

PARLIAMENT OF GHANA LIBRARY

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

REPORT OF THE COMMITTEE ON LANDS AND  
FORESTRY

ON THE

ANNUAL REPORT AND ACCOUNTS  
OF THE OFFICE OF THE ADMINISTRATOR OF  
STOOL LANDS FOR THE YEAR 2018

NOVEMBER, 2019

## **1.0 INTRODUCTION**

- 1.1 The 2013 Annual Report of the Office of the Administrator of Stool Lands (OASL) was presented to Parliament on 30<sup>th</sup> October, 2018 by Hon. Minister for Lands and Natural Resources in accordance with the Office of the Administrator of Stool Lands Act, 1994 (Act 481) and was subsequently referred to the Lands and Forestry Committee for consideration and report pursuant to Order 177 of the Standing Orders of the House.
- 1.2 The Committee held several meetings with officials from the Ministry of Lands and Natural Resources and the technical team from the Office of the Administrator of Stool Lands and deliberated on the Report.

The Committee is grateful for their inputs and clarifications.

## **2.0 REFERENCE**

- 2.1 The Committee referred to the following documents during its deliberations:
  - i. The 1992 Constitution;
  - ii. The Standing Orders;
  - iii. Office of the Administrator of Stool Lands Act, 1994 (Act 481);
  - iv. The 2013 Annual Report of the Office of the Administrator of Stool Lands; and
  - v. The Auditor General's Report on the Accounts OASL for 2013.

## **3.0 ESTABLISHMENT AND MANDATE OF THE OFFICE OF THE ADMINISTRATOR OF STOOL LANDS**

- 3.1 The establishment of the OASL is provided for by Article 267 (2) of the 1992 Constitution and the Office of the Administrator of Stool Lands Act, 1994 (Act 481).
- 3.2 The Administrator of Stool Lands (OASL) is responsible for the collection and disbursement of stool land revenue according to Article 267 (6), (7) and (8) of the 1992 Constitution and the Office of the Administrator of Stool Lands Act, 1994 (Act 481).

## **4.0 FUNCTIONS**

4.1 The functions of the Office of the Administrator of Stool Lands are:

- (i) To establish a Stool Land account for each stool into which shall be paid all rent, dues, royalties, revenue or other payments whether in the nature of income or capital from stool lands;
- (ii) To collect stool lands revenue and accounting for same to the beneficiaries;
- (iii) To disburse stool land revenue to beneficiaries in the proportion of 25% to the Stool through the traditional authority, 20% percent to the traditional authority and 55% to the district assembly within the area of authority in which the stool land is situated. The Office also retains 10% as administrative charges;
- (iv) Consultation with stools and other traditional authorities on matters relating to the administration and development of stool lands;
- (v) Co-ordination with the Lands Commission and other relevant public agencies and other stakeholders in preparing policy framework for the rational and productive development of stool lands.

## **5.0 PERFORMANCE**

To achieve the various objectives of the OASL, the Office focused its attention on the following activities during the year:

### **5.1 Public Education**

5.1.1 The Office Organised vigorous education campaigns in several communities throughout the country to educate the public on its mandate. Lessees were educated on their responsibility to pay ground and farm rents and sensitised on pertinent land issues. These activities were done to publicize the activities of the Office and increase stool lands revenue mobilisation.

5.1.2 As part of its public education, the Office published in newspapers of national coverage and distributed over One Hundred and Twenty-two Thousand, Six Hundred and Thirty (122,630.00) copies of rent demand notices to lessees and other land users to remind them of their responsibilities to pay ground and farm rents to the Office.

## **5.2 Activities under the Land Administration Project (LAP) Phase 2**

In order to contribute effectively to the implementation of the Land Administration Project (LAP) Phase 2, the Office, during the year, took active part in all the activities of the Project.

5.2.1 The Office collaborated with the National House of Chiefs on the Ascertainment and Codification of Customary Law Project (ACLP), Customary Land Secretariat (CLS), Customary Boundary Demarcation (CBD) and Rural Parcel Rights Demarcation (RPRD) for small holders in cocoa growing areas.

5.2.2 The OASL's established nineteen (19) new CLS's all over the country, and were supplied office equipment, stationery, and furniture to make the Office operational.

5.2.3 Staff of ten (10) of the newly established CLS were trained in land administration as well as office and records management to sharpen their skills to effectively manage the Offices. Others were also trained in Alternative Dispute Resolution (ADR).

5.2.4 The LAP Unit within the OASL developed manuals on the RPRD and ACLP to serve as educational material and guideline to aid the implementation of the project.

## **5.3 Maintenance of Teak Plantations**

The Office continued to carry out routine maintenance works on its teak plantations in the Brong Ahafo and Eastern Regions. Regular visits were paid to the plantations by staff in the two regions to interact with workers on site, and also monitor the progress of development of the teak trees.

## **5.4 Collaboration with the Mining and Forestry Sectors**

5.4.1 The OASL, during the period, took the necessary steps to strengthen the close working relationship between it and agencies within the mining and forestry sectors. In this regard, the Office collaborated with the Minerals Commission and other mining companies, Forestry Commission and other stakeholders during the year.

5.4.2 As part of efforts to curb the spate of illegal mining and other activities that have negative impact on the environment/ecosystem, the sector Ministry constituted a task force to deal with their activities and the Office was a stakeholder.

## **5.5 Financial Performance**

### **5.5.1 Table 1: Revenue Performance for 2013**

A total amount of Thirty-Seven Million, Five Hundred and Twenty-seven Thousand, and Fifty-six Ghana Cedis (GH¢37,527,056.00) was projected to be mobilised by the OASL for the year 2013. At the end of the financial year, the OASL mobilised a total amount of Nine Million, Five Hundred and Fourteen Thousand, One Hundred and Twenty-eight Ghana Cedis and Thirty-eight Pesewas (GH¢9,514,128.38), representing 25.4% of the total amount projected from rent and dues. The breakdown of the various revenue types are shown in Table below:

**Table 1**

No	Revenue Type	Target	Actual Collection	variance	% collection
1	Mineral Royalties	11,101,116.00	0	(11,101,116.00)	0
2	Timber Royalties	3,560,000.00	2,685,257.21	(874,732.79)	75.4
3	Mining Concession rent	15,829,340.00	304,995.91	(15,524,344.09)	1.9
4	Ground Rent	4,990,800.00	4,780,002.57	(210,797.43)	95.7
5	Farm rent	1,675,200.00	1,731,724.69	56,504.69	103.4
6	Sand dues / others	370,600.00	12,148.00	(358,452.00)	3.3
	<b>Total</b>	<b>37,527,056.00</b>	<b>9,514,128.38</b>	(28,012,927.62)	25.4

Source: 2013 Annual Report and Accounts of OASL, page 24

### 5.5.2 Table 2: Revenue Performance on Regional Basis for 2013

The total amount of Nine Million, Five Hundred and Fourteen Thousand, One Hundred and Twenty-eight Ghana Cedis and Thirty-Eight Pesewas (GH¢9,514,128.38) was collected and same was disbursed to accredited beneficiary Stools, Traditional Authorities and Metropolitan, Municipal and District Assemblies in accordance with the constitutional formula. The breakdown of the disbursement is as shown in Table 2 below:

**Table 2**

No.	Region	Amount GHC
1	Head Office	0.00
2	Ashanti	2,837,877.11
3	Western	2,073,696.11
4	Brong Ahafo	1,492,255.88
5	Eastern	827,538.10
6	Central	677,070.20
7	Greater Accra	1,322,861.49
8	Northern	159,942.19
9	Volta	73,985.90
10	Upper East	48,901.40
11	Upper West	0.00
	<b>Total</b>	<b>9,514,128.38</b>

Source: 2013 Annual Report and Accounts of OASL, page 24

## **6.0 OBSERVATION**

### **6.1 The Annual Audited Accounts**

The Committee observed that the Auditor-General's Report on the Accounts of the Office of the Administrator of Stool Lands for the year 2013 was not attached to the Annual Report submitted to the House by the Hon. Minister for Lands and Natural Resources. This was in violation of Section 14 (1) (2) of the Office of the Administrator of Stool Lands Act, 1994 Act (481). The Committee therefore had to suspend deliberations and compel the Minister to submit the Auditor-General's Report for the year under review before resuming deliberations.

The Committee urged the Ministry and the Office to take note of the requirements under the law and fulfill same in subsequent reports.

### **6.2 Non-release of Minerals Royalties to the OASL**

The Committee noted with concern that OASL did not receive any release out of a budgeted Eleven Million, One Hundred and One Thousand, One Hundred and Sixteen Ghana Cedis (GH¢11,101,116.00) allocation from the mineral royalties for onward disbursement to beneficiaries during the year under review. The OASL informed the Committee that until the year 2016 when the Minerals Development Fund (MDF) Act came into force, releases to the Office were made at the discretion of the Ministry of Finance. This was a major challenge to the Office as mineral royalty remains a major source of revenue to the Office.

### **6.3 Payment of the Revised Mining Concession Rent**

The Committee expressed displeasure with respect to small amount of revenue collected as mining concession rent. The OASL collected only Three Hundred and Forty Thousand, Nine Hundred and Ninety-Five Ghana Cedis Ninety-one pesewas (GH¢304,995.91) representing 1.9% out of a projected amount of Fifteen Million, Eight Hundred and Twenty-nine Thousand, Three Hundred and Forty Ghana Cedis (GH¢15,829,340.00).

The Officials of OASL explained that the situation arose because many of the mining companies declined to pay the revised mining concession rent as approved by Parliament through the enactment of the Fees and Charges (Amendment) Instrument (2012) LI 2191. They indicated the feedback from the mining companies was that the upward adjustment of the rate from GH¢0.50 per square kilometre per annum to GH¢9,001.00 per square kilometre per annum was too excessive and a threat to their business.

The Committee was, however, informed that the implementation of LI 2191 was stalled until a new Minerals and Mining Regulations, 2018 (LI 2357) came into force. Mining companies have, therefore, resumed payment since the year 2018.

#### **6.4. Boundary Disputes and Revenue Generation and Disbursement**

The Committee observed that indeterminate allodial boundaries in selected traditional Areas, which has become a matter for boundary disputes, has affected the revenue mobilisation drive of the OASL. The Committee was informed that the Office collaborated with the Survey and Mapping Division of the Lands Commission and the Secretariat of the LAP to demarcate some selected allodial boundaries. The Committee urges the OASL and its partners in the Project to continue the process of demarcation of allodial lands to reduce boundary disputes.

#### **6.5 Management of Data on Stool Lands**

The Committee lauded the continuous effort by the OASL to compile and update data on leases granted on stool lands through a Database Management Programme initiated by the OASL. The Committee was also informed that besides this measure, the Office has put in place a computerised database management system to manage rents collected.

The Committee believes that those initiatives are critical to revenue mobilisation and land administration, and accordingly urges the OASL to expend more resources in the ensuing years to



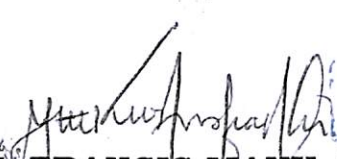
acquire state-of-the-art equipment and also build in-house capacity to manage data on stool lands.

## **7.0 CONCLUSION**

After careful consideration of the Annual Report of the Office of the Administrator of Stool Lands for the year 2013, the Committee noted that the performance of the Office during the year under review was unsatisfactory. The 25% revenue collection rate obviously affected implementation of planned programmes and activities of the beneficiary Stools, Traditional Authorities and Metropolitan, Municipal and District Assemblies.

The above notwithstanding, the Committee believes that the improvement in the legal and regulatory environment such as the passage of the Minerals Development Fund (MDF) Act, 2016 (Act 912) and Minerals and Mining Regulations, 2018 (LI 2357) will go a long way to enhance the performance of the OASL in the subsequent years.

The Committee accordingly urges the House to adopt its report on the 2013 Annual Report of the Office of the Administrator of Stool Lands (OASL).

  
**HON. FRANCIS MANU-ADABOR**  
CHAIRMAN, COMMITTEE ON  
LANDS AND FORESTRY

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**OCTOBER, 2019**