

**IN THE THIRD SESSION OF THE  
FOURTH PARLIAMENT OF THE FOURTH  
REPUBLIC OF GHANA**



**REPORT OF THE  
JOINT COMMITTEE ON LANDS AND  
FORESTRY, AND MINES AND ENERGY**

**ON THE  
2008 ANNUAL BUDGET ESTIMATES OF  
THE MINISTRY OF LANDS, FORESTRY  
AND MINES**

*6<sup>th</sup> December 2007*

## **INTRODUCTION**

1. The Budget Statement and Economic Policy of the Government for the 2008 fiscal year was presented to Parliament by the Hon. Minister of Finance and Economic Planning on Thursday, 15<sup>th</sup> November 2007 in accordance with Article 179 of the 1992 Constitution of Ghana. The Budget Estimates of the Ministry of Lands, Forestry and Mines (Volume 13) were accordingly referred to a Joint Committees of Lands and Forestry and, Mines and Energy for consideration and report pursuant to Orders 140(4), 152(b) and (c), 177 and 188 of the Standing Orders of the Parliament of Ghana.

2. The Committee met with the Hon. Minister of Lands, Forestry and Mines and her Deputies, heads of agencies and officials of the Ministry and deliberated thoroughly, the estimates of the Ministry.

3. The Joint Committee wishes to express its gratitude to the officials who acknowledged its invitation and attended its Sitting.

## **REFERENCE**

4. Your Committee referred to the following documents at its deliberations:

- i. The 1992 Constitution of Ghana
- ii. The Standing Orders of the Parliament of Ghana
- iii. The Budget Statement and Financial Policy of Government for the year ending 31<sup>st</sup> December, 2008.

## **MISSION STATEMENT**

5. According to its Mission Statement, the Ministry of Lands, Forestry and Mines exists to ensure the sustainable management and utilization of the nation's lands, forests, wildlife and mineral resources

for the socio-economic development and growth of Ghana. This is to be achieved through:

- (1) Efficient formulation, implementation, co-ordination, monitoring and evaluation of policies and programmes of the sector agencies.
- (2) Efficient management of public and stool lands as a means to ensure equitable land delivery.
- (3) Promoting effective inter-agency and cross-sectoral linkages.
- (4) Promoting sustainable forest and wildlife resource management and utilization.
- (5) Creating an enabling environment for effective private participation.
- (6) Promoting effective community participation in multiple uses of land, forest and wildlife resources.

6. In doing all these, the Ministry intends to promote transparency and deliver its services effectively for the benefit of present and future generations.

### **OBJECTIVES**

7. The Mission of the Ministry will be realized through the pursuit of the under-listed objectives:

- (i) Develop and manage sustainably land, forest, wildlife and mineral resources;
- (ii) Facilitate equitable access, benefits sharing from and security to land and forest resources.
- (iii) Promote public awareness and local communities' participation in sustainable management and utilization of forest, wildlife, land use and mineral resources;

- (iv) Review, update and consolidate existing legislation and policies affecting natural resources management.
- (v) Promote and facilitate effective private sector participation in land service delivery, forest, wildlife and mineral resource management and utilization.
- (vi) Put in place an effective land, forest and wildlife planning to increase benefits derived from these resources.
- vii. Develop and maintain effective institutional capacity and capability at the national, regional, district and community levels for land, forest and wildlife service delivery.
- viii. Develop and research into problems of forest and wildlife resources and land use.

## **PERFORMANCE FOR 2007**

### **Lands Sub-Sector**

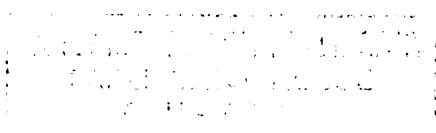
8. Agencies under the lands sub-sector of the Ministry of Lands, Forestry and Mines include Lands Commission (L.C.), Land Title Registry (L.T.R), Land Valuation Board (L.V.B), Survey Department and the Office of the Administrator of Stool Lands (OASL). The sub-sector successfully carried out some activities in the previous year. These include the following;

- ▶ Draft legislation for institutional arrangement for land administration has been submitted to Cabinet awaiting approval. It provides for a new Lands Commission with four functional divisions namely the Surveying and Mapping Division, Lands Registration Division, Land Valuation Division and State and Vested Lands Management Division.

- ▶ An inventory of State acquired and occupied lands has been completed by the private sector in ten pilot districts in Yilo Krobo, Manya Krobo, Suhum Kraboa Coaltar, Birim South, Sunyani Municipality, Techiman Municipality, Wenchi, Atwima Nwabiagya, Amansie East and Sekyere West.
- ▶ A computerized database on property and farm ownership were developed for the Kyebi and Wassa Amenfi Customary Land Secretariats. All records held at the Lands Commission on land transactions on Gbawe lands have been electronically duplicated for the Gbawe Customary Lands Secretariat. Studies were also undertaken in Sandema on land right and how to improve security of tenure in the area.
- ▶ Survey Department re-surveyed sites acquired for the Accra Training College, Madina Social Welfare Centre, West Africa Secondary School and Irrigation Development Authority at Weija to enable Government deal with encroachment issues.
- ▶ Land Registries were established at Wa, Bolga and Ho.
- ▶ Construction of new buildings for the establishment of new Land Registries at Cape Coast and Ho.
- ▶ In collaboration with the Millennium Development Authority all the consultation processes needed to commence rural land title registration service in the Awutu-Efutu-Senya District were done.
- ▶ A contract has been awarded for the mapping of 15,000 km<sup>2</sup> of selected areas to produce digital orthophoto maps for good land use planning and development.

### **Forestry Sub-Sector**

9. The forestry sub-sector comprised of the Forestry Commission (F.C) and its three divisions - Forest Services Division (F.S.D), Wildlife



Division (W.D) and the Timber Industries Development Division (T.I.D.D). Other agencies that come under the Commission include the Wood Industries Training Centre, College of Renewable Natural Resources and Resource Management Support Component. Activities undertaken by the sub-sector during the 2007 financial year include;

### Plantation Development

10. The Commission has one plantation development programme which is implemented by the FSD and also facilitates the implementation of the Government's plantation development programme financed from HIPC resources.

11. The Forest Services Division achieved among others the following during the year under the Commission's plantation development programme:

- ▶ 554,785 seedlings of various species were raised in FSD nurseries whilst 360,819 seedlings were raised by private and community tree seedling producers bringing the total to 915,604 during the period.
- ▶ 17,538 sites were prepared for planting.
- ▶ 6,241 ha of degraded forest reserve land representing 70% of the target have been planted by FSD.

12. Under the HIPC plantations programme;

- 29,600ha plantations have so far been established in forest reserves.
- The Programme has in addition facilitated the establishment of 15,000ha of plantation in off-reserve forest under the Community Forest Development Programme and the planting of 3,000ha under its Urban Forestry Component and

contributed 4,000ha seedlings to the Greening Ghana Programme.

- The Programme currently employs 12,100 workers all of whom are engaged on plantation establishments on Forest Reserves and also contributes 7,000 tonnes of foodstuff (mostly maize) annually.

### 13. Forest Boundary Protection and Maintenance

- ▶ A distance of 11,700 km. of both internal and external forest reserve boundaries representing 65% of target performance were maintained during the first half of the year.
- ▶ Routine inspection of both internal and external boundaries covering 13,500 km. representing 75% of the target was undertaken. Patrol duties in off-reserve and other forest reserve areas covered was 174,186.6 km.

### Relocation of the Accra Zoo

14. The translocation of exhibits from the Accra Zoo to the Kumasi Zoo was completed in March, 2007.

15. Construction of cages for primates in Achimota Forest was also completed in February and the primates translocated from the Accra Zoo to the Achimota Forest in August.

### Mines Sub-Sector

16. Magnetic and Spectrometry maps of Keta and Voltaian Basins have been completed. Also reconnaissance regional Time Domain ElectroMagnetic (TDEM) airborne surveys have been completed.

17. Geological data was gathered in over five field sheets to assist in the exploration of traditional and non-traditional minerals in Ghana.

18. One thousand, two hundred geochemical samples were collected from three field sheets for analysis.

19. Epicenters and magnitudes of recorded tremors and earthquakes have been completed.

## **OUTLOOK FOR 2008**

### **Lands Sub-Sector**

20. The implementation of the National Land Policy through the Land Administration Project is expected to be continued and the new Lands Commission Bill is expected to be passed by Parliament in the course of the year.

21. The drafting of a new Land Bill for effective land administration and improved security of tenure is also anticipated to be laid before Parliament.

22. An additional eight (8) new Customary Land Secretariats (CLSs) are to be established to bring the total to 20 whilst a computerized database on property and farm ownership will be established in four CLSs and studies undertaken on land rights to improve security of tenure.

23. The Ministry also intends to complete the inventory of State acquired and occupied lands in 27 districts in the Greater Accra, Eastern, Ashanti and Brong-Ahafo regions.



24. Work on the Head Office building for the new Lands Commission and its Divisions is expected to commence in the course of the year and this will provide a one-stop-shop service centre for land administration. The Head Office of the Town and Country Planning Department and the Office of the Administrator of Stool Lands are to be co-located in this building.

25. Properties in nine (9) districts will be re-valued for revenue generation.

26. Geodetic Reference Network (GRN) system for land surveying will be re-computed for the northern sector of the country and will include the setting up of permanent reference stations at Tamale and Bolgatanga and about 20 new geodetic reference points.

27. The Office of Administrator of Stool Lands (OASL) will establish new district offices at Amasaman in the Greater Accra Region and Duayaw Nkwanta in the Brong-Ahafo region.

### **Forestry Sub-Sector**

28. Activities to be undertaken by the sub-sector during the 2008 financial year include:

- ▶ The FC will commence the construction of Phase 1 of a new zoo at Achimota Forest during the year.
- ▶ The Log-Tracking System will be re-enforced by Integrating it into the Validation of Legal Timber Programme (VLTP)
- ▶ The National Resource and Environment Governance (NREG) Programme will also commence in 2008.

- ▶ The Government Plantations Development Program will establish additional 6,050ha of new plantations and provide seedlings and technical assistance to off-reserve farmers, institutions and the Greening Ghana Programme.

### **Mines Sub-Sector**

29. Diamond miners and buyers are to be registered and given identity cards under the Kimberly Process Certification Scheme (KPCS) so as to facilitate monitoring, reduce smuggling and satisfy the principles of KPCS.
30. The Airborne Geophysical Survey on the Keta and Voltaian Basins will be continued and six (6) additional new areas will be surveyed. Geological data over five (5) Field Sheets in the Central, Upper West and Volta Regions will be continued.
31. The Inspectorate Division (ID) of Minerals Commission will undertake monitoring and analytical services like ambient air analysis, microbiological test, physical and chemical test of water samples as well as mineral assaying. It will continue monitoring of the activities of all reconnaissance, prospecting and mining license holders to protect the health and safety of the workforce and ensure that no nuisance is created in the area of mineral operations.

### **ESTIMATES FOR FISCAL YEAR 2008**

32. The Ministry of Lands, Forestry and Mines has been granted a total sum of GH¢66,261,073 to execute the above activities for the 2008 financial year. The total amount of GH¢66,261,073 comprises a donor component of GH¢17,907,348 with the remaining GH¢48,353,725

funded by GoG, IGF and HIPC. The GoG figure is GH ₵15,681,315 whilst IGF is GH₵25,172,410. An amount of GH₵7,500,000 is to be supported from HIPC sources.

33. The 2008 allocation of GH₵66,261,073 to the Ministry of Lands, Forestry and Mines represents a decrease of GH₵5,800,627 or 8% of last year's figure of GH₵72,061,700. The details are attached as annexure A.

### **OBSERVATIONS**

#### **Disbursement Formula for Timber Royalties**

34. The Committee observed that per the arrangement between FC and OASL, revenue from timber royalties from the off-reserve areas are to be shared in the ratio of 60:40 in favour of the land owners through OASL with the remaining 40 retained by the Commission.

35. The Committee however observed in the 2008 budget estimates that revenue from off-reserves were to be distributed at a ratio of 50:50 contrary to the arrangement between the two institutions. The Committee accordingly recommends that the Forestry Commission should abide by the 60:40 arrangement and amend its projected revenue figures to conform to the formula.

#### **Payment of Item 1 from IGF**

36. The Committee noted that the Ministries, Departments and Agencies (Retention of Funds) Act, 2007, Act 735 prohibits the payment of personnel emoluments and other related allowances from IGF. Section 5(c) of Act 735 states as follows:

*"5 Despite any other provision in any enactment to the contrary*

*(c) Internally Generated Funds shall not be used for the payment of salaries, staff benefits and other allowances except where the allowances are directly related to the provision of services that will lead to increased revenue".*

37. It was observed that prior to the promulgation of Act 735, the personnel emoluments of some staff of the Forestry Commission, Lands Commission, Minerals Commission and OASL was paid from the IGF of the respective Agencies. The Committee observed that the payment of personnel emoluments from IGF has been discontinued in compliance with the above mentioned Act.

38. Unfortunately, provision has not been made under GoG for the payment of Item 1 of the affected staff in the 2008 estimates. The status of officers who received their personal emoluments from IGF prior to the enactment of Act 735 is therefore unknown.

39. The Committee therefore urges MLFM to liaise with MOFEP to have the issue resolved as early as possible.

#### Retention of IGF by Minerals Commission

40. The Committee observed that a greater percentage of the budget of the Minerals Commission is fund from the Commission's IGF. About 80% of the Commission's budget is funded by IGF. The Committee however noted that the Commission was not listed in the schedule to Act 735 as one of the agencies permitted to retain part of its IGF.

41. The Committee therefore urges the sector Ministry to liaise with the Ministry of Finance and Economic Planning to take the necessary steps to amend Act 735 to have the Minerals Commission included in the schedule.

Allowances for Members of the Lands Commission

42. The Committee in its previous Reports on the 2006 and 2007 draft estimates of the Ministry, drew the attention of the House that allowances of the Members of the Lands Commission and the Regional Lands Commission had fallen into arrears amounting to ₵2bn (now GH₵200,000). The Committee in its recommendation appealed to MOFEP to make adequate budgetary provision to the Commission for the payment of the allowances.

43. The Committee wishes to inform the House that its appeal to MOFEP was partially heeded and provision made for the Chairman and members of the Lands Commission in accordance with Art. 71 of the 1992 Constitution. Unfortunately, the provisions of Art 71 were not extended to members of the Regional Lands Commission.

44. Art 71(i) (d)(iv) of the 1992 Constitution states as follows:

*"71(1) The salaries and allowances payable, and the facilities, and privileges available, to-*

*(d) the Chairman, Vice-Chairman and other members of-*  
*(iv) the Lands Commission;*

*being expenditure charged on the Consolidated Fund, shall be determined by the President on the recommendations of a committee of not more than five persons appointed by the President, acting in accordance with the advice of the Council of State".*

45. Art. 258(1) establishes the Lands Commission whereas Art. 260(1) establishes branches of the Commission. Article 260(1) specifically states that;

*"The Lands Commission shall have a branch in each region to be known as a Regional Lands Commission for the performance of the functions specified in article 258 of this Constitution in respect of the region".*

46. It is the opinion of the Committee, that per the above mentioned provisions of the Constitution, members of the Regional Lands Commission are equally covered by the provisions of Art. 71.

47. The Ministry in collaboration with the Lands Commission should therefore take the necessary action that would ensure that the members of the Regional Lands Commission benefit from the provisions of Art. 71.

#### Allowances for Members of Adjudicating Committees

48. The Committee further noted that allowances due members of the Adjudicating Committees of the Land Title Registry has been in arrears for some time now. The Committee therefore urges MOFEP to make adequate provision to enable the Land Title Registry make good these arrears since some of the members have already threatened legal action against the Registry.

#### Obsolete Earthquake Monitoring Equipment

49. The Committee in its Report on the 2007 Budget Estimates of the Ministry informed the House that the entire investment vote of the

Geological Survey Department was GH¢90,000 whereas the cost of the digital seismic equipment used for earthquake monitoring was GH¢420,000.


50. The Department was therefore unable to procure the equipment during year 2007. The Department is currently relying on obsolete equipment with an attendant intermittent breakdown.

51. The Committee therefore recommends that the cost of the seismic equipment should be considered by MOFEP in the event of a supplementary budget in the course of the year

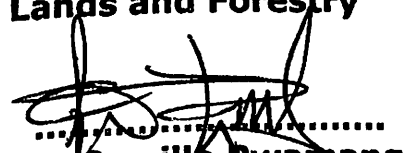
### **CONCLUSION**

52. The Committee, after careful examination of the draft estimates and with the assurance that the above observations will be taken on board by MLFM and MOFEP, accordingly recommends to the House to approve the sum of **Sixty Six Million, Two Hundred and Sixty One Thousand, and Seventy Three Ghana Cedis (GH¢66,261,073)** for the Ministry of Lands, Forestry and Mines for the 2008 financial year.

53. Respectfully submitted.



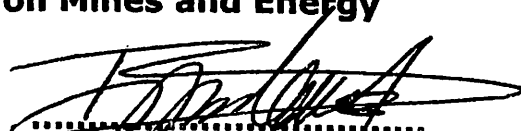
.....  
**Hon. Joseph Boahen Aidoo**  
**Chairman, Committee on**  
**Lands and Forestry**



.....  
**Mr. Camillo Pwamang**  
**Clerk, Committee on**  
**Lands and Forestry**



.....  
**Hon. Gifty E. Kusi (Mrs.)**  
**Chairperson, Committee**  
**on Mines and Energy**



.....  
**Mr. Mohammed Inusah**  
**Clerk, Committee on Mines**  
**& Energy**

6th December, 2007

**MINISTRY OF LANDS, FORESTRY & MINES  
2008 ALLOCATION (IN GHANA CEDIS)**

DEPT/ AGENCIES	ITEM 1 PERSONAL EMOLUMENTS		ITEM 2 ADMINISTRATION		ITEM 3 SERVICE		ITEM 4 INVESTMENT		DONOR	HIPC	TOTAL
	GOG	IGF	GOG	IGF	GOG	IGF	GOG	IGF			
GEN ADM	340,000		258,000		70,000		110,000			6,000,000	6,778,000
Forestry Secretariat			18,000		7,000						25,000
Lands Secretariat			18,000		7,000						25,000
Mines Secretariat			18,000		7,000						25,000
Internal Audit	40,000		23,100		4,900						68,000
LAP					200,000		500,000		12,696,328		700,000
LAND TITLE R.	278,051		97,500		10,000		80,000				465,551
LVB	2,680,384		183,000		30,000		80,000				2,973,384
OASL	793,954		54,000	430,000	8,000	345,000	45,000	325,000			1,675,954
FORESTRY PLANNING					40,000		250,000		1,600,000		290,000
SAVANNA RES. CENT					30,000		37,000		600,000		67,000
BARADEP	20,000		36,000		30,238		60,000				146,238
SURVEY DEPT	1,342,017		189,000		202,366		268,196				2,001,579
FORESTRY COMM.	402,289			10,521,698		5,279,561		817,467	1,000,000		16,203,548
HFBCP PARFORM VLTP							50,000		307,170		50,000
RSMC	259,926						160,000		1,000,000		160,000
CRNC	75,938										259,926
FSD	1,962,331										75,938
WILDLIFE DIVISION	710,000		156,000		30,000		70,000		703,850		1,962,331
LANDS COMM.	1,559,154		108,000	450,000	20,000	1,257,577	150,000	792,423			966,000
MINERAL COMM MINES DEPT				2,023,866		1,527,358		622,750		1,500,000	3,544,731
GSD	136,465		66,000	357,006		206,604		216,100			1,500,000
	954,345		165,161		60,000			120,000			766,075
<b>TOTAL</b>	<b>11,554,854</b>		<b>1,389,761</b>	<b>13,782,570</b>	<b>756,504</b>	<b>8,616,100</b>	<b>1,980,196</b>	<b>2,773,740</b>	<b>17,907,348</b>	<b>7,500,000</b>	<b>66,261,073</b>