

WETLAND MANAGEMENT (RAMSAR SITES) REGULATIONS 1999

WHEREAS the instrument of accession to the Convention of Wetlands of International importance especially as Waterfowl Habitat, adopted at Ramsar, Iran, on the 2nd February 1971 was deposited in Paris at UNESCO Headquarters on 22nd February 1988. AND WHEREAS the Convention entered into force for Ghana on the 22nd June 1988.

Now therefore in exercise of the powers conferred on the Minister responsible for Forestry by section 11 of the Wild Animals Preservation Act 1961 (Act 43), these regulations are made this 19th day of August 1999.

Establishment of Ramsar Sites

1. The following areas the particulars of which are set out in the Schedule to these Regulations are hereby designed as Ramsar Sites:
 - (a) Muni-Pomadze;
 - (b) Densu Delta;
 - (c) Sakumo;
 - (d) Songor;
 - (e) Keta Lagoon Complex and;
 - (f) Owabi Wildlife Sanctuary;

Declaration of close seasons

2. (1) The Minister may declare closed seasons during which certain activities such as fishing in **regulation 6** are proscribed under these regulations
- (2) The Minister shall publish the dates of the closed seasons in the Gazette or through the mass media.

Designation of core areas

3. (1) The Minister may by publication in the Gazette or through the mass media designate certain portions of a Ramsar Site as core areas for the effective management of the Ramsar Site.
- (2) The Executive Director or his authorised representative shall demarcate the core area designated by the Minister within the Ramsar Site.

Minister to designate areas for specific activities

4. (1) The Minister may where necessary by publication in the Gazette or through the mass media approve the areas in the Ramsar Site where activities such as sand within quarrying or removal of soil may be carried out

- (2) The Executive Director or his authorised representative may indicate by education of community members in a Ramsar Site or by physical marking in a Ramsar Site where litter may be deposited in the Ramsar Site
5.
 - (1) A District Assembly where a Ramsar Site is located may in consultation with the Minister by bye-law prescribe custody and traditional conservation practices which are compatible with the Ramsar Convention and permitted under these Regulations
 - (2) The Executive Director or his authorised representative in consultation with the committee of a District Assembly responsible for the environment and natural resources referred to as the committee shall determine --
 - (a) The type of wise use activities that may be permitted in a core area of a Ramsar Site for its sustainable utilisation; and
 - (b) The conditions that will sustain the use of the resources under which the permitted wise use activities in a Ramsar Site may be carried out.
 - (3) The committee may by gong-gong or such method as it considers fit stipulate how the public shall be informed of the wise use activities
 - (4) The Executive Director or his authorised representative shall give written approval for the activities referred to in sub-regulation (2)
 - (5) Subject to sub-regulation (2), the written approval in sub-regulation (4) shall be obtained before the commencement of any activity in a Ramsar Site
 - (6) No physical development shall be undertaken within a core area of a Ramsar Site.

Proscribed activities

6. No person shall within a Ramsar Site
 - (a) pollute any water;
 - (b) use poison, chemicals, explosives or any prohibited method for fishing;
 - (c) use seine nets or other nets with mesh size below 25mm;
 - (d) fish during the closed season or;
 - (e) do any other act that has or is likely to have an adverse effect on the environment.

Restricted activities

7.
 - (1) No person shall within a Ramsar Site -
 - (a) remove any woody vegetation or cultivate any portion in a core area except with the written consent of the Executive Director or his authorised representative given in consultation with the relevant committee;

- (b) deposit any litter at areas designated under these Regulations;
- (c) win sand, carry out quarrying activities or remove any soil except from areas approved by the Minister in writing;
- (d) hunt, capture, harm or deliberately disturb any wild animal including roosting, breeding and nesting birds, fledglings, turtles or their eggs except as provided for by the Minister;
- (e) graze any livestock in and around bird nesting sites marked by the Executive Director or his authorised representative during nesting periods;
- (f) allow grazing livestock unsupervised by a herdsman within a core area
- (g) allow grazing livestock to disturb vegetation or to wade through a core area in such a manner as to adversely affect the environment or;
- (h) do any other act or disturb the ecosystem

(2) No person shall start a bush fire within a distance of 1km from the boundary of a Ramsar Site

(3) A person shall not undertake any activity that has or is likely to have an adverse effect on any animal or species or the environment in a Ramsar Site

Offences

8. (1) Any person who contravenes any provision of these regulations or a direction given under these regulations commits an offence and is liable on summary conviction--
- (a) in the case of a first offence to a fine not exceeding €100,000.00 and not less than €50,000.00 or to a term of imprisonment not exceeding fourteen months or both and
 - (b) in the case of a second offence to a fine not exceeding €500,000.00 and not less than €200,000.00 or to a term of imprisonment not exceeding two months or both; and
- (2) In the case of a continuing offence, a person is liable on summary conviction to a fine not exceeding €50,000.00 in respect of each day on which the offence continues
- (3) Notwithstanding sub-regulations (1) and (2), a person who while exploiting a natural resource or undertaking any activity for commercial purpose contravenes any provision of these regulations or directions given under these Regulations, commits an offence and is liable on summary conviction
- (a) in a case of first offence to a fine not exceeding €2,000,000.00 or to a term of imprisonment not exceeding 6 months or to both;
 - (b) in the case of a second offence to a fine not exceeding €5,000,000.00 or to term of imprisonment not exceeding 1 year or to both; or

(c) in the case of continuing offence to an additional penalty not exceeding €100,000.00 in respect of each day on which the offence continues.

- (4) In addition to the fine or term of imprisonment an offender convicted for causing damage to the environment shall pay for the cost of the rehabilitation of the environment as may be ordered by the court
- (5) The court may for the purpose of determining the cost of rehabilitation of the environment under sub-regulation (4) consult the Environmental Protection Agency.

Power of seizure

9. (1) A Police Officer to whom a private person hands over an arrested person shall seize any equipment, tools, apparatus or articles used in contravention of these Regulations
- (2) A court shall order the confiscation of any equipment; tools, apparatus or articles used in contravention of these Regulations after the conviction of a person and may release the items to the Executive Director.

Interpretation

10. In these Regulations unless the context otherwise determines

"adverse effect on the environment" means negative impact on people, animals or plants;

"committee" means committee of a District Assembly responsible for the environment and natural resources;

"core area" means any portion of Ramsar Site so designated by the Minister;

"customary and traditional conservation practices" means traditional practices that protect fauna and flora and the environment within the Ramsar Site

"District Assembly" includes a Municipal and Metropolitan Assembly;

"Executive Director" means the Director of the Wildlife Division of the Forestry Commission;

"ecosystem" means a dynamic complex of plant, animal and micro-organism communities and their non-living environment interacting as a functional unit;

"Minister" means the Minister responsible for Lands and Forestry

"pollute" means the introduction of any material or substance into water systems such as rivers, lakes, lagoons, pools and includes the sea;

"Ramsar Site" means an area designated to be managed in accordance with the 'wise use concept' of the Ramsar Conservation;

"Ramsar Convention" means the Convention on Wetlands of International

Importance especially as Waterfowl Habitat (Ramsar, 1971);

"sustainable utilisation" means human use of a wetland so that it may yield the greatest continuous benefit to the present generations while maintaining its potential to meet an aspiration of future generations;

"wise use" means sustainable utilisation for the benefit of mankind in a way compatible with the maintenance of the natural properties of the ecosystem.

SCHEDULE

(Regulation 1)

RAMSAR SITES

1. Muni-Pomadze Ramsar Site located within the Awutu/Efutu/Senya and Gomoa Districts of the Central Region of Ghana (05.23N, 00.40W), covering an area of 9,461.12 hectares.
2. Densu Delta Ramsar Site located 11km west of Accra (05.30N, 00.15W), enclosing an area of 5,892.99 hectares
3. Sakumo Ramsar Site located at the west of Tema (05.30N, 008W), enclosing an area of 1,364.35 hectares
4. Songor Ramsar Site located within the Dangbe-East district of the Greater Accra Region (06.50N, 00.30E) enclosing an area of 51,133.33 hectares
5. Keta Lagoon Complex Ramsar Site covers all or portions of South Tongu, Akatsi, Ketu and Keta districts of Volta Region (05.55N, 00.50E) enclosing at total area of 101,022.69 hectares
6. The inland Owabi Wildlife Sanctuary Ramsar Site lying approximately 14km North West of Kumasi in the Ashanti Region with a total area of 1,310 hectares

DR. CHRISTINA AMOAKO-NUAMA
Minister for Lands and Forestry

Date of Gazette notification 15th October 1999.

Entry into force: 1st December 1999.

APPENDIX I

IN THE SUPERIOR COURT OF JUSTICE THE COURT OF APPEAL, ACCRA-GHANA

JUSTICE OF APPEAL (Sgd) I.K. Abban

Appeal from the Ruling of Dove J. of the High Court, Tamale, Northern Region dated 28th September 1983.

THE PUBLIC

Vs.

CIRCUIT COURT JUDGE, TAMALE
EX-PARTE VOLTA, SENIOR GAME WARDEN

Mole National Park Damongo

BERNARD KOFI VOLTA
Seniro Game Warden,
Mole National Park, Damongo APPLICANT-APPELLANT

Vs.

CHARLES T. ZIECHE
Agricultural Settlement Section
Damango, Northern Region RESPONDENT-RESPONDENT

This appeal coming on for hearing on the 27th, 28th days of March and 2nd day of July, 1986 before Abban, J.A. (Presiding) Osie-Hwere and Amua-Sekyi J. A. in the presence of T.A. Addo, Principal State Attorney (led by Charles Tetteh, Solicitor General) for the appellant; Kwaku Baah for the Respondent.

I HEREBY CERTIFY THAT an order was made as follows:-

The appeal is allowed and the order of Dove, J dated 28th September 1983 and that of the Circuit Court dated 14th day of March 1983 in respect of the equipment

BIA NATIONAL PARK BOUNDARY DESCRIPTION

Bia National Park is situated in the Western Region and lies between Latitudes $6^{\circ}20'$ and $6^{\circ}40'$ North and Longitudes $2^{\circ}55'$ and $3^{\circ}15'$ West. Boundary pillar no. 1 is situated at the hunting camp Konkunso which is about 3 1/2 miles along the path running south-east from Debisso through Samakro. From B.P.1 the boundary runs on a bearing 124° for a distance of 170 chains passing through B.P. 2 to 5 to B.P. 6; thence on a bearing of $161^{\circ}30'$ for a distance of 170 chains passing through B.Ps. 7 to 10 to B.P. 11; thence on a bearing of $183^{\circ}30'$ for a distance of 595 chains passing through B.Ps. 12 to 25 to B.P. 26; thence on a bearing of 151° for a distance of 660 chains passing through B.P.27 to 42 to B.P.43, thence on a bearing of 246° for a distance of 211 chains passing through B.Ps. 44 to 48 to B.P.49; thence on a bearing of 321° for a distance of 220 chains passing through B.P.50 to 55 to B.P.56, thence on a bearing of $309^{\circ}30'$ for a distance of 478 chains passing through B.P.57 to 67 to B.P. 68, thence on a bearing of $264^{\circ}30'$ for a distance of 475 chains passing through B.Ps. 69 to 79 to B.P.80; thence on a bearing of 32° for a distance of 515 chains passing through B.P.81 to 92 to B.P. 93; thence on a bearing of 19° for a distance of 400 chains passing through B.P.94 to 102 to B.P. 103; thence on a bearing of $135^{\circ}30'$ for a distance of 93.6 chains passing through B.P. 104 to 105 to B.P. 106; thence on a bearing of $60^{\circ}30'$ for a distance of 371.55 chains passing through B.P. 107 to 115 to B.P. 1 which is the point of commencement.

All bearings are approximate and refer to true north.
All distances are more or less.

COLONEL I. K. ACHEAMPONG
Chairman of the National Redemption Council

Date of Gazette notification: 17th Day 1974