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**CONSTITUTION OF THE NATIONAL  
ASSOCIATION OF LOCAL  
AUTHORITIES OF GHANA (NALAG)**

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# TABLE OF CONTENTS

<b>PREAMBLE</b> .....	3
<b>ARTICLE 1: NAME AND HEADQUATERS</b> .....	3
<b>ARTICLE 2: AIMS AND OBJECTIVES</b> .....	3
<b>ARTICLE 3: PROGRAMMES AND ACTIVITIES</b> .....	4
<b>ARTICLE 4: MEMBERSHIP</b> .....	4
<b>ARTICLE 5: CATEGORIES OF MEMBERSHIP</b> .....	4
<b>ARTICLE 6: PATRONS</b> .....	5
<b>ARTICLE 7: DISCIPLINARY SANCTIONS</b> .....	5
<b>ARTICLE 8: GOVERNING ORGANS OF THE ASSOCIATION</b> .....	5
<b>ARTICLE 9: NATIONAL DELEGATES CONFERENCE</b> .....	5
<b>ARTICLE 10: BUSINESS OF THE NATIONAL DELEGATES CONFERENCE</b> .....	6
<b>ARTICLE 11: NATIONAL EXECUTIVE COUNCIL</b> .....	7
<b>ARTICLE 12: ELECTION PROCEDURES</b> .....	8
<b>ARTICLE 13: FUNCTIONS OF THE NATIONAL EXECUTIVE COUNCIL</b> .....	8
<b>ARTICLE 14: SUB-COMMITTEES OF THE NATIONAL EXECUTIVE COUNCIL</b> .....	9
<b>ARTICLE 15 FUNCTIONS OF THE NATIONAL OFFICERS</b> .....	9
<b>ARTICLE 16: GENERAL SECRETARY</b> .....	10
<b>ARTICLE 17: DEPUTY GENERAL SECRETARY</b> .....	11
<b>ARTICLE 18: NATIONAL SECRETARIAT</b> .....	11
<b>ARTICLE 19: REGIONAL DELEGATES CONFERENCE</b> .....	11
<b>ARTICLE 20: REGIONAL SECRETARIAT</b> .....	12
<b>ARTICLE 21: DISTRICT SECRETARIAT</b> .....	12
<b>ARTICLE 22: FINANCE</b> .....	12
<b>ARTICLE 23: STANDING ORDERS</b> .....	13
<b>ARTICLE 24: AMENDMENT OF THE CONSTITUTION AND DISSOLUTION OF THE ASSOCIATION</b> .....	13
<b>ARTICLE 25: MISCELLANEOUS</b> .....	14
<b>ARTICLE 26: CONTINGENCY ARRANGEMENTS</b> .....	14
<b>ARTICLE 27: INTERPRETATION</b> .....	15
<b>ARTICLE 27: TRANSITIONAL POVISIONS</b> .....	15
<b>APPENDIX 'A'</b> .....	16
<b>DRAFT CONSTITUTION OF NALAG AS REVISED BY THE NEC OF NALAG</b> .....	16
<b>EXPLANATORY MEMORANDUM</b> .....	16

**Article 7: Disciplinary Sanctions** ..... 16  
**Article 9: National Delegates Conference** ..... 16  
**Article 11: National Executive Council**..... 16  
**Article 19: Regional Delegates Conference**..... 16  
**FORMS OF OATH**..... 17  
**The Presidential Oath**..... 17  
**OATH OF NATIONAL EXECUTIVE**..... 17  
**THE OATH OF SECRECY**..... 17

## **PREAMBLE**

We, the members of the National Association of Local Authorities of Ghana (NALAG), a nationwide Association of Local Authorities in Ghana:

Affirming our faith in and commitment to local government administration, local level development, local economic development and local service delivery (hereinafter generically referred to as local government) as a means for the functional realization of the decentralization policy in Ghana;

Desirous of creating a platform for the enrichment and promotion of the ideals of local government including grassroots participation in governance and the harnessing of the creative and innovative potentialities of the local citizenry for the total development of the districts;

Recognizing the need for practitioners and other stakeholders in local government to pursue strategies to enhance the ability, welfare and performance including human resource development capacity of local authorities;

**DO HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.**

## **ARTICLE 1: NAME AND HEADQUARTERS**

1. The Association shall be known and called the National Association of Local Authorities of Ghana (NALAG) hereinafter referred to as “the Association”.
2. The Headquarters of the association shall be located in the national capital or any such place determined by a National Delegates Conference.

## **ARTICLE 2: AIMS AND OBJECTIVES**

The Association is a non-profit making body and shall have the following aims and objectives:

1. Promote the development of local government and decentralization in Ghana.
2. Assist Metropolitan, Municipal and District Assemblies, hereinafter referred to as “MMDAs” and lower local government bodies in the performance of all functions assigned to them in the Constitution or any other law.
3. Advocate and lobby for good and effective policies for the local government sector as well as the creation of an appropriate enabling environment for the effective and efficient performance of local authorities.
4. Propose alternative policy and legislative options for the local government sector that will ensure a more effective implementation of the 1992 constitutional provisions on Decentralization and Local Government.
5. Protect the rights, privileges and interests of all member MMDAs as may be affected by existing and future legislation and local government policies and programmes.
6. Assist in maintaining high standards of local government administration, local level development and local service delivery.
7. Provide a forum for discussion and exchange of ideas and information on matters of mutual interest related to local government as a means of solving problems of member MMDAs.
8. Cooperate with bodies and agencies concerned with local government in fostering good relationships between member MMDAs.
9. Assist the Central Government in the implementation and monitoring of its programmes in the metropolises, municipalities and districts.
10. Provide channels for effective communication between MMDAs and the Central Government.
11. Facilitate inter-district trade, cooperation and solidarity.

12. Affiliate with any international local government association with identical aims and objectives for the promotion of effective and efficient local government.

### **ARTICLE 3: PROGRAMMES AND ACTIVITIES**

In pursuance of the Aims and Objectives contained in Article 2, the Association may undertake the following programmes and activities inter alia:

1. Establish and maintain library and bureau of information relating to local government and to facilitate investigation and research into all aspects of local government.
2. Collect and disseminate information on all matters of interest to the Association.
3. Sponsor and assist the study of local government in any manner considered desirable including participation in both national and international conferences, workshops and seminars.
4. Promote the participation of the people in local government civic activities.
5. Enter into contracts and other transactions beneficial to the Association.
6. Do all such other lawful things as are incidental or conducive to the attainment of the aims and objectives of the Association.

### **ARTICLE 4: MEMBERSHIP**

The membership of the Association shall comprise the following:

- a. All MMDAs established under any enactment for the time being in force.
- b. Associate members as provided for under Article 5 of this Constitution.
- c. Honorary members as provided for under Article 5 of this constitution.

### **ARTICLE 5: CATEGORIES OF MEMBERSHIP**

1. All MMDAs existing at any time in Ghana are Full Members of the Association.
2. Associate membership is open to any association, institution or organization whose work or profession imparts on local government and decentralization and shall be available under the following conditions:
  - (i) The National Executive Council shall consider and determine applications for associate membership after consulting the Full Member in whose area the applicant lives.
  - (ii) The National Executive Council may invite associations, institutions and organizations and confer upon them associate membership.
3. Honorary membership is open to any individual who has demonstrated keen interest in local government and decentralization issues under the following conditions:
  - (i) The National Executive Council may consider and determine an application for honorary membership after consultation with the Full Member in whose jurisdiction the applicant is resident.
  - (ii) The National Delegates Conference may on the recommendation of the National Executive Council admit as an Honorary member any person who has rendered distinguished service to the cause of local government and decentralization in Ghana.

## **ARTICLE 6: PATRONS**

1. There shall be patrons of the Association appointed by the National Executive Council.
2. A patron shall be a person of high profile status and shall retain such position subject to good behavior.
3. A NEC may appoint not more than two patrons during its term of office, provided that the number of patrons shall not exceed twenty at any given time.

## **ARTICLE 7: DISCIPLINARY SANCTIONS**

1. An Associate or Honorary member of the Association may lose his her membership within three months after a demand has been made upon him or her to pay the agreed dues and the demand is not complied with. Provided the Association shall have in writing reminded the member concerned thirty days prior to the expiry of the stipulated thirty months.
2. The National Executive Council may apply disciplinary sanctions against a Full member of the Association if the Full Member refuses to comply with the Constitution, rules and regulations of the Association.
3. The disciplinary sanctions referred to in Clause (2) of this Article may take any of the following forms:
  - a) A ban on members of the offending Full Member forming part of official delegations of the Association to national or international functions;
  - b) Suspension of the voting rights of the offending Full Member of the Association at any or all meetings of the Association;
  - c) Prohibition of a member of the offending Full Member from contesting for any executive position in the Association;
  - d) The imposition of a pecuniary fine on the offending Full Member.
4. For the purpose of enforcing the disciplinary sanctions referred to in Clause (3) of this Article, there shall be established a 5-member Disciplinary Committee of the Association made up of such persons as the National Executive Council may determine.

## **ARTICLE 8: GOVERNING ORGANS OF THE ASSOCIATION**

The governing organs of the Association shall consist of the following:

- a) National Delegates Conference
- b) National Executive Council
- c) National Secretariat
- d) Regional Delegates Conference
- e) Regional Secretariat
- f) District Secretariat.

## **ARTICLE 9: NATIONAL DELEGATES CONFERENCE**

1. A national Delegates Conference shall be held every two years not later than six months after the close of the financial year at a venue to be determined by the National Executive Council, provided that as far as practicable, the National Delegates Conference shall rotate from region to region.

2. The National Delegates Conference shall be the supreme governing body of the Association and shall consist of the following delegates who shall be entitled to vote at the National Delegates Conference:
  - (i) The presiding Member, District Chief Executive and three (3) other delegates from each District. Assembly two of whom shall be elected members of the Assembly, one an appointed member and the least one of whom shall be a woman.
  - (ii) The three elected delegates from the District Assembly shall be elected at a General Meeting of the Assembly.
3. The following persons are entitled to attend the National Delegates Conference as non-voting observers:
  - (i) Associate and Honorary Member of the Association;
  - (ii) Such other persons as may be invited by the National Executive Council.
4. The quorum at a meeting of the National Delegates Conference shall be half of the total number of delegates entitled to vote.
5. The president or in his absence the presiding at the National Delegates Conference shall be entitled to a casting vote in the event of a tie.
6. The woman delegates to the National Delegates Conference shall constitute a Woman's Caucus of the National Delegates Conference.
7. An Extraordinary National Delegates Conference may be called by the President at the instance of the National Executive Council to deliberate on matters of an emergency nature that cannot await the regular bi-annual National Delegates Conference.

#### **ARTICLE 10: BUSINESS OF THE NATIONAL DELEGATES CONFERENCE**

The following businesses shall be transacted at the National Delegates Conference:

- a) Presentation of the Report of the National Executive Council by the President or any person acting on his behalf;
- b) Adoption of Resolutions relating to the Aims and Objectives of the Association;
- c) Ratification of investments made on behalf of the Association by the National Executive Council;
- d) Appointment of external Auditors;
- e) Election of members of the National Executive Council'
- f) Amendment of the Constitution;
- g) Matters proposed for discussion by District and Regional Secretariats and approved by the National Executive Council for the consideration of the National Delegates Conference;
- h) Any other Business.

## **ARTICLE 11: NATIONAL EXECUTIVE COUNCIL**

1. The National Executive Council shall comprise the following:
  - a) President
  - b) First Vice President
  - c) Second Vice President
  - d) One representative from each of the regions
  - e) Two Trustees
  - f) National Treasurer
  - g) One woman elected by the woman's caucus of the National Delegates Conference.
2. The General Secretary shall be the Secretary to the National Executive Council and in that capacity, he or she shall issue out notices of meetings and keep minutes of proceedings of meetings.
3. The National Executive Council may invite any member of the immediate past National Executive Council to attend any of its meetings, but any such invited person shall not be deemed to be a member of the National Executive Council and shall not be entitled to vote.
4. The National Executive Council shall meet at least once every quarter.
5. The President, First Vice President, Second Vice President, the two Trustees and the Women's Caucus representative on the National Delegates Council shall be elected at the National Delegates Conference, except that the Women's Caucus representative shall be elected by the Women's Caucus of the National Delegates Conference only.
6. The officers of the National Executive Council elected at the National Delegates Conference as well as the Regional Representatives to the National Executive Council shall hold office for another two year term only.
7. A person qualifies to be elected a member of the National Executive Council if he is a member of a District Assembly.
8. A member of the National Executive Council ceases to be such a member:
  - a) Upon his or her death;
  - b) Upon ceasing to be a member of a District Assembly under any circumstances whatsoever;
  - c) If by writing under his or her hand addressed to be President, he or she resigns, except that in the case of the President, the resignation shall be addressed to the National Executive Council through the General Secretary;
  - d) If he or she becomes disqualified from holding public office under any law in force;
  - e) If he or she absents himself or herself from more than three consecutive ordinary meetings of the National Executive Council without the written permission of the president.
9. Where a member of the National Executive Council ceases to be a member under clause (8) of this Article, the National Executive Council shall appoint another Assembly member from the District Assembly of which he or she was a member to serve out the unexpired period of the member's term.
10. The quorum for meetings and the conduct of business of the National Executive Council shall be at least one-third of the total membership of the National Executive Council.



## **ARTICLE 12: ELECTION PROCEDURES**

For purposes of election to positions on the National Executive Council to be contested at the National Delegates Conference, the following rules shall apply.

1. The Secretariat shall inform all members of the Association of the positions to be contested for at least one month before the said Conference and this information shall immediately be notified to all Assembly members by the District Secretariat of the Association.
2. Nomination forms for the elections may be obtained from the District Secretariat of the Association two weeks to the Conference or at the Conference Registration Desk.
3. A candidate for the position of any of the offices to be contested for shall be proposed by an accredited delegate to the National Delegates Conference and seconded by five other accredited delegates who shall come from five different districts in five different regions of the country.
4. Nominations shall close six hours to the time for the conduct of the election.
5. The elections shall be conducted by secret ballot.
6. The candidate who receives the highest number of votes cast in the election shall be deemed to be elected to the position contested for.
7. Where at the close of nominations only one candidate is nominated, such candidate shall be deemed to be elected unopposed.
8. The elections shall be conducted and supervised by the Electoral Commission.
9. A candidate for any position who may not be satisfied with the results of the election may present a petition to the Electoral Complaints Committee established under the Article immediately after the declaration of the results at the Conference grounds.
10. The Electoral Complaints Committee shall consist of the following persons:
  - (a) A representative each from two regions after the two regions have been selected by ballot among the ten regions, save that the region of the petitioner shall be excluded from the ballot;
  - (b) The General Secretary of the Association.
11. The Electoral Complaints Committee shall elect a Chairman from among the members, save that the General Secretary shall not be the Chairman.
12. If the petitioner is not satisfied with the decision of the Electoral Complaints Committee, he or she may appeal to the High Court within twenty-one days from the day of the decision.

## **ARTICLE 13: FUNCTIONS OF THE NATIONAL EXECUTIVE COUNCIL**

1. In addition to the other functions to be performed by the National Executive Council as stipulated elsewhere in this Constitution, the functions of the National Executive Council shall be to:
  - (a) Prepare the Agenda for the National Delegates Conference;
  - (b) Submit resolutions of the National Delegates Conference to the relevant authorities;
  - (c) Implement the resolutions and decisions of the National Delegates Conference;
  - (d) Appoint the General Secretary and other senior staff of the National Secretariat;
  - (e) Direct the affairs of the Association in between meetings of the National Delegates Conference and generally take such actions as may be expedient in the interest of the Association.
- (2) The National Executive Council shall regulate its own procedure except that such regulation shall not conflict with any provision of this Constitution.

## **ARTICLE 14: SUB-COMMITTEES OF THE NATIONAL EXECUTIVE COUNCIL**

- (1) For the attainment of the aims and objectives of the Association and the effective performance of its functions, the National Executive Council shall establish the following Sub-Committees:
  - (a) Finance and Administration
  - (b) Policy and Resolutions
  - (c) Economic Development
  - (d) Environment, Sanitation and Tourism
  - (e) Gender and Development
  - (f) International Relations
  - (g) Public Relations.
- (2) Each Sub-Committee shall consist of not less than three members one of whom shall be a member of the National Executive Council who shall be the Chairman of the Sub-Committee.
- (3) A Sub-Committee shall regulate its own procedure but such regulation shall not conflict with any provision of this Constitution.
- (4) A Sub-Committee shall perform functions relevant to its subject matter assigned to it by the National Executive Council.
- (5) The General Secretary shall be an ex-officio member of every Sub-Committee but shall not be counted among the number of the Sub-Committee members.
- (6) The National Executive Council may at any time dissolve and reconstitute any of its Sub-Committees.

## **ARTICLE 15 FUNCTIONS OF THE NATIONAL OFFICERS**

- (1) The President shall:
  - (a) Convene meetings of the National Delegates Conference and the National Executive Council;
  - (b) Preside over meetings of the National Delegates Conference and the National Executive Council and in his or her absence the First Vice President and the Second Vice President in that order and in the absence of all three, a member of the National Executive Council elected by the meeting shall preside.
- (2) The First Vice President shall act in the absence of the President and perform any other functions delegated to him or her by the president.
- (3) The Second Vice President shall act in the absence of the President and the First Vice President and shall perform any other functions delegated to him or her by the President or the First Vice President as the case may be.

- (4) The National Treasurer shall:
  - a) Ensure prompt payment into the Association's bank account all monies due and paid to the Association.
  - b) Ensure that expenditures of the Association are kept within the approved budget;
  - c) Be a signatory to the bank accounts of the Association;
  - d) Submit financial reports at the quarterly meetings of the National Executive Council.
- (5) The Trustees shall:
  - a) Hold any keep records of all non-monetary assets and other properties of the Association;
  - b) Advise and make recommendations for the maintenance of records and improvement in the record keeping of the Association;
  - c) Report to the quarterly meetings of the National Executive Council and the bi-annual meetings of the National Delegates Conference on the state of the non-monetary assets and other properties of the Association.
- (6) The elected women members and any other women members of the National Executive Council shall organize a Women's Caucus of the National Delegates Conference to ensure that women's issues are mainstreamed into the deliberations of the National Delegates Conference and the National Executive Council and generally into the activities of the Association.

#### **ARTICLE 16: GENERAL SECRETARY**

- (1) The Association shall have a General Secretary who shall be appointed by the National Executive Council.
- (2) The term of office and other conditions of the General Secretary shall be determined by the National Executive Council and spelt out in his or her letter of appointment.
- (3) The General Secretary shall be the Chief Executive Officer of the Association.
- (4) The functions of the General Secretary shall be to:
  - a) Be responsible for the management and day-to-day administration of the Association;
  - b) Implement the resolutions and decisions of the National Delegates Conference and National Executive Council;
  - c) Be the head of the National Secretariat and ensure the implementation of its programmes and activities under the guidance of the President;
  - d) Recommend for approval by the National Executive Council the appointment of such staff as may be required at the National Secretariat.
- (5) The General Secretary shall submit to the National Executive Council the income and expenditure account of the Association within one month from the end of the financial year of the Association.
- (6) The General Secretary may resign his position by giving at least three month notice in writing to the National Executive Council.

- (7) The appointment of the General Secretary may be terminated by the National Executive Council for stated misconduct or financial malfeasance as may have been established by a Committee of Inquiry or an Audit Team set up by the National Executive Council.
- (8) The appointment of the General Secretary shall be automatically terminated if he or she files to contest national Presidential or Parliamentary elections on the ticket of a political party.

#### **ARTICLE 17: DEPUTY GENERAL SECRETARY**

- (1) There shall be a Deputy General Secretary appointed by the National Executive Council who shall perform such functions as shall be assigned to him by the General Secretary.
- (2) The Deputy General Secretary shall act for the General Secretary in the absence of the General Secretary.
- (3) The term and other conditions of the Deputy General Secretary shall be determined by the National Executive Council and spelt out in his or her letter of appointment.
- (4) The appointment of the Deputy General Secretary shall be automatically terminated if he or she files to contest national Presidential or Parliamentary elections on the ticket of a political party.

#### **ARTICLE 18: NATIONAL SECRETARIAT**

- (1) There shall be a National Secretariat of the Association which shall be headed by the General Secretary and comprise of such staff as the General Secretary, with the approval of the National Executive Council, may appoint.
- (2) The National Secretariat shall perform the following functions:
  - a) Implement the decisions of the National Executive Council;
  - b) Be responsible for the day-to-day administration of the Association;
  - c) Maintain the bank accounts of the Association;
  - d) Prepare the annual budget for the Association for the approval of the National Executive Council through the Finance and Administration Sub-Committee of the National Executive Council;
  - e) Submit an annual report on the activities of the Association for consideration and adoption by the National Executive Council;
  - f) Perform any other functions assigned to it by the National Executive Council.

#### **ARTICLE 19: REGIONAL DELEGATES CONFERENCE**

- (1) A Regional Delegates Conference shall be held at least once every year.
- (2) A Regional Delegates Conference shall be attended by the Presiding Member, the District Chief Executive and three other delegates from each District Assembly in the region two of whom shall be elected members of the District Assembly and one an appointed member and at least one of whom shall be a woman.

- (3) The Regional Delegates Conference shall:
- (a) Elect the regional representative to the National Executive Council;
  - (b) Propose resolutions to be discussed at the National Delegated Conference;
  - (c) Approve the appointment of common interest to the Association in the region;
  - (d) Approve the appointment of the staff of the Regional Secretariat;
  - (e) Perform such other functions as may be assigned to it by the National Delegates Conference or the National Executive Council.

#### **ARTICLE 20: REGIONAL SECRETARIAT**

- (1) There shall be a Regional Secretariat of the Association in each region which shall be staffed by such officers as may be appointed by the Regional Delegates Conference.
- (2) The staff positions at the Regional Secretariat shall be determined by the National Executive Council.
- (3) The Regional Secretariat shall:
- a) Organize such programmes of the Association in the region as may be directed by the National Executive Council or decided by the Regional Delegates Conference;
  - b) Be in charge of the day-to-day administration of the Association in the region;
  - c) Serve as a link between the District Secretariat and the National Secretariat;
  - d) Perform any other functions as may be directed by the National Executive Council or decided by the Regional Delegates Conference,

#### **ARTICLE 21: DISTRICT SECRETARIAT**

- (1) There shall be a District Secretariat of the Association in every district staffed by a Desk appointed by the District Assembly concerned with the prior approval of the National Executive Council.
- (2) The District Secretariat shall:
- (a) Serve as the link between the National and Regional Secretariats and the relevant District Assembly;
  - (b) Disseminate information in the district on the activities of the Association and ensure the implementation of the programmes and activities of the Association in the district as appropriate;
  - (c) Perform such other functions as may be assigned to it by the National or Regional Secretariat.

#### **ARTICLE 22: FINANCE**

- (1) The Association shall derive its income from the following source:
- a) Membership dues
  - b) Income from investments
  - c) Grants
  - d) Special Levies
  - e) Borrowing
  - f) Other sources determined by the Nation Executive Council.

- (2) The National Executive Council shall recommend to the National Delegates Conference the membership dues payable by the Full Members of the Association.
- (3) Associate and Honorary Members shall pay such dues as may be agreed between them individually and the president acting on behalf of the National Executive Council.
- (4) The Balance Sheet of the Association certified by the Association's external auditor shall be submitted to the National Delegates Conference for approval.
- (5) The financial year of the Association shall commence on 1<sup>st</sup> January and end on 31<sup>st</sup> December of the same year.
- (6) The Association shall maintain one or more bank account at such bank or banks as the National Executive Council may from time to time decide.
- (7) The National Executive Council shall have power to invest any funds standing to the credit of the Association in secured ventures and report to the next National Delegates Conference for ratification.
- (8) Copies of the audited accounts of the Association and the auditor's report thereon shall be made available to all Full Members of the Association within three months of the end of the financial year.
- (9) The funds, assets and facilities of the Association shall not be used to further the political programme of any political party.
- (10) The National Treasurer, the General Secretary and one other member of the National Executive Council nominated by the National Executive Council shall be the signatories to the Bank Accounts of the Association, except that the General Secretary's signature shall be mandatory in all cases.

#### **ARTICLE 23: STANDING ORDERS**

The National Executive Council shall prepare standing Orders which shall regulate proceedings at meetings of the National Delegates Conference, Extraordinary National Delegates Conference, National Executive Council, Regional Delegates Conference and any other meetings of the Association.

#### **ARTICLE 24: AMENDMENT OF THE CONSTITUTION AND DISSOLUTION OF THE ASSOCIATION**

- (1) This Constitution may only be amended or the Association may only be dissolved by the National Delegates Conference.
- (2) Any proposal for an amendment of this Constitution or the dissolution of the Association shall emanate from the National Executive Council or from not less than six District Assemblies from six different regions.
- (3) All District Assemblies shall be notified of the proposals at least two months before the meeting of the National Executive Council at which they are to be considered.

- (4) Notice of a motion to amend the Constitution or dissolve the Association shall be delivered to the General Secretary and copied to all members of the Association not less than one month before the National Delegates Conference at which the motion is to be tabled.
- (5) A motion to amend the Constitution or dissolve the Association shall not be adopted unless two-thirds of the total number of District Assemblies is present at the National Delegates Conference and two-thirds majority of those present and voting votes for the motion.
- (6) No proxy votes shall be permitted in respect of a motion to amend the Constitution or dissolve the Association.

#### **ARTICLE 25: MISCELLANEOUS**

- (1) Where any matter or thing has been commenced before the coming into force of this Constitution by a person or authority that has power for the purpose of the existing Constitution, that matter or thing may be carried on and completed by the person or authority having power for the purpose after the coming into force of this Constitution and it shall not be necessary for the person or authority to commence the matter or thing afresh.
- (2) Subject to the provisions of this Constitution, all assets and properties which immediately before the coming into force of this Constitution were vested in any authority or person for the purpose of or in the right of the Association shall, on the coming into force of this Constitution without further assurance than this Article, vest in the Association or any person so authorized by the Association or any person so authorized by the Association or under his or her powers to exercise such responsibility.

#### **ARTICLE 26: CONTINGENCY ARRANGEMENTS**

- (1) In the event of all the members of the National Executive Council resigning en bloc, General Secretary shall convene an Extraordinary National Delegates Conference within 45 days to elect new members to constitute the National Executive Council.
- (2) In the event of the National Executive Council being unable to function by reason of a lack of quorum for an indefinite period, the General Secretary shall convene an Extraordinary National Delegates Conference within 54 days to elect replacement members to the National executive Council.
- (3) If in the case of either Clause (1) or (2) of this Article, the General Secretary is also unavailable or unable to perform the functions of his office, the Deputy General Secretary shall convene an Extraordinary National Delegates Conference within 45 days to elect new members of the National Executive Committee or replacement members of the National Executive Council as appropriate.
- (4) If in the case of either Clause (1) or (2) or (3) of this Article, the Deputy General Secretary is also unavailable or unable to perform the functions of his office, the Registrar General of the Republic of Ghana shall convene an Extraordinary National Delegates Conference within 45 days to elect new members of the National Executive Council or replacement members of the National Executive Council as appropriate.

## **ARTICLE 27: INTERPRETATION**

In this Constitution, unless the context otherwise requires –

“District Assembly” includes Municipal and Metropolitan Assemblies;

“District Chief Executive”

## **ARTICLE 27: TRANSITIONAL PROVISIONS**

- (1) Notwithstanding any provision to the contrary in this Constitution, the persons elected as members of the National Executive Council under the Constitution of the Association before the coming into force of this Constitution shall be deemed to have been duly elected for the purpose of this Constitution.
- (2) Upon the coming into force of this Constitution, the National Delegates Conference that convened to enact this Constitution shall be deemed to be the National Delegates Conference convened as provided for under this Constitution.
- (2) Any person who, immediately before the coming into force of this Constitution, held or acted in an office, shall be deemed to have been appointed as far as is consistent with the provisions of this Constitution to hold or act in the equivalent office under this Conference.
- (4) A person who before the coming into force of this Constitution would have been required under the Constitution in force to vacate his office at the expiration of a period of service shall, notwithstanding Clause(3) of this Article, vacate his office at the expiration of that period.
- (5) The persons referred to in Clause (3) of this Article shall assume office on the date of the coming into force of this Constitution notwithstanding any provision to the contrary in this Constitution.



## APPENDIX 'A'

### DRAFT CONSTITUTION OF NALAG AS REVISED BY THE NEC OF NALAG

#### EXPLANATORY MEMORANDUM

##### **Article 7: Disciplinary Sanctions**

1. A new Clause (iv) has been added to the sanctions that may be imposed on an offending Full Member as follows:  
“(iv) *The imposition of a pecuniary fine on the offending Full Member*”.
2. Instead of the 5-member Disciplinary Committee being composed of only Honorary Members of the Association, it is now being composed on “*such persons*” as the NEC may determine. This will provide the necessary flexibility for the NEC to appoint the members from inside or outside the Association.

##### **Article 9: National Delegates Conference**

In Clause 2 (i), the proviso that would have allowed MMDAs to elect members of the Unit Committee to be delegates to the National Delegates Conference has been deleted.

##### **Article 11: National Executive Council**

1. In Clause 1 (a)-(c), the proviso that required at least one of the two Vice Presidents to be a woman has been deleted.
2. In Clause 1 (e), the requirement that at least one of the two Trustees shall be a woman has been deleted.
3. In Clause 8 (d), the provision that a person ceases to be a member of the NEC if he or she files to contest the national Presidential or Parliamentary elections on the ticket of a political party has been deleted.

##### **Article 19: Regional Delegates Conference**

In compliance with the recommendation of the NEC Sub-Committee which considered the revised draft Constitution, Clause 19 (3) (a) has been amended to read that the Regional Delegates Conference shall elect a Regional Chairperson who shall be the regional representative ON the NEC.

## FORMS OF OATH

### Oath of Office

I ..... Having been appointed to the office of ..... do (in the name of the Almighty God swear) (solemnly affirm) that I will bear true faith and allegiance to the National Association of Local Authorities of Ghana (NALAG) as by law established, and I will uphold the integrity, preserve, protect and defend the constitution of the Association [*To be sworn before Conference or any person or National Executive Council*]

### The Presidential Oath

I ..... Having been elected to the high office of President/ 1<sup>st</sup> Vice President/ 2<sup>nd</sup> President of the National Association of Local Authorities of Ghana (NALAG) do (in the name of the Almighty God swear) (solemnly affirm) that I will be faithful and true to the Republic of Ghana; that I will at all times preserve, protect and defend the Constitution of the Association, and that I will dedicate myself to be service of the membership.

I further (solemnly swear) (solemnly affirm) that should I at any time break this oath of office I shall submit myself to the laws of the Association and suffer the penalty for it. (So help me God)

[*To be administered by way of the following: A justice of the Superior Court of Judicature or a Senior Lawyer*]

### OATH OF NATIONAL EXECUTIVE

I ..... Having been elected a member of the National Executive Council (NEC) do (in the name of the Almighty God swear) (solemnly affirm) that I will not directly or indirectly reveal such matters as shall be debated in the Council and committed to any secrecy; and that I will this Association. (So Help me God)

[To be sworn before Conference]

### THE OATH OF SECRECY

I.....Holding the office of ..... do (in the name of the Almighty God swear) (solemnly affirm) that I will not directly or indirectly communicate or reveal to any person any matter which shall be brought under any consideration or shall come to my knowledge in the discharge of my official duties or as may be required for the discharge of my official duties or as may be specifically permitted by law. (So help me God)

[To be sworn before Conference of National Executive Council]

DATED AT HOTEL EREDEC, KOFORIDUA THIS 14<sup>TH</sup> DAY OF SEPTEMBER 2012  
THIS CONSTITUTION SHALL, HOWEVER COME INTO EFFECT ON 1<sup>ST</sup> SEPTEMBER 2013