



REPUBLIC OF GHANA

**LOCAL GOVERNMENT
(DEPARTMENTS OF DISTRICT ASSEMBLIES)
(COMMENCEMENT)
INSTRUMENT, 2009
(L.I. 1961)**

Copy for Local Government Service - Public Lecture & Sensitization Workshops



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MEMORANDUM

Background

The Local Government (Departments of District Assemblies) (Commencement) Instrument, 2009 ("the Instrument") seeks to operationalise the decentralized departments at the district level as the Departments of the District Assemblies (DAs). Under section 161 (1) of the Local Government Act, 1993, Act 462,22 decentralized departments at the district level are to cease to exist in their present form and then reconstituted through a series of mergers into 16 Departments in the Metropolitan Assemblies, 13 in the Municipal Assemblies and 11 in the District Assemblies under section 38 of the Act. However, under section 164 of Act 462, the Minister of Local Government and Rural Development was vested with the power to determine when the old Departments were to cease to exist and the new Departments come into existence. Section 164 provides as follows: "The Minister of Local Government] shall by legislative instrument prescribe the date for the coming into force of sections 38 and 161 of this Act."

It is significant to note that section 38 (2) of Act 462 envisages the implementation of the composite budget system under which the budget of the Departments of the District Assemblies are to be integrated into the budgets of the District Assemblies. It also provides that "Each District Assembly shall be responsible for the preparation, administration and control of the budgetary allocations of the Departments specified in the First Schedule to this Act".

It is equally significant to note that section 161 (3) of Act 462 envisaged the creation of the Local Government Service to which the staff of the newly established Departments of the District Assemblies were to become members. For ease of reference, section 161 (3) provided that "The members of staff of the branches, divisions and units of the Departments or organisations specified in the Eighth Schedule to this Act shall be transferred to the relevant Department of the District Assembly and they shall form part of the Local Government Service when established" .

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The Local Government Service has since been established under the Local Government Service Act, 2003, Act 656. The staffs of the District assemblies therefore automatically become members of the Local Government Service once the Minister of Local Government and Rural Development through the prescribed mode, a Legislative Instrument, determines a commencement date under section 164 of Act 462. No other action is required to transfer the staff of the established departments to the Local Government Service.

Thus section 164 is the trigger mechanism for the commencement of the establishment of the Department of the District Assemblies so that as soon as the present Instrument is issued by the Minister of Local Government, it achieves the following four **(4)** objectives:

- the commencement of the functioning of the decentralized departments at the district level as Departments of the District Assemblies;
- Transfers the functions in the Third Schedule to this Instrument to the relevant Departments of the District Assemblies;
- **It** introduces the composite budget system at the district level by integrating the budgets of the Departments of the District Assemblies into the budgets of the District Assemblies;
- **It** transfers the staff of the Departments of the District Assemblies from the Civil Service to the Local Government Service.

However, under section 36 of the Local Government Service Act, 2003, Act 656, the following Departments have been deleted from the list of decentralized departments and therefore no longer form part of the Departments of the District Assemblies:

- Forestry Department
- Office of the District Medical Officer of Health
- National Fire Service
- Department of Game and Wildlife.

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Even though the Fisheries Department is not listed in section 36 of Act 656, it has been deleted from the list of decentralized departments in the Schedule (section 34) to Act 656. For purposes of this Instrument therefore, the Fisheries Department is treated as a non-decentralized department and has been omitted from all the schedules to the Instrument.

The Local Government Act, 1993, Act 462, does not establish Departments of the Regional Coordinating Councils (RCCs)/ The Local Government Service Act, 2003, Act 656, does not do so either, even though section 17 (1) of that Act provides that "Government Departments in any region of the Civil Service (sic) shall be known as Departments of the RCC". The understanding is that the Departments of the RCCs shall continue to exist as de-concentrated Departments working to their national Headquarters but through the RCCs. This Instrument is therefore silent on the issue of Departments of the RCCs.

The Instrument

Regulation 1 of the Instrument determines the dates for the commencement of the establishment of the Departments of the District Assemblies.

Regulation 1 (a) provides that the Departments listed in the first column of the First Schedule will commence establishment on the coming into force of the Instrument. The First Schedule has two columns. In the first column are the new Departments that are being established. In the second column are the existing Departments or clusters of Departments that are being merged to form the new Departments in the first column and that are therefore to cease to exist in their present form. This is because the corresponding Departments in the second column of the First Schedule are the Departments that are not set up by law and can therefore be legally established immediately the Instrument comes into force.

Regulation 1 (b) follows the same form in the Second Schedule but deals with existing Departments that are set up by law. Their new Departments will commence

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when their established enactments have been amended. This is because their establishment laws set them up as centralized Departments within the Civil Service. Their establishment laws will therefore have to be amended to conform to their decentralized status, work that may take some time. Thus as and when the amendments are completed, the Minister of Local Government will prescribe the date or dates on which they are to become Departments of the District Assemblies either on their own or as merged with the new Departments of the same number and name stated in the first column of the First Schedule.

Regulations 2, and 3 of the Instrument simply refer to the provisions of sections 38 and 161 of the Local Government Act that are the enabling sections under which this Instrument is made.

Date: 18th December 2009

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In exercise of the powers conferred on the Minister of local Government by section 164 of the Local Government Act, 1993, Act 462, this Instrument is made this 18th day of December, 2009.

Commencement of section 38 and 161 of Act 462

1. Sections 38 and 161 of the Local Government Act, 1993, Act 462, shall come into force in the case of:

(a) the Departments specified in the First Schedule to this Instrument on the coming into force of this Instrument; and

(b) the Departments specified in the Second Schedule to this Instrument, on the dates of the amendments of the enactments establishing those departments.

Departments of District Assemblies Established

2. In accordance with section 38 of the Local Government Act, 1993, Act 462, the Departments in the First Schedule are hereby established as Departments of the District Assemblies.

Departments to cease to exist; staff transferred to Local Government Service

3. (1) In accordance with section 161 of the Local Government Act, 1993, Act 462, the Departments specified in the Eighth Schedule have ceased to exist.

(2) The Departments established under subsection (1) above may perform the functions specified in the Eighth Schedule to this Act.

(3) The members of staff of the Departments established under section 2 of this Act shall form part of the Local Government Service.

Functions of Departments of District Assemblies

4. The Departments of the District Assemblies shall perform the relevant functions specified in the Instrument establishing the District Assemblies and the functions set out in the Third Schedule to this Instrument.

Application

5. This instrument applies to District Assemblies.

Revocation

6. The Legislative Instrument L. 1. 1931 is hereby revoked.

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Interpretation

7. In this Instrument, unless the context otherwise requires:

"District Assembly" includes Metropolitan and Municipal Assemblies.

"Minister" means the Minister responsible for Local Government.

FIRST SCHEDULE (Regulation 1 A)

Department established	Department ceasing to exist
1. Central Administration Department	1. Department of Social Welfare
2. Works Department.	2. Department of Community Development
3. Physical Planning Department	3. Public Works Department
4. Department of Trade and Industry	4. Department of Feeder Roads
5. Department of Agriculture	5. Department of Town and Country Planning
6. Department of Social welfare and Community Development	6. Department of Rural Housing and Cottage Industries
7. Legal Department	7. Department of Animal Health and Production
8. Waste Management Department	8. Agricultural Extension Services Division
9. Urban Roads Department	9. Crop Services Division
10. Budgeting and rating Department	10. Department of Agricultural Engineering
II. Transport Department	

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SECOND SCHEDULE (Regulation 1 B)

Department established	Department ceasing to exist
1. Physical Planning Department	1. Department of Town and Country Planning
2. Department of Trade and Industry	2. Department of Co-operatives
3. Finance Department	3. Controller and Accountant General's Department
4. Department of Education, Youth and Sports	4. Ghana Library Board
5. Disaster Prevention and Management Department	5. National Youth Organising Commission
6. Natural Resources Conservation Department Forestry, Game and Wildlife Division	6. Registry of Birth and Deaths
7. District Health Department	7. Office of the District Sports Organiser

THIRD SCHEDULE (Regulation 4)

FUNCTION OF DEPARTMENTS OF THE DISTRICT ASSEMBLIES

CENTRAL ADMINISTRATION DEPARTMENT

1. (1) The Central Administration Department is the Secretariat of the District Assembly and shall be responsible for the provision of support" services, effective and efficient general administration and organization of the District Assembly

(2) The Department shall manage all sections of the assembly including:

(i) Records

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- (ii) Estate
 - (iii) Transport
 - (iv) Logistics and Procurement
 - (v) Accounts
 - (vi) Stores
 - (vii) Security and
 - (viii) Human Resources Management
- (3) The Department shall also coordinate the
- (a)* General administrative functions
 - (b)* Development planning and management functions
 - (c)* Budgeting functions
 - (d)* Rating functions
 - (e)* Statistics and information services generally, and
 - (f)* Human Resource Planning and Development of the District Assembly.

FINANCE DEPARTMENT

2. (1) The Finance Department is responsible for the sound financial management of the District Assembly's resources.
- (2) The Finance Department shall
- (a)* ensure access at all reasonable times to files, documents and other records of the District Assembly;
 - (b)* keep, render and publish statements on Public Accounts;
 - (c)* keep receipts and custody of all public and trust monies payable into the Consolidated Fund;
 - (d)* facilitate the disbursement of legitimate and authorized funds;
 - (e)* prepare financial reports at specific periods for the Assembly;
 - (f)* prepare payment vouchers and financial encumbrances;
 - (g)* undertake revenue mobilization activities of the Assembly, and
 - (h)* make provision for financial services to all departments in the District.

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EDUCATION, YOUTH AND SPORTS DEPARTMENT

3. (1) The education, youth and Sports Department of the Assembly is responsible for pre-school, special school, basic education, youth and sports, development or organization and library services at the district level.
- (2) The department harmonizes the activities and functions of the following agencies operating at the district level,
- (a) The Ghana Education Service
 - (b) The Youth Council;
 - (c) The Sports Council; and
 - (d) The Library Board.
- (3) The functions of the Department are to:
- (a) assist in the formulation and implementation of policies on Education in the District within the framework of National Policies and guidelines;
 - (b) encourage, report on implementation of policies and matters relating to basic education in accordance with reporting format provided by the Minister;
 - (c) advise the District Assembly on matters relating to preschool, primary, junior high schools in the district and other matters that may be referred to it by the District Assembly;
 - (d) facilitate the appointment, disciplining, posting and transfer of teachers in pre-schools, basic schools and special schools in the district;
 - (e) assist in keeping records of teachers;
 - (f) advise on discipline of teachers in accordance with their conditions of service;
 - (g) assist in the appointment of school welfare officers;
 - (h) facilitate the granting of study leave to teachers who gain admission to higher level educational institutions in accordance with the condition of service of teachers;
 - (i) advise on the appointment of Head teachers;

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- (j) facilitate the supervision of pre-school, primary and junior high schools in the district
- (k) advise on the formation of school Management Committees;
- (l) facilitate collection of statistical data and other relevant information;
- (m) liaise with the appropriate authorities for in-service training of pupil teachers;
- (n) advise on the approval of the opening of private pre-schools, primary and junior high schools;
- (o) assist in indenting for the supply of textbooks from national level institutions and the distribution of textbooks to schools in the district
- (p) assist to regulate, supervise and control teaching and learning in pre-schools, primary schools, junior high schools and special schools in the district;
- (q) advise on the construction, maintenance and management of public schools and libraries in the district;
- (r) advise on the granting and maintenance of scholarships or bursaries to suitably qualified pupils or persons to attend any school or other educational institution in Ghana or elsewhere;
- (s) facilitate the establishment and maintenance of facilities or centers of excellence for the arts and crafts for recreation;
- (t) advise on the provision and management of public libraries and library services in the district in consultation with the Ghana Library Board;
- (u) assist the Assembly to formulate and implement policies on youth within the framework of the National policies and guidelines;
- (v) advise the Assembly on matters relating to the youth in the district;
- (w) advise the Assembly on the appointment, posting, discipline, transfer of officers and welfare of the youth in the district;
- (x) advise on the establishment of District Youth Council Committees and appointment of staff;

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- (y) facilitate supervision, regulation and general administration of youth organizations and their activities in the district;
- (z) assist in the collection of statistical data and other information on youth matters in the district;
- (aa) assist to build, equip, operate and maintain Youth Recreational and Resource Centers where young people can meet and interact in a healthy atmosphere;
- (bb) promote the formation and development of youth organizations to co-ordinate, develop direct and channel the talents and energies of the youth into productive activities;
- (ee) assist to liaise with public and private sector agencies to promote youth work and seek resources for youth development;
- (dd) submit reports on matters relating to youth development to the District Assembly;
- (ee) co-ordinate the organization and supervision of training programmes for youth in the district to develop leadership qualities, personal initiatives, patriotism and community spirit;
- (ff) encourage investments in youth programmes and projects;
- (gg) assist in organizing voluntary school work camps for school and out of school to enable the youth interact and take part in Community Development;
- (hh) facilitate the organization of District Youth Festivals annually;
- (ii) organize District Youth Environmental awareness week yearly for the Youth to focus and address problems pertaining to the environment;
- (jj) encourage the provision of youth counseling services on career counseling paths, drugs and employment;
- (kk) assist the youth to engage themselves profitably in small scale enterprises;
- (ll) assist in formulation and implementation of sports policies, programmes and activities of the District Assembly;

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(mm) coordinate the preparation of annual youth budget of the District Assembly;

(nn) advise on the

(i) appointment of a District sports organizer;

(ii) appointment, discipline, posting and transfer of personnel for public, sports organizations and institution in the district;

(iii) promotion of efficient management and administration of private sector sports clubs and associations in the district, and

(iv) collection and dissemination of sports statistical data and other information in the districts;

(oo) advise the Assembly on all matters relating to sports development in the District;

(pp) facilitate construction, equipping, operating and maintenance of sports stadia and other sporting facilities in the districts;

(qq) assist in organizing sports activities in the district to participate in mass sports, sports for excellence and sports for the disabled in the district;

(rr) assist to organize a District Sports festival at least once a year;

(ss) coordinate the selection and preparation of district sportsmen and women for inter district sports festival and tournaments;

(tt) assist to establish amateur and professional sports associations in the district;

(uu) encourage the establishment of Keep-Fit Clubs in the district;

(vv) facilitate training of community sports leaders and coaches for the Keep-Fit Clubs and sports teams in the district;

(ww) participate in research into matters relating to sports in the district;

(xx) facilitate private sector participation in the provision and management of sports infrastructure in the district;

(yy) assist in the provision of sports equipments to public sports organizations and activities in the districts; and

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(zz) facilitate preparation of reports on the implementation of sports policies and matters relating to sports to the District Chief Executive in accordance with a reporting format provided by the Assembly.

DEPARTMENT OF HEALTH:

4. (1) The department of Health at the District Assembly level consists of the office of the District Medical Officer of Health and the Environmental Health Unit.
- (2) The functions of the Department of Health are to:
- (a)* advise on the construction and rehabilitation of clinics and health centers or facilities;
 - (b)* assist in the operation and maintenance of all health facilities under the jurisdiction of the regional and district coordinating council;
 - (c)* assist to undertake health education and family immunization and nutrition programmes;
 - (d)* coordinate works of health centers or posts or community based health workers;
 - (e)* facilitate collection and analysis of data on health;
 - (f)* promote and encourage good health and sanitation;
 - (g)* facilitate diseases control and prevention;
 - (h)* advise on management of the sick;
 - (i)* assist to formulate, plan and implement district health policies within the framework of national health policies and guidelines provided by the Minister of Health;
 - (j)* provide reports on the implementation of policies and programmes relating to health in the District Assembly;
 - (k)* advise the Assembly on all matters relating to health including diseases in the district;
 - (l)* advise on the:
 - (i)* appointment, discipline, posting and transfer of health personnel within the district,

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- (ii) formulation and appointment of District Health management Committee, Advisory Boards, Committee of District Hospital, Polyclinics and Health Centers,
- (iii) supervision and control of all District health Institutions, and
- (iv) collection of health statistical data and other relevant information,
- (m) advise on the licensing and regulation of provision of medical care services by the private sector in the district;
- (n) facilitate activities relating to mass immunization and screening for diseases treatment in the district.
- (o) assist to educate and inform residents of the district on sanitation and personal hygiene;
- (p) facilitate and assist in regular inspection of the district for detection of nuisance of any condition likely to be offensive or injurious to human health;
- (q) assist in efficient management of clinical care, community health care and environmental health service in the district infrastructure, to clean the District hospital, polyclinics, health posts and dressing stations;
- (r) assist to establish, install, build and control public latrines, lavatories, urinals and wash places;
- (s) assist the Assemblies in the licensing of persons to build and operate public latrines, lavatories, urinals, washhouses and related services in the District;
- (t) monitor the activities of the operators and report to the District Assembly;
- (u) assist to establish, maintain and carry out services for the removal and treatment of liquid waste;
- (v) advise on the regulation and provision of services for removal and treatment of liquid waste by the private sector, persons authorized or licensed by the District Assembly;

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- (w) assist to establish, maintain and carry out the removal and disposal of refuse, filth and carcasses of dead animals from any public place;
- (x) assist in the disposal of dead bodies found in the district.
- (y) advise on the regulation and provision of services by the private sector licensed by the District Assembly for the removal, disposal and processing of refuse, filth and carcasses of animals;
- (z) assist to regulate any trade or business which may be harmful or injurious to public health or a source of danger to the public or which otherwise is in the public interest to regulate;
- (aa) assist to provide for the inspection of meat, fish, vegetables and other foodstuff and liquids of whatever kind or nature, whether intended for sale or not and to seize, destroy and otherwise deal with such foodstuff or liquids as are unfit for human consumption;
- (bb) facilitate supervision and control of the manufacture of foodstuffs and liquids of whatever kind or nature intended for human consumption;
- (cc) assist to provide, maintain, supervise and control slaughter houses and pounds and all such matters and things as may be necessary for the convenient use of such slaughter houses;
- (dd) advise on licensing of persons and regulation of the provision of slaughter houses and related services;
- (ee) facilitate the prevention and dealing with the outbreak and prevalence of any diseases;
- (ff) advise on the prevention of the spreading and extermination of tsetse fly, mosquitoes, rats, bugs and other vermin in the district;
- (gg) advise on the establishment and maintenance of cemeteries and crematoria; or
- (hh) advise and encourage the keeping of animals in the district including horses, cattle, sheep and goats, domestic pets and poultry; and
- (ii) assist in the control of noise, odour, dust and smoke pollution.

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WASTE MANAGEMENT DEPARTMENT:

5. (1) The Waste Management Department has been mandated to provide facilities, infrastructure¹ services and programmes for effective and efficient waste management for the improvement in environmental sanitation, the protection of the environment and the promotion of public health.
- (2) The Department shall
- (a) service toilets and dispose of human waste collected from public and private sanitary facilities;
 - (b) provide technical support to the District Assemblies on the operation and maintenance of public toilets under private management
 - (c) supervise and control the operation of cesspool emptiers and allied equipment;
 - (d) receive and provide adequate treatment and effective disposal of both solid and liquid waste;
 - (e) treat and dispose of solid waste and provide compost manure;
 - (f) supervise the cleansing of drains, streets, markets, car parks and weeding of road sides and open spaces;
 - (g) inspect and maintain sanitary facilities in the metropolis; or
 - (h) advise the Assembly on recycling and other uses of waste materials.

AGRICULTURE DEPARTMENT:

6. The Agriculture Department in the District shall:
- (a) participate in provision of extension services in the areas of natural resources management, and rural infrastructural and small scale irrigation in the district;
 - (b) assist in the formulation and implementation of agricultural policy for the District Assembly within the framework of national policies;
 - (c) submit report on the implementation of policies and programmes to the District Assembly;

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- (d)* advise the District Assembly on matters related to agricultural development in the district;
- (e)* promote extension services to farmers;
- (f)* assist and participate in on-farm adaptive research;
- (g)* lead the collection of data for analysis on cost effective farming enterprises;
- (h)* participate in the education and enforcement of legislation on fisheries;
- (i)* promote the formation of viable fishermen associations and assist in fish farming;
- (j)* promote soil and water conservation measures by the appropriate agricultural technology;
- (k)* disseminate and adopt improved soil and water conservation methods;
- (l)* promote agro-forestry development to reduce the incidence of bush fires;
- (m)* promote an effective and integrated water management;
- (n)* assist and facilitate sustained pasture and forage production and act as out grower to farmers;
- (o)* assist development of animal health services infrastructure;
- (p)* facilitate the development, operation and maintenance of livestock water supplies;
- (q)* assist in developing forage production, ranges and farmlands;
- (r)* encourage improvement in livestock breeds;
- (s)* assist in developing early warning systems on animals diseases;
- (t)* facilitate and encourage vaccination and immunization of livestock and control of animal diseases;
- (u)* advise and encourage crop development through nursery propagation;
- (v)* assist in the development, rehabilitation and maintenance of small scale irrigation schemes;
- (w)* facilitate the assessment of the economic, financial and environmental viability of providing canals;

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- (x) assist the construction, rehabilitation and maintenance of fish landing sites;
- (y) promote agro-processing and storage;
 - (i) facilitate the development of programmes and the establishment of close linkage between the various sub-sectors in the district;
 - (ii) supervise the agricultural extension staff in the field;
 - (iii) co-ordinate the systematic and regular training of frontline staff;
 - (iv) monitor and evaluate projects;
 - (v) promote investment in agriculture by assisting to identify and prepare pre-feasibility reports;
 - (vi) develop proposal writing capacity at the district level;
 - (vii) facilitate capacity building at the district level through training, workshops and other related activities; and
 - (viii) assist to supervise projects planned, designed and implement centrally.

DEPARTMENT OF PHYSICAL PLANNING

- 7. (1) The Department of Physical Planning at the District level shall manage the activities of the Department of Town and Country Planning and the Department of Parks and Gardens.
- (2) The Department shall
 - (a) advise the District Assembly on national policies on physical planning, land use and development;
 - (b) co-ordinate activities and projects of departments and other agencies including Non-Governmental Organizations to ensure compliance with planning standards;
 - (c) assist in preparation of physical plans as a guide for the formulation of development policies and decisions and to design projects in the district;

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- (d)* assist to identify problems concerning the development of land and its social, environmental and economic implications;
- (e)* advise on setting out approved plans for future development of land at the district level;
- (g)* advise on preparation of structures for towns and villages within the district;
- (h)* collaborate with the Survey Unit in the performance of its functions;
- (i)* facilitate and participate in research into planning in the District;
- (j)* assist to offer professional advice to aggrieved persons on appeals and petitions on decisions made on their building;
- (k)* facilitate consultation, co-ordination and harmonization of developmental decisions into a physical development plan;
- (l)* assist to prepare a District Land-Use Plan to guide activities in the district;
- (m)* advise on the conditions for the construction of public and private buildings and structures;
- (n)* assist to provide the layout for buildings for improved housing layout and settlement;
- (o)* ensure the prohibition of the construction of new buildings unless building plans submitted have been approved by the Assembly;
- (p)* advise and facilitate the demolition of dilapidated buildings and recovery of expenses incurred in connection with the demolition;
- (q)* ensure the prohibition of the use of inflammable materials in the construction or repair of buildings in defined areas;
- (r)* advise the Assembly on the siting of bill boards, masts and ensure compliance with the decisions of the Assembly;
- (s)* advise on the acquisition of landed property in the public interest; and
- (t)* undertake street naming, numbering of house and related issues.

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SOCIAL WELFARE AND COMMUNITY DEVELOPMENT DEPARTMENT

8. (1) The Social Welfare and Community Development Department shall assist the Assembly to formulate and implement social welfare and community development policies within the framework of national policy.
- (2) The Department shall
- (a) facilitate community-based rehabilitation of persons with disabilities;
 - (b) assist and facilitate provision of community care services including:
 - (i) registration of persons with disabilities;
 - (ii) assistance to the aged;
 - (iii) personal. social welfare services;
 - (iv) hospital welfare services;
 - (v) assistance to street children, child survival and development; and
 - (vi) socio-economic and emotional stability in families;
 - (c) assist to maintain specialized residential services in the districts;
 - (d) facilitate the registration and supervision of non-governmental organizations and their activities in the district;
 - (e) assist to organize community development programmes to improve and enrich rural life through:
 - (i) Literacy and adult education classes;
 - (ii) Voluntary contribution and communal labour for the provision of facilities and services such as water, schools, library, community centres and public places of convenience or;
 - (iii) teaching deprived or rural women in home management and child care.

**NATURAL RESOURCES CONSERVATION DEPARTMENT, FORESTRY,
GAME AND WILDLIFE DIVISION**

9. (1) The Natural Resources Conservation Department of the District Assembly is for the sustainable development of the forestry and wildlife resources and protected

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areas, in the District by combining functions of the Departments of Forestry and Wildlife.

(2) The Department shall

(a) assist the Assembly in the formulation of policies for the conservation of natural resources in the district within the framework of national policy on natural resources, conservation and report on the implementation of the policies and programmes to the District Assembly;

(b) facilitate the creation of awareness on the benefits of forests and wildlife conservation;

(c) encourage investment in commercial timber plantation and the preservation of wildlife;

(d) assist and facilitate the establishment and maintenance of tree nurseries and forest plantations for sale to the public;

(e) facilitate the promotion and support of the development of:

(i) private nurseries, woodlots, fodder poles and timber, and

(ii) district wildlife reserves including rearing of animals for the production of bush meat and horn by individuals, institutions and organizations;

(f) advise on the prohibition, restriction or regulation of the

(i) hunting, capture, killing or sale of animals or any specified species, and

(ii) cutting, logging or destruction of vegetation growing along any river, stream watercourse, degraded hill slopes and river sources and courses;

(g) facilitate replanting or re-forestation of water courses and degraded land;

(h) assist in developing collaborative mechanisms for;

(i) the sustainable management and utilization of timber and non-timber products, and

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- (ii) the protection of forest and water resources from bush fires, illegal harvesting, agricultural encroachment and pollution;
- (i) assist the Assembly in the mapping out of areas for natural environment, preservation and protection:
- (j) advise the Assembly on measures to embark on to prevent soil erosion; and
- (k) assist in prohibiting farming practices which are detrimental to the environment.

DEPARTMENT OF WORKS

10. (1) The Department of Works of the District Assembly is a merger of the Public Works Department, Department of Feeder Roads and District Water and Sanitation Unit, Department of Rural Housing and the Works Unit of the Assembly.
- (2) The Works Department shall
- (a) assist the Assembly to formulate policies on works within the framework of national policies;
 - (b) assist to establish and specify the programmes of action necessary for the implementation of physical plans;
 - (c) facilitate the implementation of policies on works and report to the Assembly;
 - (d) advise the Assembly on matters relating to works in the district;
 - (e) assist to prepare tender documents for all civil works projects to be undertaken by the Assembly through contracts or community initiated projects;
 - (f) facilitate the construction, repair and maintenance of;
 - (i) public roads including feeder roads, and
 - (ii) drains along any streets in the major settlements in the district;
 - (g) advise on the construction, repair, maintenance and diversion or alteration of the course of any street;

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- (h) encourage and facilitate maintenance of Public buildings and facilities in the district;
- (i) assist to build, equip, close and maintain markets and prohibit the erection of stalls in places other than the markets;
- (j) assist to peg and demarcate all physical developments prepared for all major settlements in the district;
- (j) facilitate the provision of adequate and wholesome supply of potable water for the entire district;
- (k) assist to inspect projects undertaken by the District Assembly with relevant Departments of the Assembly
- (l) advise the Assembly on the prohibition of:
 - (i) digging of burrow pits or other excavations, and
 - (ii) the sinking of wells or their closure;
- (m) assist to maintain public buildings made up of offices, residential accommodation and ancillary structure;
- (n) provide technical and engineering assistance on works undertaken by the Assembly;
- (o) facilitate the registration and maintenance of data on public buildings, and
- (p) in consultation with Electricity Company of Ghana facilitate the provision of street lighting.
- (q) Advise and encourage owners of premises to:
 - (i) Remove or trim trees, shrubs or hedges which interfere with traffic, wires or works on any street;
 - (ii) Remove dilapidated structures or fences in any public place
 - (iii) Paint, distemper, white wash or colour wash the outside of any building forming part of the premises;
 - (iv) Tidy up the premises; and
 - (v) Remove any derelict vehicles or objects which constitute nuisance;

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- (r) protection or prevention of obstructing access to fire hydrants;
- (s) provide technical advice for the machinery and structural layout of building plans to facilitate escape from fire, rescue operation and fire management;

DEPARTMENT OF TRADE AND INDUSTRY

11. (1) The Department of Trade, Industry and Tourism shall under the guidance of the Assembly deal with issues related to trade, cottage industry and tourism in the district.
- (2) The Department shall
- (a) assist in the formulation of policies on trade and tourism in the district within the framework of national policy and guidelines;
 - (b) facilitate the implementation of policies on trade, industry and tourism in the District;
 - (c) advise the District Assembly on issues related to trade and industry in the district;
 - (d) assist in the
 - (i) collection and dissemination of tourism, trade and industry, statistical data and other information, and
 - (ii) prevention of smuggling in collaboration with agencies responsible for internal security, Customs and Excise;
 - (e) prepare and submit half-yearly reports on tourism, trade and industries to the District Assembly;
 - (f) assist in sourcing funding to support the implementation of programmes and projects to promote trade and industry in the District;
 - (g) facilitate the promotion and development of small scale industries in the District;
 - (h) advise on the provision of credit for micro, small-scale and medium scale enterprises;

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- (i) assist to design, develop and implement a plan of action to meet the needs and expectations of organized groups;
- (j) co-ordinate the organization of field extension works to identify projects, collate relevant data, disseminate information and provide feedback information;
- (k) assist and facilitate the provision of infrastructure required to accelerate the implementation of policies or execution of programmes on trade and industry including estates in the district;
- (l) assist in the establishment and management of rural and small-scale industries on commercial basis;
- (m) *promote* the formation of associations, co-operative groups and other organizations which are beneficial to the development of small-scale industries;
- (n) assist in offering business and trading advisory information services;
- (o) *facilitate* the promotion of tourism in the district;
- (p) assist to identify, undertake studies and document tourism sites in the district;
- (q) facilitate private sector participation in the development of tourism in the district;
- (r) compile a register of all trade, industry/associations in the district;
- (s) advise on prescription of conditions for the operation of markets by the private sector;
- (t) assist to regulate and control markets including the fixing and collection of stallage rents and tolls;
- (u) advise on licensing of petrol and gas services and filling stations in the district;
- (v) advise the Assemblies on the prohibition, restriction, regulation and licensing on the:

 - (i) manufacture
 - (ii) distillation

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- (iii) sale
 - (iv) transportation
 - (v) distribution
 - (vi) supply
 - (vii) possession, and
 - (viii) consumption of any alcoholic beverage including "akpeteshie", palm wine and fermented liquors;
- (w) assist to provide for the control, regulation, inspection, supervision and licensing of:
- (i) social halls, dance halls and places of entertainment
 - (ii) hotels, rest-houses, lodging and eating houses, and
 - (iii) premises or lands where a profession, occupation, trade or business is carried out.

BUDGET AND RATING DEPARTMENT

12. The Budget and Rating Department shall

- (a) facilitate the preparation and execution of the budget of the District Assembly;
- (b) facilitate the preparation, collation and submission of annual estimates by other Departments, Agencies and Institutions in the District;
- (c) assist in the translation of the medium term programme of the district into the district investment programme;
- (d) co-ordinate the organization of in-service-training programmes for the staff of the departments of District Assemblies in budget preparation, financial management and dissemination of information on government financial policies;
- (e) assist to verify and certify the status of district development projects before request for funds for payment are submitted to the relevant funding sources;

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- (f)* facilitate the preparation of the rating schedules of the District Assembly;
- (g)* facilitate the collation of the statistical inputs that will enhance the preparation of the budget of the Assembly; and
- (h)* assist to monitor the programmes and projects of the District Assembly as a measure to ensure economic utilization of budgetary resources.

LEGAL DEPARTMENT

13. The Legal Department shall

- (a)* provide legal advice to the Assembly;
- (b)* assist or facilitate the drawing up of rules and regulations to guide the activities of the Assembly;
- (c)* represent the Assembly in all legal proceedings;
- (d)* facilitate the interpretation of rules, laws and regulations to enhance the conduct of the Assembly's business;
- (e)* provide legal advice on matters relating to contracts;
- (f)* assist in capacity building of Assembly Members in areas relating to the law;
- (g)* undertake daily routine functions relevant to the legal department of the Assembly; and
- (h)* Registration of all marriages.

DEPARTMENT OF TRANSPORT

14. (1) The Department of Transport is to assist the Assembly formulate and implement policies on transport services within the framework of national policies.

(2) The Department shall

- (a)* advise the Assembly on matters relating to transport services in the District;
- (b)* prohibit or restrict the driving of general or any specified vehicles on specified roads or specified direction;

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- (c)* regulate the use and conduct of public vehicles, including the routes and parking places in accordance with the Driver and other detail Vehicle Licensing Authority Act (Act 569);
- (d)* provide for the identification of licensed vehicles;
- (e)* license taxis, bicycles and motor bikes and prescribe fees to be paid;
- (f)* establish, acquire and maintain transport services by land or water including ferries;
- (g)* maintain records of classified contractors and consultants in the transport services industry within the District;
- (h)* prepare composite progress and annual reports on transport works in the District;
- (i)* assist in the review of road designs by consultants for designated roads; and
- (j)* establish, maintain and control parks for motor and other vehicles.

DISASTER MANAGEMENT AND PREVENTION DEPARTMENT

15. The Disaster Management and Prevention Department shall

- (a)* assist in planning and implementation of programmes to prevent and/or mitigate disaster in the District within the framework of national policies;
- (b)* facilitate the organization of public disaster education campaign programmes to:
 - (i)* create and sustain awareness of hazards of disaster; and
 - (ii)* emphasize the role of the individual in the prevention of disaster;
- (c)* assist and facilitate education and training of volunteers;
 - (i)* to fight fires including bush fires, or
 - (ii)* take measures to manage the after effects of natural disasters;
- (d)* prepare and review district disaster prevention and management plans to prevent or control disasters arising from
 - (i)* floods, bush fires, and human settlement fires
 - (ii)* outbreak of communicable diseases; and

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- (iii) earthquakes and other natural disasters.
- (e) facilitate the organization of disaster management exercises annually;
- (f) ensure compliance with rules in respect of private and public properties to ensure adequate protection against disasters;
- (g) facilitate the provision of emergency shelters and services in the event of disasters;
- (h) in consultation and collaboration with appropriate agencies, identify disaster zones and take necessary steps to;
 - (i) educate people within the areas, and
 - (ii) prevent development activities which may give rise to disasters in the area;
- (i) participate in post disaster assessment to determine the extent of damage and needs of the disaster area;
- (j) co-ordinate the receiving, management and supervision of the distribution of relief items in the district;
- (k) investigate reports and analyze the nature of hazards, vulnerability and risk situations;
- (l) facilitate collection, collation and preservation of data on disasters in the district;
- (m) inspect and offer technical advice on the importance of fire extinguishers;
- (n) co-ordinate the organization of Fire Volunteer Squads at the community level; and
- (o) assist and facilitate rescue and valuation services to those trapped by fire and other emergency situations.

URBAN ROADS DEPARTMENT

16. The Urban Roads Department shall

- (a) advise the District Assembly on the formulation and implementation of Urban Road Policy in the Region;

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- (b) collect data for planning and development of the infrastructure in the District;
- (c) establish and maintain a database on urban infrastructure in the District
- (d) register and maintain records of classified contractors and consultants in the urban road construction industry within the District;
- (e) facilitate the prioritization of works and preparation of annual plans for infrastructure works in the District;
- (f) assist in preparation of tender documents and tender evaluation;
- (g) prepare progress and annual reports on road works in the District;
- (h) provide input into the preparation of budget for road maintenance activities;
- (i) monitor to ensure that funds from Road Fund and other sources are used for the designated roads in line with approved standards;
- (j) assist with evaluation of road designs by consultants; and
- (k) facilitate capacity building of contractors and stakeholders in the District.

HON. JOSEPH YIELEH CHIREH (MP)

Minister for Local Government and Rural Development

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