

(ii) Where the owner of the uncompleted (house) premises fails either to demolish or complete it, the Assembly shall with or without further notice, demolish the uncompleted house and surcharged its owner for the cost of labour.

### **Penalty**

10. A person who contravenes any of these Bye-Laws commits an offence and is liable on summary conviction to a fine not exceeding 50 Penalty units payable to the Assembly or in default to a term of imprisonment for a period not exceeding six (6) months or both.

Made at a meeting of the Adansi South District Assembly held on the 18<sup>th</sup> day of **December, 2014**.

## **SECTION 32: (BEATING OF GONG-GONG AND COMMUNAL LABOUR) BYE-LAWS 2015**

### **Title**

1. These Bye-Laws may be cited as the District Assembly (Beating of Gong-Gong and Communal Labour) Bye-Laws 2015 and it shall apply to all towns and villages within the area of authority of the District Assembly.

### **Organization of Communal Labour**

2. (i) The Assembly or any Town/Area Council/Unit Committee, (hereinafter referred to as the "Organization Authority") may from time to time organize communal labour in any town or village or electoral area within the area of authority of the Assembly as the Assembly or organizing authority deems necessary.

(ii) Organize any work or service exacted in cases of emergency, calamity, fear, fire, flood, epidemic, famine, invasion by animals or vegetable pest for during an emergency of any kind the threat of which the community considers imminent.

(iii) Organize direct labour in the interest of the community in the construction of school blocks, clearing of community centres or any project that is to the benefit of the community.

### **Notice of Communal Labour**

3. (i) The Assembly or Organizing Authority shall give notice to the residents of the relevant town and village or electoral area to attend any communal gathering or to attend communal labour by beating the gong-gong where radio or mobile van fitted with public address system or means of communication is not used.
  - (ii) The notice shall include the date, the time and the place where the communal labour or meeting is to be organized or held and the nature of the communal labour or meeting to be undertaken.
  - (iii) Whoever assaults, insults obstructs or incites others against the Organizing Authority shall be guilty of an offence and shall on conviction be liable to a fine not exceeding 20 penalty units or to a term of imprisonment not exceeding six (6) months and fifty percent (50%) of the fine thereof shall be made payable to the Organizing Authority.

#### **Town Crier**

4. (i) The gong-gong shall be beaten by the town Crier or any person appointed to do so by the Chief or Odikro or such authority for the time being exercising the powers of the Chief or Odikro.
  - (ii) No Assembly Member, Area/Town Council or Unit Committee shall order the beating of the gong-gong without authority of the recognized Traditional Head in any town or village. Where no such authority exist, the Assembly may authorize anybody to beat the gong-gong in such a town or village.

#### **Refusal to Answer to the Gong-Gong**

5. (i) It shall be an offence to refuse to answer to the gong-gong duly authorized by the Organizing Authority with the consent of the Traditional Head.
  - (ii) Whoever assaults, insults, obstructs or seizes the gong-gong from the crier or incites others against the town crier or prevents him in any way from beating the gong-gong when he is duly authorized to do so shall be guilty of an offence and shall be liable to a fine not exceeding 20 penalty units or a term of imprisonment not exceeding six (6) months or both.
6. Where in the relevant town/village community the Traditional Authority stands in the way of Organizing Authority in beating the gong-gong, the Organizing Authority may appeal to the Executive Committee of the Assembly for a written permission enabling that Organizing Authority to be responsible for the custody and the beating of the gong-gong in the community.

#### **Persons to Attend Communal Labour**

7. (i) All able bodied persons of above eighteen (18) years and below sixty (60) years in the relevant town or village or electoral area shall take part in any communal labour organized under Section 2 of these Bye-Laws.
- (ii) The Assembly or Organizing Authority may exempt any person from taking part in any communal labour organized by it if it is satisfied that:-
  - (a) The person is sick;
  - (b) The person is required to appear before a Court or Tribunal or assist the Police in any investigation;
  - (c) The person is attending the funeral of his/her relative or;
  - (d) Such circumstances exist in relation to the person as to make it unreasonable for him/her to take part in the communal labour.

#### **Contribution in Lieu of Communal Labour**

8. (i) Any person who by the nature of his/her work or business cannot attend communal labour shall pay to the coffers of the relevant Town or Village/Electoral Area/ Unit Committee of Area/Town Council a contribution in lieu of communal labour an amount fixed by Resolution of the Assembly.
- (ii) Failure to pay the amount shall constitute a refusal to take part in communal labour.

#### **Penalty**

9. (i) Any person who contravenes these Bye-Laws commits an offence and shall on conviction be liable to a fine not exceeding 50 Penalty units payable to the Assembly or to imprisonment not exceeding six (6) months or both and fifty percent (50%) of the fine shall be made payable to the relevant town or village.
- (ii) Any person who without lawful justification or excuse, the proof of which shall be on him/her incites any person to refuse Bye-Laws, commits an offence and shall be liable on conviction to a fine not exceeding 20 penalty units or to imprisonment not exceeding six (6) months or to both and fifty percent (50%) of the fine shall be made payable to the relevant town or village.
- (iii) Subject to Sub-Sections (i) of Section 9 of these Bye-Laws, the Court or Tribunal may in addition to the punishment imposed on any person, sentence the person to undertake communal or productive labour of such nature and for such period as the Tribunal or Court may determine or Electoral Area/Unit Committee/Town/Area Council.

Made at a meeting of the Adansi South District Assembly held on the **18<sup>th</sup>** day of **December, 2014**.