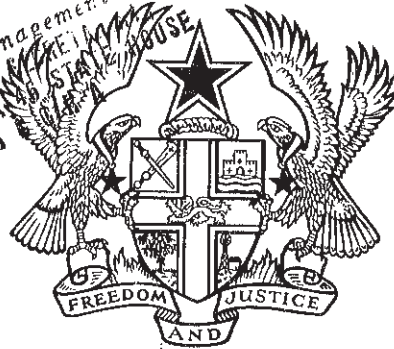


National Disaster Management Organisation
NATIONAL ASSEMBLY
P. O. BOX 100
ACCRA



Act 517

THE FIVE HUNDRED AND SEVENTEENTH

ACT

OF THE PARLIAMENT OF THE REPUBLIC
OF GHANA

ENTITLED

THE NATIONAL DISASTER MANAGEMENT ORGANISATION ACT, 1996

AN ACT to establish a National Disaster Management Organisation to be responsible for the management of areas affected by disasters and similar emergencies, for the rehabilitation of persons affected by disasters and to provide for related matters.

DATE OF ASSENT: *11th September, 1996.*

BE IT ENACTED by Parliament as follows

PART I—ESTABLISHMENT OF THE ORGANISATION

1. (1) There is established by this Act a National Disaster Management Organisation in this Act referred to as "the Organisation".

Establishment of the Organisation.

(2) The Organisation shall have offices at the national regional and district levels.

2. (1) The object of the Organisation is to manage disasters and similar emergencies in the country.

Object and functions of the Organisation.

Act 517 *National Disaster Management Organisation Act, 1996*

(2) For the purposes of subsection (1) the Organisation shall—

- (a) prepare national disaster plans for preventing and mitigating the consequences of disasters;
- (b) monitor, evaluate and update national disaster plans;
- (c) ensure the establishment of adequate facilities technical training and the institution of educational programmes to provide public awareness, warning systems and general preparedness for its staff and the general public;
- (d) ensure that there are appropriate and adequate facilities for the provision of relief, rehabilitation and reconstruction after any disaster;
- (e) co-ordinate local and international support for disaster or emergency control relief services and reconstruction; and
- (f) perform any other functions that are incidental to the functions specified.

Member-
ship of
Organisa-
tion and
qualifica-
tion of
members.

3. (1) The Organisation shall consist of—

- (a) professionals, experts, consultants, officers and employees of public institutions and non-governmental organisations; and
- (b) such volunteers as may be registered under this Act.

(2) Any person who has attained the age of sixteen years or more and is resident in Ghana may volunteer to register as a member of the Organisation.

(3) An application for registration shall be made to the governing body of the Organisation or to such other person as the governing body may direct and shall be in the form and contain the particulars that the Council shall direct.

(4) The Organisation may make use of any resource and service of a member.

- (2) For the purposes of subsection (1) the Organisation shall—
- prepare national disaster plans for preventing and mitigating the consequences of disasters;
 - monitor, evaluate and update national disaster plans;
 - ensure the establishment of adequate facilities technical training and the institution of educational programmes to provide public awareness, warning systems and general preparedness for its staff and the general public;
 - ensure that there are appropriate and adequate facilities for the provision of relief, rehabilitation and reconstruction after any disaster;
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Member-ship of Organisation and qualification of members.

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- (3) An application for registration shall be made to the governing body of the Organisation or to such other person as the governing body may direct and shall be in the form and contain the particulars that the Council shall direct.
- (4) The Organisation may make use of any resource and service of a member.

4. (1) The governing body of the Organisation shall be the National Security Council referred to in this Act as "the Council".
- (2) The Council shall be responsible for determining the policies of the Organisation.
5. Membership of the Organisation shall be subject to such terms and conditions as the Council may determine.
6. The Minister responsible for the Interior shall be responsible for the Organisation.

PART II—DISASTER MANAGEMENT COMMITTEES

7. (1) The Council may for the purposes of this Act appoint such committees as it considers necessary and may assign them such functions of the Organisation as it may determine.

(2) A committee appointed under subsection (1) of this section may consist of members of the Council or non-members or both.

8. (1) Without prejudice to section 7 of this Act, there is hereby established a National Disaster Management Committee referred to as "the National Committee".

(2) The National Committee shall consist of the following members—

(a) the Minister responsible for the Interior who shall be the Chairman;

(b) a representative from each of the following—the

- Ministry of the Interior;
- Ministry of Finance;
- Ministry of Health;
- Ministry of Employment and Social Welfare;
- Ministry of Information;
- Ministry of Local Government and Rural Development;

Act 517 *National Disaster Management Organisation Act, 1996*

- (vii) Ministry of Defence;
- (viii) Ministry of Environment, Science and Technology;
- (ix) Ministry of Transport and Communications; and
- (x) National Development Planning Commission; and

(e) the National Co-ordinator of the Organisation who shall be the secretary to the Committee.

(3) The Regional Minister of the region where a disaster has occurred shall be a member of the National Committee for the duration of the disaster.

(4) A representative of a Ministry appointed under this section shall not be below the rank of a chief director.

Meetings
of the
National
Committee.

9. (1) The National Committee shall meet at such times and places as the Chairman shall determine but shall meet at least once in every three months.

(2) The Chairman shall preside at the meetings of the National Committee but in his absence one of the members elected from among their number shall preside.

(3) The National Committee may co-opt any person to act as an adviser but a co-opted person does not have a right to vote.

(4) The proceedings of the National Committee shall not be invalidated by any vacancy in its membership or any defect in the appointment or qualification of a member.

(5) Except as otherwise provided in this Act the National Committee shall regulate the procedure for its meetings.

Functions
of the
National
Committee.

10. The National Committee shall—

- (a) be responsible for the implementation of national policies on disasters;
- (b) ensure an effective flow of information on disasters between the national, regional and district capitals;

- (vii) Ministry of Defence;
- (viii) Ministry of Environment, Science and Technology;
- (ix) Ministry of Transport and Communications; and
- (x) National Development Planning Commission; and

(c) the National Co-ordinator of the Organisation who shall be the secretary to the Committee.

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Functions of the National Committee.

10. The National Committee shall—

- (a) be responsible for the implementation of national policies on disasters;
- (b) ensure an effective flow of information on disasters between the national, regional and district capitals;

(c) in the event of any disaster, assess the extent of damage and the needs for the affected areas and report to the Council;

(d) co-ordinate regional and district disaster management plans and activities;

(e) identify, receive, manage and supervise relief items;

(f) investigate reports and analyse the nature of hazards, vulnerability and risk situations in particular areas and ensure the operational readiness of regional and district disaster management committees in those areas;

(g) collect and preserve data on disasters in the country;

(h) take steps to ensure the efficient training of organised personnel and other persons available for emergency or disaster duties;

(i) compute for the benefit of the Council the necessary requirements for the effective running of the Organisation each year; and

(j) disseminate information to educate the public on—

- (i) human activities most likely to cause environmental disasters in the country;
- (ii) the hazards and natural disasters which are likely to affect the various regions in the country;
- (iii) action to be taken in the event of a disaster of whatever nature; and
- (iv) the control and relief measures most likely to be taken by the state and the necessity for everyone to cooperate with the authorities on these occasions.

Act 517 *National Disaster Management Organisation Act, 1996*

The
National
Co-ordi-
nator.

11. (1) The Organisation shall have a National Co-ordinator referred to in this Act as "the Co-ordinator" who shall be appointed by the President in accordance with the advice of the Council given in consultation with the Public Services Commission.

(2) The Co-ordinator shall hold office on such terms and conditions as shall be specified in his letter of appointment.

(3) The President shall, in making the appointment of the Co-ordinator, have regard to the integrity, knowledge, expertise and experience of the person and in particular his knowledge in matters relevant to the functions of the Organisation.

(4) The Co-ordinator shall be the chief executive of the Organisation and shall, subject to such directions as the Council or the National Committee may give, be responsible for the day to day management of the Organisation.

(5) The Co-ordinator shall for administrative purposes be responsible for the control of the employees of the Organisation.

(6) The Co-ordinator may delegate any of his functions to an employee of the Organisation subject to any conditions that he may impose but he shall not be relieved from ultimate responsibility for the discharge of the delegated function.

Regional
and district
co-ordi-
nator.

12. (1) The Organisation shall have Regional and District Co-ordinators who shall be appointed by the President in accordance with the advice of the Council given in consultation with the Public Services Commission.

(2) The Regional and District Co-ordinators shall head the office of the Organisation at the regional and district levels and perform such functions as the Council or the National Committee shall determine.

Regional
Disaster
Management Com-
mittees.

13. (1) There shall be established in each region a Regional Disaster Management Committee referred to in this Act as "the Regional Committee".

The National Co-ordinator.

11. (1) The Organisation shall have a National Co-ordinator referred to in this Act as "the Co-ordinator" who shall be appointed by the President in accordance with the advice of the Council given in consultation with the Public Services Commission.

(2) The Co-ordinator shall hold office on such terms and conditions as shall be specified in his letter of appointment.

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(2) The Regional and District Co-ordinators shall head the office of the Organisation at the regional and district levels and perform such functions as the Council or the National Committee shall determine.

Regional Disaster Management Committees.

13. (1) There shall be established in each region a Regional Disaster Management Committee referred to in this Act as "the Regional Committee".

(2) A Regional Committee shall consist of the following members—

- (a) the Regional Minister who shall be the Chairman;
- (b) the Regional Information Officer;
- (c) the Armed Forces Garrison Commander;
- (d) the Regional Police Commander;
- (e) the Regional Fire Officer;
- (f) the Regional Director of Health Services; and
- (g) the Regional Director of Social Welfare.

(3) The District or Metropolitan Chief Executive of the affected district or metropolis shall be a member of the Regional Committee for the duration of the disaster.

(4) The Regional Co-ordinator shall be the secretary to the Regional Committee.

(5) The Regional Committee may co-opt members.

(6) Members of a Regional Committee other than *ex-officio* members shall hold office for such period as the Council shall determine.

14. The functions of a Regional Committee are—

Functions of the Regional Committee.

(a) to prepare in respect of the region plans for the prevention of disasters and for mitigating the effects of any disasters;

(b) to co-ordinate district plans on the prevention of disasters and their mitigation submitted by the District Disaster Management Committee;

(c) to ensure the performance in the region of any function of the Organisation that the Council or the Co-ordinator may direct.

15. (1) There shall be established by the Council in each district a District Disaster Management Committee referred to in this Act as "the District Committee".

District Disaster Management Committees.

(2) A District Committee shall consist of—

(a) the District Chief Executive who shall be the Chairman;

(b) Member of Parliament of the affected constituency;

Act 517 *National Disaster Management Organisation Act, 1996*

- (c) the District Director of Health Service;
- (d) the District Information Officer;
- (e) a representative of the Garrison Commander of the Armed Forces;
- (f) the District Police Commander; and
- (g) the District Fire Officer.

(3) The District Assembly member from the affected electoral area shall be a member for the duration of the disaster.

(4) The District Co-ordinator shall be the secretary to the District Committee.

(5) The District Committee may co-opt members

(6) Members of a District Disaster Management Committee other than ex-officio members shall hold office for such period as the Council shall determine.

Functions
District
Committee.

16. A District Committee shall—

- (a) prepare plans for the district to prevent and mitigate disasters in its area of authority;
- (b) maintain a close liaison with the Regional Committee in drawing up its plans; and
- (c) perform in the district such functions of the Organisation as the Council or the Co-ordinator may direct.

Meetings of
Regional
and District
Committees.

17. Regional and District Committees shall regulate the procedure for their meetings.

Removal
of members
of com-
mittees.

18. A member of a Regional or District Committee other than an *ex-officio* member under this Act may be removed from office by the Council for stated reasons.

Allowances
for mem-
bers of
committees.

19. The members of a Regional or District Committee shall be paid such allowances as the Council in consultation with the Minister responsible for Finance shall determine.

PART III—ADMINISTRATION AND MISCELLANEOUS PROVISIONS

Staff of the
Organisa-
tion.

20. (1) The President may acting in accordance with the advice of the Council given in consultation with the

- (c) the District Director of Health Service;
- (d) the District Information Officer;
- (e) a representative of the Garrison Commander of the Armed Forces;
- (f) the District Police Commander; and
- (g) the District Fire Officer.

(3) The District Assembly member from the affected electoral area shall be a member for the duration of the disaster.

(4) The District Co-ordinator shall be the secretary to the District Committee.

(5) The District Committee may co-opt members

(6) Members of a District Disaster Management Committee other than ex-officio members shall hold office for such period as the Council shall determine.

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- (c) perform in the district such functions of the Organisation as the Council or the Co-ordinator may direct.

Functions of District Committee.

17. Regional and District Committees shall regulate the procedure for their meetings.

18. A member of a Regional or District Committee other than an *ex-officio* member under this Act may be removed from office by the Council for stated reasons.

19. The members of a Regional or District Committee shall be paid such allowances as the Council in consultation with the Minister responsible for Finance shall determine.

PART III—ADMINISTRATION AND MISCELLANEOUS PROVISIONS

20. (1) The President may acting in accordance with the advice of the Council given in consultation with the

Staff of the Organisation.

Public Services Commission appoint such other officers and employees as may be necessary for the effective implementation of the functions of the Organisation at the national, regional and district levels.

(2) The President may in accordance with Article 195 (2) of the Constitution delegate his powers under subsection (1) of this section.

(3) The Council may for the purpose of this Act engage the services of such consultants and advisers as it may consider necessary.

(4) Public officers may be seconded or transferred to the Organisation.

21. (1) The Organisation shall have an Internal Auditor who shall be responsible to the Co-ordinator for the performance of his functions.

Internal auditor.

(2) The Internal Auditor shall at intervals of three months prepare a report on the internal audit work carried out by him during the period of three months immediately preceding the preparation of the report and submit the report to the Co-ordinator.

(3) The Internal Auditor shall make in each report such observations as appear to him to be necessary as to the conduct of the financial affairs of the Organisation during the period to which the report relates.

(4) The Internal Auditor shall send a copy of each report to the Chairman of the Council and the Chairman of the National Committee.

22. The funds of the Organisation shall include—

Funds of the Organisation.

- (a) money provided by Parliament for the purpose of the Organisation; and
- (b) money paid to the Organisation by way of grants, donations and gifts.

23. (1) The Organisation shall keep books of account and proper records in relation to them and the account books and records of the Organisation shall be in a form approved by the Auditor-General.

Act 517 *National Disaster Management Organisation Act, 1996*

(2) The books and accounts of the Organisation shall be audited annually by the Auditor-General or by an auditor appointed by him.

Annual
report.

24. (1) The Co-ordinator shall within three months after the end of the financial year submit an annual report to the Council.

(2) The Minister shall within six months after the end of the financial year submit to Parliament an annual report dealing generally with the activities and operations of the Organisation including the training of personnel to deal with disasters.

Regula-
tions.

25. The Minister may by legislative instrument make regulations for—

- (a) the requisitioning of goods and accommodation in time of disaster;
- (b) terms and conditions of membership of the Organisation; and
- (c) generally implementing the provisions of this Act.

Offences.

26. A person who in times of disaster wilfully obstructs a representative of the Organisation or otherwise interferes with the Organisation in the discharge of its functions commits an offence and is liable on conviction to a fine not exceeding ₦1,000,000.00 or to a term of imprisonment not exceeding one year or to both.

Interpreta-
tion.

27. In this Act unless the context otherwise requires—

- “Co-ordinator” means the National Co-ordinator;
- “Council” means the National Security Council;
- “disaster” means any occurrence by which there is a serious disruption of general safety endangering the life and health of many people or large material interests which requires co-ordinated action by services of different disciplines and includes floods, earthquakes

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drought, rainstorm, war, civil strife, industrial accidents;

“District Committee” means District Disaster Management Committee.

“management” includes rehabilitation;

“Minister” means Minister responsible for the Interior;

“National Committee” means the National Disaster Management Committee;

“Organisation” means the National Disaster Organisation;

“Regional Committee” means Regional Disaster Management Committee

“resident” means living or having a home in Ghana.

Date of Gazettee notification: 27th September, 1996.