

## **GA EAST MUNICIPAL ASSEMBLY (SALE OF INTOXICATING LIQUOR) BYE-LAW, 2016**

In exercise of the powers conferred on the Ga East Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) this Bye-law is hereby made.

### **License**

1. (a) A person shall not distil or sell any intoxicating liquor either as a wholesale or retailer in any part of the Municipality without a license issued by the Assembly for that purpose.  
(b) The Assembly shall issue separate licenses for distillation and retailing of intoxicating liquor.  
(c) Hotels, restaurants, bars and food joints that sell intoxicating liquor shall apply for a license before selling intoxicating liquor at the premises.  
(d) The Assembly shall fix the fees payable for the license so issued and such a license shall expire on the 31<sup>st</sup> December of the year in which the license was issued.  
(e) The Assembly shall grant a license after the Environmental Health Unit of the Assembly and the Police have conducted a survey certifying the suitability of the premises for either the distilling or sale of the intoxicating liquor.

### **Application to be in writing**

2. (a) An applicant for a license under this Bye-law shall submit an application in writing to the Assembly and shall contain the name, the address, the place and type of liquor the applicant intends to sell or is selling.  
(b) The report of the Environmental Health Unit and other relevant departments and agencies if it certifies the place as suitable for the activity shall allow the issuance of the license.  
(c) In issuing the license, the distillers or retailers shall submit themselves and their workers for medical examinations conducted by the Medical Officer of the Assembly or other designated health facility approved by the Assembly who shall issue a health certificate of all persons who shall work in the distillery or selling at a hotel, motel, recreational centres, botanical gardens, restaurant, bars and food joints as fit and proper persons with no health problems which may have an adverse effect on the people they serve.  
(d) The Assembly shall not issue a license to a distiller or seller who operates with children under 18 years of age.  
(e) Where a person issued with a license operates with children under 18 years, the license shall be revoked and shall only be restored after the Assembly has satisfied itself that the breach shall not continue.

### **Condition and Duration of License**

3. A license issued under this law-:
  - a. Shall abide by the provision in the Liquor Licensing Act of 1970, and
  - b. Shall expire on the 31<sup>st</sup> December, of the year in which it was issued.

## **Fees**

4. The Assembly shall by a resolution fix the fees payable for the issuance of the license.

## **Powers of Collection of Fees**

5. (a) An officer of the revenue department duly authorised by the Assembly shall, at all reasonable times take steps to recover the approved fees,  
(b) Where a party operates without the requisite license, the Assembly shall impose a penalty to be fixed by the Assembly on the person in addition to the payment of the approved fees.

## **Revocation of License**

6. The Assembly may revoke any such license where the proprietor or any person acting in that capacity
  - a. has refused to pay the approved fee;
  - b. is acting in a manner repugnant to the Assembly's interest;
  - c. is acting in a way injurious to public interest; or
  - d. does not use the place for the purpose for which it was originally intended.
7. A person shall not obstruct or otherwise interfere with any officer of the Assembly or other persons authorized by the Assembly in the performance of any duties assigned to them under this Bye-law.

## **Inspection**

8. An officer from the Environmental Health Unit of the Assembly may enter upon the premises of the distiller or seller of liquor for purposes of inspecting the premises used for distilling or selling of the intoxicating liquor in respect of:
  - a. whether the licensee is complying with the terms of the license,
  - b. randomly test samples of the intoxicating liquor for analysis.
  - c. whether the workers are medically screened for health fitness
  - d. whether the condition under which the liquor is distilled or sold is hygienic.

## **Prohibition**

9. (a) A licensee shall not allow any person who has not attained 18 years to distil, buy or sell intoxicating liquor at the premises of the licensee.  
(b) The licensee shall demand a proof of age and identity where the person seems not to have attained 18 years.

(c) A licensee shall not sell intoxicating liquor to a drunken person and shall ensure that the premises are not used for any disorderly activities.

(d) A licensee shall not sell any adulterated liquor.

### **Offence and Penalty**

10. A person who distils or sells liquor without the requisite license commits an offence and shall on summary conviction pay a fine not less than 100 penalty units or in default to a term of imprisonment not exceeding 6 months or to both.

### **Interpretation**

11. In this Bye-law, unless the context otherwise requires;

“Liquor” means any distilled alcoholic drink or any liquor produced by boiling/fermenting of food substance for example from malt, millet, sugar and sugar cane.

### **Title**

This Bye-law may be cited as Ga East Municipal Assembly (Sale of Intoxicating Liquor) Bye-Law, 2016

### **Revocation**

12. Any existing Bye-law on sale of intoxicating liquor in force immediately before the coming into force of this Bye-law is hereby revoked.

Made at meeting of the Assembly held on 24<sup>th</sup> April, 2017.

SIGNED  
**HONOURABLE JESSE NII NOI ANUM**  
*Presiding Member*  
*Ga East Municipal Assembly*

SIGNED  
**ALHAJI SHEHU AWUDU KADIRI**  
*Municipal Co-ordinating Director*  
*and Secretary to GEMA*

Approved by the Regional Co-Coordinating Council, Greater Accra on behalf of the Ministry of Local Government and Rural Development.

**Regional Minister**

**Regional Coordinating Director.**

## **Ga East Municipal Assembly (Herbalists) Bye-Law, 2016**

In exercise of the powers conferred on the Ga East Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) this Bye-law is hereby made.

### **License**

1. An herbalist shall not practice within the area of authority of the Assembly unless the herbalist first-
  - (a) Registers with the Ghana Psychic and Traditional Healers Association; and
  - (b) Obtains a license from the Assembly and comply with conditions which the Assembly has set under paragraph 3 of this Bye-law and any other conditions that may become necessary.

### **Duration of License**

2. A license issued under this Bye- law shall expire on the 31<sup>st</sup> day of December in the year in which it was issued.

### **Sanitary Conditions of herbalist's premises**

3. An herbalist shall-
  - (a) Keep his premises and surroundings clean;
  - (b) Remove all filth from the premises from time to time and as often as may be necessary to maintain the premises in a state of cleanliness.
  - (c) Keep his stock under hygienic conditions;
  - (d) Take all reasonable precautions in cases of infectious and contagious diseases; and
  - (e) Refer cases beyond his/her competence to a hospital with reasonable dispatch.

### **Inspection of premises**

4.
  - (a) An officer from the Environmental Health Department of the Assembly duly authorised shall enter and inspect the sanitary conditions of an herbalist's premises periodically.
  - (b) The said officer shall also make unannounced visits to the premises of the herbalist for purposes of enforcing paragraph 4 (a) above.
  - (c) The Assembly may in conjunction with the Traditional Healers Association and the Foods and Drugs Authority organise seminars for the herbalist on the need to keep clean surroundings and better health practices.

### **Revocation**

5. The Assembly shall revoke the license of a herbalist under the following conditions;
  - a. Where a herbalist is convicted on two or more occasions of an offence involving dishonesty or improper conduct as a herbalist, or
  - b. Where the herbalist repeatedly fails to keep, and maintain good sanitary conditions in his premises.
  - c. Where the herbalist activities directly or indirectly affect his client or the general public negatively.

### **Restoration**

6. An herbalist whose license is revoked by virtue of the above Bye-law shall apply for a restoration of the license after satisfying conditions imposed by the Assembly in accordance with advice from the Health Department of the Assembly.

### **Penalty**

7. (a) A person who breaches any of this Bye-law commits an offence and shall be liable on conviction to a fine of not less than 100 penalty units or in default to a term of imprisonment not exceeding three months or to both.  
(b) For each day that the commission of the offence continues, a further one penalty unit shall be imposed on the offender.

### **Application**

8. This Bye-law shall apply within the area of authority of the Assembly.

### **Title**

9. This Bye-law may be cited as Ga East Municipal Assembly (Herbalists) Bye-Laws, 2016

### **Revocation**

10. Any (Herbalists) Bye-law in existence immediately before the coming into effect of this Bye-law is hereby revoked.

Made at a meeting of the Ga East Municipal Assembly held on the 24<sup>th</sup> April, 2017

### **Interpretation**

11. In this Bye-law, unless the context otherwise requires;

“Assembly” means the Ga East Municipal Assembly;

“Herbalist” means a person who holds himself or herself out as practicing therapeutics originating in any part of Africa or Asia.

SIGNED

**HONOURABLE JESSE NII NOI ANUM**

*Presiding Member*

*Ga East Municipal Assembly*

SIGNED

**ALHAJI SHEHU AWUDU KADIRI**

*Municipal Co-ordinating Director*

*and Secretary of GEMA*

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government and Rural Development.

**Regional Minister**

**Regional Coordinating Director.**