

**GHANA INTEGRATED BAUXITE AND ALUMINIUM
DEVELOPMENT AUTHORITY BILL, 2018**

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*Ghana Integrated Bauxite and Aluminium
Development Authority Bill, 2018*

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BILL

ENTITLED

**GHANA INTEGRATED BAUXITE AND ALUMINIUM
DEVELOPMENT AUTHORITY ACT, 2018**

AN ACT to establish the Ghana Integrated Bauxite and Aluminium Development Authority to promote and develop an integrated bauxite and aluminium industry and to provide for related matters.

Passed by Parliament and assented to by the President:

Ghana Integrated Bauxite and Aluminium Development Authority

Establishment of the Authority

1. (1) There is established by this Act a body corporate with perpetual succession to be known as the Ghana Integrated Bauxite and Aluminium Development Authority.

(2) For the performance of its functions, the Authority may acquire and hold movable and immovable property, dispose of property and enter into a contract or any other related transaction.

(3) Where there is a hindrance to the acquisition of immovable property, the property may be acquired for the Authority under the State Lands Act, 1962 (Act 125) and the cost shall be borne by the Authority.

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Object of the Authority

2. The object of the Authority is to promote and develop an integrated bauxite and aluminium industry.

Functions of the Authority

3. To achieve the object under section 2, the Authority shall, subject to the Constitution

- (a) undertake the preparatory work in respect of the promotion and development of the integrated bauxite and aluminium industry;
- (b) manage the bauxite resources of Ghana in accordance with the relevant laws;
- (c) consider and respond to enquiries of private investors or foreign organisations interested in the development of the bauxite resources of the country;
- (d) make recommendations to the Minister on the form and scope of government participation in the development of the integrated bauxite and aluminium industry;
- (e) ensure the training of citizens and the acquisition and development of administrative, technical, managerial and other relevant skills to harness the requisite expertise for the development of the integrated bauxite and aluminium industry;
- (f) take reasonable measures to settle persons who may have to be displaced as a result of the operations related to the development of the integrated bauxite and aluminium industry;
- (g) collaborate with the Environmental Protection Agency, and communities affected by the operations of the integrated bauxite and aluminium industry to protect the environment;
- (h) ensure that adequate compensation is paid promptly where land is acquired from private owners or custodians for the development of the integrated bauxite and aluminium industry;
- (i) maintain and preserve the records of the Authority and publish the records in the medium the Board may determine; and
- (j) perform any other functions conferred on the Authority by this Act or that are ancillary to the object of the Authority.

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Powers of the Authority

4. (1) The Authority shall for the purpose of achieving the object under section 2, have the power to

- (a) negotiate on behalf of Government, with individuals or foreign organisations as regards the exploitation of bauxite resources and the derivatives and submit recommendations to the Minister in that regard;
- (b) with the approval of the Minister, enter into a joint venture to promote the incorporation of a limited liability company under the Companies Act, 1963 (Act 179) subject to subsection (2);
- (c) invest in the establishment of an industrial park for companies involved in the
 - (i) manufacture of aluminium related products; and
 - (ii) provision of services in the integrated bauxite and aluminium industry;
- (d) engage in an activity to promote the development of infrastructure for the bauxite and aluminium integrated industry,
 - (i) by a strategic private investor;
 - (ii) in partnership with the company referred to in paragraph (a); or
 - (iii) by a public institution;
- (e) with the approval of the Minister, acquire shares in existing companies engaged in the integrated bauxite and aluminium industry; and
- (f) obtain the necessary permits and approval from the relevant agencies for the export of aluminium and aluminium related products pursuant to section 6 of the Minerals and Mining Act, 2006 (Act 703);

(2) The Authority may enter into a joint venture referred to in paragraph (b) of subsection (1), if

- (a) the Authority holds at least twenty-five percent of the equity shares of the company referred to in that subsection;
- (b) the company referred to in that subsection has the core mandate to exploit bauxite and build a refinery for the production of alumina and smelting of aluminium for the production of aluminium metals and alloys; and