

# ELECTIONS LAWS FOR OTHER ORGANIZATIONS

## 7.1 C.I. 1 ELECTION OF REGIONAL REPRESENTATIVE ON COUNCIL OF STATE

### *Regional representatives of Council of State.*

1. In accordance with paragraph (c) of clause (2) of article 89 of the Constitution there shall be elected one representative from each region of Ghana as a member of the Council of State

### *Qualification of representatives.*

2. No person is qualified to be elected as a regional representative to the Council of State who -
- (a) is not a citizen of Ghana;
  - (b) is not a registered voter;
  - (c) is not resident in or does not hail from the region for which he seeks representation;
  - (d) has been adjudged or otherwise declared –
    - (i) bankrupt under any law in force in Ghana and has not been discharged; or
    - (ii) to be of unsound mind or is detained as a criminal lunatic under any law in force in Ghana; or
  - (e) has been convicted –
    - (i) for high crime under the Constitution or high treason or treason or for an offence involving the security of the State, fraud, dishonesty or moral turpitude; or
    - (ii) for any other offence punishable by death or by a sentence of not less than ten years; or
  - (f) has been found by the report of a commission or a committee of inquiry to be incompetent to hold public office or is a person in respect of whom a commission or committee of inquiry has found that while being a public officer he acquired assets unlawfully or defrauded the State or mis-used his office, or willfully acted in a manner prejudicial to the interest of the State, and the findings have not been set aside on appeal or judicial review; or
  - (g) is under sentence of death or other sentence of imprisonment imposed on hem by any court; or

- (h) is a member of the electoral college constituted under paragraph 3 of this Instrument; or
- (i) is otherwise disqualified by a law for the time being in force.

***Electoral college.***

3. There shall be constituted an electoral college in every Region of Ghana for the purpose of electing a Regional representative to the Council of State.

***Composition of electoral college.***

4. The electoral college shall comprise two representatives from each of the districts in the region nominated by the District Assemblies in the region.

***Meeting of electoral college.***

5. Each electoral college shall meet on such date, time and place as the Electoral Commission may determine for the purpose of electing the regional representatives to the Council of State.

***Nomination of candidates.***

6. (1) A candidate shall be nominated on a nomination form provided by the Commission and the form shall be delivered by the candidate or his proposer to the regional representative of the Commission at a date and time directed by the Commission.

(2) The nomination paper shall be witnessed by the signature or mark of two registered voters as proposer and seconder and supported by twenty voters registered in the Region as assenting to the nomination.

(3) For the purpose of the first election under this Instrument, the nomination day shall not be less than five days or more than seven days from the date of the coming into force of this Instrument.

***Candidate's photograph.***

7. A candidate shall, at the time of his nomination, deliver to the returning officer two post-card size copies of his photograph (bust).

***Holding of election.***

8. The election shall be held -

- (a) within fourteen days after the close of nominations; and
- (b) at the same date and time in all the regional capitals except that where circumstances demand, the Commission may permit the holding of an election in a regional capital at a different date and time.

***Procedure for the election.***

- 9. (1) The Commission shall supervise the election of a regional representative to the Council of State.
- (2) The election shall be by secret ballot.
- (3) The person who obtains the highest valid votes cast at the election shall be declared elected.
- (4) Where two candidates obtain the highest number of valid votes cast, then unless there is a withdrawal, the process shall be continued until one candidate is elected.

***Application of existing electoral laws.***

- 10. Except as otherwise provided in this Instrument, the provisions of existing electoral laws shall apply to elections under this Instrument with such modifications and adaptations as may be necessary.

***Notification of election results.***

- 11. The Electoral Commission shall furnish the President with the names of the elected members and shall publish the results of the election in the Gazette and the media.

***Interpretation.***

- 12. In this Instrument unless the context otherwise requires -

“Commission” means the Electoral Commission;

“District Assembly” includes a Municipal or Metropolitan Assembly;

“Electoral Commission” includes the Interim National Electoral Commission.

**7.2 CHIEFTAINCY ACT, 1971., ACT 370**

**PART I - NATIONAL HOUSE OF CHIEFS**

### *National House of Chiefs.*

1. (1) There is hereby established a National House of Chiefs.

(2) The membership of the National House of Chiefs shall be composed of five chiefs from each Region of Ghana elected by the House of Chiefs of the Region.

(3) The National House of Chiefs shall have a President who shall be Head of the National House of Chiefs.

(4) The President of the National House of chiefs shall be a chief elected by the members of the National House of Chiefs from among their number.

(5) There shall also be a Vice-President of the National House of Chiefs who shall be a chief elected by the said House from among their number and who shall act as the Head of that House in the absence of the President.

(6) The Electoral Commissioner shall supervise any election of a person as President, Vice-President or member of the National House of Chiefs and he or any public officer nominated by him in writing shall be the returning officer for any such election.

(7) The body known immediately before the commencement of this Act as the National House of Chiefs shall be deemed to be the National House of Chiefs for the purposes of this Act.

(8) Any person holding the office of President or Vice-President of the said House or who was a member of that House immediately before the commencement of this Act shall be deemed to have been duly elected for the purposes of this Act with effect from the commencement of this Act.

(9) A person elected President or Vice-President or member of the National House of Chiefs shall hold office for three years but shall upon the expiration of his term of office be eligible for re-election, so however that no person shall be eligible to hold office as President for more than two terms in succession.

(10) No person shall be qualified to be President or Vice-President of the National House of Chiefs -

(a) if he has been sentenced to death or to a term of imprisonment exceeding twelve months without option of a fine or has been convicted of an offence involving dishonesty or moral turpitude and in each case has not been granted a free pardon; or

(b) if he is adjudged to be a person of unsound mind; or

(c) if having been declared as an insolvent or bankrupt under any law for the time being in force in Ghana or in any other country he is an undischarged insolvent or bankrupt; or

- (d) if being a person possessed of professional qualifications, he is disqualified from practicing his profession by the order of any competent authority made in respect of him personally, not being an order made at his own request or within five years previously;

Provided that a person shall not be deemed to be disqualified under paragraph (a) of this subsection if 5 years or more have elapsed since the date of the conviction or the end of the sentence whichever is the later.

(11) Where a vacancy occurs in the office of the President, Vice-President or a member of the national House of Chiefs the Registrar of that House shall notify the Electoral Commissioner in writing of the occurrence of that vacancy within 14 days of such occurrence and the Electoral Commissioner shall, by notice published in the *Local Government Bulletin* and in such other manner as the Electoral Commission may think fit summon a meeting of the National House of Chiefs or the respective Regional House of Chiefs as the case may be, within twenty-one days after being notified of the vacancy for the election of a President, Vice-President or a member of the National House of Chiefs as the case may be.

(12) The Electoral Commissioner may by legislative instrument make such rules as he may think appropriate for regulating the conduct of elections of the President, Vice-President and members of the National House of Chiefs.

#### ***Functions and committees of National House of Chiefs.***

2. (1) The National House of Chiefs shall have the functions conferred on it by article 154 of the Constitution and also such other functions as are conferred on it by this Act or as may be conferred on it from time to time by any other enactment.

(2) Subject to the provisions of this Act, the National House of chiefs may appoint such committees comprising such persons as it may determine to assist it in the discharge of its functions and subject as aforesaid may delegate to any such committee such of its functions as it may think fit.

(3) Standing Orders made under section 4 of this Act may regulate the composition, tenure of office and procedure of such committees and may also make such other provision in relation to such committees as may appear to the National House of Chiefs to be expedient.

#### ***Matters for consideration and advice.***

3. The National House of Chiefs shall be responsible for advising any person or authority charged by the Constitution or any other enactment with any responsibility for any matter relating to chieftaincy.

#### ***Standing Orders of the National House of Chiefs.***

4. The National House of Chiefs may make Standing Orders for the regulation and orderly conduct of its business.

***Meetings of the National House of Chiefs.***

5. (1) The National House of Chiefs shall meet for the dispatch of its business at such place and time as that House may determine but shall meet not less than twice in any year.

(2) The Registrar of the National House of Chiefs shall also call a special meeting of the House upon a request made in writing in that behalf and signed by the President of that House or not less than one-half of the total number of members of the House.

(3) No business except that of adjournment shall be transacted at any meeting of the National House of Chiefs at which there are present less than one-half of the total number of members of the House.

(4) The President of the National House of Chiefs shall, if present at any meeting of the House, preside at that meeting and in his absence the Vice-President shall preside and in the absence of the Vice-President a member of the House elected by the members present from among their number shall preside at that meeting.

(5) Any question arising for decision by the National House of Chiefs shall be determined by the votes of the majority of the members present and voting, and in the event of an equality of votes the President or other person presiding at that meeting shall have a second or casting vote :

Provided that standing orders of the National House of Chiefs may provide for the participation in the proceedings of the said House by a member through a representative and the casting of votes by proxy or by any other means of representation permitted by customary law.

(6) The validity of the proceedings at any meeting of the National House of Chiefs shall not be affected by any vacancy in the office of the President or Vice-President or in the membership of that House or by any defect in the appointment or election of any person holding such office.

**PART II - REGIONAL HOUSES OF CHIEFS**

***Regional Houses of Chiefs.***

6. (1) There is hereby established for each Region of Ghana a Regional House of Chiefs.

(2) Each Regional House of Chiefs shall consist of such members as may be specified in relation thereto by legislative instrument made by the President acting in consultation with the Prime Minister.

(3) There shall be a President of each Regional House of Chiefs who shall,

- (a) be the Head of that House.
- (b) in the case of the Ashanti Regional House of Chiefs, be the Asantehene, and
- (c) in the case of any other Regional House of Chiefs, be a chief elected in the manner specified by an instrument made under subsection (2) of this section.

(4) There shall also be a Vice-President of each such House who shall be a chief elected by the members of that House from their number and shall act as Head of that House in the absence of the President and shall perform the functions of the President in the absence of the President.

(5) A President other than the President of the Ashanti Regional House of Chiefs and a Vice-President shall hold office for three years and shall be eligible for re-election so however that no person shall be eligible for election as President for more than two terms in succession.

(6) Where the seat of a member of a Regional House of Chiefs becomes vacant and his successor is required by an instrument made under subsection (2) of this section to be drawn from a specified group of Chiefs -

- (a) the Registrar of the said House shall notify the Electoral Commissioner in writing of the occurrence of the vacancy within fourteen days of such occurrence;
- (b) a meeting of the group shall be convened by the Electoral Commissioner by a notice published in the *Local Government Bulletin*;
- (c) subject to the following subsection, the meeting shall proceed to the election of a new member, who shall be taken to be elected if he secures a simple majority of the votes cast;
- (d) the Electoral Commissioner shall cause to be published in the *Local Government Bulletin* notice of the result of the election which notice shall be signed by him or any public officer authorized by him in writing.

(7) An election shall not be held under subsection (6) of this section if less than one-half of the chiefs in the group are present and where -

- (a) an insufficient number of chiefs is present, or
- (b) no chief obtains a majority of votes cast,

the new member shall be nominated by the Regional House of Chiefs from among the chiefs in the group to which the election relates.

(8) A new member elected or nominated under subsection (6) or (7) of this section shall hold office for two years and shall then vacate his seat and any such member vacating his seat shall be eligible to fill the vacancy.

***Election of President of Regional House of Chiefs.***

7. Where the office of the President of a Regional House of Chiefs becomes vacant and his successor is required by an instrument made under subsection (2) of section 6 of this Act to be elected from among the members or a specified group of members -

- (a) the Registrar of the Regional House of Chiefs shall notify the Electoral Commissioner in writing of the occurrence of the vacancy within fourteen days after the said occurrence.
- (b) A meeting of the Regional House of Chiefs shall be convened by the Electoral Commissioner by notice published in the *Local Government Bulletin*,
- (c) Subsection (3) of section 11 of this Act the meeting shall proceed to the election under the supervision of the Electoral Commissioner or any public officer authorized by him in writing, by secret ballot of the President, who shall be taken to be elected if he secures a simple majority of the votes cast,
- (d) The Electoral Commissioner shall publish the result of the election in the *Local Government Bulletin* giving the total number of votes cast and the number cast in favour of the successful candidate.

***Existing Regional Houses of Chiefs to continue.***

8. (1) The Regional Houses of Chiefs in existence immediately before the commencement of this Act shall be deemed to be the Regional Houses of Chiefs for the purposes of this Act.

(2) Until an instrument is made under subsection (2) of section 6 of this Act prescribing the membership of any Regional House of Chiefs, the membership of that House shall be as it was immediately before the commencement of this Act.

(3) Any person holding the office of Head or Deputy Head (howsoever called) or member of any such House of Chiefs immediately before the commencement of this Act, shall continue to hold such office subject to the provisions of this Act so however that any such person holding office as Head or Deputy Head shall after the commencement of this Act be referred to as the President or Vice-President respectively of that House.

(4) Where a person to whom subsection (3) of this section applies is required by this Act to be elected he shall be deemed to have been duly elected with effect from the commencement of this Act.

***Functions and committees of Regional Houses of Chiefs.***

9. (1) The authority of a Regional House of Chiefs shall apply within its Region.

(2) Each Regional House of Chiefs shall have in relation to its Region the functions conferred on it by article 155 of the Constitution and also such other functions as are conferred on it by this Act or as may be conferred on it from time to time by any other enactment.

(3) If any matter is referred to it by the National Assembly or the Minister or any authority charged by any enactment with responsibility for any matter relating to chieftaincy a Regional House of Chiefs shall give consideration to the matter and report on it as may be required.

(4) Subject to the provisions of this Act a Regional House of Chiefs may appoint such committees comprising such persons as it may determine to assist it in the discharge of its functions, and subject as aforesaid may delegate to any such committee such of its functions as it may think fit.

(5) Standing Orders made under section 10 of this Act may regulate the composition, tenure of office and procedure of such committees and may also make such other provision in relation to such committees as may appear to the House of Chiefs making the Standing Orders to be expedient.

***Regional Houses of Chiefs to make Standing Orders.***

10. Each Regional House of Chiefs may make Standing Orders for the regulation and orderly conduct of its business.

***Meetings of Regional Houses of Chiefs.***

11. (1) Each Regional House of Chiefs shall meet for the dispatch of its business at such place and time as that House may determine but shall meet not less than twice in any year.

(2) The Registrar of each Regional House of Chiefs shall also call a special meeting of the House upon a request made in that behalf and signed by the President of that House or not less than one-half of the total number of members of that House.

(3) No business except that of adjournment shall be transacted at any meeting of a Regional House of Chiefs at which there are present less than one-half of the total number of members of that House.

(4) The President of each Regional House of Chiefs shall, if present at any meeting of the House, preside at that meeting and in his absence the Vice-President or in the absence of the Vice-President a member of the House elected by the members present from among their number shall preside at that meeting.

(5) Any question arising for decision by any Regional House of Chiefs shall be determined by the votes of the majority of persons present and voting and in the event of an equality of votes the President or other person presiding at that meeting shall have a second or casting vote:

Provided that Standing Orders of the Regional House of Chiefs may provide for participation in the proceedings of the said House by a member through a representative and the casting of votes by proxy or any other means of representation permitted by customary law.

(6) The validity of the proceedings at any meeting of Regional House of Chiefs shall not be affected by any vacancy in the office of President or Vice-President or in the membership of the House or by any defect in the appointment or election of any person holding such office.

**PART III - TRADITIONAL COUNCILS**

### ***Traditional Councils.***

12. (1) There shall be a Traditional Council for each traditional area and the Traditional Councils in existence immediately before the commencement of this Act shall continue in existence for the traditional areas in respect of which they existed immediately before the said commencement.

(2) The name of every Traditional Council shall be shown in the National Register of Chiefs maintained under section 50 of this Act.

### ***President of Council.***

13. (1) Except in the case of a joint Council, the Paramount Chief of a traditional area or, in the case of the Kumasi traditional area, the Asantehene shall be the President of the Traditional Council.

(2) In the case of a joint Council, the President shall be such of the Paramount Chiefs exercising jurisdiction in the traditional area in question as the Minister may acting on the advice of the National House of Chiefs by notice published in the *Local Government Bulletin* direct.

### ***Membership.***

14. (1) Subject to the provisions of this section, a Traditional Council shall consist, in addition to the President, of the persons shown in the National Register of Chiefs as the members thereof.

(2) Subject to subsection (4) of this section, the membership of a Traditional Council in the first instance shall be the same as the membership of that Council immediately before the commencement of this Act.

(3) As soon as practicable after any change occurs in the membership of a Traditional Council the Council shall notify the Regional House of Chiefs thereof which shall in turn notify the National House of Chiefs and, subject to the following subsection, the National House of Chiefs shall cause the said Register to be altered accordingly.

(4) If the National House of Chiefs is satisfied after consultation with the appropriate Regional House of Chiefs that any person should, or that any person should not, be a member of a Traditional Council, the National House of Chiefs may amend the Register accordingly.

### ***Jurisdiction in chieftaincy disputes.***

15. (1) Subject to the provisions of this Act and to any appeal therefrom, a Traditional Council shall have exclusive jurisdiction to hear and determine any cause or matter affecting chieftaincy which arises within its area, not being one to which the Asantehene or a Paramount Chief is a party.

(2) The jurisdiction conferred by this section shall be exercised in accordance with Part V of this Act.

***Meetings.***

16. (1) Meetings of a Traditional Council shall be held at such times and places as the President of the Council may appoint, or in his absence, inability or refusal to act, as may be demanded by not less than one-half of the members of the Traditional Council.

(2) Where the President is from any cause unable to attend a meeting the Chief next in seniority on the Council shall preside over the meeting.

(3) No business except that of adjournment shall be transacted if less than one-half of the total number of members are present.

***Duty of persons to assist Traditional Councils.***

17. (1) It shall be the duty of every person who, under customary law, is required to perform any specific duty when so required by the appropriate Traditional Council, to assist in carrying out the functions imposed upon the Council at customary law.

(2) A person who fails without reasonable excuse to comply with a requirement under the preceding subsection shall be guilty of an offence and liable to a fine not exceeding ₵100.00.

**PART IV - DIVISIONAL COUNCILS**

***Division.***

18. A division is any area which is specified in the National Register of Chiefs as a division.

***Divisional Councils.***

19. (1) Where a division falls within a traditional area the Traditional Council concerned may create in respect of that division a Divisional Council which shall comprise such members as that Traditional Council may determine.

(2) Where a Division does not fall within a traditional area the Regional House of Chiefs of the Region in which the division falls may create a Divisional Council in respect of that division, comprising such members as the Regional House of Chiefs may determine.

***Meetings.***

20. (1) There shall be a President of a Divisional Council who shall be such person as may -
- (a) in the case of a Divisional Council created under subsection (1) of section 19, be determined by the Traditional Council concerned, or
  - (b) in the case of a Council created under subsection (2) of section 19, be determined by the Regional House of Chiefs concerned.
- (2) Meetings of a Divisional Council shall be held at such times and places as the President may appoint or as may be demanded by not less than one-half of the members of the Council.
- (3) Where the President is from any cause unable to attend a meeting a member of the Council elected by the members present from among their number shall preside at that meeting.
- (4) No business except that of adjournment shall be transacted if less than one-half of the total number of members are present.

***Functions of Divisional Councils.***

21. (1) The Minister may, acting in accordance with the advice of the Traditional Council concerned or where there is no Traditional Council for the area, acting in accordance with the advice of the National House of Chiefs assign functions to a Divisional Council including functions with respect to any cause or matter affecting chieftaincy.

(2) Where the function of hearing and determining any cause or matter affecting chieftaincy has been conferred on a Divisional Council under subsection (1) of this section, the provisions of this Act relating to the exercise by a Traditional Council of that function shall, with the necessary modifications, apply to the Divisional Council as they apply to a Traditional Council.

**PART V - PROCEEDINGS AFFECTING CHIEFTAINCY**

***Judicial functions of National House of Chiefs. Article 154 (3) (a) of Constitution.***

22. (1) The National House of Chiefs shall have appellate jurisdiction in any matter relating to chieftaincy which has been determined by the House of Chiefs in a Region from which appellate jurisdiction there shall be an appeal with the leave of the Supreme Court or the National House of Chiefs to the Supreme Court.

(2) Any person aggrieved by any judgment or order of a Regional House of Chiefs in the exercise of its original or appellate jurisdiction may appeal to the National House of Chiefs as of right, against such judgment or order.

- (2) The appellate jurisdiction conferred on the National House of Chiefs shall be exercised by a judicial committee of that House comprising five persons appointed by that House.
- (3) A judicial committee shall be assisted by counsel who shall be a lawyer of not less than seven years' standing as a lawyer appointed by the National House of Chiefs on the recommendation of the Attorney-General.
- (4) An appeal to the National House of Chiefs against a judgment or order of a Regional House of Chiefs shall be lodged within thirty days after the decision appealed against :

Provided that the Regional House of Chiefs or the National House of Chiefs may if it appears to it just so to do extend such period for a further period expiring not later than two months from the date of the decision appealed against.

- (5) Upon any such appeal the National House of Chiefs may, subject to the provisions of this section, confirm, reverse or vary the decision appealed against, or remit the matter or any part thereof for reconsideration by the Regional House of Chiefs from whose decision the appeal is brought and in each case subject to such conditions or directions as the National House of Chiefs may consider fit.

***Original and appellate jurisdiction of Regional House of Chiefs. Article 155 (1).***

23. (1) Each Regional House of Chiefs shall have the following original and appellate jurisdiction: -
  - (a) original jurisdiction in all matters relating to a paramount stool or the occupant of a paramount stool, and
  - (b) appellate jurisdiction to hear and determine subject to the provisions of clause (3) of article 105 of the Constitution appeals from the highest Traditional Councils within the area of authority of the Traditional Authority within which they are established, in respect of the nomination, election, appointment, installation or deposition of any person as a Chief.
- (2) Each such House of Chiefs shall also have jurisdiction to hear and determine appeals against any judgment or order given or made by any Traditional Council in any other cause or matter affecting chieftaincy.
- (3) Any person aggrieved by any judgment or order made by a Traditional Council in any cause or matter affecting chieftaincy may appeal to the House of Chiefs of the Region as of right against the judgment or order.
- (4) The original and appellate jurisdiction conferred on each Regional House of Chiefs shall be exercised by a judicial committee of that House comprising three persons appointed by that House.

(5) A judicial committee appointed under this section shall be assisted by Counsel who shall be a lawyer of not less than five years' standing as a lawyer appointed by the Regional House of Chiefs on the recommendation of the Attorney-General.

(6) Any appeal to a Regional House of Chiefs against a judgment or order of a Traditional Council shall be lodged within thirty days after the judgment or order appealed against :

Provided that a Regional House of Chiefs may if it appears to it to be just so to do extend the said period in any particular case for a further period expiring not later than two months, after the date of the decision appealed against.

(6) Upon any such appeal a Regional House of Chiefs may, subject to the provisions of this section confirm, reverse or vary the decision appealed against or remit the matter or any part thereof for reconsideration to the Traditional Council from which the appeal if brought and in each case subject to such conditions or directions as the Regional House of Chiefs may consider fit.

***Evidence before judicial committee.***

24. (1) A judicial committee may receive in evidence any matter (including hearsay) which tends to prove or disprove any fact relevant to the subject matter before the committee.

(2) Any such committee may in connection with any such matter do all or any of the following acts as may be done by the High Court in proceedings before the High Court:-

- (a) make presumptions of law or fact,
- (b) take cognizance of matters which are so notorious or clearly established that evidence of their existence is deemed unnecessary,
- (c) draw inferences from facts already in evidence.

(3) Notwithstanding anything in this section a judicial committee shall not make any finding of fact or draw any inference from any fact based solely on hearsay evidence.

(4) Any party to proceedings before a judicial committee may appear in person or by counsel and any other person required or entitled to appear may appear either in person or with leave of the committee by counsel.

(5) The following provisions of this section shall apply for the purpose of ascertainment of customary law in proceedings before a judicial committee.

(6) Any question as to the existence or content of a rule of customary law is a question of law for the committee and not a question of fact.

(7) If the committee entertains any doubt as to the existence or content of a rule of customary law relevant in any proceedings after considering such submissions thereon as may be made by or on

behalf of the parties and consulting such reported cases, textbooks and other sources as may be appropriate, the committee shall adjourn the proceedings to enable an enquiry to take place under the next subsection.

(8) The inquiry shall be held as part of the proceedings in such matter as the committee considers expedient, and the provisions of this Act relating to the attendance and testimony of witnesses shall apply for the purpose of the tendering of opinions to the committee at the inquiry, but shall apply subject to such modifications as may appear to the committee to be necessary:

Provided that -

- (a) the decision as to the persons who are to be heard at the inquiry shall be one for the committee, after hearing such submissions thereon as may be made by or on behalf of the parties;
- (b) the committee may request any authority or body possessing knowledge of the customary law in question to state its opinion which may be laid before the inquiry in written form.

***Security for costs, etc. in proceedings before judicial committee.***

25. (1) A judicial committee may require the applicant in proceedings before it to give security for costs of the application.

(2) In every case determined by a judicial committee the costs shall be in the discretion of the committee.

(3) For the purposes of the recovery of costs, a certificate of the committee setting forth the particulars may be filed without payment of any fee with the High Court and when so filed shall be accepted by that Court as sufficient evidence of the facts so certified and costs imposed under this section may be taxed as if imposed by the High Court.

***General provisions relating to judicial proceedings before Houses of Chiefs.***

26. (1) The National House of Chiefs or a Regional House of Chiefs shall have in relation to any appeal coming before it all the powers of the tribunal from which the appeal is brought.

(2) In the exercise of the judicial power of the National House of Chiefs and a Regional House of Chiefs, each such house shall have such powers, rights and privileges as are vested in the High Court of Justice or a judge thereof at a trial in respect of –

- (a) enforcing the attendance of witnesses and examining them on oath, affirmation or otherwise,
- (b) compelling the production of documents, and the issue of a commission or request to examine witnesses abroad.

(3) Subject to the provisions of this Act the practice and procedure of the National House of Chiefs and of a Regional House of Chiefs in the exercise of their judicial functions shall be regulated by rules made in consultation with the respective House by the Rules of Court Committee established by article 121 of the Constitution.

(4) A member of any judicial committee appointed under this Act or the Counsel thereto shall not be liable to any action or suit in respect of any matter or thing done by him in the performance of his functions under this Act.

(5) Any member of such Committee or the Counsel thereto shall in relation to the exercise of any function under this Act be deemed to be a public officer for the purposes of the Criminal Code, 1960 (Act 29).

(6) A person who does anything in relation to the exercise of the judicial functions of the National House of Chiefs or a Regional House of Chiefs which if done in relation to the High Court will constitute a contempt of that court shall be guilty of contempt of that House.

(7) Where it appears to a judicial committee that any person has committed contempt of the House of Chiefs by which that committee was appointed it shall certify that fact to the High Court and the High Court shall after inquiring into the matter take steps for the punishment of the person in question if it is satisfied that he is guilty of contempt, and shall otherwise acquit that person.

(8) The functions of any counsel appointed to assist any judicial committee under section 22 or 23 of this Act shall be to advise the committee on all matters of law, including in particular, evidence, procedure and interpretation of documents and statutes.

***Appeal to operate as stay of execution.***

27. An appeal to the National House of Chiefs or to a Regional House of Chiefs shall operate as a stay of execution of the judgment or order appealed against and any other order made consequentially upon it unless the appellate tribunal otherwise directs.

***Proceedings before a Traditional Council.***

28. (1) In the exercise of the jurisdiction conferred upon it by section 15 of this Act, a Traditional Council shall, subject to the provisions of this section conduct its proceedings according to customary law, but for the purpose of compelling the attendance of parties and witnesses and the production of documents, a Traditional Council shall have the like powers as are possessed by a District Court in the exercise of its civil jurisdiction.

(2) The said jurisdiction shall be exercised by a judicial committee of the Traditional Council comprising three or five persons appointed by that Council: and accordingly the provisions of this Act relating to proceedings and functions of a judicial committee of a Regional House of Chiefs shall, with such modifications as may be prescribed by the Minister by regulations made under section 62 of this Act apply to proceedings and functions of a judicial committee of a Traditional Council.

(3) A Traditional Council may in respect of any cause or matter affecting chieftaincy determined by it make any award of a civil nature including any award of amends to an injured person.

(4) Nothing in this section shall be deemed to authorize a Traditional Council to punish any person by imposing a fine or awarding a term of imprisonment, and, subject to the provisions of Part VI of this Act, and except in the case of stool property, no award shall be made which would involve the delivery or disposal of property or the payment of money exceeding N¢400.00 in value.

(5) A Traditional Council shall, within thirty days after deciding any cause or matter affecting chieftaincy report its decision to the Regional House of Chiefs in the Region.

***Preservation of property affected by chieftaincy proceedings.***

29. (1) The Minister in consultation with the Traditional Council of the area may by executive instrument published in the Gazette order any person to take possession of any stool property affected by any proceedings under this Act in respect of a cause or matter affecting chieftaincy.

(2) Any person who takes possession of stool property under this section shall as soon as practicable prepare an inventory of property and transmit a copy of the inventory to the Minister together with a signed certificate of its correctness.

(3) Where the need for the retention of any property taken possession of under this section has passed the Minister shall by executive instrument published in the Gazette order the restoration of the property to the stool concerned.

(4) Any person who willfully obstructs a person ordered under this section to take possession of any stool property shall be guilty of a misdemeanor.

***Enforcement of judgment of Houses of Chiefs or Traditional Councils.***

30. (1) Upon an application made by a party to any proceedings before a judicial committee of a House of Chiefs in whose favour a judgment or order was made by that committee, that committee shall forward a copy of the judgment or order to the High Court with a request for execution and upon the payment by the applicant of the necessary fees the High Court shall take such steps and

issue such process as may be necessary for the purpose of the execution of the said judgment or order as it would take or issue if it were a judgment or order of that court.

(2) Upon an application made by a party to the proceedings before a judicial committee of a Traditional Council in whose favour a judgment or order was made by the Council, that Council shall forward a copy of the judgment or order of the council in those proceedings, to the Circuit Court having jurisdiction in the traditional area in question with a request for execution.

(3) Upon the payment by the applicant of the necessary fees the said Circuit Court shall take such steps and issue such process as may be necessary for the purpose of the execution of the judgment or order as it would take or issue if it were a judgment or order of that court.

***Protection of parties, council and witnesses.***

31. (1) Any party, counsel or witness before a judicial committee shall enjoy the same protection in respect of statements made by him in the course of and for the purposes of the proceedings of the said tribunal as he would have enjoyed before the High Court.

(2) Any witness before a judicial committee shall have the same privileges as he would have had before the High Court.

***Obstruction of proceedings, etc.***

32. Subject to section 31 of this Act, any person who in proceeding before a judicial committee and without lawful excuse (proof of which shall be on him) -

- (a) fails when required by the said committee to produce or deliver up any document, answer any question or sign and document, or
- (b) willfully obstructs the proceedings of the said committee at any stage thereof

shall be guilty of an offence and shall, on summary conviction be liable to a fine not exceeding N¢200.00 or to a term of imprisonment not exceeding twelve months or to both.

***Right to bring proceedings for destoolment.***

33. No person shall be deemed to be entitled by this Act to institute proceedings for the destoolment of a Chief unless he is entitled to do so under customary law.

***Proceedings in chieftaincy matter to be recorded in writing.***

34. The proceedings of a National or Regional House of Chiefs and a Traditional Council in any cause or matter affecting chieftaincy shall be recorded in writing.

***Applications to the tribunals.***

35. Where under this Act an application is required to be made either to one tribunal or another, the application shall first be made to the lower tribunal but if that tribunal refuses the application the applicant shall then be entitled to have the application determined by the higher tribunal.

**PART VI - STOOL PROPERTY**

***What is Stool Property.***

36. Stool property consists of the following -

- (a) the stool itself and all the insignia of the stool;
- (b) such other movable property and land as was handed over or declared as stool property to the Chief on his installation;
- (c) any property movable or immovable acquired as stool property after the installation of the Chief.

***Alienation of stool property requires consent of Traditional Council.***

37. In addition to the consent and concurrence of the Lands Commission required by clause (3) of article 164 of the Constitution, any transaction purporting to alienate or pledge any stool property whether movable or immovable shall be voidable unless made or entered into with the consent of the Traditional Council concerned.

***Prohibition upon execution.***

38. No stool property whether movable or immovable shall be seized in execution at the suit of any person except with the written consent of the Minister.

***Recovery of stool property.***

39. Where a judicial committee makes any order for the delivery up of stool property any person who fails to comply with that order shall be guilty of an offence and liable on summary conviction to a fine not exceeding N¢200.00 or to a term of imprisonment not exceeding twelve months or to both and also to a further fine not exceeding N¢10.00 for each day for which the offence continues.

**PART VII - CUSTOMARY LAW**

***National House of Chiefs to promote the development of customary law.***

40. The National House of Chiefs shall, subject to clause (2) of article 126 of the Constitution undertake the progressive study, interpretation and codification of customary law with a view to evolving, in appropriate cases a unified system of rules of customary law.

***Functions of Traditional Councils relating to customary law.***

41. If a Traditional Council considers the customary law which is in force within its area to be uncertain or considers it desirable that it should be modified or assimilated by the common law the Council shall make representations on the matter to the House of Chiefs in the region.

***Declaration of customary law.***

42. (1) A Regional House of Chiefs may, either after receiving representations from a Traditional Council or on its own initiative, and shall if so requested in writing by the National House of Chiefs draft a declaration of what in its opinion is the customary law rule relating to any subject in force in its region or any part thereof.

(2) A draft prepared under subsection (1) of this section shall be submitted to the National House of Chiefs and if the said House after considering it and after consultation with the Regional House of Chiefs concerned is satisfied that the draft either as submitted or with such modifications as it considers necessary is a correct statement of the customary rule in question, it shall submit a request in writing to the President to the effect that that statement of the customary law rule be given effect to in the area in question.

(3) The President may upon receiving a request made by the National House of Chiefs under subsection (2) of this section and after consultation with the Chief Justice make a legislative instrument giving effect to the recommendations submitted to him by the said House, and providing that the rule in question shall have effect within the area in question in the form set out in the instrument.

***Alteration of customary law.***

43. (1) A Regional House of Chiefs may either after receiving representations from a Traditional Council or on its own initiative, and shall if so requested in writing by the National House of Chiefs, draft a statement of alterations it thinks desirable in any customary law rule in force in its region or any part thereof.

(2) A draft prepared under subsection (1) of this section shall be submitted to the National House of Chiefs and if the said House is satisfied after consultation with the Regional House of Chiefs concerned, that effect should be given to the draft, either as submitted or with such modifications as it considers necessary, it shall submit a request in writing to the President to the effect that that statement of the rule as modified by the draft be given effect in the area in question.

(3) The President may, upon receiving a request made by the National House of Chiefs under subsection (2) of this section and after consultation with the Chief Justice make a legislative instrument giving effect to the recommendations submitted to him by the said House under the said subsection (2) and providing that the rule shall have effect within the area in question in the form set out therein.

***Regional House of Chiefs affected by same rule of customary law.***

44. (1) Where a question affecting the customary law is common to more than one Regional House of Chiefs there shall be a joint committee of the Houses of Chiefs affected to consider that question.

(2) The joint committee mentioned in subsection (1) of this section shall be made up of a committee of each House set up for the purpose.

(3) The joint committee under this section shall have the same authority as if the question before it were before a Regional House of Chiefs, and the provisions of this Part shall apply accordingly.

***Assimilation of customary law.***

45. (1) The National House of Chiefs may on its own initiative and shall, upon request so to do, made to it in writing by the President or by a joint committee referred to in section 44 of this Act comprising representatives of all the Regional House of Chiefs, consider whether a rule of customary law should be assimilated by the common law.

(2) If after considering such evidence and representations as may be submitted to it and carrying out such investigations as it may think fit the National House of Chiefs is of the opinion that the rule should be assimilated by the common law, it shall draft a declaration describing the rule, with such modifications as it may consider desirable.

(3) A draft prepared under subsection (2) of this section shall be submitted to the President who may after consultation with the Chief Justice make a legislative instrument giving effect to the recommendations of the National House of Chiefs and declaring the rule to be assimilated in the form specified in the instrument.

***Effect of assimilation.***

46. (1) Where a rule is declared to be assimilated under subsection (3) of section 45 of this Act, it may be referred to as a common law rule of customary origin.

(2) A common law rule of customary origin shall apply to every issue within its scope whether or not that issue would if assimilation had not taken place, have been determined according to the common law or any system of customary law.

(3) Where an issue falls to be determined by a combination of two or more rules, nothing in this Part shall prevent any rule of common law or customary law which is not within the scope of a relevant common law rule of customary origin from being applied, in accordance with paragraph 64 of the Courts Decree, 1966 (N.L.C.D. 84) in combination with the said rule of customary origin.

(4) Subject to the provisions of this Part, in applying a common law rule of customary origin the court may have regard to such textbooks and other sources indicating the content of the rule as would be available if it had not been assimilated, and shall treat the rule in the same way as any other common law rule.

(5) Nothing in this section shall betaken to modify the provisions of section 17 and 18 of the Interpretation Act, 1960 (C.A.4) (which explain the meaning of the expression “the common law “ and “customary law”).

***Power to include traditional provisions.***

47. A legislative instrument made under this Part of this Act may contain such transitional provisions as the President acting on the advice of the National House of Chiefs and in consultation with the Chief Justice may consider necessary in relation to cases pending at the date when the instrument is made or otherwise.

**PART VIII - CHIEFS**

48. (1) A Chief is an individual who has, in accordance with customary law, been nominated, elected and installed as a Chief or as the case may be appointed and installed as such and whose name for the time being appears as a Chief on the National Register of Chiefs:

Provided that no person shall be deemed to be a Chief for the purposes of the exercise by him of any function under this Act or under any other enactment, unless he has been recognized as such by the Minister by notice published in the Local Government Bulletin.

(2) subject to the foregoing subsection (1) the name of any person who has been installed as a Chief shall be entered by the National House of Chiefs in the National Register of Chiefs not later than one month from the date of the receipt of the notification of such installation.

### ***Categories of Chiefs.***

49. The following are the categories of Chiefs -

- (a) the Asantehene and Paramount Chiefs;
- (b) Divisional Chiefs;
- (c) Sub-divisional Chiefs;
- (d) Adikrofo; and
- (e) such other Chiefs not falling within any of the preceding categories as are recognized by the Regional House of Chiefs.

### ***National Register of Chiefs.***

50. (1) The National House of Chiefs shall maintain a register to be known as “the National Register of Chiefs”, in this Part referred to as “the Register”.

(2) The National House of Chiefs shall cause to be recorded on the Register such particulars relating to chieftaincy as it may think fit or as may be required by this Act or any other enactment to be recorded thereon.

(3) The Minister or any person authorized by him in writing may request to be supplied with a copy of the Register or an extract thereof and upon such request the National House of Chiefs shall cause to be supplied accordingly a copy of the Register or an extract thereof, in each case duly certified to be true by the Registrar or a public officer authorized in writing by him.

(4) The Minister may also request such other information in connection with the maintenance of the Register as may be necessary for the due administration of this Act and the National House of Chiefs shall comply with such request.

(5) The Minister or any public officer authorised by him in writing may at any reasonable time, enter the premises where the Register is kept and take extracts thereof.

(6) Any other person shall, upon the payment of the fee prescribed in that behalf by regulations made under section 62 of this Act, be entitled –

(a) at any reasonable time, to enter the premises where the Register is kept and inspect the Register,

(b) to have supplied to him an extract of the contents of the Register or any part thereof duly certified by the Registrar or any public officer authorised by him in writing to be true.

(7) Any person aggrieved by the refusal by the National House of Chiefs to register him as a Chief may within thirty days after the decision appeal against the decision to the Supreme Court.

(8) The contents of the Register shall be prima facie evidence of the existence of any facts or particulars stated therein.

(9) In any legal proceeding the contents of the Register or any part thereof may be proved by a copy thereof duly certified under the hand of the Registrar to the National House of Chiefs or any public officer authorised by him in writing to be a true copy of the contents or of that part.

***Enstoolments, destoolments etc. of Chiefs to be reported to Minister.***

51. (1) All enstoolments, destoolments, abdications and deaths of Chiefs in any Region as well as all such other changes in the status of Chiefs as may be prescribed regulations made under section 62 of this Act shall as soon as practicable after their occurrence, be reported in writing to the Minister by the Regional House of Chiefs of the Region through the National House of Chiefs.

(2) Subject to section 48 of this Act, the Minister shall upon receipt of any such report cause its contents to be published in the Local Government Bulletin for the information of the general public.

***Prohibition of persons purporting to act a Chief.***

52. (1) If it appears to him to be necessary so to do in the interests of public order the Minister may by executive instrument -

(a) prohibit any person who is not a Chief (whether or not he was formerly, a Chief) from purporting to exercise any of the functions of a Chief,

(b) require that no person shall treat as a Chief a person subject to such prohibition.

(2) The Minister may also in the interest of public order direct in writing any person described in subsection (1) (a) of this section to reside or not to enter or remain in an area specified by the

Minister being an area which is or includes to be a Chief or in relation to which any other person wrongfully treats him as a Chief:

Provided that any direction given under this subsection shall be reviewed by the Minister at monthly intervals and unless renewed shall cease to have effect after three months.

(3) Any person who without lawful excuse (proof of which shall be on him) fails to comply with an executive instrument or direction made or given under this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding N¢400.00 or to a term of imprisonment not exceeding twelve months or to both.

***Certain offences in connection with Chiefs.***

53. Any person who -

- (a) knowingly uses disrespectful or insulting language or offers any insult whether by word or conduct to a Chief, or
- (b) being a person in possession of stool property fails upon being requested so to do and without reasonable excuse (proof of which shall be on him) to surrender the said property the person who for the time being is entitled to possession thereof according to customary law,

shall be guilty of an offence and shall, upon summary conviction be liable to a fine not exceeding ¢5.00 for each day on which the offence continues.

**PART IX - MISCELLANEOUS**

**Staff**

***Staff of Houses of Chiefs.***

54. (1) The National House of Chiefs, and each Regional House of Chiefs shall have a Registrar to that House as well as such other staff as the President acting on the advice of the Public Services Commission may determine.

(2) Subject to articles 120 and 122 of the Constitution, the members of the staff of the National House of Chiefs and of each Regional House of Chiefs shall hold office upon such terms and conditions as the President after consultation with the Public Services Commission may determine.

(3) All appointments to and changes in the appointments to the office of Registrar to the National House of Chiefs and each Regional House of Chiefs, shall be published in the Local Government Bulletin and same shall, if the National House of Chiefs so directs, apply in respect of

the offices of all or any of the other members of staff of the National House of Chiefs and each Regional House of Chiefs.

***Functions of Registrar to a House of Chiefs.***

55. (1) The Registrar of the National House of Chiefs and of each Regional House of Chiefs shall be the chief administrative officer of the House of Chiefs concerned and shall have control over the other members of staff of that House.

(2) The Registrar shall perform such duties in relation to the functions of the House of Chiefs concerned and shall have control over the other members of staff of that House.

(3) The Registrar shall, without prejudice to the generality of the foregoing provisions of this section, cause to be kept minutes of the proceedings of the said House of Chiefs and shall have custody of all records and other documents of that House.

***Traditional Councils.***

56. A Traditional Council shall have such staff as the President on the advice of the Public Services Commission may determine.

***Funds of Houses of Chiefs and Traditional Councils.***

57. Subject to the provisions of this Part, the National House of Chiefs, a Regional House of Chiefs and a Traditional Council shall each have such funds for the discharge of its functions as Parliament may from time to time provide.

***Estimate of Houses of Chiefs.***

58. (1) The National House of Chiefs and each Regional House of Chiefs shall in each year and by such date as the Minister may direct, submit to the Minister for the approval of the Government estimates of revenue and expenditure in respect of the succeeding year.

(2) The estimates when approved by the Government shall be submitted to the National Assembly.

(3) All expenses incurred by the National House of Chiefs or a Regional House of chiefs in respect of the exercise of its judicial functions are hereby charged on the Consolidated Fund.

***Accounts and audit.***

59. (1) The National House of Chiefs, a Regional House of Chiefs and a Traditional Council shall keep proper books of accounts and proper records in relation thereto and the said accounts shall be kept in such form as the Auditor-General may approve.

(2) The said accounts shall be audited by the Auditor-General and accordingly the provisions to article 135 of the Constitution shall apply in relation thereto.

***Power of Minister to give financial instructions.***

60. (1) The Minister may after consultation with the Minister responsible for Finance and the Auditor-General, issue in writing instructions, not inconsistent with this Act, for the better control and management of the financial affairs of the National House of Chiefs or the Regional Houses or Traditional Councils.

(2) The instructions may be of a general or special nature and each such House or Council shall be bound to comply with such instructions.

***Actions by or against Houses of Chiefs and Traditional Councils, etc.***

61. The President of the National House of Chiefs or a Regional House of Chiefs or of a Traditional Council may represent that House or Council in any action brought by or against that House or Council but actions may otherwise be brought by or against that House or Council as if it were a person.

***Regulations.***

62. The Minister may by legislative instrument make such regulations as may appear to him to be necessary or expedient for giving full effect to the provisions of this Act including, without prejudice to the generality of the foregoing, the making of regulations prescribing fees in respect of anything done under this act or under regulations made thereunder.

***Saving of rights of allegiance and rights over land, etc.***

63. Nothing in this Act shall be deemed to prejudice any right of allegiance to which a chief in one Region is entitled from a chief in another Regional or any right of a stool in one Region to any property movable or immovable, situate or existing in another Region.

***Stool Lands Accounts for each Region.***

64. Subject to clause (2) of article 164 of the Constitution, (which provides for the establishment of a Stool Lands Accounts for each stool) there shall be established for each Region Stool Lands Account representing the total of the Stool Lands Accounts of all the stools within the Region.

***Annual statement of accounts to be submitted to stools.***

65. The person or authority for the time being charged with responsibility for keeping Stool Lands Accounts shall, once in each year, submit to each stool whose account is kept by him a statement of revenue and expenditure in respect of that account, in such form as the Minister may determine.

***Interpretation.***

66. In this Act -

“Asantehene” means the occupant of the Golden Stool of Ashanti;

“cause or matter affecting chieftaincy” means any cause matter, question or dispute relating to any of the following -

- (a) the nomination, election, appointment or installation of any person as a Chief or the claim of any person to be nominated, elected, appointed or installed as a Chief;
- (b) the destoolment or abdication of any Chief;
- (c) the right of any person to take part in the nomination, election, appointment or installation of any person as a Chief or in the destoolment of any Chief;
- (d) the recovery or delivery of stool property in connection with any such nomination, election, appointment, installation, destoolment or abdication;
- (e) the constitutional relations under customary law between Chiefs,

“Divisional Chief” means a Chief whose name for the time being appears as a Divisional Chief on the National Register of Chiefs;

“judicial committee” means a committee appointed under section 22, 23 or 28 of this Act;

“Minister” means the Minister responsible for Chieftaincy matters;

“Paramount Chief” means a person who has been nominated, elected or appointed and installed as such in accordance with customary law and usage;

“Stool” includes a Skin.

***Repeals and Savings and transitional provisions.***

67. (1) The enactments specified in the Schedule to this Act are hereby repealed.

- (2) Any action pending immediately before the coming into force of the Constitution before a chieftaincy committee appointed under the Chieftaincy Act, 1961 (Act 81) shall be deemed to be pending before the House of Chiefs within whose Region the subject matter of the proceedings arose and shall be proceeded with and determined by that House in accordance with this Act.
- (3) Any matter pending before a Traditional Council immediately before the commencement of this Act shall after the commencement of this Act be deemed to be pending before that Council and shall be proceeded with and determined by that Council in accordance with this Act.
- (4) Any judgment or order given or made by a Traditional Council before the commencement of this Act may be enforced in the same manner as a judgment or order given or made by a Traditional Council after the commencement of this Act may be enforced.

L.I 746.

### **7.3 CHIEFTAINCY (NATIONAL HOUSE OF CHIEFS) ELECTION RULES, 1972.**

#### ***Election of members of the National House of Chiefs.***

1. (1) The members of the House shall be elected from each Region by the House of Chiefs of that Region.
- (2) The Commissioner shall by notice published in the *Local Government Bulletin* summon a meeting of each Regional House of Chiefs for the election of members to the House at such time and place as the Commissioner may specify in the notice.

#### ***Registrar to notify Electoral Commissioner of vacancies in the National House of Chiefs.***

2. (1) Where a vacancy has occurred in the office of the President, the Vice-President or a member of the House the Registrar of the House shall notify the Commissioner in writing of the occurrence of the vacancy within fourteen days of such occurrence.
- (2) The Commissioner shall by notice published in the *Local Government Bulletin* summon a meeting of the House or the respective Regional House of Chiefs, as the case may be, within twenty-one days after being notified of the vacancy for the election of a President, Vice-President or a member of the House.

#### ***Notice.***

3. The Commissioner shall specify in the notice referred to in Rules 1 (2) and 2 (2) of these Rules -

- (a) the day and place for the nomination of candidates; and
- (b) the day, place and hour at which the poll shall be taken.

***Nominations.***

4. (1) A nomination in respect of the election of a President, Vice-President or a member of the House shall be in Form X in the Schedule to these Rules and subscribed by signature or mark of two members of the House or the Regional House of Chiefs, as the case may be, as proposer and seconder.

(2) Such nomination shall be assented to by a member of the House or the Regional House of Chiefs, as the case may be, other than the proposer or seconder and endorsed with the consent of the nominee.

(3) The nomination form when completed shall be delivered to the Commissioner or a public officer authorised by him at the prescribed time and place.

(4) In the election of members to the House a member of the Regional House of Chiefs may subscribe to the nomination of not more than five candidates.

(5) In the election of a President or Vice-President of the House no member shall nominate more than one candidate.

(6) For the purposes of these Rules no member of the House or the Regional House of Chiefs shall nominate himself as candidate for election.

***Withdrawal of candidature.***

5. (1) A candidate may within four days before the day appointed for the election withdraw his nomination by notice signed by him and delivered to the Commissioner or a public officer authorised by him.

(2) Where a candidate withdraws his nomination the Commissioner shall notify the fact of that candidate's withdrawal to the members of the House or the Regional House of Chiefs, as the case may be, who nominated him.

(3) The members of the House or the Regional House of Chiefs as the case may be shall be entitled within twenty-four hours before the day appointed for the election to nominate another candidate.

***Close of nomination.***

6. At the close of nominations the Commissioner shall publish a notice in the Local Government Bulletin specifying the day and hour at which the poll shall be taken and the names, addresses and chiefly titles of the candidates nominated.

***Unopposed candidate.***

7. Where in the election of a President or Vice-President of the House only one candidate stands nominated at the expiration of the time appointed for nominations that candidate shall be deemed to have been duly elected.

***Contested election.***

8. (1) Where two or more candidates stand nominated at the close of nominations the Commissioner or the presiding officer shall, before the poll is taken to elect a President, Vice-President or a member of the House, call a roll of the members of the House or the Regional House of Chiefs, as the case may be, to ensure that more than one-half of the total number of the members is present.

(2) If less than one-half of the total number of the members of the House or the Regional House of Chiefs, as the case may be, is present or if before the poll is taken one of the candidates dies the Commissioner shall countermand the election and the proceedings in connection with the election shall be started afresh.

(3) Where at the close of the election no candidate secures a majority of the votes recorded a fresh poll shall be taken so however that if after five consecutive ballots no candidate is elected the Commissioner shall adjourn the election for not more than seven days and after which period fresh election shall be held.

***Declaration of secrecy.***

9. Before a poll is taken a declaration of secrecy in Form Z in the Schedule of these Rules shall be made by -

- (a) the presiding officer and his assistants;
- (b) all the members of the House or the Regional House of Chiefs;
- (c) any person permitted by the presiding officer to attend at the election.

***Ballot papers.***

10. (1) Each ballot paper shall bear the symbol allocated to each candidate except that a ballot paper for use in the election of a President or Vice-President of the House shall bear only the names of the candidates contesting the election with a column provided for marking therein a cross (X) against the name of the candidate in whose favour a vote is recorded.

(2) A ballot paper shall -

(a) be capable of being folded up;

(b) have a serial number;

(c) have attached to it a counterfoil bearing the same serial number.

***Voting.***

11. (1) In the election of a member of the House if at the close of nominations two or more candidates stand nominated the Commissioner shall allocate to each candidate a symbol chosen by that candidate from the group of symbols, not being symbols associated with any stool or skin, approved by the Commissioner for that election.

(2) The Commissioner shall, as soon as practicable after the allocation of the symbols to the candidates, notify the other members of the Regional House of Chiefs of the symbol allocated to each candidate.

(3) The presiding officer or an officer authorised by him shall, -

(a) in the case of the election of a President or Vice-President of the House, deliver one ballot paper to each member of the House by which to record his vote;

(b) in the case of the election of a members by the Regional House of Chiefs to the House, deliver to each member of the Regional House as many ballot papers as there are candidates contesting the election.

(4) Each ballot paper shall be stamped by the presiding officer with the official mark selected by the Commissioners.

(5) The number of each member as it appears in the register of the House or the Regional House, as the case may be, shall be marked on the counterfoil of the ballot paper.

(6) In the election of a President or Vice-President each member of the House shall on being given the ballot paper secretly make a cross (X) in the column provided therefore against the name of the candidate for whom he wishes to vote, and shall fold up the ballot paper and place it in the ballot in the full view of the other members of the House.

(7) In the election of members to the House each member of the Regional House of Chiefs on being given the ballot paper shall -

- (a) proceed to a screened compartment where he shall place in the receptacle provided for that purpose the ballot papers in respect of candidates for whom he does not wish to vote;
- (b) fold up the remaining ballot paper so as to conceal his vote and place it in the ballot box in full view of the other members of the Regional House.

(8) A member of the House or the Regional House of Chiefs, as the case may be, who has inadvertently spoiled his ballot paper in such a manner that it cannot conveniently be used for the election shall on delivering it to the presiding officer obtain a new ballot paper.

(9) The presiding officer shall then mark the spoiled ballot paper and the counterfoil accordingly.

***Counting of votes.***

12. (1) As soon as practicable after the poll the Commissioner or the presiding officer shall proceed to count the ballot papers and shall record the total number of votes recorded in favour of each candidate.

(2) The Commissioner or the presiding officer shall then complete and sign Form Y in the Schedule to these Rules.

(3) Any ballot paper -

- (a) which does not bear the official mark; or
- (b) on which anything is written or marked by which a member is identified;

shall be rejected as void and not counted.

(4) The presiding officer shall endorse the word "Rejected" on a ballot paper which has been rejected as void.

(5) The presiding officer shall before any ballot paper is rejected by him request the candidate in whose favour the vote was recorded to express any objection he may have to the rejection of the ballot paper.

(6) Where a candidate objects to the rejection of a ballot paper the presiding officer shall record the fact of his objection on the ballot paper.

***Publication of results of election.***

13. The Commissioner shall, as soon as practicable after the announcement of the results of the election cause to be published in the *Local Government Bulletin* a notice stating the name of the candidate elected and the total number of votes recorded in favour of each candidate.

***Disposal of documents.***

14. (1) The presiding officer shall, as soon as practicable after the announcement of the results of the poll, in the presence of the members of the House or the Regional House of Chiefs, as the case may be, cause to be made into separate packets sealed with his own seal, the counted, unused, spoilt and rejected ballot papers, the counterfoils of the ballot papers and the ballot papers account, and shall submit these documents to the Commissioner for disposal.

(2) The Commissioner shall keep for a period of not less than six months all documents connected with the election and shall, unless otherwise directed by a superior court of record, cause such documents to be destroyed at the expiration of that period.

***Interpretation.***

15. In these Rules -

“Commissioner” means the Electoral Commissioner;

“House” means the National House of Chiefs.

**L.I. 991**

**CHIEFTAINCY (MEMBERSHIP OF REGIONAL HOUSES OF CHIEFS)  
INSTRUMENT, 1974**

***Members Ashanti Regional House of Chiefs.***

1. (1) The members of the Ashanti Regional House of Chiefs shall consist of -

- (a) Asantehene
  - Omanhene of Mampong
  - Omanhene of Adansi
  - Omanhene of Agona
  - Omanhene of Asokori
  - Omanhene of Bekwai
  - Omanhene of Denyase
  - Omanhene of Ejisu
  - Omanhene of Essumeja
  - Omanhene of Juaben
  - Omanhene of Kokofu
  - Omanhene of Kumawu

Omanhene of Nsuta  
Omanhene of Offinso.

(b) Adontenhene, Akwamuhene, Akyempimhene and Bantamahene all of the Kumasi Traditional area.

(2) The Asantehene shall be the President of the Ashanti Regional House of Chiefs.

***Members Brong-Ahafo Regional House of Chiefs.***

2. (1) The members of the Brong-Ahafo Regional House of Chiefs shall consist of -

- (a) Omanhene of Abease
- (b) Omanhene of Attebubu
- (c) Omanhene of Banda
- (d) Omanhene of Berekum
- (e) Omanhene of Dormaa
- (f) Omanhene of Drobo
- (g) Omanhene of Mo
- (h) Omanhene of Nkoranza
- (i) Omanhene of Suma
- (j) Omanhene of Techiman
- (k) Omanhene of Wenchi
- (l) Omanhene of Duayaw/Nkwanta
- (m) Yejihene
- (n) Pranghene
- (o) Dwanhene
- (p) Wiasehene
- (q) One of the following:-

Nkomihene  
Basahene  
Adjadihene  
Akrosihene

(2) The President shall be elected from among the members specified in sub-paragraph (1) (a) to (I) of this paragraph.

***Members Central Regional House of Chiefs.***

3. (1) The following chiefs shall be members of the Central Regional House of Chiefs:-

Omanhene of Ekumfi  
Omanhene of Anyan Abaasa  
Omanhene of Ajumako  
Omanhene of Asikuma  
Omanhene of Esiam  
Omanhene of Anyan-Maim  
Omanhene of Mankessim  
Omanhene of Abeamzi  
Omanhene of Kwaman  
Omanhene of Abura  
Omanhene of Nkusukum  
Omanhene of Anomabo  
Omanhene of Denkyira  
Omanhene of Awutu  
Omanhene of Asin Apimanim  
Omanhene of Agona Nyakrom  
Omanhene of Edina  
Omanhene of Effutu  
Omanhene of Gomoa Ajumako  
Omanhene of Assin (Gomoa)  
Omanhene of Hemang  
Omanhene of Oguaa  
Omanhene of Asin Attandasu  
Omanhene of Twifu  
Omanhene of Komenda  
Omanhene of Eguafu  
Omanhene of Agona Nsaba  
Omanhene of Anyan Denkyira  
Omanhene of Abirem  
Omanhene of Asebu.

(2) The President of the House shall be elected from among the members.

***Members Eastern Regional House of Chiefs.***

4. (1) The membership of the Eastern Regional House of Chiefs shall be as follows:-

- (a) Omanhene of Akim Abuakwa
- (b) Omanhene of Akim Busumase
- (c) Omanhene of Akim Kotoku
- (d) Omanhene of Akwamu
- (e) Omanhene of Akwapim
- (f) Omanhene of Kwahu
- (g) Omanhene of New Juaben

- (h) Konor or Manya Krobo
- (i) Konor of Yilo Krobo
- (j) Ga Mantse
- (k) Ningo Mantse
- (l) Osudoku Mantse
- (m) Prampram Mantse
- (n) Shai Mantse
- (o) Ada Mantse
- (p) Kpone Mantse
- (q) Bosohene
- (r) Anumhene

(2) The President of the House shall be elected from among the members specified in subparagraph (1) (a) to (o) of this paragraph.

***Members Northern Regional House of Chiefs.***

5. (1) The membership of the Northern Regional House of Chiefs shall be as follows:-

(a) The following Paramount Chiefs:-

Nayiri of Mamprusi  
 Ya-Na of Dagomba  
 Yabumwura of Gonja  
 Bimbila-Na of Nanumba

(b) three of the following Divisional Chiefs in the Mamprusi Traditional Area:-

Bunkpurugunaba  
 Soonaba  
 Wulugunaba

Wunaba  
 Yunyoorana.

(c) seven of the following Divisional Chiefs in the Dagomba Traditional Area:-

|              |                  |
|--------------|------------------|
| Gushie-Na    | Yona of Savelugu |
| Gulkpe-Na    | Korli-Na         |
| Yelzori-Lana | Kumbungu-Na      |
| Tolon-Na     | Demon-Na         |
| Sunson-Na    | Nanton-Na        |
| Karaga-Na    | Chereponi Fame.  |
| Mion-Lana    |                  |

(d) three of the following Divisional Chiefs in the Gonja Traditional Area:-

Buipewura                      Bolewura  
Wasipewura                    Tulewewura  
Kpembewura                    Kusawguwura.

(e) two of the following Divisional Chiefs in the Nanumba Traditional Area:-

Dakpem-Na                      Nakpa-Na  
Jup-Na

(f) one of the following village Chiefs in the Mo Traditional Area:-

Babatokoro                      Bamboikoro  
Carpenterkoro                    Chiebriniokoro  
Jamakoro                         Jugboikoro.  
Tasilimakoro

(2) The President of the Northern Regional House of Chiefs shall be elected from among the members specified in sub-paragraph (1) (a) of this paragraph.

***Members Upper Regional House of Chiefs.***

6. (1) The members of the Upper Regional House of Chiefs shall consist of -

- (a) Wa-Na                                      Sandema-Nab
- (b) the following Divisional Chiefs in the Lawra Confederacy Area:-  
Jirapa-Na                                      Nandom-Na  
Lawra-Na.                                      Lambussiekoro.
- (c) the following Divisional Chiefs in the Frafra Area:-

Bolganaba                                      Sekotinaba  
Bonaba    Tongorana.  
Nangodinaba

(d) The Bawku-Naba (Divisional Chief) and seven of the following eighteen canton Chiefs in the Kusasi Area:-

Binaba    Sinebaganaba  
Bindurinaba                                      Tanganaba  
Bugurinaba                                      Tempanenaba  
Gagbirinaba                                      Teshienaba  
Kugrinaba                                         Tillinaba  
Kulungugunaba                                    Widinaba  
Kusanaba                                         Worikambonaba  
Pusiganaba                                        Zobillonaba

Sapelliganaba

Zongoirinaba.

(e) five of the following Divisional Chiefs in the Kassena-Nankani Confederacy Area:-

Navropio

Kotiiupio

Pagapio

Nankonnapiro

Chianapio

Mirigunaba

Kologunaba

Sirigunaba

Kayoropio

Naganaba.

(f) three of the following Divisional Chiefs in the Issala Confederacy Area:-

Wellebellikoro

Zinikoro

Gwollukoro

Pulimakoro

Tumukoro

(g) six of the following Divisional Chiefs in the Wala Traditional Area:-

Nadawli-Na

Dorimon-Na

Busa-Na

Wonchiau-Na

Perisi-Na

Kojoperi-Na

Sing-Na

Funsi-Koro

Issa-Na

Busie-Na

Kaleo-Na

Daffiama-Na

Guli-Na

(h) three of the following Divisional Chiefs in the Builsa Traditional Area:-

Bachaunisab

Seniessinab

Doninganab

Chuchulliganab

Fumbisinab

Wiaganab

Gbedemnab

Wiassinab

Kademnab

Bassinab

Kanjarganab

Gbemblissanab

(2) The President of the House shall be elected from among the members specified in subparagraph (1) (a) of this paragraph and the Presidents of the Confederacies.

### ***Members Volta Regional House of Chiefs.***

7. (1) The members of the Volta Regional House of Chiefs shall consist of:-

(a) Omanhene of Buem

Fiaga of Akpini

Fiaga of Anfoega

Osie of Vane-Avetime

Fiaga of Ho  
Awoamefia of Anlo  
Deiga of Peki  
Krachiwura  
Likpehene  
Santrokofihene  
Taphene  
Nkonyahene  
Giaga of Gbi  
Fiaga of Ve.

(b) One of the following Ahenfo:-

Adele  
Atwode  
Pai

Ntrubu  
Nchumuru  
Akroso.

(c) One of the following Ahenfo:-

Kadjebi  
Ahamanso  
Pampawie  
Ampeyo

Asato  
Dodo  
Papase

(d) One of the following Ahenfo:-

Worawora  
Bowiri  
Lolobi

Apesokubi  
Akpafu

(e) One of the following Fiawo:-

Alavanyo  
Gbefi  
Leklebi  
Liati

Sovie  
Tsome (North)  
Wli  
Fodome.

(f) One of the following Fiawo:-

Logba  
Agate  
Have

Tafi  
Nyagbo  
Woadze.

(g) One of the following Fiawo:-

Aveme  
Wusuta  
Botoku  
Tsrukpe

Avate  
Vakpo  
Kpeve  
Tsohor.

(h) One of the following Fiawo:-

Akome  
Hoe  
Dodome  
Ashanti-Kpoeta  
Saviefe

Kpedze  
Honuta  
Klave  
Dzolo.

(i) One of the following Fiawo:-

Hlefi  
Tsome (South)  
Anfoeta  
Goviefe

Kpale  
Akrofu  
Akoviefe  
Etodome.

(j) One of the following Fiawo:-

Taviefe  
Lume  
Atikpui  
Ziave

Matse  
Shia  
Ave

(k) Fia of Awudome

(l) One of the following Fiawo:-

Adaklu  
Sokode  
Agotime  
Dakpa

Abutia  
Klefe  
Ziofe  
Dzalele

(m) One of the following Fiawo:-

Tokokoe  
Akoefe  
Kpenoe  
Nyive

Hodzo  
Tanyigbe  
Takla

(n) One of the following Fiawo:-

Agave

Mafi

(o) One of the following Fiawo:-

Fiervier

Mepe

Bakpa

Tefle

Sokpoe

Vume

(p) One of the following Fiawo:-

Battor

Duffor

Volo

Torgome

Fodzoku

(q) One of the following Fiawo:-

Some

Aflao

Avenor.

(r) One of the following Fiawo:-

Weta

Klikor

Afife.

GHANA

(s) One of the following Fiawo:-

Ave Afiadenyigba

Dzodze

Hevi

Penyi.

(2) The President shall be elected from among the members of the House.

***Members Western Regional House of Chiefs.***

8. (1) The membership of the Western Regional House of Chiefs shall be as follows:-

Omanhene of Ahanta

Omanhene of Ajomoro

Omanhene of Aowin

Omanhene of Essikadu

Omanhene of Sekondi

Omanhene of Eastern Nzima

Omanhene of Western Nzima

Omanhene of Gwira

Omanhene of Lower Axim

Omanhene of Upper Axim

Omanhene of Lower Dixcove

Omanhene of Upper Dixcove  
Omanhene of Mpohaw  
Omanhene of Nsein  
Omanhene of Sefwi Anhwiaso  
Omanhene of Sefwi Bekwai  
Omanhene of Sefwi Wiawso  
Omanhene of Wassa Amenfi  
Omanhene of Wassa Fiase  
Omanhene of Shama  
Omanhene of Suaman (Dadieso).

(2) The President shall be elected from among the members.

L.I. 980

## **7.5 GHANA LEGION REGULATIONS 1974**

### **PART I - ELECTION OF REGIONAL AND DISTRICT OFFICERS**

#### ***General qualifications for Regional and District elections.***

1. Every candidate for election to a Regional or District Council of the Legion shall -
  - (a) have served in the Ghana Armed Forces for not less than three years;
  - (b) be literate;
  - (c) possess a military discharge book (Certificate of Service D.F.A. 4305) with at least very good conduct; and
  - (d) have registered with the Ghana Legion and have the Ghana Legion Identity Card and badge.

#### ***Qualifications for candidates for Regional elections.***

2. In addition to the requirements in regulation 1 of these Regulations, a candidate for Regional Elections to the Legion shall -
  - (a) be a responsible person or a person holding a responsible office;
  - (b) have movable or immovable property the value of which shall not be less than ₵500.00; and
  - (c) have a qualification not lower than the Middle School Leaving Certificate.

#### ***Disqualification of candidates.***

3. No person shall be qualified as candidate for election to a Regional Council if he has been convicted of a criminal offence whether in Ghana or outside Ghana involving fraud or dishonesty and if -

- (a) he has not been granted a free pardon in respect of any such offence or
- (b) a period of five years has not elapsed since his conviction and five or the expiration of a term of imprisonment for any of the offences referred to in this regulation.

***Qualifications for voters.***

4. Every ex-serviceman may register as a voter and vote at an election of officers to a Regional or District Council of the Legion if he is -

- (a) in possession of the Ghana Legion Identity Card and a Discharge Certificate Book (Certificate of Service D.F.A. 4305);
- (b) registered with the Ghana Legion; and
- (c) in possession of the Ghana Legion Identity Card and badge.

(2) Any ex-serviceman wishing to be a voter at the elections shall upon producing his identity card, register with his Regional or District Council at least four weeks before the date fixed for voting, and there shall be maintained for this purpose at each such office a register of voters.

***Chairman of the Regional Council.***

5. The Chairman of the Regional Council shall, in addition to the requirements of the regulations 1 and 2 be -

- (a) not below the rank of an ex-sergeant;
- (b) holding at the time of his election a responsible office in the Public Service or elsewhere.

***Chairman of the District Council.***

6. The Chairman District Council shall have a qualification not lower than the Middle School Leaving Certificate or its equivalent.

***Nomination of candidates.***

6. A person wishing to be a candidate in any election to a Regional or District Council shall be sponsored in writing by two persons one of whom shall be qualified to be a candidate for the election in question and the other a person qualified to vote at the said election.

***Photographs of candidates.***

8. (1) Every candidate standing for election to a Regional or District Council shall send to his Regional or District Office at least four weeks before the election, two postcard-sized photographs of himself.

(2) One photograph of each candidate standing for election shall be displayed on a notice board outside or inside the Legion Hall or Office of the respective Region or District.

(3) There shall be as many ballot boxes as there are candidates and the photograph of each candidate for the election shall be displayed on one ballot box.

***Procedure for voting.***

9. (1) The Ghana Legion Identity Card of every registered voter present at the premises where the voting is taking place and willing to vote shall be used as a ballot card for voting.

(2) Every registered voter shall permit his Ghana Legion Identity Card to be inspected by an officer of the Legion appointed for that purpose before he enters the voting hall.

(3) Before the beginning of voting each ballot box shall be opened to the public for inspection by the Returning Officer.

(4) Each ballot box shall then be placed in some secluded premises or screened off place at the time of voting.

(5) The Returning Officer shall call the names of voters from the Register of Voters and they shall queue up.

(6) Each voter shall then go into the secluded premises or screened off place where the ballot boxes are placed and put his identity card into the ballot box of the candidate he is voting for.

(7) At the close of the voting the Returning Officer shall count the identity cards in each ballot box in the presence of all the candidates except those who do not wish to be present.

(8) The Returning Officer shall announce the results of the voting to the public and cause them to be published in the national newspapers.

***Challenge procedure.***

10. (1) Any candidate for an election or any member of the Legion may within four weeks after the publication of the results of the elections challenge the results, procedure of the election or the qualification of a candidate.

(2) The challenge referred to in sub-regulation (1) of this regulation shall be in writing and shall be sent to the Regional Council.

(3) Immediately after receiving the challenge referred to in sub-regulation (2) of this regulation, the Regional Council shall forward it to the Commissioner responsible for Defence.

***Supervision of voting.***

11. Every Regional and District election shall be supervised by -

- (a) representatives from the respective Regional and District Councils;
- (b) representatives from the Armed Forces; and
- (c) observers from the National Council or persons nominated by the Secretary-General.

***Returning Officers.***

12. (1) The persons authorised to supervise the voting under regulation 11 of these Regulations shall elect from their number a Returning Officer and two assistants.

(2) A Returning Officer elected under sub-regulation (1) of this regulation shall be responsible for the general arrangements for the elections.

***Confirmation of elected candidates.***

13. (1) Immediately after each election and the publication of the results thereof the Returning Officer shall send the list of elected candidates to the Commissioner responsible for Defence for his confirmation.

(2) The Commissioner may confirm the election of each candidate four weeks after his election if no objection has been raised from the Region or District where the elections were held.

**PART II - OPERATION OF GHANA LEGION RAFFLE**

***Organisation of raffles.***

14. The National Council may organize raffles or cause raffles to be organized as often as it deems fit.

***Authority to organize raffle.***

15. (1) The Secretary-General of the Legion may, on behalf of the National Council, authorize in writing any organisation or any member of the Legion to organize or to run a raffle on behalf of the Legion in any part of Ghana so however that the Secretary-General may in his own discretion withdraw the authority upon the grounds of dishonest practices or otherwise and shall in any case withdraw such authority if the Commissioner so directs.

(2) A monthly fee prescribed by the National Council shall be paid by the organisation or person authorised under this regulation to organize or to run a raffle on behalf of the Legion to the Legion.

***Place of operation of raffles.***

16. Raffles may be organized or run in any convenient public place.

***Manner of operation of raffles.***

17. (1) The organizer of any raffle may at his discretion organize any game of chance in which any number of players or stakers may take part.

(2) The organizer may impose any limitations as he thinks fit as regards staking.

(3) It shall be the duty of the organizer to explain the rules of the game to players or stakers before the commencement of the game.

(4) Where a staker or player wins a game he shall be given a prize in the form of cash, provisions or other articles.

***Eligibility for assistance from the Legion.***

18. (1) No ex-serviceman shall be eligible for assistance from the Legion unless he is -

(a) blind, aged or destitute; or

(b) substantially disabled or infirm and has a medical certificate issued by a Government medical officer as to the nature, degree and percentage of his disability.

(2) The grant of assistance in any form shall be in the discretion of the Legion.

***Commencement.***

19. These Regulations shall come into force at the same time as the Ghana Legion Decree, 1974 (N.R.C.D. 285).



**APPENDIX 1**

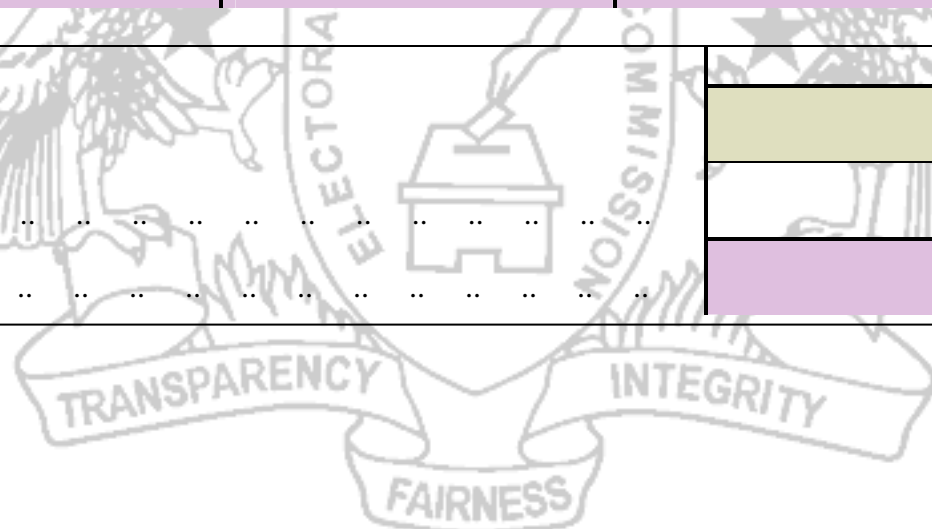
**FORM X**  
**NOMINATION PAPER**

**PART I**

We, the undersigned, members of the .....House of Chiefs do hereby nominate the following person to serve as a President/Vice-President/member of the .....House of Chiefs:

| Surname | Other Names | Address |
|---------|-------------|---------|
|         |             |         |
|         |             |         |

|                |  |
|----------------|--|
|                |  |
| Proposer ..... |  |
| Secunder ..... |  |



**PART II**

1. I, the undersigned, member of the .....House of Chiefs hereby support the nomination of .....

.....  
*Signature*

2. I, the undersigned, member of the .....hereby consent to my nomination for election to the National House of Chiefs as President/Vice-President/Vice-President/members.

.....  
*Signature of Nominee*



**APPENDIX 2**

**FORM Y**

**DECLARATION OF RESULTS**

I, the undersigned, do hereby declare:

(a) that the total number of members of the .....

House of Chiefs is .....

(b) that at the election held on ..... the .....

day of ..... 19.....the number of such members present was  
.....and

(c) that the number of votes specified in the second column of the Part I to this Declaration was cast in favour of the candidate(s) specified in relation thereto in the first column of the said Part,

(d) that the candidate(s) named in the Part II to this Declaration has/have accordingly been elected as member(s) /President/Vice-President of the  
.....House of Chiefs.

.....  
*Electoral Commissioner/Presiding Officer*

**PART I**

| Name of candidate | Number of votes cast<br>In his favour |
|-------------------|---------------------------------------|
| 1. ....           | .....                                 |
| 2. ....           | .....                                 |
| 3. ....           | .....                                 |
| 4. ....           | .....                                 |
| 5. ....           | .....                                 |
| 6. ....           | .....                                 |

**PART II**

| Name of candidate | Officer to which elected |
|-------------------|--------------------------|
| 1. ....           | .....                    |
| 2. ....           | .....                    |
| 3. ....           | .....                    |
| 4. ....           | .....                    |
| 5. ....           | .....                    |
| 6. ....           | .....                    |



**APPENDIX 3**

**FORM Z**

**ELECTION OF A PRESIDENT, OR VICE-PRESIDENT OR  
MEMBER OF THE NATIONAL HOUSE OF CHIEFS**

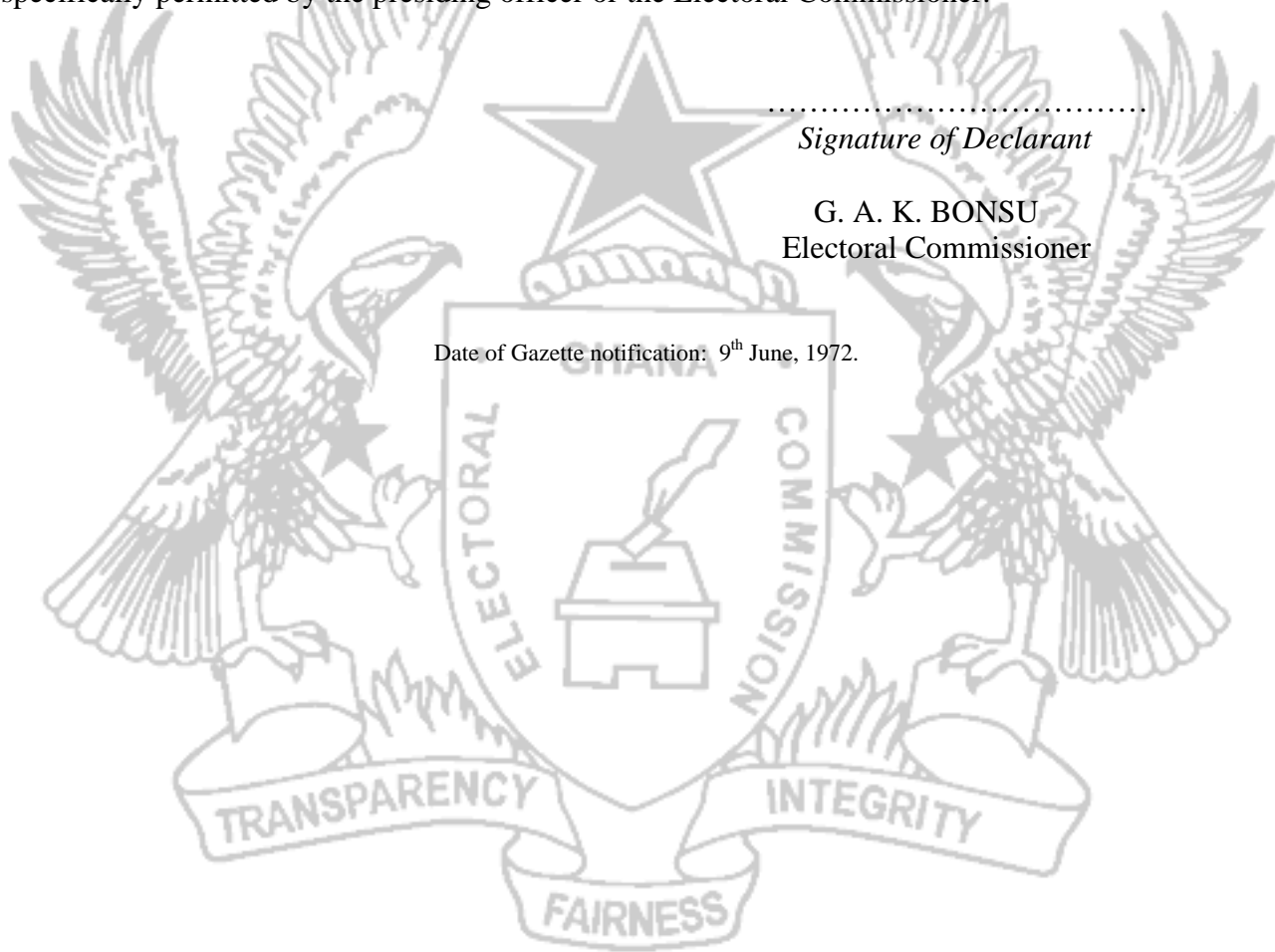
**DECLARATION OF SECRECY**

I, .....do solemnly declare that I will not directly or indirectly communicate or reveal to any person any matter which shall be brought under my consideration or shall come to my knowledge in the discharge of my official duties or as may be specifically permitted by the presiding officer or the Electoral Commissioner.

.....  
*Signature of Declarant*

G. A. K. BONSU  
Electoral Commissioner

Date of Gazette notification: 9<sup>th</sup> June, 1972.



**APPENDIX 4**

**ELECTORAL COMMISSION OF GHANA**

**VOTER REGISTRATION CHALLENGE FORM**

Name of Registration Centre.....Date of challenge.....

What is the name and address of the person who has been challenged ?  
*(Please Print Clearly)*

.....  
*(Name of person challenged)*

.....  
*(Address of person challenged)*

What is the reason for the challenge ? *(tick all that apply)*

- |   |  |
|---|--|
| <input type="checkbox"/> Below 18 Years Old                                       | <input type="checkbox"/> Not of Sound Mind     |
| <input type="checkbox"/> Not a Ghanaian Citizen                                   | <input type="checkbox"/> Previously Registered |
| <input type="checkbox"/> Not a Resident of Locality                               | <input type="checkbox"/> Other .....           |
| <input type="checkbox"/> Not the Person He or She<br>Claims to be (Impersonation) |  |

Print the Name and Address of the person making the challenge

.....  
*(Name of Person making the challenge)*

.....  
*(Address of Person making the challenge)*

I swear or affirm that the information I have provided on this form is true and correct to the best of my knowledge.

.....  
*Signature of person making challenge* .....20.....

**Registration Officer**, please write below any facts concerning the challenge you think important:

.....

.....

.....

.....

.....

.....

.....

.....

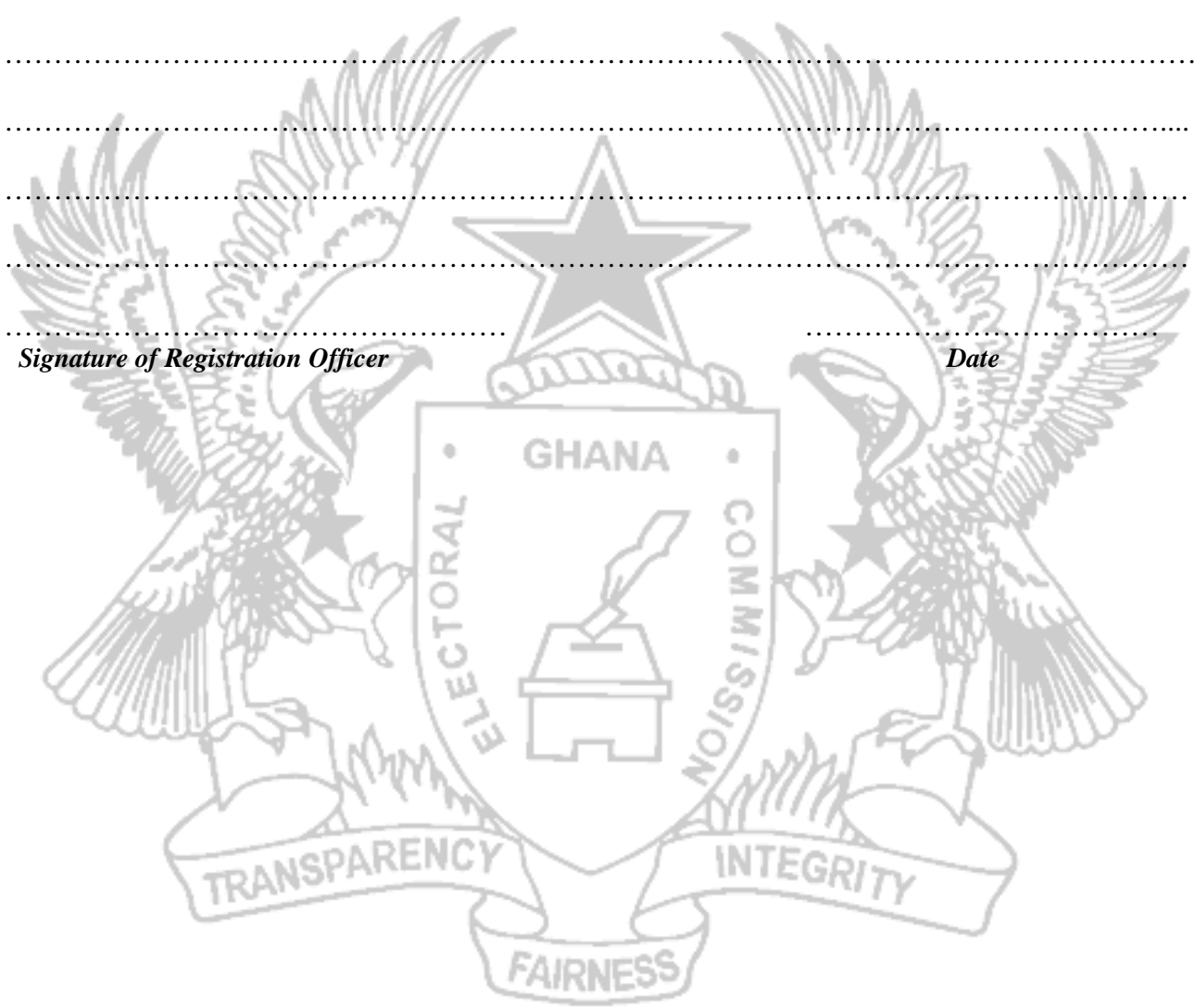
.....

.....

.....

*Signature of Registration Officer*

*Date*



**APPENDIX 5**

**ELECTORAL COMMISSION OF GHANA**

**REPORT OF IRREGULARITY AT A REGISTRATION CENTRE**

Registration Centre Number .....

Date Irregularity Reported .....

What is the irregularity alleged ? *(tick all that apply)* Give details on back of form where necessary.

- Completed Forms Storage Box Seal Broken
- Forms not Used in Serially Numbered Order
- Forms not Assigned to this Centre Used
- Registration Officials Left Early. Note time .....
- Centre Ran Out of Supplies. Note time .....
- Official Unlawfully Rejected Applications
- Officials ignored party agent's complaints
- Other, please specify clearly on back o form
- Unused forms storage box seal broken.
- Forms sent to another centre without documentation
- Registration Officials arrived late. Note time .....
- Unnecessary delay in taking Registrations
- Officials discourteous to the public
- Procedure not properly followed.

.....  
*(Printed name of Person reporting irregularity)*

.....  
*Address (including House Number) of person reporting irregularity*

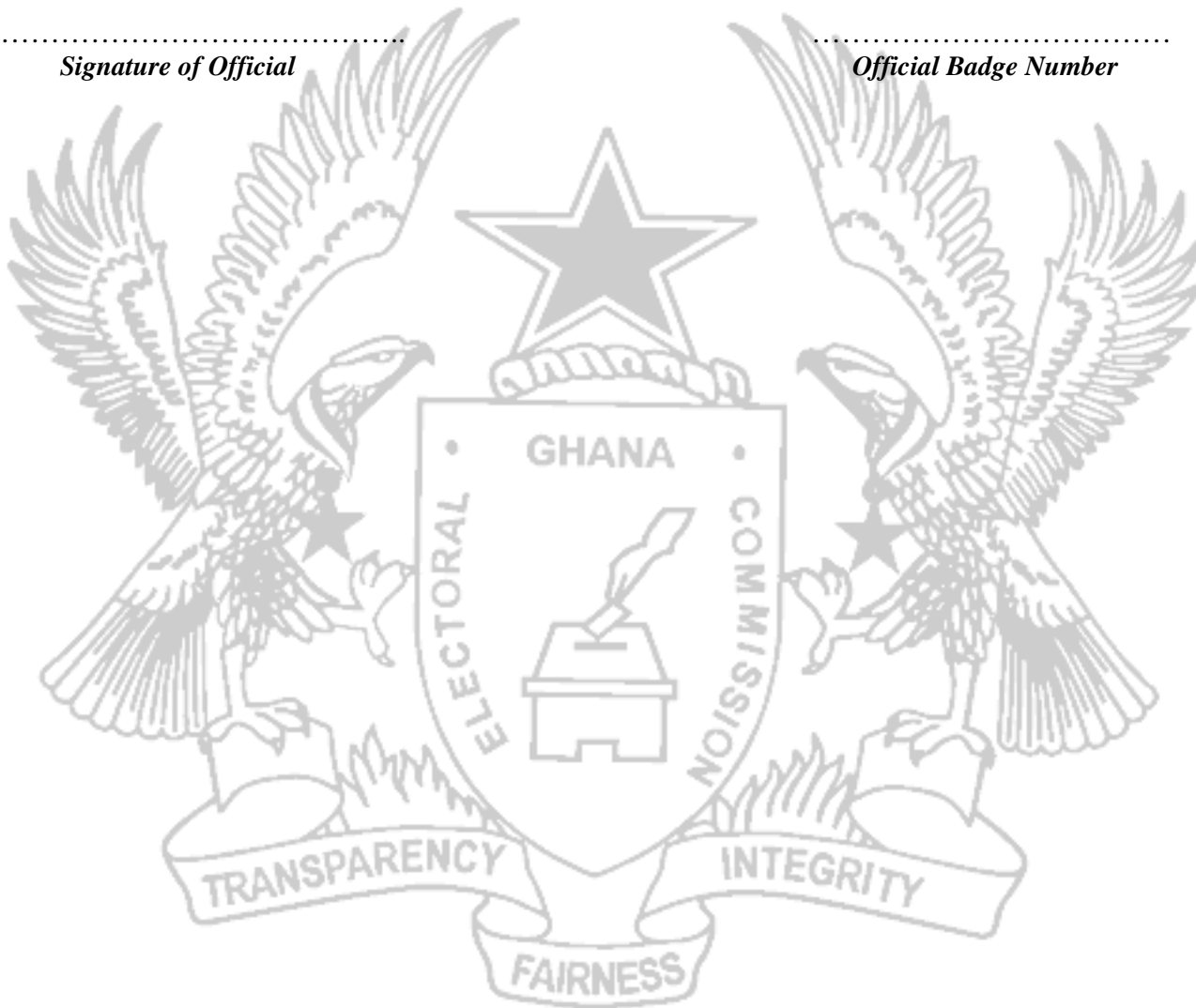
I swear or affirm that the information I have provided on this form is true and correct to the best of my knowledge.

.....  
*Signature of person reporting*

.....  
*Printed name of official receiving report*

.....  
*Signature of Official*

.....  
*Official Badge Number*



## APPENDIX 6

**NOTICE TO PERSON OBJECTED TO**

To .....

I, .....

of.....

being the Registration Officer/Registration Assistant for .....

Polling Station in .....Electoral Area

of .....Town/Area Council

in the .....District

hereby give you notice that an objection has been lodged to your name being inserted in the register of voters for the .....

Polling Station in the .....Electoral Area

of .....Town/Area Council

in the .....District

as a voter on the ground that .....

.....

.....

.....

and that you will be required to prove your qualification at the time of the settlement of the said Register.

Dated this ..... day of ..... 20.....

.....

*Signature*

DR. AFARI GYAN

Chairman, Electoral Commission

**APPENDIX 7**

**VOTERS REGISTRATION FORM**

