



Final Report

National Conference on Mineral Development Fund (Act 912)

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SUBMITTED BY: CENTRE FOR EXTRACTIVES AND DEVELOPMENT, AFRICA



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1.0 Introduction

Parliament in 2016 passed the Mineral Development Fund (MDF) Act (Act 912) to regulate and govern the distribution of portions of mineral royalties to local government and mining development institutions and as well as providing a legal basis for such distribution. The passage of the Act follows over two decades of establishment of the Fund and its implementation through an Executive decision in 1993 for the provision of mineral funds for mining communities to undertake development projects. Such projects are aimed at mitigating the effects of mining on the environment and at supporting the operating budget of mining sector institutions and mineral specific projects.

Although the objectives for the establishment of the MDF were well intended, evidence from mining enclaves in the country shows the objectives are yet to be realized. Mining communities lack basic infrastructure including access to good roads and portable water. Including Obuasi where historical accounts dates mining activities in the area to over a century. Reports by the Ghana Extractives Industry Transparency Initiative (GHEITI) attest to the challenges surrounding the utilization of mineral royalties at the local level which largely results from weak alignment between revenues collected and utilization, the weak planning around mineral revenues, the delays and inadequacy in the release of mineral royalties by central government, inadequate systems to support traceability, lack of accountability, corruption and the attendant challenges associated with resource revenues in general.



CEDA in partnership with WUSC/WAGES and Star Ghana Foundation have had Series of engagements on the MDF since 2017 culminating in the National Conference. In 2017, WUSC/WAGES in collaboration with CEDA conducted trainings for mining communities in Prestea-Huni Valley Municipality (PHV) and Wasa East District (WED) on mining revenue management. They identified issues around the implementation of the MDF Act and utilization resulting in the establishment of a Technical Working Group (TWG). The TWG over a period of two months proposed issues for regulations and potential areas of amendment for the consideration of the Board when created. A report on the work by the TWG was presented to the Minister of Lands and Natural Resources.

As a follow-up to the activities of the TWG and to promote accountability of the management of the Fund as well as identify corruption risks in the utilisation, Star Ghana Foundation supported CEDA to undertake tracking of the utilisation of the MDF in 4-pilot districts. The project builds on the work done by CEDA with WUSC/WAGES in PHV and Wasa East to replicate same in Asutifi North and Obuasi

Municipality. The pilot reports of the district monitoring work have been validated in a subnational workshop held at Bogoso in May 2019.

The National conference is therefore a collaboration of the West Africa Governance and Economic Sustainability in Extractive Areas (WAGES) Project of WUSC, Centre for Extractives and Development, Africa (CEDA), the Star Ghana Foundation and the MDF Secretariat to bring together stakeholders including government agencies, local governments, industry, community and civil society groups to discuss the MDF based on the work done so far.

2.0 Objectives

The objectives of the national conference were to:

- Discuss the implementation of the MDF so far- the progress and challenges;
- Share experiences of MDF utilization in 2-pilot districts and how to improve accountability; and
- Sustain the advocacy momentum until the regulations are presented before and approved by parliament

3.0. Participation

The conference was oversubscribed. It was chaired by the Technical Advisor on Mining at the MLNR, Mr Benjamin Aryee. In all, a hundred and twenty-two (122) participants (88 males and 34 females) participated in the conference including representatives of key government agencies - the Ministry of Lands and Natural resources, the MDF secretariat, Minerals Commission, Local government representatives from across the 4-key mining zones in the country and the Chamber of Mines. The civil-society participants represented key organisation working on extractives and community members and Chiefs from mining areas in the western region. The breakdown of the stakeholders were as shown in Table 1.

Table 1. Stakeholder Participation in the MDF National Conference	Number	
	Male	Female
Government Agencies	19	10
MMDAs	12	-
Embassies/Development agencies	14	9
Extractive Companies	9	2
Chiefs/Queen Mothers	1	1
Community Members/NGOs/CBOs	18	11
Media	12	4

Disaggregation of Participants by Age

Description	Number
NUMBER OF MALES	85
NUMBER OF FEMALES	37
TOTAL	122
NUMBER OF MALES ABOVE 35	51
NUMBER OF MALES BELOW 35	26
NO RESPONSE	8
TOTAL	85
NUMBER OF FEMALES ABOVE 35	19
NUMBER OF FEMALES BELOW 35	13
NO RESPONSE	3
TOTAL	35

The conference was a climax of several prior activities; community training in 2017 and 2018, the MDF Technical Working Group in 2018, an on-going MDF utilisation tracking in four mining districts and the subnational workshop held in Bogoso in April, 2019.

4.0 Discussions

4.1 Official Opening

Emelia Ayipio Asamoah, Country Director of the World University Service of Canada (WUSC) implementers of the WAGES project in Ghana, was the first to address the opening session. She highlighted the work of WUSC in Ghana and specifically the WAGES project which is jointly implemented by WUSC and CECL in three countries in the West Africa region including Burkina Faso, Ghana and Guinea. The project in Ghana focuses on strengthening local governance and promoting sustainable local economic development with a specific focus on youth and women. One of its key approaches is helping to improve local government structures and institutions to leverage on the extractive resources for the maximization of mining benefits in communities. The project's collaboration with CEDA goes back to 2017, working to train mining communities on subnational resource governance and how mining revenue transfers could enhance local economic development and the establishment of multi-stakeholder monitoring teams to ultimately improve on MDF utilization. Further recognising the essence for the development of regulations to effect the implementation of Act 912, the project in 2018 with CEDA established a Technical Working Group which worked to identify regulatory issues pertaining in the Act and provisions for future amendment with its report presented to the sector Minister. Concluding, she emphasized the need for stakeholders to work together in making sure the regulations are passed and that the MDF is being utilized appropriately to



Emelia Ayipio Asamoah, Country Director, WUSC Ghana



Christian Tardif, Minister-Counsellor and Senior Director, Ghana Development Program, Canadian High Commission, Accra



Glen Askew, Deputy Australian High Commissioner

bring out the needed development to communities where mining take place.

Other remarks were given by the funder of the WAGES Project, Global Affairs Canada, represented by the Minister Counsellor and Senior Director Ghana Development Programme, Mr Christian Tardif of the Canadian High Commission in Ghana. The Deputy Australian High Commissioner, Mr Glen Askew, the MDF Board Chair and the Deputy Minister for Lands and Natural Resources also gave remarks.

Speaking on behalf of the Canadian High Commissioner, Mr. Tardif commended the stakeholders and organisers for the shared commitment to ensuring that the necessary Regulations for the MDF are put in place to benefit everyone especially women and youth who have not yet to date had sufficient access to opportunities that have come with the growth of the extractive sector. He urged more attention on inclusivity by developing new policies, approaches and programs reflecting a more inclusive and human rights-based feminist perspective as well as transparency and accountability in the mining sector. He emphasised Canada’s resolve to help Ghana maximize benefits from the extractive sector to ensure no one is left behind.

In congratulating Ghana for being the leading producer of gold in Africa, the Deputy Australian High Commissioner, Mr Glen Askew, urged for mechanisms to ensure that the mineral wealth of the country

translates into economic development and improvement in the standard of living of the ordinary people. He expressed the need to avert the resource curse which can be achieved through good governance including the absence of corruption, strong institutions and adherence to the rule of law. He called for greater transparency in the distribution of the mineral wealth to avoid serving it to the advantage of a few and to the detriment of the development of ordinary citizen.



Esther Happy Edjeani-MDF Board chair

The MDF Board Chair, Madam Esther Happy Edjeani on her part, acknowledged the works done so far towards the development of the regulations. The Board, she indicated is overly conscious of the purpose of the MDF Act, therefore accountability of the fund is an

ultimate priority for the Board. Consequently, the Board will be putting in place monitoring mechanisms to check the disbursement and utilization of the funds to the benefit of mining communities. Noting the delays in the release of funds by the Ministry of Finance as one of the key challenges to the implementation of the MDF, the Board she expressed since its establishment has engaged Finance on the issue and is hopeful it will be addressed soon.

Key Highlights of Opening Session

1. Ghana is now leading gold producer in Africa due to prudent measures to check smuggling
2. Ghana needs to ensure wealth translate to wellbeing of citizens
3. Government is working with Chamber of mines to ensure 30% gold is refined locally
4. Accountability of the MDF is ultimate priority of the new board
5. The MLNR is committed to working with stakeholders to build consensus for the regulations of the MDF Act

The opening session concluded with a key note address by the Deputy Minister, Hon. Benito Owusu Bio who averred that prudent measures taken by the government to check smuggling of gold has led to making Ghana the leading producer of gold in Africa. However, the important question is how Ghana's position will benefit the people? To address this, the government has a local content office to ensure that all contracts awarded to major mining companies will abide by local content conditions. Aside this, the Ministry together with the Chamber of Mines is coming up with a policy to ensure that 30% of the gold produced in Ghana is also refined locally. With respect to the MDF, he opined that the MDF is a national effort by government to facilitate development in mining communities in Ghana as it happens in other economies of the world. Acknowledging some challenges to the implementation of the Fund including the absence of regulations which poses a major problem to adequately administer the fund and key decisions on the Act. The conference he stated is therefore crucial for creating the space to discuss and propose measures to streamline its operations and to identify and clarify the ambiguities within the MDF Act. The MNLR he asserted stands ready to support the process of building a consensus to develop the regulations for the MDF Act and to work with other stakeholders for its final passage by Parliament.



Hon. Benito Owusu Bio Deputy Minister MLNR

4.2 Presentation on the MDF: From Legislation to Implementation,

(Mr. Emmanuel Kuyole, Executive Director, CEDA)

4.2.1 MDF Objectives and Distribution

Providing a background into the purpose and reasons for the passage of the MDF Act (912), Mr Kuyole

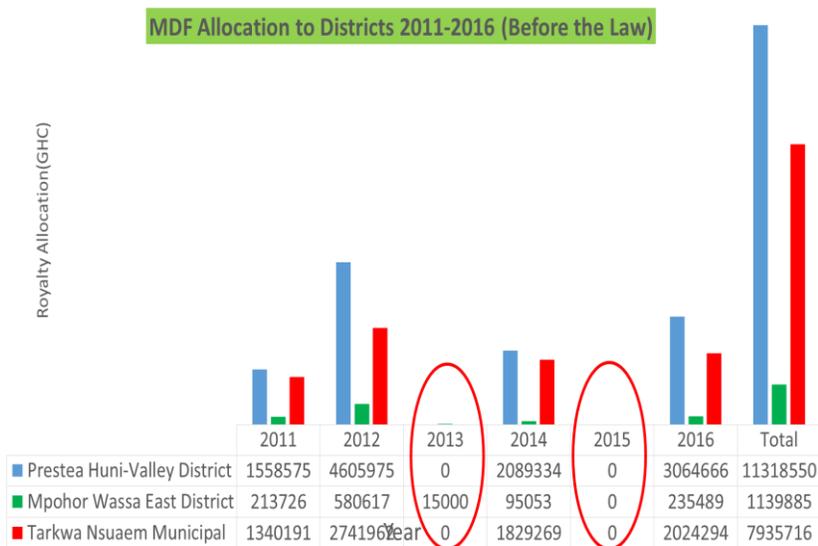


noted that the MDF was set up to bring about development and to compensate for some of the social and environmental impact of mining in the communities. The five (5) main areas for which the MDF is supposed to be expended as stipulated in Section 5 (a-e) of the Act are (a) redress harmful effect of mining activities (b) promote local economic development (c) undertake Minerals related research (d) support policy planning, evaluation and monitoring of the ministry and (e) undertake project that aims at promoting the mining sector

The Act provides for sources of funds, established clear rules for deposit and withdrawal of funds as stated in Sections (3) and (4) and Sections (20) and (21). An issue of emphasis made strongly was the fact that till date, the only source of funding to the MDF is the 20% mineral royalties. Furthermore, there are issues of delay with the release of funds from the GRA to the Ministry of Finance and subsequently to the MDF secretariat.

4.2.2 MDF Allocation and Performances

The presentation on this subject was engrossed on the disbursement of the MDF to the mining districts before and after the enactment of the MDF Act (912). The graph below in table 2 shows allocations to mining districts from 2011 to 2016 depicting inconsistencies and non-disbursement of funds in 2015 by the Ministry of Finance.



Again, emphasis was laid on the effect of applying the Earmarked Fund and Realignment Act, 2017 by the Ministry of Finance to cap allocations to the MDF. The capping as pointed out affects and undermines development in the mining communities. He demonstrated as shown below that in 2017 and 2018 the MDF was capped to 12.5% but even that only 8-10% was actually disbursed to the fund as shown in Table 3 below.

Table 3

MDF Allocation for 2017 & 2018 (After the Law)

	2017			2018	
	Revised Budget	Actual @ Dec 2017	% Actual @ Dec 2017	Budget	Actual @Dec 2018
Mineral Royalty	626,450,000	855,751,613.22	136.6	766,370,000	698,435,277.43
MDF Allocation	78,376,924	73,095,006.74	93.3	95,725,413	73,072,942.76*
% MDF Allocation	12.5%	8.5%		12.5%	9.5

*Jan- Oct 2018

Source: Appendices 2B&C of 2018 Budget statement @ MDF Secretariat

- What is the assessment of the impact of applying Earmarked Funds Capping and Realignment Act, 2017 (Act 947) on the MDF

Issues such as the many administrative structures established to manage just 20% of royalties to the MDF raises questions of relevance as they impede its effective implementation. Again since the establishment of the Community Development Scheme (CDS) no disbursement have been made. The presenter questioned the allocation of monies for legacy projects which are usually outside the formula for allocation of funds as specified in the MDF and the unexplained discrepancies between the royalties collected by the GRA and actual

MDF transfer to the Ministry of Finance. Furthermore, he bemoans the failure on the part of government to disburse monies to subsidiary agencies to support Mineral Resources Development and Management. Organizations such as the Geological Services has been stifled with monetary resources which ought to be allocated by the government. Hence they are unable to undertake the relevant research and provide the necessary technical expertise to support the government with the capacity to negotiate on mineral resources.

4.2.3 Accountability and Citizens Oversight

Key highlights of the challenges confronting the disbursement of the MDF.

- They include the absence of regulations to effect the implementation of the Act,
- Unexplained discrepancy between royalty collected by GRA and total MDF transfer to MOF
- non-disbursement of funds in 2013 and 2015,
- non-disbursement of the CDS for development in communities directly impacted by mining,
- delays and inadequate disbursement in 2017 and 2018,
- irregular disbursement from OASL to districts, disparities between amount disbursed and amount paid,
- Challenges with some traditional councils thereby leading to non-disbursements to some chiefs for about 10years.

Oversight and accountability of the Fund are critical if the objectives for establishing the Fund are to be realised. Especially identifying and reporting on any corruption risks. Mr Kuyole said CEDA in partnership with WUSC and Star Ghana Foundation has established four MDF Monitoring groups in Pristea Huni-Valley, Obuasi, Asutifi North and Wassa East to track the disbursement and monitor projects funded with the MDF. He explained the rational for the choice of districts and the methodology for the monitoring exercise. Each monitoring group is made of 10 members drawn from the

community, district assembly and some cases the company. The tracking results which have been validated show mix results and will be published separately for community engagement but also consolidated for national level advocacy. This is because in some districts the MDF has been of significant benefits but for others there is not much to show for. Two case studies will be presented at the conference.

Q & A Session



Q1. A question about whether the 4% of the 20% of the MDF for Community Development Scheme existed and when will it be allocated to the communities? Responding to this issue, the MDF Administrator, Dr Hammah said Sections (16) and (19) of the MDF Act requires the establishment of the Local Management Committees by the MDF Board before allocations can be made to the Community Development Scheme(CDS). Thus, for the past years that the secretariat has existed without a board there have been no allocations to the CDS. The secretariat is putting in place measures to limit categorise of the LCM into districts with clear administrative and geographical boundaries of the CDS so they can be effectively administered.

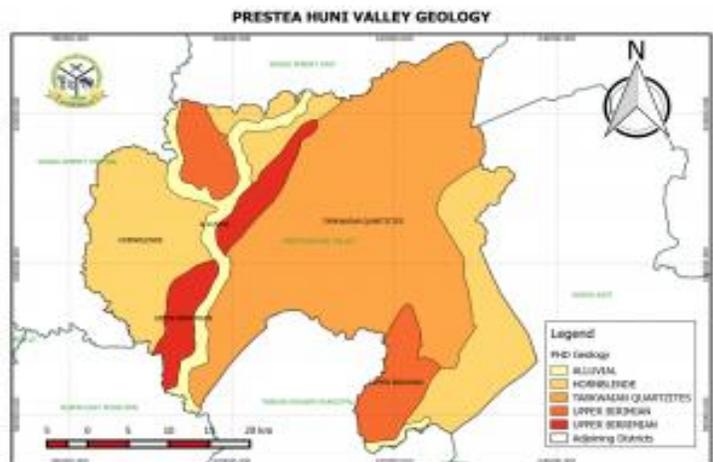
Q2. What transparency mechanism are available for the 80% mineral royalties that goes to the government through the ministry of finance? Addressing this, the issue of the transparency for the rest of the 80% mineral royalty could be seen or referred from the budget allocations.

Q3. Asked for clarification of the picture shown on Obuasi as that is not the case in recent times- the presenter noted that the picture was not meant to play mischief but to explain his view on the utilization and prioritisation of the MDF.

4.3 District Case Studies

4.3.1 Prestea Huni-Valley Monitoring Group

Brief Profile: Prestea Huni-Valley (PHV) Municipal Assembly was carved out from Wassa West District by Legislative Instrument (L.I.) 1840 in 2008 and was elevated to a municipal status in 2018. The second largest district after Sekondi-Takoradi Metropolis in terms of population and one of the largest receipts of MDF to the large concentration of mining companies in the Municipality as shown



below. Bogoso is the Municipal capital having a population of 159,304 made up of 80,493 males and 78,811 females based on 2010 Population and Housing Census. About 73.72% of the population in the district are economically active and are engaged in different industries in the municipal. However, more than 18 percent of the population aged 15 years and above are engaged in mining activities due to the presence of mining companies.

Mining is a source of great revenue to the assembly and employment to the economically active population in the municipality. Currently, the municipality host Golden Star Bogoso Prestea Limited (GSBPL), Goldfields Tarkwa, Goldfields Damang, AngloGold Ashanti Iduapriem Mines in addition to other small-scale mining companies. The MDF is a major contributor to revenue (about 20-30%) received by the assembly as shown below in the total receipts.



Funds released from the MDF and Stool Lands (2016-2018)			
Year	2016	2017	2018
MDF to total receipt	60%*	19.59%	5.61%
* In 2016, the 2015 outstanding was paid			

The MDF Monitoring Committee: The MDF monitoring group comprising of media, Area/Urban Councils, Civil Society Organizations (Youth Groups), Representative of the Mining Companies and the traditional authority commenced its work in May 2018 monitoring projects funded including:

- Construction of 4 Unit Staff Quarters located at Petepom
- 4-Unit K.G. block for St. Michael Catholic school at Bogoso
- Construction of CHPS Compound is at Broni Nkwanta,
- 2 borehole water system at Pewodea and Cocoa Shed
- Construction of a pipe culvert at Gyimakrom
- Construction of Household/communal latrines
- Supply of veronica buckets for schools to improve hand washing

Construction of a pipe culvert at Gyimakrom. The project is complete and in use

Before

After



Key Findings and Challenges:

One unit 4 No. classroom Block

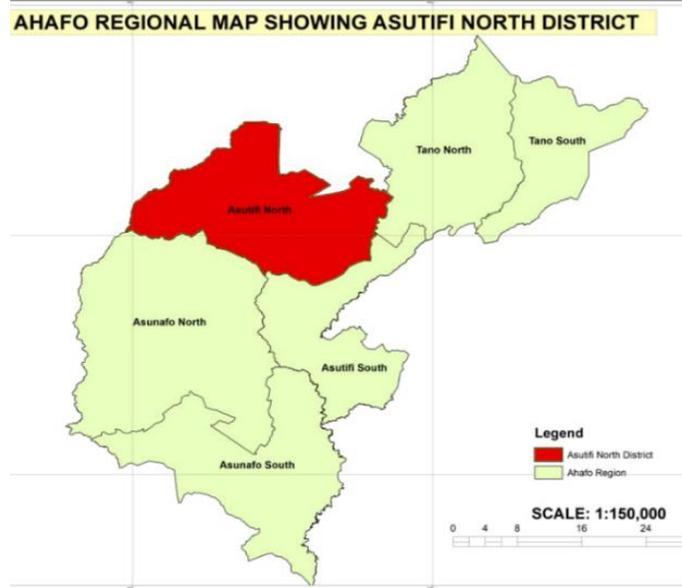
The One Unit 4 No. Classroom block is at Prestea Senior High/Technical School. The contract Cost is GHc 297,589.04.

Award date: 19/12/17 and Start: 5/01/18

Was at the finishing stage during visit but in use



Some challenges identified by the committee include delays or erratic release of the MDF to the assembly, high expectations of community members for projects, lack of logistical support for the MDF Monitoring committee (computer, printer, digital cameras among others) to aid its work and sustainability of the group beyond the WUSC/STAR/CEDA project. These notwithstanding some lessons of significant importance included the commitment of the assembly in the provision of relevant data to support the committee's work, capturing of projects in Assembly budget aids communication and accountability, the all-inclusive membership of the MDF monitoring committee strengthens social accountability and should be replicated for other projects and finally the application of the PPP policy for communal latrines reduces tension arising from management of toilet facilities.



4.3.2 Asutifi North District

Brief Profile: The Asutifi North District Assembly was created in June 2012, under L.I. 2093 with Kenyasi as the District capital with an estimated population of 64,284, males constituting 51.2%, 48.8% females. Agriculture is the mainstay of the district employing about 58 percent of the population.

The MDF Monitoring Committee:

Construction of Theater, Maternity/Labour and General Wards for the Proposed District Hospital at Kenyasi

Maternity/Theatre room



General Ward



The monitoring team was set up to ensure transparency and accountability in the utilization of the MDF and that the team was constituted by CEDA with funding from Star Ghana Foundation. The team has a membership of ten (10) made up of; 7 seven representatives from CSOs and 3 District assembly staff. The team is currently monitoring the implementation of 10 selected sub project.

Some monitoring activities undertaken by the team include gathering of data on information on MDF releases from 2015 to Q1 2019.

Also conducted physical monitoring of MDF projects and reviewed planned activities to be funded from MDF. The projects inspected by the Monitoring team include:

- pavement of Kenyasi lorry park,
- electrification
- drains
- construction of 4 No. sheds,
- construction of theater, maternity and general wards for the proposed district hospital at Kenyasi.

Among the challenges identified by the monitoring team are the delays in the release of the MDF, lack of adverts for procurement in the national dailies and lack of Funding for monitoring and evaluation

Key Findings & Recommendations:

- There was unreliable funding source for project management and administration such as funding of environmental and social impact assessment (EPA Permit), funding of site meetings (participation and involvement of key stakeholders), funding of adverts for procurement in the national dailies and funding for monitoring and evaluation activities
- Delays between completion and handing over of projects. This time lag means that, projects that are meant to meet certain urgent needs might lose their usefulness and potentially lead to extra cost to both the assembly and contractors.
- Consultations with user groups/beneficiaries are very important for project acceptance and benefits utilization and finally the erratic release of funds affect the implementation of projects were some of the findings made.
- Projects to be handed over to beneficiaries immediately upon completion. Further, schools built should be provided with fans to make them user friendly especially in the afternoons and consultations with beneficiaries should continue to ensure project acceptance.
- Delay in the release of the MDF which affects project being implemented.



4.3.3 Panel Discussion on the District Case Study

The panel comprised of Municipal Chief Executives (MCE) for Obuasi - Mr Elijah Adansi Bonah, MCE for Prestea - Mr Mozart Owahu and DCE for Asutifi North - Mr

Wilson Arthur, Nana Adjoa Tanaa II (Bogoso Hema (Queenmother of Bogoso), Mrs Christie Bobobee Administrator, Office of the Administrator of Stool Lands (OASL), Mrs Angela Ansah (MDF monitoring committee member), Osagyefo Amanfo Edu VI, Paramount Chief of Mankessim and Chairperson of the WAGES National Advisory Committee in Ghana, and moderated by Mrs. Hannah Owusu Koranteng (CEO of Wacam) . The panel reviewed the presentations and discussed:

- if setting up of the MDF has addressed the harmful effect of mining on the environment in the mining communities?

- How assemblies were able to access funds for projects in the absence of the MDF Act and
- If there has been a change in the allocation and utilization of the fund since the passage of the MDF Act in 2016.



Addressing the first issue, the panel members expressed the view that the MDF Act can address some aspects of the harmful effects of mining on the environment. Considering the projects that the assemblies are undertaking, some are geared towards addressing the effects and also empowering the youth. However, the over reliance on

the MDF to fix the environmental challenges needs to change since the fund is not enough, rather there is the need for government and companies to be held accountable for any environmental damage while demanding attitudinal change on the part of community members to support the environment.

On the issue of efficient utilisation of the MDF, the District Chief Executive for Asutifi North said they conduct needs assessments at community level and then decide what projects to undertake using the MDF fund as and when they are disbursed by the MDF secretariat. The MCE for PHV also said that monies are disbursed into the account of the assembly periodically by the MDF secretariat while that of Obuasi, stated that his Assembly has not received allocations since 2014 as a result of closure of the Obuasi mine. This clearly show the need for the board to develop a framework to guide the utilisation of the MDF. The Panel members were of the view that with the passage of the MDF Act, there have been changes in the disbursement of funds to the assemblies. However, they also admonish the need for stakeholders to work together towards ensuring that implementation of the Act is successful.

Q and A



Who decides the sort of developmental projects that is done in the communities?

- What happens when an MCE misappropriate funds?
- Were projects mentioned in the presentation solely funded with the MDF?
- Do the assemblies use the MDF to maintain the projects like communal toilets?
- What can be done to achieve more transparency in the utilization of fund?
- How can we use the MDF to empower women and the youth in the mining areas?
- How is corruption dealt with?

Addressing above concerns, the Panel responded that developmental projects are determined by community members. There is a bottom up approach that is used to assess the needs of communities. Once these needs are established, they are budgeted for by the assemblies and projects are initiated when monies are released.

On misappropriation of funds, the MCE of PHV expressed that, there is no way chief executives of the assemblies can misappropriate funds. This is because they are just account holders or authorising agents not spending officers. Rather it is the account officers and coordinating officers who are in charge of spending. He also confirmed that the projects mentioned in the presentation were those which are solely funded with the MDF. Also, these projects are boldly branded with inscriptions to show the source of funding. Moreover, there is constant monitoring of projects by the MDF secretariat to check how the funds are utilized. On the management and maintenance of projects he said, once projects are completed by the assemblies, the communities then have the responsibility for the management and maintenance of such projects. In the case of the communal toilets the community members will take fees for the management of the project but not the use of the MDF.

Panel members were of the view that to achieve transparency, the assemblies should organise more town hall meetings to communicate to community members about how the MDF is being utilized. Again, the regulations to be drafted should be focused on how to achieve more transparency in the use of the fund. This they believe can help address the bottle necks that hinder the process for transparency in the utilization of the fund.

To achieve more participation of women and the youth, the assemblies should organize more vocational and skills based initiatives to empower them economically. Also, the MDF budget should have a portion earmarked specifically for women and youth empowerment. Moreover, women and youth groups can approach the assemblies to consider inculcating their needs in the planned budget and initiatives.

Concluding the session, the moderator thanked the panel members and participants for their contributions. She said from the look of things mining in Ghana is bringing more hardship on the citizens

and the MDF is just one intervention to address a little bit of the problem. Since, there are a number of laws to safeguard the environment and govern mining we need to fine-tune these laws and initiatives to really make mining our legacy.

5.0 Discussion on the Technical Working Group (TWG) Report

The session was used to highlight the progress made by the Technical Working Group on the issues being considered for drafting the regulations for the MDF Act. The session was facilitated by Mr. Ben Aryee who presented the TWG report and Dr Steve Manteaw who moderated the discussion in plenary.



The TWG report focuses on three main issues namely: issues for consideration in the regulations for the MDF Act (912); issues for consideration for future amendment of Act (912) and issues for consideration by the MDF Board (refer to final report of the TWG).

As expressed by the facilitators, prior to the enactment of the MDF Act (912), the Extractive Industries Transparency Initiative (EITI) Ghana, the Minerals Commission and other stakeholders had developed guidelines for the utilization of the of mineral royalties in the country. Hence, a in working on the regulations the idea of the TWG was to find ways of putting some of these guidelines into the regulations.



Again, he said the responsibility of drafting regulations for the operationalization of the MDF Act lies with the MNL and the MDF Board. However, with support from partners such as WUSC, CEDA and Star Ghana Foundation, the TWG is just attempting to give a kick start to fast track the development of the regulations. In view of this, the MDF Board and the MLNR are to work together to submit the regulations for passage by Parliament.

Dr. Manteaw noted that the TWG sought to achieve two main objectives in the course of drafting the roadmap and identifying issues for the regulations. These objectives included ensuring the smooth implementation of the law; and, addressing the tendency to use the MDF to finance recurrent expenditure at the expense of development projects.

Comments on the TWG report

Some comments, questions and responses from participants and facilitators on matters concerning the technical report includes:

- Section 19 (5) which seek not to engage members of LMC in full time job should be given a second look considering the other mandatory functions as stated to enable the members to work efficiently .
- That the procedure for the enactment of legislations in Ghana should be matched against the timelines set for the passage of laws and Parliamentary calendar
- That some portions of the issues which are being considered for regulations rather ought to be part of the amendments to the Acts. Therefore, the TWG should reconsider those issues.

Q & A Session

1. Why is it that most of the initiatives funded with the MDF are mostly geared towards social infrastructure “bricks and mortar” rather than diversifying the fund into enterprises that will create sustainable jobs? - Mining communities will need more social infrastructure considering the fact that mining is closely linked with migration. Hence, the need for structural projects to meet the needs of people. Again he said some of these brick and mortar projects do translate into economic development because the level of infrastructure development determines the level of foreign direct investment that comes into the country. Dr Manteaw was of the view that the real problem is that the assemblies fail to plan how to strategically use the MDF to benefit the people in the long term.



2. Why is the term of office for an administrator appointed to the fund three (3) years instead of a four (4) years tenure? - The proposal for the three years’ term of office for the position of the

administrator is to ensure that we de-politicise the position and make it co-terminus with political cycle and also the tenure of the board.

3. What consideration should be made on the practicality for the timely release of funds from GRA and the Ministry of Finance as stipulated by section 4(3) on the issues for future amendments? - Though section 3(4) sets the time for the release of funds, there could be consideration for giving a more realistic time frame for which monies should be transferred from the GRA to the ministry of finance and subsequently to the MDF secretariat.
4. How should the representative of a traditional authority on the LMC be appointed in situations where the mining district is under more than one traditional authority? – The traditional council or affected chiefs where there is no traditional council will appoint a representative on the committee.
5. How is the percentage of the MDF that go to the chiefs monitored? There are some recommendations for the board to consider a reporting framework for the chiefs since the MDF is part of the consolidated fund and NOT stool lands revenue.
6. If there are provisions for funds for research, then shouldn't there be some guidelines for the development of the institutions? - The institutions which take funds for research are also one of the beneficiaries of the MDF and they should also be made to spell out how they are using their monies as well.
7. What are the measures in place to reform the composition of the board to include the beneficiary institutions? - the discussion was around proposing measures to ensure that all beneficiary agencies are not part of the board to enhance its oversight role and avoid the board becoming a club of beneficiaries

In his closing submission, Dr Mantew thanked the MLNR and the MDF Secretariat and the Board for their cooperation, support and contributions towards the drafting of the regulations. He admonished the stakeholders present to continue to contribute their commitments to monitoring how well the MDF is being utilized so that a stronger case can be made for an increase in the share of mineral royalties going to the communities.

6.0 Closing Remarks and Way Forward

The closing remarks was given by Dr Norris Hammah on behalf of the Ministry of Lands and Natural Resources who expressed his appreciation to the participants for a fruitful discussion and gave the assurance that the issues will be further considered by the Board to identify ways to properly address them. He pointed out that the Ministry of Finance's intention is to introduce the Ghana Integrated Financial Management Information System (GIFMIS) into the disbursement system. This will imply that third party beneficiaries like traditional authorities and the local assemblies will have to spend through the OASL. This process, he stated is the agreement between the MDF Secretariat and the Ministry of Finance which is now mandated by law. He finally thanked the participants for coming and assured that the regulations will be passed shortly for the smooth implementation of the MDF.

Finally, the MDF Board chair appealed that in the very short time she hopes another conference would be organised again to discuss the draft memorandum on the MDF and other aspects that have not been tackled in this conference.

7.0 Analysis of Evaluation

In all 47 out of a total number of 122 participants responded to the evaluation questionnaire.

The data in Table 1.0 shows the age breakdown of participants who responded to the questionnaire

Table 1.0: Breakdown of age and sex of participants

Sex and Age	Male		Female		Not stated	Total
	35 and below	Above 35	35 and below	Above 35		
Number of people who responded	(10)	(14)	(5)	(15)	(3)	(47)
Percentage	21%	30%	11%	35%	6%	100%

Analyses of the Questions

Question 1: Do you see today's program to have any positive impact on utilization and monitoring of MDF in your institution/municipal/district assembly?

All 47 participants representing 100% selected Yes for the question 1.

Question 2: If Yes

A number of the responses which were provided for the question two is shown below.

- I. The formation of the MDF board
- II. The weaknesses in the utilization of the MDF
- III. Provided more insight into the MDF Act and the need for regulations
- IV. Promote transparency and accountability in the utilization of the MDF
- V. That the need educate stakeholders particularly community members on the utilization of the MDF
- VI. Provide insight into the legal framework for the disbursement of the MDF
- VII. It provided participants with first-hand information on projects which the MDF is used to finance

Question 3: If No what are your recommendations?

None of the 47 participants responded to this question

Question 4: What information did you pick from the overall program on the MDF?

- I. That the MDF should be used to benefit community members
- II. The establishment of the MDF Board is vital for effective disbursement of the MDF
- III. Need to engage the political leadership to fast track the drafting of regulations
- IV. The MDF is a major source of funding for the assemblies
- V. The need to consider capacity building for women and the youth

Question 5: Which session did you enjoy most?

- 27 out the 47 participants representing 57% responded that they enjoyed the session on the Presentation by the monitoring groups from Prestea Huni -Valley and Asutifi North
- 8 out of the 47 representing 17% participants enjoyed the session on the RoadMap for the Regulation and Plenary Discussions
- 2 out of 47 participants representing 4% gave varied responses to the question

Question 6: Which topic did you enjoy most?

- A total of 32 out of the 47 participants representing 68% enjoyed the topic on the MDF: From Legislation to Implementation
- 10 out of the 47 participants enjoyed the topics as discussed by the Panel Discussion on the Presentation by monitoring group. This represent 21.2% of the entire participants
- Overall 3 participants representing 6.4% enjoyed the topic on the presentation on MDF utilization
- While 2 participant representing 4.2% felt they enjoyed most of the topics discussed at the conference

Question 7: Which sessions do you think needs to be improved?

- 40 out of the 47 participants representing 85% were of the view that the sessions with panel discussions ought to be improved.
- 5 participants representing 11% of the total responses were of the view that the session on the Report on the TWG: Progress of implementation should be improved
- 4% of participants we of the view that other sessions of the conference could be improved in the future

Question 8: What are your recommendations for future programs of this kind?

the panel members should be limited in future activities
The conference should have been held for two days or more
More time should be allocated for panel discussions and questions
There should be enough time allocated for presentations by the monitoring groups
There is he need to engage or invite more stakeholders to a conference of this nature
The mining companies should have representation on the panel future conference

8.0 Annexes

Annex 1: National Conference in Pictures





Annex 2: Participants List

NO	NAME	SEX	ORGANIZATION	EMAIL	AGE		TEL
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Annex 3: Conference Programme

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	MDF National Conference	
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	Venue: MENSVIC HOTEL	
	15 May 2019	
TIME	ACTIVITY	FACILITATOR
8:30 – 9:15	Registration/	CEDA/WAGES Staff
9:15am	Introduction of Chairman	Emmanuel Kuyole
9:15 – 10:00	Opening Remarks <ul style="list-style-type: none"> - WAGES - Star Ghana Foundation - Canada High Commission - Australian High Commission - MDF Board Chair - Address by Minister of MLNR 	Chairman
10:00 - 10:30	The MDF: From Legislation to Implementation	CEDA
10:30-11:00	Cocoa Break	
	Case studies: MDF Utilization in 2 – districts & discussions	MDF Monitoring Groups
11:00-11:30	Session1: PHV-MDF Monitoring Group	
11:30- 12:00	Session 2: Asutifi North MDF Monitoring Group	
12:00- 1:00	Panel Discussion on PHV and Asutifi North Presentations <ul style="list-style-type: none"> - MDF secretariat - OASL - Chamber of Mines - District Assembly - Traditional Authority - 2 Community Reps 	Moderator Hannah Owusu Koranteng
1:00 -2:00	Lunch Break	
2:00-2:30	Report of the TWG :- Progress of Implementation	MLNR/ Chairman of the working group

2.30-3:30	Roadmap for Regulation Plenary Discussion	Facilitated Discussion by Steve Manteaw
3:30-4:00	Draft Memorandum on MDF regulation	Working Group/ Rapporteur
4:00- 4:15	Next Steps: Closing Remarks and Way forward	Dr Norris Hammah- Ag. MDF Coordinator
4:15- 4:20	Closing	Emmanuel Kuyole