

# The Structure of the Ghanaian State

## LEGISLATURE

### The Speaker

The Speaker is in charge of all the proceedings of Parliament. He/She ensures procedure is followed. He/She also acts as a spokesperson for the House in dealings with other state institutions including the President.

### 1st Deputy Speaker

The 1st Deputy Speaker presides and plays an acting role in the absence of the Speaker.

### 2nd Deputy Speaker

When the Speaker and 1st Deputy Speaker are both absent the 2nd Deputy Speaker presides over sittings of Parliament.

### Members of Parliament

The present composition of Parliament is 230 members. In addition to his or her legislative duties, an MP also has a duty to the members of their constituencies and to their political parties.

### Parliamentary Committees

Due to the sheer amount of business that Parliament needs to conduct, it is impractical for the whole House to consider everything. Therefore, MPs sit on numerous committees to scrutinise different Bills, policy matters and other public issues in detail. There are *Ad-hoc Committees*, *Select Committees* and *Standing Committees*.

### Regional Ministers

Each region in Ghana is headed by a Regional Minister, appointed by the President with Parliament's approval. The Regional Ministers represent the President in the region and they are responsible for the coordination and direction of the administration in the region. The Regional Minister is the chairman of the Regional Coordinating Council.

### Deputy Regional Ministers

Deputy Regional Ministers play complementary role in the regions and execute any assignment directed by Regional Ministers. They are also appointed by the President with Parliament's approval.

### District Chief Executive

The District Chief Executive presides over meetings of the assembly's Executive Committee. He or she is responsible for the effective functioning of the Assembly. He or she is also the main representative of the Central Government in the district.

### Executive Committee

Each District Assembly has an Executive Committee which is responsible for ensuring the executive and administrative functions of the Assembly are properly and successfully conducted.

### Parliament

As set out in the Constitution, Parliament is the legislative body of Ghana. This means that its primary responsibility is to debate and pass Bills which become laws when assented to by the President.

### Majority Leader

The Majority Leader is elected from the party with the highest number of seats. He/She gets the first word during debates. He/She is assisted by a Deputy Majority Leader.

### Majority Chief Whip

Majority Chief Whip assists the Majority Leader.

### Minority Leader

The Minority Leader and his deputy are elected from the second largest party in Parliament. He/She gets the second word during debates.

### Minority Chief Whip

The Minority Chief Whip complements the Minority Leader.

## EXECUTIVE

**The President**  
Head of State, Head of Government and Commander in Chief of the Armed Forces of Ghana.

**The Vice-President**  
The Vice-President performs presidential duties whenever the President is unable to perform such duties. If the President dies or resigns from office, the Vice-President will become President.

**Ministers**  
Ministers are appointed by the President, with the approval of Parliament. Each Minister has responsibility for a particular area of state, such as agriculture or education.

**Deputy Ministers**  
Deputy Ministers assist Ministers with their work.

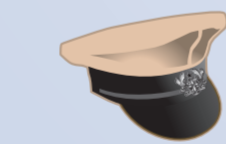
### The Cabinet

Consists of the President, the Vice-President and 10 – 19 Ministers of State. The Cabinet collectively decides government policy and determines the direction of the Government.

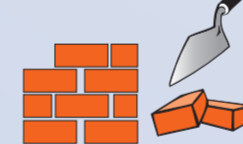
### Attorney General (AG)

The Attorney General is the Principal legal adviser to the Government. The AG is responsible for initiating and conducting all prosecutions of criminal offences. All offences prosecuted in the name of the Republic shall be in the suit of the AG. The AG has audience in all the courts in Ghana.

## CONSTITUTIONAL BODIES



**National Security Council**  
The National Security Council is tasked with safeguarding the internal and external security of Ghana. It ensures the integration of domestic, foreign and security policy to allow the security services and other government departments to cooperate on matters of national security.



**National Development Planning Commission**  
The Commission's role is to study and make strategic analysis of macro-economic and structural reform options and create plans and policy for development. Central to its task is to ensure the even development of Ghana as a whole through the effective utilisation of available resources.



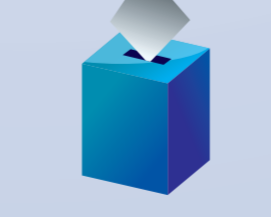
**The Council of State**  
The Council of State is an advisory panel of prominent citizens of proven character. Its main function is to counsel the President in the performance of his functions. The Council of State also considers and makes recommendations on other matters being dealt with by public officials, including Ministers and MPs.



**Commission on Human Rights and Administrative Justice**  
The objective of CHRAJ is "to investigate complaints of violations of fundamental human rights and freedoms, injustices and corruption; abuse of power and unfair treatment of persons by public officers in the exercise of their duties."



**National Commission for Civic Education**  
The Commission is responsible for creating awareness within the Ghanaian society on the Constitution as "the fundamental law of all of the people of Ghana" as well as educating Ghanaians about their rights and civic responsibilities.



**Electoral Commission**  
The mission of the Commission is to increase the development of Ghana by implementing free, fair and transparent elections in order to encourage the advancement of good governance and democracy.

## JUDICIARY

### Chief Justice(CJ)

As head of the Judiciary, the Chief Justice is responsible for its administration and supervision. He/She is appointed by the President, acting in consultation with the Council of State and subject to the approval of Parliament.

### Judicial Council

Its functions are mainly advisory. The Chief Justice is the head of the Judicial Council. The Council proposes reforms to improve the level of administration of justice and efficiency in the judiciary. It assists the CJ in the performance of his or her duties to ensure efficiency and effective realisation of justice. Other functions relate to the appointment and removal of Judges and other staff of the judicial services.

### Supreme Court

The Supreme Court consists of the Chief Justice and at least 9 other Justices appointed by the President, on the advice of the Judicial Council. The Supreme Court is the highest court of appeal in Ghana. It has exclusive jurisdiction over matters relating to the Constitution. The Supreme Court also has supervisory jurisdiction over all other courts in Ghana.

### Appeal Court

The Appeal Court serves as the appellate court for all of Ghana's High Courts, Regional Tribunals and Circuit Courts. It has no original jurisdiction, only hearing cases that have already been heard by another court.

### High Court

The High Court has original jurisdiction over all matters; criminal and civil. It also serves as the appellate body for criminal judgements made by the Circuit Court and all judgements from the District Court and the Family Tribunal. It has supervisory jurisdiction over all the Lower Courts, and has the jurisdiction to enforce the Fundamental Human Rights and Freedoms guaranteed by the Constitution.

### The Fast Track High Court/ Commercial Court

Fast Track High Court operates under electronic case flow management systems. It has 6 judges sitting at a time in Accra. It hears certain types of cases approved by the Chief Justice. The Commercial Court is mandated to deal exclusively with matters of commercial nature; business and commercial disputes. It has a semi autonomous status.

### Human Rights Court

The Human Rights Court hears cases, adopts and implements decisions of the Commission on Human Rights and Administration Justice and other human rights cases brought before it.

### Land Court

The Land Court is part of the automated/fast track court. It has jurisdiction over land disputes.

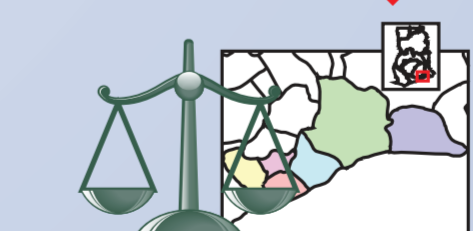
### Regional Tribunal

Regional Tribunals have specialised criminal jurisdiction. They have the jurisdiction to try offences against the state and in the public interest. Currently, Regional Tribunals are only operating in Accra and Tamale, as those previously operating in Kumasi, Takoradi and Bolgatana have been turned into High Courts.



### Circuit Court

Each Circuit Court is presided over by a Circuit Judge. The jurisdiction of a Circuit Court includes any civil action arising under contract or tort, recovery of small claims, and cases pertaining to land law. Circuit Courts also have jurisdiction over probate and wills, and matters relating to the custody of children.



### District Court

Each district in Ghana has at least one District Court and it is this sort of court that handles the majority of cases. Civil jurisdiction includes any personal action arising under contract or tort and any actions related to land law, up to a certain value. In criminal matters, District Courts have jurisdiction to try summarily any offence punishable by a fine not exceeding 500 penalty units or imprisonment for a term not exceeding 2 years.



### Juvenile Court

The District Court acts as a Juvenile Court in order to hear any criminal or civil matter concerning a person under the age of 18.



### Family Tribunal

District Court can act as a Family Tribunal to hear and determine actions arising under the Children's Act 1998.

## Superior Court of Judicature

## Lower Courts