative head in each district is the district chief executive (DCE), a post similar to an executive mayor. The DCE is responsible for the executive and administrative functions of the district assembly. S/he is also 'the chief representative of the central government in the district'. Seventy percent of members are elected by universal adult suffrage, whilst thirty percent are appointed by the president on the basis of their experience and specialised expertise. Members of parliament representing constituencies in each district are ex-officio members of the assembly. The district assembly is required to meet at least three times each year. It is led by an executive committee comprising not more than one-third of all assembly members, which reports to the assembly.

The executive committee is indirectly elected by the assembly in full session and is open to all the councillors, bar the chairperson. The executive committee normally has a number of sub-committees – development planning, social



services, works, justice and security, finance and administration – which make recommendations to the executive committee. With the exception of the chairperson, all assembly members must sit on at least one sub-committee. The assemblies have full discretion to establish further committees as they see fit. They are also empowered to establish committees jointly with other assemblies for any project in which they hold a joint interest. Such joint committees must report to the executive committees of the districts involved.

3.3.2 Town, area, zonal and unit committees:

These sub-structures do not hold any legislative or rating powers. The town/area/zonal councils are composed of five representatives of the district assembly, ten representatives of unit committees in the area and five persons appointed by the government. They are delegated tasks by the assemblies. The intermediate-tier councils and unit committees are composed of representatives of the district assemblies. Similarly the unit committees, the lowest level of the structure, have both elected and appointed members. There are around 16,000 unit committees countrywide. In 2002 not enough people put themselves forward for election as a result some unit committees do not have a full complement of elected members.

3.4 Traditional leadership:

Traditional leaders are accorded prominent roles in Ghanaian local government, in an acknowledgement that a number of district assembly areas have been carved out of areas of jurisdiction of traditional authorities. Nine per cent of assembly seats are reserved for them and there are also seats reserved on the regional coordinating councils. Traditional rulers beat the gong for assemblies to ensure maximum attendance during communal labour; They also contribute to the resources of assemblies through land revenue, help to preserve customs and culture, declare or interpret customary laws and liaise between local communities and local government units.

4. ELECTIONS

4.1 Recent local elections:

Elections were held in 2010.

4.2 Voting system:

Elections to all tiers of local government are held concurrently every four years. Elections to the district assemblies are conducted by secret ballot using the first-past-the-post system. All elected assembly members represent single-member wards and must stand independently of any political party. To qualify to be elected, individuals

must be citizens of Ghana, 18 years old, ordinarily resident in the district and paid-up on their taxes and rates.

4.3 Elected representatives:

Assembly members serve a four-year term and can stand for re-election for any number of terms. Local elections cannot be held within six months of national elections. Individual assembly members may be recalled by the electorate, though the procedure is not simple: a petition signed by 25% of the district electorate triggers a referendum on the issue, 40% of the electorate must participate, and a 60% majority of ballots cast must be in favour of the removal of the assembly member in order to make it legally binding. Appointed members may also be removed through a mechanism in which the district assembly makes the case to the president. The DCE has a four-year term of office and he or she may not serve for more than two consecutive terms. The DCE is nominated by the president and must receive the approval of two-thirds of the assembly. The presiding member of the district assembly – the chairperson – is indirectly elected by the district assembly and must command a two-thirds majority in order to take office.

4.4 Women's representation:

Fifteen per cent of assembly seats are reserved for women through presidential appointment. In 2009 women constituted 11% of all assembly members, and 3.4% of elected members. In 2009, eight (5.8%) of the 138 district chief executives were women.

5. SYSTEMS FOR COMMUNITY INVOLVEMENT

The Local Government Act 1993 provides for the following:

- Citizen issues: a citizen can submit a memorandum on an issue before the assembly, and assembly meetings are open to the public
- Power of recall: The electorate has the power to revoke the mandate of their representative in the district assembly by petitioning the electoral commissioner to that effect. A process is then set in motion which may lead to the recall of the member.
- The assembly member: Each member is required by law to consult the electorate on issues to be discussed in the assembly and collate their views, opinions and proposals; to present these to the assembly; to meet his/her electorate before each meeting of the assembly and report to them the general decisions of the assembly; to maintain frequent liaison with organised social and

productive civil society groups. However, the assembly member is constrained by resources and as a result some assembly members scarcely meet their communities

- Development planning: The policy on development planning in Ghana encourages a bottom-up approach by which planning is initiated at community level and harmonised at the district and national levels. Public hearings to obtain input from local people are required at both the community and district level.

5.3 E-government:

No information provided for this edition.

6. ORGANISED LOCAL GOVERNMENT

6.1 National local government association:

The National Association of Local Authorities in Ghana (NALAG) is the sole relevant association in Ghana. It is voluntary and all district assemblies are members.

7. INTERGOVERNMENTAL RELATIONS

The regional coordinating councils (RCCs) are an interface between the different spheres of government. The RCCs' key roles are to ensure effective coordination of development activities in the regions. Among others, these functions include the formulation of district development plans, the approval of building by-laws, the issuance of building permits and the approval of development permits.

The planning functions of the district assemblies are enshrined in Part II of the Local Government Act 1993, and strong links have developed between the assemblies and the National Development Planning Commission (NDPC). There is a recognition of the need to build and enhance the planning capacity of district assemblies. This part of the Act also discusses the linkages between district assemblies, RCCs and central management agencies.

8. MONITORING SYSTEMS

The Commission for Human Rights and Administrative Justice (CHRAJ) and the Judicial system provide opportunity for citizens to hold their assemblies accountable for their actions.

The Auditor General audits all assemblies annually and submits a report to parliament for necessary action.

Each district is obliged to establish a complaints committee presided over by the assembly chairperson, where public complaints are reported for redress.



9. FINANCE, STAFFING AND RESOURCES

Each district assembly must present an annual development plan and budgetary estimates to its general assembly for approval. The assembly is empowered to raise internal revenue to finance part of the development activities; however estimates of the central government (particularly DACF) contribution to projects must be centrally approved before any transfers are made.

The approved development plans and budgets of district assemblies are collated by the RCCs and then submitted to the NDPC for approval. Budgets to finance development plans are submitted to the RCCs for the approval of the Ministry of Finance. District assemblies are not permitted to set deficit budgets.

9.1 Locally raised revenue:

The district assemblies are responsible for the setting and collecting of local revenue. Areas of competence include:

- Rates and fees
- Rents, fines and licences
- Investments and income from commercial activities
- Loans (if approved by the Minister of Finance).

9.2 Transfers:

There are numerous funds transferred from central to local government:

- Grants-in-aid
Specialised funding sources (eg timber royalties, Mineral Development Fund)
- Funds from development partners
- Funds from the IMF–World Bank's Heavily Indebted Poor Countries' Initiative debt relief programme
- The District Assemblies' Common Fund (DACF).

The DACF was established by Article 252 of the constitution and is allocated annually by parliament. Not less than 7.5% of the total revenues of Ghana and is payable in quarterly installments to the district assemblies for development. It has been developed primarily to address the funding of development (capital) projects in the districts. The DACF is disbursed on the basis of a formula approved by parliament annually. Formula factors usually include needs, equalisation, responsiveness and service pressure in the districts (though the weight of each factor may vary from year to year). These factors have been the subject of controversy because of the unreliable statistical data used in their determination. Ten per cent of the DACF is held

centrally as a 'reserve fund' while 90% is shared out. Half the 10% 'reserve fund' is allocated to MPs for development activities in their respective constituencies. The DACF is administered by district assemblies under directives issued by the Minister of Local Government and Rural Development. Fund transfers are made on a quarterly basis.

9.3 Local authority staff:

The remuneration received by assembly members is determined by each district assembly and paid out of its own funds. The Office of the Head of the Civil Service (HCS), a central body, recruits local government staff. The local authority, MLGRD and HCS have the power to employ, discipline and dismiss various categories of staff. Central government staff can be deployed to local government and the salaries of such staff are drawn from their sponsoring ministry's budgets. District assemblies are required to have certain officers, namely: a district coordinating director (the head of the paid service), a finance officer, a development planning officer and a local government inspector. The town/area/zonal councils should have a secretary, an accounts officer and a typist. However, many of these councils do not have a full complement of staff.

10. DISTRIBUTION OF SERVICE DELIVERY RESPONSIBILITY

Service provision to citizens is a responsibility shared between the different levels of government in Ghana. In general central government retains control over policy for service delivery, while the provision of facilities and implementation of policies are shared. For example, the assemblies are responsible for the provision of basic education, but central government retains control over education policy. The districts are also responsible for public health, environmental protection and sanitation. Social welfare is a shared responsibility with central government and planning a shared responsibility with RCCs.

Table 2. Aggregate revenue and expenditure for local government (1997)

Revenue	GHC bn ⁶	Expenditure	GHC bn
Government transfers	96.9	Recurrent expenditure	43.6
Local tax	309	Capital expenditure	91.7
Charges for services	12.6	-	-
TOTAL	140.4	TOTAL	135.3

Source: Ministry of Local Government and Rural Development⁴

References and useful websites

1. Ghana Statistical Service www.statsghana.gov.gh
2. UN statistics
<http://unstats.un.org/unsd/demographic/products/dyb/dyb2008/Table03.pdf>
3. IMF statistics www.imf.org/external/data.htm
4. Ministry of Local Government and Rural Development
www.ghanaweb.com/GhanaHomePage/repUBLIC/ministry.profile.php?ID=27
5. Breakdown of metropolitan, municipal and district assemblies in Ghana
www.ghanadistricts.com/pdfs/all_mmdas_in_ghana.pdf
6. In 2007 Ghana re-valued its currency by a factor of a thousand, and changed the name from the cedi to the Ghana cedi (GHC). Thus, for example, a previous sum of c10,000 is now GHC10.
7. Government of Ghana www.ghana.gov.gh
8. Link to all 170 district websites
www.ghanadistricts.com/districts
9. UNDP Human Development Report 2010
www.hdr.undp.org
10. Constitution of Ghana
www.judicial.gov.gh/constitution/chapter/chap_1.htm
11. Jackson, P. and Marquette, H., 2003 'The interaction between traditional systems and local government systems in sub-Saharan Africa' <http://info.worldbank.org/etools/docs/library/136160/tslg/pdf/interaction.pdf>
12. Ghana Local government Act 1993
www.epa.gov.gh/ghanalex/acts/Acts/LOCAL%20GOVERNMENT%20ACT,1993.pdf
13. Ghana districts www.ghanadistricts.com
14. Institute of Local Government Studies
www.ilgs.edu.org
15. National Association of Local Authorities, Ghana www.nalag.org
16. NALAG (undated) 'Local Government in Ghana', www.ilgs.edu.org/localgovsys.pdf



Annex A. Summary of service provision in different spheres of government

Service	Delivering authority			Remarks
	Central Government	Region	Districts	
GENERAL ADMINISTRATION				
Police	■		■	
Fire protection			■	
Civil protection				
Criminal justice	■			
Civil justice	■			
Civil status register			■	
Statistical office			■	
Electoral register			■	Electoral commission is responsible for the register
EDUCATION				
Pre-school			■	
Primary			■	
Secondary			■	
Vocational and technical	■			
Higher education	■			
Adult education				
SOCIAL WELFARE				
Kindergarten and nursery				
Family welfare services			■	
Welfare homes			■	
Social security	■		■	
PUBLIC HEALTH				
Primary care			■	
Hospitals	■			
Health Protection			■	
HOUSING AND TOWN PLANNING				
Housing			■	
Town planning			■	
Regional planning		■		
TRANSPORT				
Roads	■	■	■	
Transport		■	■	
Urban roads				
Urban Rail				
Ports	■			
Airports	■			
ENVIRONMENT AND PUBLIC SANITATION				
Water and sanitation			■	
Refuse collection and disposal			■	
Cemeteries and crematoria			■	
Slaughterhouses			■	
Environmental protection	■	■	■	
Consumer protection	■			
CULTURE, LEISURE AND SPORTS				
Theatre and concerts			■	
Museums and libraries	■		■	
Parks and open spaces			■	
Sports and leisure			■	
Religious facilities				
UTILITIES				
Gas services				
District heating				
Water supply			■	
Electricity	■			
ECONOMIC				
Agriculture, forests and fisheries	■	■	■	
Economic promotion	■	■	■	
Trade and industry	■	■	■	
Tourism	■	■	■	

■ = Discretionary service by the local authority