

**GHANA INTEGRATED BAUXITE AND ALUMINIUM  
DEVELOPMENT AUTHORITY BILL, 2018**

---

---

ARRANGEMENT OF SECTIONS

*Section*

*Ghana Integrated Bauxite and Aluminium Development Authority*

1. Establishment of the Authority
2. Object of the Authority
3. Functions of the Authority
4. Powers of the Authority
5. Governing body of the Authority
6. Tenure of office of members of the Board
7. Meetings of the Board
8. Disclosure of interest
9. Establishment of committees
10. Allowances
11. Policy directives

*Administration of the Authority*

12. Appointment of Chief Executive Officer
13. Functions of the Chief Executive Officer
14. Appointment of other staff
15. Regional and district offices
16. Internal Audit Unit

*Finances of the Authority*

17. Funds of the Authority
18. Bank account
19. Expenses of the Authority
20. Borrowing powers
21. Special power purchase rates
22. Accounts and audit
23. Annual report and other reports
24. Exemption from taxes, duties, fees and other charges

GHANA INTEGRATED BAUXITE AND ALUMINIUM  
DEVELOPMENT AUTHORITY BILL, 2018

---

---

*Miscellaneous Provisions*

25. Request for geoscientific report
26. Intellectual property
27. Collaboration with public institutions and compliance with relevant laws
28. Offences
29. Regulations
30. Interpretation

*Ghana Integrated Bauxite and Aluminium  
Development Authority Bill, 2018*

A  
**BILL**

ENTITLED

**GHANA INTEGRATED BAUXITE AND ALUMINIUM  
DEVELOPMENT AUTHORITY ACT, 2018**

**AN ACT** to establish the Ghana Integrated Bauxite and Aluminium Development Authority to promote and develop an integrated bauxite and aluminium industry and to provide for related matters.

Passed by Parliament and assented to by the President:

*Ghana Integrated Bauxite and Aluminium Development Authority*

**Establishment of the Authority**

1. (1) There is established by this Act a body corporate with perpetual succession to be known as the Ghana Integrated Bauxite and Aluminium Development Authority.

(2) For the performance of its functions, the Authority may acquire and hold movable and immovable property, dispose of property and enter into a contract or any other related transaction.

(3) Where there is a hindrance to the acquisition of immovable property, the property may be acquired for the Authority under the State Lands Act, 1962 (Act 125) and the cost shall be borne by the Authority.

*Ghana Integrated Bauxite and Aluminium  
Development Authority Bill, 2018*

**Object of the Authority**

2. The object of the Authority is to promote and develop an integrated bauxite and aluminium industry.

**Functions of the Authority**

3. To achieve the object under section 2, the Authority shall, subject to the Constitution

- (a) undertake the preparatory work in respect of the promotion and development of the integrated bauxite and aluminium industry;
- (b) manage the bauxite resources of Ghana in accordance with the relevant laws;
- (c) consider and respond to enquiries of private investors or foreign organisations interested in the development of the bauxite resources of the country;
- (d) make recommendations to the Minister on the form and scope of government participation in the development of the integrated bauxite and aluminium industry;
- (e) ensure the training of citizens and the acquisition and development of administrative, technical, managerial and other relevant skills to harness the requisite expertise for the development of the integrated bauxite and aluminium industry;
- (f) take reasonable measures to settle persons who may have to be displaced as a result of the operations related to the development of the integrated bauxite and aluminium industry;
- (g) collaborate with the Environmental Protection Agency, and communities affected by the operations of the integrated bauxite and aluminium industry to protect the environment;
- (h) ensure that adequate compensation is paid promptly where land is acquired from private owners or custodians for the development of the integrated bauxite and aluminium industry;
- (i) maintain and preserve the records of the Authority and publish the records in the medium the Board may determine; and
- (j) perform any other functions conferred on the Authority by this Act or that are ancillary to the object of the Authority.

*Ghana Integrated Bauxite and Aluminium  
Development Authority Bill, 2018*

**Powers of the Authority**

4. (1) The Authority shall for the purpose of achieving the object under section 2, have the power to

- (a) negotiate on behalf of Government, with individuals or foreign organisations as regards the exploitation of bauxite resources and the derivatives and submit recommendations to the Minister in that regard;
- (b) with the approval of the Minister, enter into a joint venture to promote the incorporation of a limited liability company under the Companies Act, 1963 (Act 179) subject to subsection (2);
- (c) invest in the establishment of an industrial park for companies involved in the
  - (i) manufacture of aluminium related products; and
  - (ii) provision of services in the integrated bauxite and aluminium industry;
- (d) engage in an activity to promote the development of infrastructure for the bauxite and aluminium integrated industry,
  - (i) by a strategic private investor;
  - (ii) in partnership with the company referred to in paragraph (a); or
  - (iii) by a public institution;
- (e) with the approval of the Minister, acquire shares in existing companies engaged in the integrated bauxite and aluminium industry; and
- (f) obtain the necessary permits and approval from the relevant agencies for the export of aluminium and aluminium related products pursuant to section 6 of the Minerals and Mining Act, 2006 (Act 703);

(2) The Authority may enter into a joint venture referred to in paragraph (b) of subsection (1), if

- (a) the Authority holds at least twenty-five percent of the equity shares of the company referred to in that subsection;
- (b) the company referred to in that subsection has the core mandate to exploit bauxite and build a refinery for the production of alumina and smelting of aluminium for the production of aluminium metals and alloys; and

*Ghana Integrated Bauxite and Aluminium  
Development Authority Bill, 2018*

- (c) as far as practicable, the revenue generated by the Authority on an annual basis is greater than the outgoings of the Authority for the year for which the revenue is generated.

**Governing body of the Authority**

5. (1) The governing body of the Authority is a Board consisting of
- (a) the chairperson;
  - (b) the Chief Executive Officer;
  - (c) one representative of the Traditional Council in the affected communities, nominated by the Traditional Council in the affected communities;
  - (d) two persons one of whom has relevant expertise in
    - (i) financial matters; and
    - (ii) matters related to the integrated bauxite and aluminium industry;
  - (e) a representative of the Ministry of Finance;
  - (f) a representative of the Ministry of Lands and Natural Resources; and
  - (g) four other persons nominated by the President at least one of whom is a woman.
- (2) The President shall in accordance with article 70 of the Constitution appoint the members of the Board.
- (3) The Board shall ensure
- (a) the proper and effective performance of the functions of the Authority; and
  - (b) that the Authority conducts its affairs on sound commercial lines and in accordance with business and industry practices.
- (4) The Board shall, subject to this Act, have general control and management of the funds and investments of the Authority.

**Tenure of office of members of the Board**

6. (1) A member of the Board shall hold office for a period of four years and is eligible for re-appointment, but a member shall not be appointed for more than two terms.
- (2) Subsection (1) does not apply to the Chief Executive Officer.
- (3) A member of the Board may at any time resign from office in writing addressed to the President through the Minister.

*Ghana Integrated Bauxite and Aluminium  
Development Authority Bill, 2018*

(4) A member of the Board who is absent from three consecutive meetings of the Board without sufficient cause ceases to be a member of the Board.

(5) The President may, by a letter addressed to a member, revoke the appointment of that member.

(6) Where a member of the Board is, for a sufficient reason, unable to act as a member, the Minister shall determine whether the inability of the member to act would result in the declaration of a vacancy.

(7) Where there is a vacancy

(a) under subsection (3), (4) or (5) or subsection (2) of section 8,

(b) as a result of a declaration under subsection (6), or

(c) by reason of the death of a member,

the Minister shall notify the President of the vacancy and the President shall, subject to subsection (2) of section 5, appoint a person to fill the vacancy.

**Meetings of the Board**

7. (1) The Board shall meet at least once every three months for the despatch of business at the times and places determined by the chairperson.

(2) The chairperson shall, at the request in writing of not less than one third of the membership of the Board, convene an extraordinary meeting of the Board at the place and time determined by the chairperson.

(3) The quorum at a meeting of the Board is five members of the Board or a greater number determined by the Board.

(4) The chairperson shall preside at the meetings of the Board, and in the absence of the chairperson, a member of the Board other than the Chief Executive Officer elected by the members present from among their number shall preside.

(5) Matters before the Board shall be decided by a simple majority of the members present and voting and in the event of an equality of votes, the person who presides shall have a casting vote.

(6) The Board may co-opt a person to attend a meeting of the Board but that person shall not vote on a matter for a decision at the meeting.

(7) The validity of any proceedings of the Board shall not be affected by any vacancy among the members or by any defect in the appointment of any of the members.

*Ghana Integrated Bauxite and Aluminium  
Development Authority Bill, 2018*

(8) The Board shall subject to this Act, regulate the procedure for its meetings.

**Disclosure of interest**

8. (1) A member of the Board who has an interest in a matter for consideration by the Board shall disclose in writing the nature of that interest and is disqualified from participating in the deliberations of the Board in respect of that matter.

(2) Where a member contravenes subsection (1), the chairperson shall notify the Minister who shall inform the President in writing to revoke the appointment of that member.

(3) Without limiting any further cause of action that may be instituted against the member, the Board shall recover the benefit derived by a member who contravenes subsection (1) in addition to the revocation of the appointment of the member.

**Establishment of committees**

9. (1) The Board may establish committees consisting of members of the Board or non-members or both, to perform a function of the Board.

(2) Section 8 applies to members of a committee of the Board.

**Allowances**

10. Members of the Board and members of a committee of the Board shall be paid allowances approved by the Minister in consultation with the Minister responsible for Finance.

**Policy directives**

11. The Minister may give directives on matters of policy to the Board and the Board shall comply.

*Administration of the Authority*

**Appointment of Chief Executive Officer**

12. (1) The President shall appoint a Chief Executive Officer for the Authority.

(2) The Chief Executive Officer shall hold office on the terms and conditions specified in the letter of appointment.



*Ghana Integrated Bauxite and Aluminium  
Development Authority Bill, 2018*

**Functions of the Chief Executive Officer**

13. (1) The Chief Executive Officer is responsible for the day-to-day administration of the Authority, subject to directives from the Board, and is answerable to the Board in the performance of functions.

(2) Subject to the general control of the Authority on matters of policy, the Chief Executive Officer shall be responsible for the strategic direction of the operations of the Authority.

(3) The Chief Executive Officer may delegate a function to an officer of the Authority but shall not be relieved of the ultimate responsibility for the performance of the delegated function.

**Appointment of other staff**

14. The President shall, in accordance with article 195 of the Constitution, appoint other staff of the Authority that are necessary for the proper and effective performance of the functions of the Authority.

**Regional and district offices**

15. The Board may where necessary, establish regional and district offices, in a regional capital and district determined by the Board, to perform the functions of the Authority.

**Internal Audit Unit**

16. (1) The Authority shall have an Internal Audit Unit in accordance with section 83 of the Public Financial Management Act, 2016 (Act 921).

(2) The Internal Audit Unit shall be headed by an Internal Auditor who shall be appointed in accordance with the Internal Audit Agency Act, 2003 (Act 658).

(3) The Internal Auditor is responsible for the internal audit of the Authority.

(4) The Internal Auditor shall subject to subsections (3) and (4) of section 16 of the Internal Audit Agency Act, 2003 (Act 658), at intervals of three months

(a) prepare and submit to the Board, a report on the internal audit carried out during the period of three months immediately preceding the preparation of the report; and

(b) make recommendations in each report with respect to matters which appear to the Internal Auditor as necessary for the conduct of the affairs of the Authority.

*Ghana Integrated Bauxite and Aluminium  
Development Authority Bill, 2018*

(5) The Internal Auditor shall in accordance with subsection (4) of section 16 of the Internal Audit Agency Act, 2003 (Act 658), submit a copy of each report prepared under this section to

- (a) the Minister;
- (b) the Auditor-General; and
- (c) the chairperson of the Board.

*Finances of the Authority*

**Funds of the Authority**

17. (1) The funds of the Authority include
- (a) moneys approved by Parliament;
  - (b) internally generated funds; and
  - (c) grants approved by the Minister responsible for Finance.

**Bank account**

18. The moneys for the Authority shall be paid into a bank account opened for that purpose with the approval of the Controller and Accountant-General.

**Expenses of the Authority**

19. The expenses of the Authority shall be paid from moneys provided for the Authority under section 17.

**Borrowing powers**

20. Subject to article 181 of the Constitution and section 76 of the Public Financial Management Act, 2016 (Act 921), the Authority may, on the terms and conditions that may be agreed between the Authority and the lender, borrow money to meet an expenditure of a capital nature including provision for working capital for the performance of the functions of the Authority.

**Special power purchase rates**

21. The Authority shall obtain Cabinet approval for special power purchase rates from the Volta River Authority or the National Grid to guarantee the availability of power at an industry benchmarked competition rate for activities in the integrated bauxite and aluminium industry.

**Accounts and audit**

22. (1) The Board shall keep books of account and records in the form approved by the Auditor-General.

*Ghana Integrated Bauxite and Aluminium  
Development Authority Bill, 2018*

(2) The Board shall submit the accounts of the Authority to the Auditor-General at the end of the financial year.

(3) The Auditor-General shall, within six months after the end of the immediately preceding financial year, audit the accounts and forward a copy of the audit report to the Minister.

(4) The financial year of the Authority is the same as the financial year of the Government.

**Annual report and other reports**

23. (1) The Board shall, within one month after the receipt of the audit report, submit an annual report to the Minister covering the activities and the operations of the Authority for the year to which the report relates.

(2) The annual report shall include the report of the Auditor-General.

(3) The Minister shall, within one month after the receipt of the annual report, submit the report to Parliament with a statement that the Minister considers necessary.

(4) The Board shall submit to the Minister any other report which the Minister may require in writing.

**Exemption from taxes, duties, fees and other charges**

24. (1) The Authority is exempt from the payment of taxes, duties, fees and other charges as the Minister responsible for Finance may, in writing, determine with the approval of Parliament.

(2) Subject to article 174 of the Constitution, the Minister responsible for Finance may, with the approval of Parliament, grant a waiver or variation of tax to the Authority.

*Miscellaneous Provisions*

**Request for geoscientific report**

25. (1) The Authority may request a land user or a mineral right holder to provide a geoscientific report or information on the operational areas or activities for proper documentation, correlation and assessment.

(2) For the purposes of this section, “land user” means a person who uses or intends to use any land for the purpose of mining bauxite.

*Ghana Integrated Bauxite and Aluminium  
Development Authority Bill, 2018*

**Intellectual property**

26. (1) Subject to subsections (6) and (7), the intellectual property rights in any work made by

- (a) an employee of the Authority or other persons employed by the Republic who have been placed at the disposal of the Authority;
- (b) a person assisting the Authority with an investigation or research, or
- (c) other intellectual enterprise funded or otherwise undertaken with resources of the Authority

shall vest in the Authority, unless otherwise agreed by the parties concerned.

(2) A person who intends to use data produced by the Authority for scientific publication or modification of maps for sale or display or for mineral exploration and other geoscientific operations, shall obtain the prior written approval of the Authority.

(3) The Board may make the work referred to in subsection (1) and the rights which are vested in the Authority, available for use in the public interest subject to the conditions and the payment of fees as the Board may determine.

(4) Where the rights in any work are vested in the Authority in terms of subsection (1), the Board may

- (a) award the person responsible for the discovery, invention or improvement, a bonus that the Board may consider appropriate, and
- (b) make provision for financial participation by the person in the profits derived from the discovery, invention or improvement to the extent that the Authority may determine, with the approval of the Minister responsible for Finance.

(5) The Board may, on behalf of the Authority, apply for a patent in respect of any work contemplated in subsection (1) and the Authority shall, for the purpose of the Patents Act, 2003 (Act 657) be regarded as the assignee of the discoverer or inventor in question.

(6) The intellectual property right in any work made by an employee of the Authority in the course of an investigation for or on behalf of another person, government or administration shall vest in the Authority unless otherwise agreed by the parties concerned.

*Ghana Integrated Bauxite and Aluminium  
Development Authority Bill, 2018*

(7) The provisions of this section do not apply in respect of a work referred to in subsection (1) if, in the opinion of the Board, the work was made by the person concerned other than

- (a) in the course of the employment of that person as an employee of the Authority;
- (b) during the performance of functions as an advisor or consultant to the Authority;
- (c) in the course of an investigation or research conducted by the Authority with the assistance of that person; or
- (d) in the course of research funded by the Authority or conducted with resources of the Authority and which is not connected to the employment, investigation or research.

**Collaboration with public institutions and compliance with relevant laws**

27. (1) The Authority shall collaborate with the Minerals Commission, the Ghana Geological Survey Authority and any other relevant public institution to develop the integrated bauxite and aluminum industry.

(2) Notwithstanding anything to the contrary in this Act, the Authority shall comply with all the relevant laws relating to

- (a) the grant of mineral rights or other licences and permits required under the Minerals and Mining Act, 2006 (Act 703) and the Regulations made under Act 703;
- (b) environmental permits required under the Environmental Protection Agency Act, 1994 (Act 490);
- (c) permits required under the Forestry Commission Act, 1999 (Act 571);
- (d) permits required under the Water Resources Commission Act, 1996 (Act 522); and
- (e) any other permits that may be required for the exploitation or development of minerals resources under any law in force.

**Offences**

28. (1) A person who, without reasonable excuse, obstructs, restricts or interferes with an officer of the Authority in the performance of a duty under section 25, commits an offence and is liable on summary conviction to a fine of not less than three hundred and fifty penalty units

*Ghana Integrated Bauxite and Aluminium  
Development Authority Bill, 2018*

and not more than one thousand penalty units or to a term of imprisonment of not less than one year and not more than three years, or to both.

(2) A person who fails to produce a document requested for pursuant to this Act is liable to pay to the Authority an administrative penalty of three thousand penalty units and in the case of a continuing failure, to an additional penalty of three hundred penalty units for each day during which the failure continues.

**Regulations**

29. The Minister may, on the advice of the Board, by legislative instrument, make Regulations to

- (a) ensure that bauxite in its natural state shall not be exported, sold or otherwise disposed of after five years from the coming into force of the Act;
- (b) restrict access to areas of the operations of the Authority; and
- (c) generally provide for the effective implementation of this Act.

**Interpretation**

30. In this Act, unless the context otherwise requires,

- “affected communities” means communities that will be affected by the activities of bauxite mining and refinery operations;
- “aluminum metals” means a silvery–white, ductile metallic element produced from alumina;
- “Authority” means the Authority established under section 1;
- “bauxite resources” means proven aluminium ore reserves of a country;
- “Board” means the governing body of the Authority established under section 5;
- “Chief Executive Officer” means the person appointed under section 12;
- “company” means a limited liability company within the meaning of paragraph (b) of subsection (1) of section 4;

*Ghana Integrated Bauxite and Aluminium  
Development Authority Bill, 2018*

- “Environmental Protection Agency” means the Environmental Protection Agency established under section 1 of the Environmental Protection Agency Act, 1994 (Act 490);
- “integrated bauxite and aluminium industry” means the availability of the bauxite mine, refinery and an aluminium smelter constituting a complex aluminium value chain;
- “local authority” means a local authority established pursuant to article 240 of the Constitution;
- “mineral right holder” refers to a person who has the right to extract bauxite, oil, gas, gold, coal and other metals and minerals from any land located in the country for profit.
- “Minerals Commission” means the Minerals Commission established under section 1 of the Minerals Commission Act, 1993 (Act 450) ;
- “Minister” means the Minister responsible for Lands and Natural Resources;
- “public institution” includes a private institution or a private organisation that receives public resources or provides a public function; and
- “strategic investor” means an individual or a body of persons with whom the Authority enters into a joint venture to achieve the object of the Authority.

Date of *Gazette* notification: 20th March, 2018.





**GHANA INTEGRATED BAUXITE AND ALUMINIUM  
DEVELOPMENT AUTHORITY BILL, 2018**

---

**MEMORANDUM**

The purpose of the Bill is to establish the Ghana Integrated Bauxite and Aluminium Development Authority, to promote and develop an integrated bauxite and aluminium industry and to provide for related matters.

His Excellency the President, has situated the rapid and sustainable establishment of an integrated bauxite and aluminum industry at the centre of his vision for industrialisation and transformation of the Ghanaian economy, with a deliberate focus on value-addition to the vast mineral wealth of the country, to significantly expand the capacity of the economy to create jobs and wealth for the people.

Except as provided for by the Minerals and Mining Act, 2006 (Act 703) and the Minerals Commission Act, 1993 (Act 450), there is no specific legislation that deals with the bauxite industry. This may be the reason why the emphasis on the exploration of minerals in the country has been on gold and other precious minerals rather than bauxite. Ghana has some of the richest bauxite deposits in the world with the potential to create the single largest industry in the economy, a multi-billion-dollar industry, which would have a huge favourable job impact for the nation.

The compelling need to establish an integrated bauxite and aluminum industry has been recognised since independence. The availability of the necessary resources locally, puts the country in a prime position to leverage this venture as a fulcrum for the pursuit of aggressive industrialisation.

The need for a statutory body to develop an integrated bauxite and aluminium industry dates back to 1962. As part of the Volta River Project, the Republic entered into an agreement for the construction of the Akosombo Dam and the building of an aluminium smelter at Tema by a multinational company, Kaiser. It was contemplated that the bauxite deposits in the country, principally at Kyebi (Kibi) in the Eastern Region, Nyinahin in the Ashanti Region and Awaso in the Western Region with total reserves estimated in excess of nine hundred metric

## **GHANA INTEGRATED BAUXITE AND ALUMINIUM DEVELOPMENT AUTHORITY BILL, 2018**

---

---

tonnes, would at a future date be mined and processed in the country. The Master Agreement established the single largest industry in Ghana, namely a two hundred thousand metric tonne annual capacity smelter company namely the Volta Aluminium Company Limited (VALCO), to process alumina from bauxite into aluminium metals and alloys.

However, the vision of an integrated bauxite and aluminium industry in Ghana, including mining bauxite locally, refining bauxite to alumina and smelting alumina to produce aluminium metals and alloys was not realised.

The Government currently owns the Volta Aluminium Company Limited, the aluminium reduction facility in Tema. Government took the decision to acquire the facility from its original owners Kaiser Aluminum and Alcoa in 2004 and 2007, respectively. With this acquisition, the country has a unique opportunity to establish an integrated aluminium industry in the country.

The bauxite reserves at Kyebi, Nyinahin and Awaso are the core reserves required for the integrated bauxite and aluminium industry programme. The programme encompasses the exploitation of the mines at Kyebi, Nyinahin and Awaso; the establishment of an alumina refinery, aluminium smelter and a dedicated power plant or special arrangement to source power at a competitive rate from the Volta River Authority and the National Grid; and the development of rail transport infrastructure and port facilities that will be vital to the success of the programme.

Unfortunately, the areas where rich bauxite resources may be found are also suffering from the menace of irresponsible gold mining, which has destroyed lands, vegetation, water bodies and livelihoods. The intention therefore, is to establish an integrated bauxite and aluminium industry through a responsible and sustainable development plan, which will protect or reclaim the integrity of the environment. The Authority will play the important role of promoting and developing an integrated bauxite and aluminium industry to ensure that the operations of the

## GHANA INTEGRATED BAUXITE AND ALUMINIUM DEVELOPMENT AUTHORITY BILL, 2018

---

Authority are conducted in line with international best practice to prevent adverse effects on the environment. The Authority is also required to ensure the development of the required infrastructure and conducive environment for businesses to support the integrated bauxite and aluminium industry as well as safeguard the socio-economic well-being of the people of affected communities.

*Clauses 1 to 11* deal with the establishment of the Ghana Integrated Bauxite and Aluminium Development Authority. *Clause 1* establishes the Ghana Integrated Bauxite and Aluminium Development Authority. The object of the Authority as indicated by *clause 2* is to promote and develop an integrated bauxite and aluminium industry. The functions of the Authority are enumerated under *clause 3*. These functions include, to undertake the preparatory work in respect of the promotion and development of the integrated bauxite and aluminium industry; manage the bauxite resources of Ghana in accordance with relevant laws and consider and respond to enquiries of private investors or foreign organisations interested in the development of the bauxite resources of the country.

*Clause 4* empowers the Authority to, among others, negotiate on behalf of Government, with individuals or foreign organisations as regards the exploitation of bauxite resources and derivatives and submit recommendations to the Minister in that regard; and enter into a joint venture to promote the incorporation of a limited liability company under the Companies Act, 1963 (Act 179) subject to conditions stated in subclause (2).

*Clause 5* provides for the governing body of the Authority which is a Board including the chairperson, the Chief Executive Officer, one representative of the Traditional Authorities in the affected communities nominated by the Traditional Council in the affected communities, representatives of the Ministry of Finance and Ministry of Lands and Natural Resources, two persons with relevant expertise and four other persons nominated by the President.

**GHANA INTEGRATED BAUXITE AND ALUMINIUM  
DEVELOPMENT AUTHORITY BILL, 2018**

---

*Clauses 6, 7, 8 and 9* deal with the standard provisions on tenure of office of the members of the Board, meetings, disclosure of interest and establishment of committees respectively. Members of the Board and members of a committee of the Board are to be paid allowances approved by the Minister in consultation with the Minister responsible for Finance, *clause 10*. The Minister may give directives on matters of policy to the Board, *clause 11*.

*Clauses 12 to 16* deal with the administration of the Authority. The Chief Executive Officer is to be appointed by the President. The Chief Executive Officer who is answerable to the Board, is responsible for the day-to-day administration of the Authority, *clause 13*.

*Clause 14* provides for the President to appoint other staff of the Authority that are necessary for the proper and effective performance of the functions of the Authority.

*Clause 15* empowers the Board to establish regional and district offices, in a regional capital and district determined by the Board, to perform the functions of the Authority.

*Clause 16* makes provision for an Internal Audit Unit for the Authority in accordance with the Public Financial Management Act, 2016 (Act 921).

*Clauses 17 to 24* deal with the finances of the Authority. *Clause 17* outlines the sources of funds for the Authority. The sources include moneys approved by Parliament; internally generated funds and grants approved by the Minister responsible for Finance.

*Clause 18* provides for the moneys for the Authority to be paid into a bank account opened for that purpose with the approval of the Controller and Accountant-General. The expenses of the Authority are to be paid from funds provided for the Authority, *clause 19*.

*Clause 20* provides for the borrowing powers of the Authority. Subject to article 181 of the Constitution and section 76 of the Public

**GHANA INTEGRATED BAUXITE AND ALUMINIUM  
DEVELOPMENT AUTHORITY BILL, 2018**

---

---

Financial Management Act, 2016 (Act 921), the Authority may, on the terms and conditions that may be agreed between the Authority and the lender, borrow money to meet an expenditure of a capital nature including provision for working capital for the performance of the functions of the Authority.

*Clause 21* mandates the Authority to seek Cabinet's approval for special power purchase rates from the Volta River Authority or the National Grid to guarantee the availability of power at an industry benchmarked competition rate for activities in the integrated bauxite and aluminium industry.

*Clauses 22 and 23* deal with the standard provisions on accounts and audit and annual report and other reports respectively.

*Clause 24* exempts the Authority from the payment of taxes, duties, fees and other charges that the Minister responsible for Finance may, in writing, determine with the approval of Parliament.

Miscellaneous matters are provided for in *clauses 25 to 30*. *Clause 25* empowers the Authority to request a land user or a mineral right holder to provide a geoscientific report or information on the operational areas or activities for proper documentation, correlation and assessment. A "land user" is defined as a person who uses or intends to use any land for the purpose of mining bauxite.

*Clause 26* preserves the intellectual property rights of the Authority. The clause provides for the intellectual property rights in any work made by an employee of the Authority, a person assisting the Authority with an investigation or research or other intellectual enterprise funded or otherwise undertaken with the resources of the Authority, to be vested in the Authority, unless otherwise agreed by the parties concerned.

*Clause 27* mandates the Authority to collaborate with the Minerals Commission, the Ghana Geological Survey Authority and any other relevant public institution to develop the integrated bauxite and aluminium industry. The Authority is further mandated to comply with

**GHANA INTEGRATED BAUXITE AND ALUMINIUM  
DEVELOPMENT AUTHORITY BILL, 2018**

---

---

relevant laws including the Minerals and Mining Act, 2006 (Act 703), the Environmental Protection Agency Act, 1994 (Act 490), the Forestry Commission Act, 1999 (Act 571) and the Water Resources Commission Act, 1996 (Act 522).

*Clause 28* deals with offences. The power of the Minister to make Regulations is provided for in *clause 29*. *Clause 30* provides for the interpretation of words and phrases used in the Bill.

**HON. JOHN PETER AMEWU**  
*Minister for Lands and Natural Resources*

Date: 15th March, 2018.