

ACT 709

ARRANGEMENT OF SECTIONS

Section

1. Section 2 of Act 702 amended
2. Section 4 of Act 702 amended
3. Section 6 of Act 702 substituted
4. Section 7 of Act 702 amended
5. Section 9 of Act 702 amended
6. Section 10 of Act 702 amended
7. Section 14 of Act 702 amended
8. Section 15 of Act 702 amended
9. Section 19 of Act 702 amended
10. Section 19A inserted
11. Section 20A inserted
12. Section 26 of Act 702 amended
13. Section 27 inserted

THE SEVEN HUNDRED AND NINTH

ACT

OF THE PARLIAMENT OF THE REPUBLIC
OF GHANA
ENTITLED

THE MILLENNIUM DEVELOPMENT AUTHORITY (AMENDMENT) ACT, 2006

AN ACT to amend the Millennium Development Authority Act, 2006 (Act 702) to make further provisions for the implementation of the terms of the Compact.

DATE OF ASSENT: *20th July, 2006.*

ENACTED by the President and Parliament:

Section 2 of Act 702 amended

1. The Millennium Development Authority Act 2006 (Act 702) referred to in this Act as the “principal enactment” is amended in section 2 as follows:

- (a) in paragraph (a), by the substitution for the words “reduction of poverty through growth as contained in the Compact” of the words “poverty reduction through economic growth”,
- (b) by the substitution for paragraph (b) of the following:

“(b) to secure the proper and effective utilisation of the Fund established under section 19(1)”.

Section 4 of Act 702 amended

2. Section 4 of the “principal enactment” is amended by the substitution for the words “Millennium Development Challenge Corporation Programme” of the words “Compact Term”.

Section 6 of Act 702 substituted

3. Section 6 of the “principal enactment” is amended by the substitution for the section of the following:

“Collaboration with institutions of relevance

6. The Authority shall in the performance of its functions collaborate with such institutions of relevance to the Authority’s functions as the Board may direct”

Section 7 of Act 702 amended

4. The “principal enactment” is amended by the substitution for section 7 of the following:

“Governing body of the Authority

7. (1) The governing Board shall be composed of not less than nine nor more than eleven voting members during the Compact Term, including:

- (a) the chairperson,
- (b) the Ministers or the representatives of the Ministers not below the rank of a director of the following Ministries:
 - (i) Food and Agriculture,
 - (ii) Trade, Industry, Private Sector and PSI,
 - (iii) Local Government, Rural Development and Environment, and
 - (iv) Finance and Economic Planning,
- (c) the chief executive appointed under section 15,
- (d) two representatives of the Private Sector selected by the Private Enterprises Foundation through a transparent process, and
- (e) one representative of civil society organisations selected by the Ghana Association of Private Voluntary Organisations in Development through a transparent process”

(2) The members of the Board specified in subsection (1) shall be appointed by the President in consultation with the Council of State.

(3) The following are members of the Board without voting right:

- (a) one representative of the MCC,
- (b) three persons representing the District Assemblies within each Intervention Zone selected by the District Assemblies in the zones through a transparent selection process.

Section 9 of Act 702 amended

5. Section 9 of the principal enactment is amended, in subsection (5), by the substitution for the word “conservative” of the word “consecutive”.

Section 10 of Act 702 amended

6. Section 10 of the “principal enactment” is amended by the substitution for subsection (4) of the following:

“(4) The quorum for a meeting of the Board consists of not less than half of the voting members present.”

Section 14 of Act 702 amended

7. Section 14 of the “principal enactment” is amended in subsection (7) by the substitution for the word “revision” of the word “approval”.

Section 15 of Act 702 amended

8. Section 15 of the “principal enactment” is amended by the substitution for subsection (2) of the following:

“(2) The chief executive officer shall be appointed by the President in accordance with article 195 (1) of the Constitution”.

Section 19 of Act 702 amended

9. Section 19 of the “principal enactment” is amended by the substitution for subsection (1) of the following and the renumbering of the subsections accordingly:

“Establishment of the Fund, its management and budgetary provision.

19 (1) There is established by this Act the Millennium Challenge Corporation Fund.

(2) The Fund shall consist of monies granted to the Government of Ghana under the Compact.

(3) The Fund is exempt from the taxes and duties specified under the Compact.

Section 19A inserted

10. The “principal enactment” is amended by the insertion after section 19 of the following:

“Moneys approved by Parliament.

19A. Parliament shall approve such monies as may be required of the Government under the Compact.”

Section 20A inserted

11. The “principal enactment” is amended by the insertion after section 20 of the following:

“Authority exempted from tax

20A. The Authority is exempted from payment of the taxes and duties specified under the Compact.”

Section 26 of Act 702 amended

12. Section 26 of the “principal enactment” is amended by the substitution for the section of the follows:

“Interpretation

26. In this Act unless the context otherwise requires,

”Authority” means the Millennium Development Authority established under section 1;

”Board” means the governing body of the Authority provided for under section 7;

“chief executive officer” means the chief executive officer of the Authority appointed under section 15;

“Compact” means the Millennium Challenge Compact made between the United States of America, acting through the Millennium Challenge Corporation, a United States Corporation and the Government of the Republic of Ghana;

“Compact Term” means five years commencing from the date of Entry into Force of the Compact unless earlier terminated under the Compact;

“Fund” means the MCC Fund set under section 19(1);

“Intervention Zone” means zones set out under the Compact as Intervention Zones,

“MCC” means the Millennium Challenge Corporation;

“MCC Fund” means the fund granted by the MCC to the Government of Ghana subject to terms and conditions of the Compact; and

“PSI” means the President’s Special Initiative;

“Minister” means the Minister for the time being assigned responsibility for this Act by the President.”

Section 27 inserted

13. The “principal enactment” is amended by the insertion after section 26 of the following

“Transitional provision”

27. The Minister may, at least twelve months before the expiry of the initial Compact Term, introduce, by legislative instrument, such measures as the Minister considers necessary to regulate the post Compact period.

Date of Gazette notification: 21st July, 2006.