



REPUBLIC OF GHANA

NATIONAL PEACE COUNCIL ACT, 2011
(Act 818)

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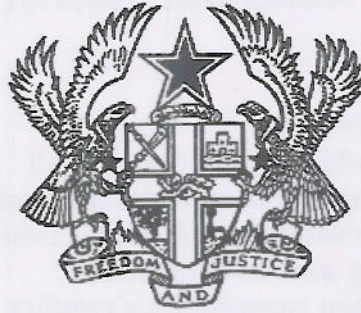
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THE EIGHT HUNDRED AND EIGHTEENTH

ACT

OF THE PARLIAMENT OF THE REPUBLIC
OF GHANA
ENTITLED

THE NATIONAL PEACE COUNCIL ACT, 2011

AN ACT to establish the National Peace Council to promote peace in the country and to provide for related purposes.

DATE OF ASSENT: *16th May, 2011.*

PASSED by Parliament and assented to by the President:

National Peace Council

Establishment of National Peace Council

1. There is established by this Act a body to be known as the National Peace Council.

Object of the Council

2. The object of the Council is to facilitate and develop mechanisms for conflict prevention, management, resolution and to build sustainable peace in the country.

Functions of the Council

3. To achieve its object, the Council shall

- (a) harmonise and co-ordinate conflict prevention, management, resolution and build sustainable peace through networking and co-ordination;
- (b) strengthen capacities for conflict prevention, management, resolution and sustainable peace in the country including but not limited to chiefs, women, youth groups and community organisations;
- (c) increase awareness on the use of non-violent strategies to prevent, manage and resolve conflict and build sustainable peace in the country;
- (d) facilitate the amicable resolution of conflict through mediation and other processes including indigenous mechanisms for conflict resolution and peace building;
- (e) promote understanding of the values of diversity, trust, tolerance, confidence building, negotiation, mediation, dialogue and reconciliation;
- (f) co-ordinate and supervise the work of the Regional and District Peace Councils;
- (g) facilitate the implementation of agreements and resolutions reached between parties in conflict;
- (h) make recommendations to the Government and other stakeholders on actions to promote trust and confidence between and among groups; and
- (i) perform any other function which is ancillary to its object.

Governing body of the Council

4. (1) The governing body of the Council is a Board consisting of thirteen eminent persons as follows:

- (a) one representative from each of the following religious bodies nominated by the bodies concerned,
 - (i) Catholic Bishops Conference,
 - (ii) Christian Council,
 - (iii) Ghana Pentecostal Council,
 - (iv) National Council for Christian and Charismatic Churches,
 - (v) Ahamadiyya Muslim Mission,

- (vi) Al-sunnah Muslims,
- (vii) Tijaaniya Muslim Group,
- (viii) practitioners of African traditional religion,
- (b) two persons nominated by the President one of whom is a woman,
- (c) two other persons nominated by identifiable groups, and
- (d) one representative of the National House of Chiefs.

(2) The members of the Board shall elect one of their number as chairperson.

(3) The chairperson and members of the Board, shall be appointed by the President in accordance with article 70 of the Constitution.

Tenure of office of members

5. (1) A member of the Board shall hold office for a period of four years and is eligible for reappointment.

(2) A member of the Board may at any time resign from office in writing addressed to the President.

(3) A member of the Board who is absent from three consecutive meetings of the Board without sufficient cause ceases to be a member of the Board.

(4) The President may by letter addressed to a member revoke the appointment of that member in consultation with the Board for stated reasons.

(5) Where a member of the Board is for a sufficient reason, unable to act as a member, the Minister shall determine whether the inability would result in the declaration of a vacancy.

(6) Where there is a vacancy

- (a) under subsection (2), (3), (4) or section 7 (2),
- (b) as a result of a declaration under subsection (5), or
- (c) by reason of the death of a member,

the Board shall inform the Minister and the Minister shall notify the President of the vacancy and the President shall appoint a person to fill the vacancy.

Meetings of the Board

6. (1) The Board shall meet at least once every three months for the despatch of business at the times and in the places determined by the chairperson.

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(2) The chairperson shall preside at the meetings of the Board and in the absence of the chairperson, the members present shall elect one of their number to preside.

(3) The chairperson shall at the request in writing of not less than one-third of the membership of the Board, convene an extra-ordinary meeting of the Board at the place and the time determined by the chairperson.

(4) The quorum at a meeting of the Board is seven members of the Board.

(5) Matters before the Board shall be determined by consensus, but where this is not possible, shall be determined by a simple majority of the members present and voting and in the event of the equality of votes, the person presiding shall have a casting vote.

(6) The Board may co-opt a person to act as an adviser or to assist it at any of its meetings but a co-opted person is not entitled to vote on a matter before the Board.

(7) The proceedings of the Board shall not be invalidated by reason of a vacancy among the members or a defect in the appointment or qualification of a member.

Disclosure of interest

7. (1) A member of the Board who has an interest in a matter for consideration by the Board shall

(a) disclose the nature of that interest and the disclosure shall form part of the record of the consideration of the matter; and

(b) not participate in the deliberations of the Board in respect of that matter.

(2) A member ceases to be a member of the Board, if that member has an interest in a matter before the Board and

(a) fails to disclose that interest, or

(b) participates in the deliberations of the Board in respect of that matter.

Establishment of committees

8. (1) The Board may establish committees consisting of members of the Board or non-members or both to perform a function.

(2) A committee of the Board may be chaired by a member of the Board.

(3) Section 7 applies to members of a committee of the Board.

Regional Peace Councils

Regional Peace Councils

9. There is established by this Act, a Regional Peace Council consisting of thirteen eminent persons as follows:

- (a) one representative from each of the following religious bodies nominated by the bodies concerned
 - (i) Catholic Bishops Conference,
 - (ii) Christian Council,
 - (iii) Ghana Pentecostal Council,
 - (iv) National Council for Christian and Charismatic Churches,
 - (v) Ahamadiyya Muslim Mission,
 - (vi) Al-sunnah Muslims,
 - (vii) Tijaaniya Muslim Group,
 - (viii) practitioners of African traditional religion, and
- (b) two persons nominated by the Regional Co-ordinating Council one of whom is a woman,
- (c) two other persons nominated by identifiable groups, and
- (d) one representative of the Regional House of Chiefs.

Appointment of members of a Regional Peace Council

10. (1) The members of a Regional Peace Council shall be appointed by the Board in consultation with the Regional Co-ordinating Council.

(2) The members shall elect their own chairperson from among the members at their first meeting.

Functions of a Regional Peace Council

11. A Regional Peace Council shall

- (a) offer advice to the Regional Coordinating Council and the Regional Security Council in relation to conflict prevention, management, resolution and building sustainable peace in the region;
- (b) mediate in conflict which is likely to erupt in violence and intervene after law and order is restored by the Regional Security Council;

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- (c) engage in public education and create awareness of conflict indicators within the region and make recommendations to the Regional Co-ordinating Council and the Regional Security Council on how to improve the situation;
- (d) facilitate the organisation of activities that build friendship, promote trust, tolerance, goodwill and reconciliation between communities;
- (e) initiate and support training and capacity building programmes for relevant stakeholders in the region;
- (f) perform other functions that may be assigned by the Regional Co-ordinating Council; and
- (g) perform any other function which is ancillary to its object.

*District Peace Councils***District Peace Councils**

12. There is established by this Act a District Peace Council consisting of thirteen eminent persons as follows:

- (a) representative from each of the following religious bodies nominated by the bodies concerned
 - (i) Catholic Bishops Conference,
 - (ii) Christian Council,
 - (iii) Ghana Pentecostal Council,
 - (iv) National Council for Christian and Charismatic Churches,
 - (v) Ahamadiyya Muslim Mission,
 - (vi) Al-sunnah Muslims,
 - (vii) Tijaaniya Muslim Group,
 - (viii) practitioners of African traditional religion, and
- (b) two persons nominated by the District Assembly one of whom is a woman,
- (c) two other persons nominated by identifiable groups, and
- (d) a chief nominated by the Traditional Council in the traditional area of the district.

Appointment of members of a District Peace Council

13. (1) The members of a District Peace Council shall be appointed by the Board in consultation with the District Assembly.

(2) The members shall elect one of their number as chairperson.

Functions of a District Peace Council

14. A District Peace Council shall

- (a) assist the District Assembly and the District Security Council in peace initiatives,
- (b) mediate in inter and intra-community conflicts or conflicts among groups within the district except that where armed violence has broken out, the invitation of the District Security Council shall be required,
- (c) engage in public education and create awareness on conflict indicators within the district and make recommendations to the District Assembly on how to improve the situation,
- (d) facilitate the organisation of activities that build friendship, promote trust, tolerance, goodwill and reconciliation between communities and prevent the occurrence of conflict,
- (e) initiate and support training and other capacity building programmes for relevant stakeholders in the district, and
- (f) perform any other functions determined by the Regional Security Council and National Security Co-ordinating Council.

Tenure, meetings and allowances

Tenure of office of Regional and District Peace Councils

15. The tenure of office for the members of the Regional and District Peace Councils shall be the same as for the governing body of the National Peace Council.

Meetings of Regional and District Peace Councils

16. The meetings of the Regional and District Peace Councils shall be regulated in the same way as that for the governing body of the National Peace Council.

Allowances and other remuneration

17. Allowances and any other remuneration payable to members of the Board of the National, Regional and the District Peace Councils shall be determined by the Minister for the Interior in consultation with the Minister responsible for Finance.

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Administrative and financial provisions

Executive Secretaries

18. (1) There shall be appointed in each region and district, Executive Secretaries to be known as the Regional Executive Secretary and the District Executive Secretary.

(2) The Executive Secretaries shall be appointed by the President in accordance with article 195 of the Constitution.

Functions of Executive Secretaries

19. The Executive Secretaries shall

- (a) act as technical advisers to the Regional and District Peace Councils on conflict prevention, management, resolution and building sustainable peace in the region;
- (b) be secretaries of the Regional and District Peace Councils respectively and co-ordinate the activities of the Councils;
- (c) submit regular reports to the National Peace Council, the Peace Building Support Unit, the Regional Security Council and the District Security Council; and
- (d) perform any other functions determined by the Councils.

Establishment of Peace Fund

20. There is established by this Act, a Peace Fund.

Sources of money for the Fund

21. The sources of money for the Fund include

- (a) contributions from government,
- (b) contributions from local private and public organisations and international organisations,
- (c) contributions from foreign governments,
- (d) moneys realised from projects of the Fund, and
- (e) gifts and contributions from other sources.

Objects of the Fund

22. (1) The Fund shall be used for the following purposes:

- (a) provision of assistance to conflict resolution and peace building institutions in Ghana;
- (b) facilitating and promoting conflict resolution and peace building activities in the country; and

(c) funding of other projects related to conflict resolution and peace building which the Council may determine.

(2) Applications for grants from the Fund shall be submitted to the Board for consideration and approval.

Expenses of the Council

23. The expenditure of the Council shall be charged to the Consolidated Fund.

Executive Secretary of the Council

24. (1) The President shall, in accordance with article 195 of the Constitution, appoint an officer with experience in conflict resolution and peace building as well as administrative or managerial experience as the Executive Secretary of the Council.

(2) The Executive Secretary shall hold office on the terms and conditions specified in the letter of appointment.

(3) The Executive Secretary is the secretary to the Board.

Functions of the Executive Secretary

25. (1) The Executive Secretary is responsible for the day to day administration of the affairs of the Council and is answerable to the Board in the performance of functions under this Act.

(2) The Executive Secretary shall perform any other functions determined by the Board.

(3) The Executive Secretary may delegate a function to an officer of the Council but shall not be relieved from the ultimate responsibility for the performance of the delegated function.

Appointment of other staff

26. (1) The President shall in accordance with article 195 of the Constitution appoint other staff of the Council that are necessary for the proper and effective performance of its functions.

(2) Other public officers may be transferred or seconded to the Council or may otherwise give assistance to it.

(3) The Council may engage the services of advisers on the recommendations of the Board.

Peace Building Support Unit

27. (1) The Minister for the Interior shall set up a Peace Building Support Unit.

(2) The Unit shall

- (a) liaise on behalf of the government with the National, Regional and District Peace Councils and facilitate support from government institutions for the work of the Councils;
- (b) facilitate the implementation of the recommendations of the peace councils addressed to the government or its agencies;
- (c) manage an early warning and analysis sub-unit;
- (d) serve as an advisory body to the Minister for conflict resolution and peace building generally; and
- (e) perform other functions that may be assigned by the Minister for the Interior.

Annual report and other reports of the Council

28. (1) The Board shall within one month after the receipt of the audit report, submit an annual report to the Minister covering the activities and operations of the Council for the year to which the report relates.

(2) The annual report shall include the report of the Auditor-General.

(3) The Minister shall, within one month after the receipt of the annual report, submit a report to Parliament with a statement that the Minister considers necessary.

(4) The Board shall also submit to the Minister any other reports which the Minister may require in writing.

Accounts and audit

29. (1) The Board shall keep books of account and proper records in relation to them in the form approved by the Auditor General.

(2) The Board shall submit the accounts of the Council to the Auditor General for audit within three months after the end of the financial year.

(3) The Auditor-General shall, not later than three months after the receipt of the accounts, audit the accounts and forward a copy of the audit report to the Board and the Minister.

Miscellaneous matters

Independence of the Council

30. Except as provided in the Constitution, the Council shall not be subject to the direction or control of any person or authority in the performance of its functions.

Confidentiality

31. (1) A member of the National, Regional and District Peace Council, or any other officer or employee of the Council shall

- (a) treat as confidential any information obtained in the performance of functions under this Act; and
- (b) not disclose any information except when required to do so by a Court of competent jurisdiction or under an enactment.

(2) An officer or employee of the Council shall on assumption of office take the Oath of Secrecy specified in the Second Schedule of the Oaths Act, 1972 (NRCD 6).

(3) The Board shall determine the category of persons to whom subsection (2) applies.

Participation in active party politics

32. Members of the Council shall not participate in active party politics.

Collaboration

33. The National, Regional and District Peace Councils shall collaborate with other relevant bodies and with each other in the performance of functions under this Act.

Regulations

34. The Minister may on the advice of the Board by Legislative Instrument make Regulations to provide for any other matter necessary for the effective implementation of the provisions of this Act.

Interpretation

35. In this Act, unless the context otherwise requires,

“Board” means the governing body of the National Peace Council;

“chief” means a person who, hailing from the appropriate family and lineage, has been validly nominated, elected or selected and enstooled, enskinned or installed as a chief or queen mother in accordance with the relevant customary law and usage;

“Council” means the National Peace Council;

“District Assembly” includes Municipal and Metropolitan Assembly;

“eminent persons” includes persons from institutions of higher education, faith-based organisations, statespersons and chiefs;

“Fund” means the Peace Fund;

“identifiable groups” includes institutions of higher learning and civil society organisations involved in conflict resolution and peace building;

“Minister” means the Minister responsible for the Interior;

“relevant bodies” means any public or private entity concerned with the maintenance of peace in the country; and

“Unit” means the Peace Building Support Unit.

Date of *Gazette* notification: 20th May, 2011.