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SUMMARY OF CONTENTS

	Page
North Gonja District Assembly (Community Resource Management Areas) (CREMAs) Bye-laws, 2020	1831
West Gonja Municipal Assembly (Community Resource Management Areas) (CREMAs) Bye-laws, 2020	1837
Sawla-Tuna-Kalba District Assembly (Community Resource Management Areas) (CREMAs) Bye-laws, 2020	1842

NORTH GONJA DISTRICT ASSEMBLY COMMUNITY RESOURCE MANAGEMENT AREAS (CREMAs) BYE-LAWS 2020

In exercise of the powers conferred on the Ministry of Lands and Natural Resources by section 1 of the Wild Animals Preservation Act, 1961 (Act 43) and on District Assemblies Bye-law Section 181 of the Local Governance Act, 2016 (Act 936) and Local Government (Departments of District Assemblies) (commencement) Instrument, 2009 L. I. 1961 Section 9. These Bye-laws are hereby made as follows:

Title: BYE-LAWS, 2020

North Gonja District Assembly (Protection of CREMA) Community Resource Management Area (Bye-laws, 2020).

These Bye-laws shall apply within the Administration of the North Gonja District Assembly (hereinafter called the Assembly)

PART 1: APPLICATION OF BYE-LAWS

1. Establishment of CREMAs

The areas of land to which these Bye-laws shall apply, the situation and limits of which are specified in Schedule 1 of these Bye-laws, and in their respective constitutions, are hereby established and shall be designated as the Community Resource Management Areas (CREMAs). These Bye-laws shall be in accordance with the Wild Animals Preservation Act, 1961 (Act 43) and the Wildlife Conservation Regulations, 1971 L. I. 685 and its amendments, the Forestry Commission Act, 1999 (Act 571), Forest and Wildlife Policy, 2012, the Timber Resource Management and Legality licensing Regulations, 2017 L.I. 2254, Manual of Procedures Forest Resources Management Planning (Section F) – Controlled Timber Production off Reserve, 1998, the Riparian Buffer Zone Policy for Managing Fresh Water bodies in Ghana, 2011, the Local Governance Act, 2016 (Act 936), Local Government (Departments of District Assemblies) (commencement) Instrument, 2009 L.I. 1961, Section 9 and the constitutions of the various CREMAs within the North Gonja District.

The CREMA concept involves devolution of governance and management responsibility and authority for natural resources to specified communities' within a defined location. The communities have organized themselves to collectively, integrate natural resources conservation into their existing livelihood strategies. The aim is to forge a balance between

conservation and sustainable livelihoods. The concept recognizes natural resources conservation as a legitimate and complementary land use option. A CREMA therefore, is an area with rich natural resources or has the potential for integrating natural resource conservation into local livelihoods. It is composed of a number of communities with collective action and unity, where governance and management responsibility and authority for natural resources has been devolved to a constituent local institution. A CREMA shall have a constitution upon which the devolution shall be done, and committees of elected members, to administer it.

These Bye-laws shall give legal backing to the constitution of any CREMA(s) already existing before the coming into force of these Bye-laws. The existing CREMAs include;

- The Bawena - Kpulumbo CREMA;
- Gurubagu - Wawato CREMA; and
- Yazori Kumbo CREMA.

These Bye-laws shall also give legal backing to any CREMA(s) that may be established in future, within the North Gonja District. It shall empower the leadership of the CREMA(s) to enforce any rules and regulations of the CREMA as spelt out in their respective constitutions.

In the North Gonja District, any future CREMA would be deemed to have been established, when it has gone through the process as per Schedule 2 attached to these Bye-laws, and registered with the Assembly.

The people/community/Chief/Tindaana shall, declare their intention to become a CREMA community to the District Assembly, Wildlife Division and any other appropriate institution(s), in the spirit of Free Prior Informed Consent (FPIC).

- The chiefs and individuals (settlers/landowners) who shall form the CREMA shall be resident in or own property within the CREMA.
- The CREMA shall have elected Community Resource Management Committees (CRMCs) at the individual community levels, and a CREMA Executive Committee (CEC) at the overall CREMA level. Governance of the CREMA shall be guided by a consensual constitution which shall be developed by the CREMA constituents and backed by these Bye-laws. The constitution shall describe the area of jurisdiction of the CREMA.

2. Rights of Access to Natural Resources

2.1 CREMA members and Non CREMA members shall not at any time: -

- a. Hunt, capture, or destroy any animal in the CREMA, except with the consent of the CREMA Executive Committee (CEC), and subject to the conditions as the CEC may determine.
- b. Collect any Non Timber Forest Products (NTFPs) for commercial purposes from the CREMA, except with the consent of the CEC, and subject to the conditions as the CEC may determine.
- c. Exploit any other natural resources including trees in the CREMA, even if authorized to do so by the appropriate state and traditional institutions, except with the consent of the CEC, and subject to the monitoring role of the CEC or its accredited representative(s)/CRMC. The CEC/CRMC shall ensure that, the appropriate pre and post exploitation standards are complied with, and to any other conditions, as the CEC may determine.
- d. Hunt, capture, destroy or be in possession of an animal that is wholly protected by local edicts, or national laws, as prescribed in L. I. 685 and its amendments.
- e. Hunt, capture, destroy, or be in possession of an animal during the close season (1st August to 1st December), as prescribed in L. I 685 and its amendments.

2.2 Conditions of Right of Access to Natural Resources

- a. In instances, where minerals are discovered in the CREMA, and their exploitation agreed upon, between the responsible state agency and the local communities, comprehensive Environmental and Social Impact Assessments (EIA & SIA) would be conducted and the recommendations implemented in close collaboration with the CREMA Executive Committee.
- b. Notwithstanding articles 2.1(a), 2.1(b), and 2.1(c), controlled access to natural resources within the CREMA, can be obtained through appropriate permits.

- c. An application for permit to undertake activities around articles 2.1(a) 2.1(b) and 2.1(c) shall be made to the relevant state agency, accompanied by an appropriate fee, that may be determined by the agency.
- d. A permit issued by the relevant state agency in respect of 2.1(a), 2.1(b), and 2.1(c) may be used in the CREMA, subject to the approval of the CEC, and any conditions including payment of an additional fee that, the CEC may determine.

3. Trade in Bushmeat/NTFPs

- a) No person shall be allowed to buy or sell Bushmeat/NTFPs for commercial purposes in the CREMA, unless he/she is in possession of a license granted him/her for that purpose by the North Gonja District Assembly, or the Forestry Commission.
- b) The CEC may decide to take a fee from a licensed Bushmeat/NTFPs trader.
- c) Non-CREMA members who trade in Bushmeat/NTFPs within the CREMA, shall buy from recognized licensed CREMA hunters/traders only.

4a. Protection of Amenities

No person shall at any time: -

- a) Hunt, capture, or destroy any wild animal, by using chemicals, gin traps, artificial light, or flare, within the CREMA.
- b) Pollute any water body within the CREMA.
- c) Use chemicals, poisons, inappropriate fishing nets, explosives, or any other destructive fishing methods and equipment, for fishing in water bodies within the CREMA.
- d) Farm within a minimum distance of 30 meters from any streams and small rivers, and 50m from major rivers within the CREMA.
- e) Use indiscriminate methods, such as dogs, fire, poisons, clubs, cudgels and sticks for hunting within the CREMA, even if the person is in possession of a legitimate license to hunt.
- f) Organize group hunting activities within the CREMA, except with the permission of the CEC. The permission shall be for social – cultural activities only.
- g) Indiscriminately fell trees, debark, girdle, and uproot trees within the CREMA.
- h) Set fires in the CREMA, without the appropriate precautionary measures to check uncontrollable fires.
- i) Contravene customary and traditional conservation practices that have been spelt out in the constitution of the CREMA.

4b. Self Defense /Property Destruction

i) Self Defense

Persons that may be attacked by any wild animal within a CREMA, shall have the right to defend themselves. In the event of killing in self-defense, the matter should be reported to the relevant CRMC/CEC for further action.

ii) Property Destruction

Persons, whose farm crops and property are being destroyed by wild animals, shall report to the CRMC/CEC for appropriate action.

PART 2: OFFENCES

1. a) Any person who contravenes section 2.1(e) shall be prosecuted in court in accordance with provisions in the Wildlife Conservation Regulations, 1971 L. I. 685 and any relevant wildlife laws of Ghana.
- b) Contravention of sections 2.1(a), 2.1(b), 2.1(c), and 2.1(d) shall also elicit prosecution in a law court. The offender shall be liable on summary conviction to a fine not exceeding 200 penalty units, or to a term of imprisonment not exceeding six months or to both.

2. Any bushmeat or other NTFPs illegally acquired in contravention of the provisions in section 3, shall be confiscated and sold to the public. The proceeds shall be paid into the respective CREMA account.
3. The CEC shall choose either the traditional authorities or its disciplinary committee to sanction offenders of Sections 4 and 5(i).

PART 3: INDEMNITY

No person shall bring an action against any CREMA constituent member, or the North Gonja District Assembly, in respect of any proven act done in good faith, in the performance of duties/activities in the interest of a CREMA within the District.

PART 4: AMENDMENT OF BYE-LAWS

These Bye-laws are subject to amendment from time to time, by the North Gonja District Assembly, at a session where, two thirds majority of all CEC members within the District, may call for amendment to these Bye-laws.

PART 5: INTERPRETATION

In this Bye-law, unless the context otherwise requires-

1. "CREMA Executive Committee" (CEC) means the highest decision making body of the CREMA.
2. "Animal" means all vertebrates and invertebrates.
3. "Bushmeat" means meat from any wild animal, either fresh or processed.
4. "CREMA" means Community Resource Management Area.
5. "CRMC" means Community Resource Management Committee - the CREMA Governance and Management Unit at the local community level(s).
6. "Commercial Purposes" means harvesting, and carriage of NTFPs/Bushmeat for a fee, rate, charge or other consideration directly or indirectly for business, or any undertaking intended for profit.
7. "Customary and Traditional Conservation Practice" means any traditional practice that protect fauna, flora, and the environment within the CREMA.
8. "Group Hunting" means a group of two or more individuals hunting together, and whose activities complement one another's, for the purpose of hunting.
9. "Indiscriminate Method of Hunting" means any method that can kill more than one animal at a time, regardless of whether the animal is young, pregnant, wholly protected etc.
10. "Natural Resources" means all other natural endowments including minerals and carbon.
11. "NTFPs" means all natural resources including wild animals, and plants that are not used to produce timber.
12. "Penalty Unit" means 12 Ghana Cedis or as amended in national statutes.
13. "WD" Wildlife Division of the Forestry Commission.
14. "Wildlife" means undomesticated animal and any form of uncultivated plant life.

Schedule 1

BOUNDARY DESCRIPTIONS OF THE EXISTING COMMUNITY RESOURCE MANAGEMENT AREAS

Bawena-Kpulumbo CREMA lies within Latitude 9° 31' 40" N to 9° 32' 0" N and Longitude 1° 41' 0" W and 1° 44' 20" W. It shares common boundaries with Mole National Park in the North - West. To the extreme north of the CREMA, it shares common boundaries with Grubagu -Wawato CREMA. It has an approximate area of 28,530.17ha and a total perimeter of 85.056km.

The Grubagu-Wawato CREMA lies within Latitude 9° 36' 50" N to 9° 4' 20" N and Longitude 1° 32' 10" W to 1° 36' 15" W. It has an approximate area of 18,773.21 ha and 57.956km.

The Yazori Kumbo CREMA lies within Latitude 9° 17' 30" N, to 9° 28' 0" N and Longitude 1° 31' 50" W and 1° 35' 30" W. The CREMA shares common boundaries with the Murugu Mognori CREMA in the South East, the Mole National Park to the East, and Bawena - Kpulumbo CREMA in the North. It has approximately 31, 566.57ha and a total perimeter of 81.227km.

Coordinates, Distances and Description of the Boundaries of the CREMAs, with reference to the topographic map starting point is (K).

Table1. Details of Coordinates and Distances along the Bawena-Kpulumbo CREMA

<i>GPS Point No.</i>	<i>mE</i>	<i>mN</i>	<i>Feature</i>	<i>Distances km</i>
Starting Point K	638268.35	1050840.093	From point K navigate in the North Easterly direction at an angle of 62 degrees to point F	8.503
F	644543.22	1054127.293	From point F navigate in the North Easterly direction at an angle of 32 degrees to point E	21.600
E	6523190.88	1069453.568	From point E navigate in the South Easterly direction at an angle of 130 degrees to point D	11.954
D	660731.52	1063233.201	From point D navigate in the South South-Easterly direction at an angle of 165 degrees to point G	10.382
G	663572.152	1053365.839	From point G navigate in the Westerly direction at an angle of 264 degrees to point H	3.817
H	659764	1053095.347	From point H navigate in the South Easterly direction at an angle of 124 degrees to point I	4.987
I	663148.725	1050750.55	From point I navigate in the South South-Westerly direction at an angle of 202 degrees to point J	4.509
J	661507.527	1046603.84	From point J navigate in the Westerly direction at an angle of 279 degrees to point K	23.813

NB: All measurements are approximate

Table2. Details of Coordinates and Distances along the Grubagu Wawato CREMA

<i>GPS Point No.</i>	<i>mE</i>	<i>mN</i>	<i>Feature</i>	<i>Distances km</i>
Starting Point A	660096.519	1079931.08	From point A navigate in the North South Easterly direction at an angle of 107 degrees to point B	14.356
B	671919.71	1076366.93	From point B navigate in the South South-Westerly direction at an angle of 188 degrees to point C	7.043
C	670955.041	1069560.72	From point C navigate in the South Westerly direction at an angle of 232 degrees to point D	12.025
D	660731.52	1063233.20	From point D navigate in the North Easterly direction at an angle of 309 degrees to point E	11.954
E	653190.88	1069453.56	From point E navigate in the North North-Easterly direction at an angle of 32 degrees to point A	12.578

NB: All measurements are approximate

Table 3. Details of coordinates and distances along the Yazori Kumbo CREMA

<i>GPS Point No.</i>	<i>mE</i>	<i>mN</i>	<i>Feature</i>	<i>Distances km</i>
K	638268.35	1050840.093	From point K navigate in the North South Easterly direction at an angle of 101 degrees to point J	23.813
J	661507.527	1046603.84	From point J navigate in the South South-Westerly direction at an angle of 200 degrees to point M	22.482
M	654751.925	1027477.338	From point M navigate in the North Westerly direction at an angle of 319 degrees to point L	29.775
L	637077.723	1046474.459	From point L navigate in the North North-Easterly direction at an angle of 16 degrees to point K	5.157

NB: All measurements are approximate

SCHEDULE 2

THE NORTH GONJA DISTRICT ASSEMBLY BYE LAW TO BACK CREMA ESTABLISHMENT WITHIN THE DISTRICT

- Any persons within a specified number of communities located within the North Gonja District, that desire to establish a CREMA shall submit an application to the North Gonja District Assembly.
- The Application form will be available at the District Planning Office in the District Assembly. The completed form shall be submitted to the Assembly by the respective Assembly Member(s) of the proposed CREMA and signed by the Community Chief(s) and Elders concerned, in keeping with the principle of Free Prior and Informed Consent (FPIC).
- The proposed CREMA(s) operatives shall organize and form their governance and management structures. These are the Community Resource Management Committees (CRMC), CREMA Executive Committee (CEC) and any other (Sub-committees) that they may consider necessary in their Constitution(s).
- The proposed CREMA operatives shall draft their local constitution with benefit sharing arrangements and Natural Resources Management Regulations among other provisions. These shall be backed by this North Gonja District Assembly Bye-laws and customary laws of the area under consideration.
- An appropriate or approved Constitution Development Framework from the District Assembly and or the Wildlife Division of the Forestry Commission, shall be used to guide the development of the respective CREMA constitutions. The framework shall be obtained at the offices of the District Planning Unit of the Assembly, or the Wildlife Division.
- The Wildlife Division, the relevant District Assembly(s) and interested development partners shall provide the necessary technical support in the drafting of the constitution.
- If the establishment of the CREMA and its processes are supported by "external agents", they shall develop a comprehensive five year (medium term) action plans with a clear exit strategy at an early stage, to ensure a smooth transition from the external agents to the ultimate governors and managers of the CREMA.
- The proposed CREMA operatives shall carry out the appropriate studies and formulate a CREMA management plan for implementation.
- The North Gonja District Assembly, upon satisfying itself of the process, shall register the CREMA and issue a temporary District Assembly Certificate to the CREMA, to officially permit them to operate.
- The temporary District Assembly Certificate shall be awarded to the CREMA on merit:
 - The CREMA shall operate for at least 6 months at which time they shall be assessed to determine whether they qualify to be awarded a final certificate.
 - The District Assembly and any other concerned institution(s) shall be responsible for coaching, mentoring and conducting periodic assessments of how sustainable the CREMA structures are, in terms of frequency of meetings, accountability etc. and make recommendations for the award of a Certificate of Devolution of Management Responsibility and Authority for natural resources within the CREMA
- CREMAs with District Assembly Certificates, shall apply through the District Assembly to the Wildlife Division of the Forestry Commission for approval and recommendation to the Minister of Lands and Natural Resources, for a Certificate of Devolution of Management Responsibility and Authority for natural resources within the CREMA.

SIGNED

HON. ALHASSAN AMINU
Presiding Member

SIGNED

HON. ADAM ELIASU
District Chief Executive

**WEST GONJA MUNICIPAL ASSEMBLY
COMMUNITY RESOURCE MANAGEMENT AREAS (CREMAs)
BYE-LAWS 2020**

In exercise of the powers conferred on the Ministry of Lands and Natural Resources by Section 1 of the Wild Animals Preservation Act, 1961 (Act 43) and on Municipal Assemblies Bye-law Section 181 of the Local Governance Act, 2016 (Act 936) and Local Government (Departments of Municipal Assemblies) (commencement) Instrument, 2009 L. I. 1961 Section 9. These Bye-laws are hereby made as follows:

Title: BYE-LAWS, 2020

West Gonja Municipal Assembly (Protection of CREMA) Community Resource Management Area (Bye-laws, 2020). These Bye-laws shall apply within the Administration of the West Gonja Municipal Assembly (hereinafter called the Assembly)

PART 1: APPLICATION OF BYE-LAWS

1. Establishment of CREMAs

The areas of land to which these Bye-laws shall apply, the situation and limits of which are specified in Schedule 1 of these Bye-laws and in their respective constitutions are hereby established, and shall be designated as the Community Resource Management Areas (CREMAs). These Bye-laws shall be in accordance with the Wild Animals Preservation Act, 1961 (Act 43) and the Wildlife Conservation Regulations, 1971 L. I. 685 and its amendments, the Forestry Commission Act, 1999 (Act 571), Forest and Wildlife Policy, 2012, the Timber Resource Management and Legality licensing Regulations, 2017 L.I. 2254, Manual of Procedures Forest Resources Management Planning (Section F) – Controlled Timber Production off Reserve, 1998, the Riparian Buffer Zone Policy for Managing Fresh Water bodies in Ghana, 2011, the Local Government Act, 2016 (Act 936), Local Government (Departments of Municipal Assemblies) (commencement) Instrument, 2009 L.I. 1961, Section 9, and the constitutions of the various CREMAs within the West Gonja Municipality.

The CREMA concept involves devolution of governance and management responsibility and authority for natural resources to specified communities' within a defined location. The communities have organized themselves to collectively, integrate natural resources conservation into their existing livelihood strategies. The aim is to forge a balance between conservation and sustainable livelihoods. The concept recognizes natural resources conservation as a legitimate and complementary land use option. A CREMA therefore, is an area with rich natural resources or has the potential for integrating natural resource conservation into local livelihoods. It is composed of a number of communities with collective action and unity, where governance and management responsibility and authority for natural resources has been devolved to a constituent local institution. A CREMA shall have a constitution upon which the devolution shall be done, and committees of elected members, to administer it.

This Bye-law shall give legal backing to the CREMAs already existing, namely:

- Murugu-Mognori CREMA

These Bye-laws shall also give legal backing to any CREMA(s) that may be established in the future within the West Gonja Municipality.

In the West Gonja Municipality, a CREMA would be deemed established when it has gone through the process as per Schedule 1 attached to this Bye-law and registered with the Municipal Assembly.

The people/community shall, declare their intention to become a CREMA, to the Municipal Assembly, Wildlife Division and any other appropriate institution(s).

- The chiefs and individuals (settlers/landowners) who shall form the CREMA shall have to reside or own property within the CREMA, and;
- The CREMA shall have elected executive who shall develop a constitution. which shall be backed by this Bye-law on CREMAs.

2. Rights of Access to Natural Resources

2.1 CREMA members and Non CREMA members shall not at any time: -

- a. Hunt, capture, or destroy any animal in the CREMA, except with the consent of the CREMA Executive Committee (CEC), and subject to the conditions as the CEC may determine.
- b. Collect any Non Timber Forest Products (NTFPs) for commercial purposes from the CREMA, except with the consent of the CEC, and subject to the conditions as the CEC may determine.
- c. Exploit any other natural resources including trees in the CREMA, even if authorized to do so by the appropriate state and traditional institutions, except with the consent of the CEC, and subject to the monitoring role of the CEC or its accredited representative(s)/CRMC. The CEC/CRMC shall ensure that, the appropriate pre and post exploitation standards are complied with, and to any other conditions, as the CEC may determine.
- d. Hunt, capture, destroy or be in possession of an animal that is wholly protected by local edicts, or national laws, as prescribed in L. I. 685 and its amendments.
- e. Hunt, capture, destroy, or be in possession of an animal during the close season (1st August to 1st December), as prescribed in L. I 685 and its amendments.

2.2 Conditions of Right of Access to Natural Resources

- a. In instances where minerals are discovered in the CREMA, and their exploitation agreed upon, between the responsible state agency and the local communities, comprehensive Environmental and Social Impact Assessments (EIA & SIA) would be conducted and the recommendations implemented in close collaboration with the CREMA Executive Committee.
- b. Notwithstanding articles 2.1(a), 2.1(b), and 2.1(c), controlled access to natural resources within the CREMA, can be obtained through appropriate permits.
- c. An application for permit to undertake activities around articles 2.1(a) 2.1(b) and 2.1(c) shall be made to the relevant state agency, accompanied by an appropriate fee that may be determined by the agency.
- d. A permit issued by the relevant state agency in respect of articles 2.1(a), 2.1(b), and 2.1(c) may be used in the CREMA, subject to the approval of the CEC, and any conditions including payment of an additional fee that, the CEC may determine.

3. Trade in Bushmeat/NTFPs

- a) No person shall be allowed to buy Bushmeat/ NTFPs in the CREMA unless he/she is in possession of a license granted him/her for that purpose by the West Gonja Municipal Assembly.
- b) The CEC may decide to take a fee from a licensed Bushmeat/NTFP trader.
- c) Non-CREMA members who trade in Bushmeat/NTFPs within the CREMA, shall buy from recognised licensed CREMA hunter/traders only.
- d) Commercial traders in NTFPs shall acquire permit from the relevant CEC accompanied by an appropriate fee determined by the CEC.

4. Protection of Amenities

No person shall at any time: -

- a) Hunt, capture, or destroy any wild animal by using chemicals, any artificial light or flare within the CREMA.
- b) Pollute any water body within the CREMA.
- c) Use chemicals, poisons or explosives, and unapproved nets for fishing in water bodies within the CREMA.
- d) Farm within a minimum distance of 30 meters from any streams and small rivers, and 50m from major rivers within the CREMA.
- e) Use dogs, fire, poisons, clubs, cudgels and sticks for hunting within the CREMA.

- f) Organize group hunting activities within the CREMA, except with the permission of the CEC. The permission shall be for social – cultural activities only.
- g) Indiscriminately felling of trees, debark, girdle and uproot trees within the CREMA.
- h) Set unprescribed fires within the CREMA.

5. Self Defense /Property Destruction

i) Self Defense

Persons that may be attacked by any wild animal within a CREMA, shall have the right to defend themselves. In the event of killing in self-defense, the matter should be reported to the relevant CRMC/CEC for further action.

ii) Property Destruction

Persons, whose farm crops and property are being destroyed by wild animals, shall report to the CRMC/CEC for appropriate action

PART 2: OFFENCES

1. a) Any person who contravenes section 2.1(e) shall be prosecuted in court in accordance with provisions in the Wildlife Conservation Regulations, 1971 L. I. 685 and any relevant wildlife laws of Ghana.
b) Contravention of sections 2.1(a), 2.1(b), 2.1(c), and 2.1(d) shall also elicit prosecution in a law court. The offender shall be liable on summary conviction to a fine not exceeding 200 penalty units, or to a term of imprisonment not exceeding six months or to both.
2. Any Bushmeat or other NTFPs illegally acquired in contravention of the provisions in section 3, shall be confiscated and sold to the public. The proceeds shall be paid into the respective CREMA account.
3. The CEC shall choose either the traditional authorities or its disciplinary committee to sanction offenders of Sections 4 and 5(i).

PART 3: INDEMNITY

No person shall bring an action against any CREMA constituent member, or the West Gonja Municipal Assembly, in respect of any proven act done in good faith, in the performance of duties/activities in the interest of a CREMA within the Municipality.

PART 4: AMENDMENT OF BYE-LAW

This Bye-law is subject to amendment from time to time by the Municipal Assembly in collaboration with the CREMA Executive Committee(s).

PART 5: INTERPRETATION

In this Bye-law, unless the context otherwise requires:

1. "CREMA Executive Committee" (CEC) means the highest decision making body of the CREMA.
2. "Animal" means all vertebrates and invertebrates.
3. "Bushmeat" means meat from any wild animal, either fresh or processed.
4. "CREMA" means Community Resource Management Area.
5. "CRMC" means Community Resource Management Committee - the CREMA governance and management unit at the local community level(s).
6. "Commercial Purposes" means harvesting, and carriage of NTFPs/Bushmeat for a fee, rate, charge or other consideration directly or indirectly for business, or any undertaking intended for profit.

7. "Customary and Traditional Conservation Practices" means any traditional practices that protect fauna, flora, and the environment within the CREMA.
8. "Group Hunting" means a group of two or more individuals hunting together, and whose activities complement one another's, for the purpose of hunting.
9. "Indiscriminate Method of Hunting" means any method that can kill more than one animal at a time, regardless of whether the animal is young, pregnant, wholly protected etc.
10. "Natural Resources" means all other natural endowments including minerals and carbon.
11. "NTFPs" means all natural resources including wild animals, and plants that are not used to produce timber.
12. "Penalty Unit" means 12 Ghana Cedis or as amended in national statutes.
13. "WD" Wildlife Division of the Forestry Commission.
14. "Wildlife" means undomesticated animals and any form of uncultivated plant life.

Schedule 1

THE WEST GONJA MUNICIPAL ASSEMBLY BYE-LAW TO BACK CREMA ESTABLISHMENT WITHIN THE MUNICIPALITY

1. Any community within the West Gonja Municipality that desires to establish a CREMA shall have to submit a completed application form to that effect to the Municipal Assembly.

The Application form would be available at the Municipal Planning Office in the Assembly. The completed form shall be submitted to the Assembly by the respective Assembly Member(s) of the proposed CREMA and signed by the Community Chief and Elders concerned.

2. The proposed CREMA shall form their Executive. These are the Community Resources Management Committees (CRMCs), CREMA Executive Committee (CEC) and any others that they may consider necessary in their Constitution.

The Wildlife Division and/or Forest Services Division and the Municipal Planning Officer shall support the election and development of the Executive.

3. The proposed CREMA shall draft their constitution with the support of the approved Constitution Development Framework from the Municipal Assembly. The framework shall be available at the office of the Municipal Planning Unit.

The Wildlife Division and the Municipal Assembly shall provide the necessary technical support in the drafting of the constitution.

4. The proposed CREMA shall draft their local Bye-laws, Benefit Share Arrangements and Natural Resources Management Regulations which shall be backed by the Municipal Assembly Bye-laws and customary edicts and norms of the area.

5. The Municipal Assembly, upon satisfying itself of the process, shall register the CREMA and issue a temporary Municipal Assembly Certificate to the CREMA(s) to officially permit them to operate as CREMAs.

The Municipal Assembly Certificate shall be awarded to a CREMA on merit:

- The CREMA shall operate for at least 3 months at which time they shall be assessed to determine whether they qualify to be awarded the final certificate.
- The Municipal Assembly shall conduct periodic assessments of how sustainable the CREMA structures are, i.e. frequency of meetings, accountability etc.

The Municipal Assembly and any other concerned institutions shall be responsible for coaching, mentoring and conducting periodic assessments of how sustainable the CREMA structures are, and make recommendations on award of a Certificate of Devolution of Management Responsibility and Authority for natural resources within the CREMA.

6. CREMAs with Municipal Assembly Certificates to operate, shall apply through the Wildlife Division and the Municipal Assembly to the Minister of Lands and Natural Resources for a Certificate of Devolution of Management Responsibility and Authority for natural resources within the CREMA.

SIGNED

HON. DRAMANI KATRIBI
Presiding Member

SIGNED

HON. SAEED MUHAZU JIBRIL
Municipal Chief Executive

**SAWLA-TUNA-KALBA DISTRICT ASSEMBLY
COMMUNITY RESOURCE MANAGEMENT AREAS (CREMAs)
BYE-LAWS 2020**

In exercise of the powers conferred on the Ministry of Lands and Natural Resources by Section 1 of the Wild Animals Preservation Act, 1961 (Act 43) and on District Assemblies Bye-law Section 181 of the Local Governance Act, 2016 (Act 936) and Local Government (Departments of District Assemblies) (commencement) Instrument, 2009 L. I. 1961 Section 9. These Bye-laws are hereby made as follows:

Title: BYE-LAWS, 2020

These Bye-laws shall be called Sawla-Tuna-Kalba District Assembly (Protection of CREMA) Community Resource Management Area (Bye-laws, 2020).

These Bye-laws shall apply within the Administration of the Sawla-Tuna-Kalba District Assembly (hereinafter called the Assembly)

PART 1: APPLICATION OF BYE-LAWS

1. Establishment of CREMAs

The areas of land to which these Bye-laws shall apply, the situation and limits of which are specified in the CREMA constitution (Schedule 1) are hereby established, and shall be designated as the Community Resource Management Areas (CREMAs). These Bye-laws shall be in accordance with the Wild Animal Preservation Act, 1961 (Act 43) the Wild Wildlife Conservation Regulations, 1971, L. I. 685 and its amendments. The Community and Collaborative Resource Management Policy of 2000, the Forestry Commission Act, 1999 (Act 571), the Local Government Act, 2016 (Act 936) and the constitutions of the various CREMAs, shall also apply.

The CREMA concept involves devolution of governance and management responsibility and authority for natural resources to specified communities' within a defined location. The communities have organized themselves to collectively, integrate natural resources conservation into their existing livelihood strategies. The aim is to forge a balance between conservation and sustainable livelihoods. The concept recognizes natural resources conservation as a legitimate and complementary land use option. A CREMA therefore, is an area with rich natural resources or has the potential for integrating natural resource conservation into local livelihoods. It is composed of a number of communities with collective action and unity, where governance and management responsibility and authority for natural resources has been devolved to a constituent local institution. A CREMA shall have a constitution upon which the devolution shall be done, and committees of elected members, to administer it.

This Bye-law shall give legal backing to the CREMAs already existing, namely:

- Kunlog CREMA

This Bye-law shall also give legal backing to any CREMA(s) that may be established in future in the District.

In the Sawla-Tuna-Kalba District, a CREMA would be deemed established when it has gone through the processes as per Schedule 2 attached to this Bye-law, and registered with the District Assembly.

The people/community shall, declare their intention to become a CREMA to the District Assembly, Wildlife Division and any other appropriate institution(s).

- The chiefs and individuals (settlers/landowners) who shall form the CREMA shall have to reside or own property within the CREMA.
- The CREMA shall have elected executive and a constitution developed by consensus by the constituent communities. The constitution shall be backed by this Bye-law on CREMAs. The constitution shall describe the area of jurisdiction of the CREMA.

2. Rights of Access to Natural Resources

2.1 CREMA members and Non CREMA members shall not at any time: -

- a. Hunt, capture, or destroy any animal in the CREMA, except with the consent of the CREMA Executive Committee (CEC), and subject to the conditions as the Committee may determine.

- b. Collect NTFPs in commercial quantities from the CREMA, except with the consent of the CEC, and subject to the conditions as the constituent communities may determine.
- c. Exploit any other natural resources including trees in the CREMA, even if authorized to do so by the appropriate state and traditional institutions, except with the consent of the CEC, and subject to the monitoring role of the CEC or its accredited representative(s)/CRMC. The CEC/CRMC shall ensure that, the appropriate pre and post exploitation standards are complied with, and to any other conditions, as the CEC may determine.
- d. Hunt, capture, destroy, or be in possession of an animal wholly protected by law as prescribed in L. I. 685 and its amendments.
- e. Hunt, capture, destroy or be in possession of an animal during the close season (1st August to 1st December) as prescribed in L.I 685 and its amendments.

2.2 Conditions of Right of Access to Natural Resources

- a. In instances where minerals are discovered in the CREMA, and their exploitation agreed upon between the responsible state agency and the local communities, comprehensive Environmental and Social Impact Assessments (EIA & SIA) would be conducted and the recommendations implemented in close collaboration with the CREMA Executive Committee.
- b. Notwithstanding articles 2.1(a), 2.1(b), and 2.1(c), controlled access to natural resources within the CREMA, can be obtained through appropriate permits.
- c. An application for permit to undertake activities around articles 2.1(a) 2.1(b) and 2.1(c) shall be made to the relevant state agency, accompanied by an appropriate fee, that may be determined by the agency.
- d. A permit issued by the relevant state agency in respect of 2.1(a), 2.1(b), and 2.1(c) may be used in the CREMA, subject to the approval of the CEC, and any conditions including payment of an additional fee that, the CEC may determine.

3. Trade in Bushmeat/NTFPs

- a) No person shall be allowed to buy Bushmeat/ NTFPs in the CREMA unless he/she is in possession of a license granted him/her for that purpose by the Sawla-Tuna-Kalba District Assembly.
- b) The CEC may decide to take a fee from a licensed Bushmeat/NTFP trader.
- c) Non-CREMA traders in Bushmeat/NTFPs shall only buy from recognized license traders within the CREMA.
- d) Commercial traders in NTFPs shall acquire permit from the relevant CECs, accompanied by an appropriate fee determined by the CEC.

4. Protection of Amenities

No person shall at any time: -

- a) Hunt, capture, or destroy any wild animal by using chemicals, any artificial light or flare within the CREMA.
- b) Pollute any water body within the CREMA.
- c) Use chemicals, poisons or explosives for fishing in water bodies within the CREMA.
- d) Farm within a minimum distance of 30 meters from any streams and small rivers, and 50m from major rivers within the CREMA.
- e) Use dogs, fire, poisons, clubs, cudgels and sticks for hunting within the CREMA.
- f) Organize group hunting activities within the CREMA, except with the permission of the CEC. The permission shall be for social – cultural activities only.
- g) Indiscriminately felling of trees, debark, girdle and uproot trees within the CREMA.
- h) Set fires in the CREMA, without the appropriate precautionary measures to check uncontrollable fires.

5. Self Defense /Property Destruction**i) Self Defense**

Persons that may be attacked by any wild animal within a CREMA, shall have the right to defend themselves. In the event of killing in self-defense, the matter should be reported to the relevant CRMC/CEC for further action.

ii) Property Destruction

Persons whose crop farms and property are being destroyed by wildlife animals should report to the CEC and nearest Wildlife Division Office for appropriate action.

PART 2: OFFENCES

1. The Traditional Authority or the Disciplinary Committee of the CREMA, or whichever way is convenient to the CEC, shall sanction offenders of sections 4 and 5 (1).
2.
 - a) Any person who contravenes section 2.1(e) shall be prosecuted in court in accordance with provisions in the Wildlife Conservation Regulations, 1971 L. I. 685 and any relevant wildlife laws of Ghana.
 - b) Contravention of sections 2.1(a), 2.1(b), 2.1(c), and 2.1(d) shall also elicit prosecution in a law court. The offender shall be liable on summary conviction to a fine not exceeding 200 penalty units, or to a term of imprisonment not exceeding six months or to both.
3. Any bushmeat or other NTFPs illegally acquired in contravention of the provisions in section 3, shall be confiscated and sold to the public. The proceeds shall be paid into the respective CREMA account.

PART 3: INDEMNITY

No person shall bring an action against any CREMA constituent member, or the Sawla-Tuna-Kalba District Assembly, in respect of any proven act done in good faith, in the performance of duties/activities in the interest of a CREMA within the District.

PART 4: AMENDMENT OF BYE-LAW

This Bye-law is subject to amendment from time to time by the District Assembly in collaboration with CREMA Executive Committee(s).

PART 5: INTERPRETATION

In this Bye-law, unless the context otherwise requires-

1. "CREMA Executive Committee" (CEC) means the highest decision making body of the CREMA.
2. "Animal" means all vertebrates and invertebrates.
3. "Bushmeat" means meat from any wild animal, either fresh or processed.
4. "CREMA" means Community Resource Management Area.
5. "CRMC" means Community Resource Management Committee - the CREMA governance and management unit at the local community level(s).
6. "Commercial Purposes" means harvesting, and carriage of NTFPs/Bushmeat for a fee, rate, charge or other consideration, either directly or indirectly for business, or any undertaking intended for profit.
7. "Customary and Traditional Conservation Practices" means any traditional practices that protect fauna, flora, and the environment within the CREMA in general.
8. "Group Hunting" means a group of two or more individuals hunting together, and whose activities complement one another's, for the purpose of hunting.
9. "Indiscriminate Method of Hunting" means any method that can kill more than one animal at a time, regardless of whether the animal is young, pregnant, wholly protected etc.

10. "Natural Resources" means all other natural endowments including minerals and carbon.
11. "NTFPs" means all natural resources including wild animals, and plants that are not used to produce timber
12. "Penalty Unit" means 12 Ghana Cedis or as amended in national statutes.
13. "WD" Wildlife Division of the Forestry Commission.
14. "Wildlife" means undomesticated animal and any form of uncultivated plant life.

SCHEDULE 1.

LOCATION OF KUNLOG CREMA

ALL THAT PIECE OR PARCEL OF LAND situate, in the south west of MOLE NATIONAL PARK and lying in the Sawla-Tuna-Kalba District of the Savannah Region of the Republic of Ghana. The CREMA lies between Longitude 02° 15' West and Longitude 02° 21' West and also between Latitude 9° 15' North and Latitude 9° 24' North.

It has a total approximate area of 15,084 hectares more or less.

The CREMA is bounded on the east by the Mole National Park, on the north east by Soma Community, on the south west by Sawla, and on the south east by Nabori and Jentilpe Communities. River Pozzn serves as the boundary between Jelinkon and Sawla on the south.

SCHEDULE 2

SAWLA-TUNA-KALBA DISTRICT ASSEMBLY BYE-LAW TO BACK ESTABLISHMENT OF CREMA

1. Any persons within a specified number of communities located within the North Sawla-Tuna-Kalba District that desire to establish a CREMA shall submit an application to the Sawla-Tuna-Kalba District Assembly.
2. The Application form will be available at the District Planning Office in the District Assembly. The completed form shall be submitted to the District by the respective Assembly Member(s) of the proposed CREMA and signed by the Community Chief(s) and Elders concerned, in keeping with the principle of Free Prior and Informed Consent (FPIC).
3. The proposed CREMA(s) operatives shall organize and form their governance and management structures. These are the Community Resource Management Committees (CRMC), CREMA Executive Committee (CEC) and any other (Sub-committees) that they may consider necessary in their Constitution(s).
4. The proposed CREMA operatives shall draft their local constitution with benefit sharing arrangements and Natural Resources Management Regulations among other provisions. These shall be backed by this Sawla-Tuna-Kalba District Assembly Bye-laws and customary laws of the area under consideration.
5. An appropriate or approved Constitution Development Framework from the District Assembly and or the Wildlife Division of the Forestry Commission, shall be used to guide the development of the respective CREMA constitutions. The framework shall be obtained at the offices of the District Planning Unit of the Assembly, or the Wildlife Division of the Forestry Commission.
7. The Wildlife Division, the relevant District Assembly(s) and interested development partners shall provide the necessary technical support in the drafting of the constitution.
8. If the establishment of the CREMA and its processes are supported by "external agents", they shall develop a comprehensive five year (medium term) action plans with a clear exit strategy at an early stage, to ensure a smooth transition from the external agents to the ultimate governors and managers of the CREMA.
9. The proposed CREMA operatives shall carry out the appropriate studies and formulate a CREMA management plan for implementation.
10. The Sawla-Tuna-Kalba District Assembly, upon satisfying itself of the process, shall register the CREMA and issue a temporary District Assembly Certificate to the CREMA, to officially permit them to operate.
11. The District Assembly Certificate shall be awarded to the CREMA on merit:

- The CREMA shall operate for at least 6 months at which time they shall be assessed to determine whether they qualify to be awarded a final certificate, and;
 - The District Assembly and any other concerned institution(s) shall be responsible for coaching, mentoring and conducting periodic assessments of how sustainable the CREMA structures are, in terms of frequency of meetings, accountability etc. and make recommendations for the award of a Certificate of Devolution of Management Responsibility and Authority for natural resources within the CREMA.
12. CREMAs with District Assembly Certificates, shall apply through the District Assembly to the Wildlife Division for approval and recommendation to the Minister of Lands and Natural Resources, for a Certificate of Devolution of Management Responsibility and Authority for natural resources within the CREMA.

SIGNED

HON. SAMUEL JOROWATEY
Presiding Member

SIGNED

HON. LAWAL TAMINU
District Chief Executive