



Ghana CCM CONSTITUTION

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Table of Contents

1. PREAMBLE TO THE GHANA CONSTITUTION.....	1
2. ARTICLE 1: ESTABLISHMENT OF THE CONSTITUTION	2
3. ARTICLE 2: OBJECTS OF THE CCM	2
4. ARTICLE 3: STRUCTURE AND MEMBERSHIP OF THE CCM.....	2-3
5. ARTICLE 4: COMPOSITION OF THE CCM.....	3-4
6. ARTICLE 5: ALTERNATE MEMBERSHIP.....	4
7. ARTICLE 6: OBSERVER STATUS.....	5
8. ARTICLE 7: CORE FUNCTIONS OF THE CCM.....	5
9. ARTICLE 8: RESPONSIBILITIES OF CCM MEMBERS.....	5
10. ARTICLE 9: TERM OF OFFICE OF CCM MEMBERS.....	5-6
11. ARTICLE 10: REMOVAL FROM OFFICE.....	6
12. ARTICLE 11: CCM CHAIR AND VICE CHAIR.....	6
13. ARTICLE 12: RESPONSIBILITIES OF CCM CHAIR AND VICE CHAIR.....	6-7
14. ARTICLE 13: ELECTION OF CCM CHAIR AND VICE CHAIR.....	6
15. ARTICLE 14: TERM OF OFFICE OF CCM CHAIR AND VICE CHAIR.....	6
16. ARTICLE 15: REMOVAL OF CCM CHAIR AND VICE CHAIR FROM OFFICE.....	6-8
17. ARTICLE 16: THE CCM SECRETARIAT.....	8
18. ARTICLE 17: CCM FUNCTIONAL COMMITTEES.....	8-9
19. ARTICLE 18: EXECUTIVE COMMITTEE.....	9-10
20. ARTICLE 19. TECHNICAL TASK TEAMS.....	10
21. ARTICLE 20: OVERSIGHT COMMITTEES.....	10
22. ARTICLE 21: ETHICS AND CONFLICT OF INTEREST COMMITTEE.....	11
23. ARTICLE 22: MEETINGS.....	11
24. ARTICLE 23: VOTING PROCEDURES.....	11
25. ARTICLE 24: ELECTION PROCEDURES.....	12
26. ARTICLE 25: AMENDMENT OF THE CONSTITUTION.....	12
27. ARTICLE 26: SPECIAL CLAUSES.....	13

Definitions, List of Abbreviations and Acronyms

- **Member:** A member is a person who has been elected/nominated by a Constituency to represent them on the CCM. A member can be a Substantive Member or Alternate Member.
- **Substantive:** A substantive member is a person who is elected/nominated by a Constituency to represent them on the CCM as per Article 4 of the Ghana CCM Constitution.
- **Alternate:** An alternate member is a person who is elected/nominated by a Constituency to represent them on the CCM when the substantive member is not present, as described in Article 6 of the Ghana CCM Constitution. The Alternate is elected in the same manner as the substantive member.
- **Sector:** Is a distinct part or branch of a society in which members share the same or related service or ideas.
- **Constituency:** A group of people with shared interests; political, social or health opinions
- **Global Fund:** The Global Fund to fight AIDS, Tuberculosis and Malaria
- **CCM:** Country Coordinating Mechanism
- **FBO:** Faith Based Organization
- **CSO:** Civil Society Organization
- **CBO:** Community Based Organization

PREAMBLE TO THE GHANA CCM CONSTITUTION:

We the members of the Ghana Country Coordinating Mechanism (CCM) of the Global Fund to fight HIV/AIDS, TB and Malaria do hereby adopt this amended constitution as the working document in line with the principles of the Global Fund and in line with the vision and mission of the CCM as follows:

The purpose of the Global Fund is to attract, manage and disburse additional resources through a new public-private partnership to sustain and contribute to the reduction of infections, illness and death caused by HIV/AIDS, Tuberculosis and Malaria globally while strengthening national health systems,

The Global Fund recognizes that only through a country-driven, coordinated and multi-sector approach involving all relevant partners will additional resources achieve significant impact on the three disease burdens,

The Global Fund expects that the Ghana Country Coordinating Mechanism (CCM) of the Global Fund to fight HIV/AIDS, TB and Malaria engages a variety of actors in a country dialogue on the national priorities and allocation and utilization of financial resources for the development of grant proposals,

Our Vision Statement: *The CCM aspires to ensure transparency, accountability, equity and participation of all stakeholders in Global Fund proposal development and in oversight of the Global Fund grants to effectively contribute to the achievement of national health outcomes. It seeks to be an independent, unified multi-sectoral partnership overseeing “A” rated grants and providing a global model of excellence.*

Our Mission Statement: *The CCM seeks to promote transparency and accountability in the implementation of Global Fund grants by establishing policies, guidelines and systems that ensure involvement of all stakeholders in the application for and implementation of the Global Fund grants.*

ARTICLE 1: NAME AND NATURE OF THE ORGANIZATION:

- 1.1: The name of the organization is Ghana Country Coordinating Mechanism of the Global Fund to Fight AIDS, Tuberculosis and Malaria herein after called Ghana CCM or CCM.
- 1.2: Founded in 2002, the CCM is responsible for developing grant proposals, sets the policy framework for effective implementation of approved grants, exercises oversight of grants, monitors progress towards meeting set targets and reviews programme performance. The CCM also selects Principal Recipients as the lead implementers of approved grants.
- 1.3: The CCM is a country-driven and multi-sectoral partnership of relevant stakeholders with health programs in the three disease areas. The purpose of the partnership is to ensure country ownership of programmes as a basis for scaling up prevention, care and treatment interventions in our communities.
- 1.4: As a country led body the CCM is expected to engage a variety of actors in the decision-making process through a country dialogue on national priorities, allocation and utilization of financial resources for the development of grant proposals and program implementation.

ARTICLE 2: ESTABLISHMENT OF THE CCM CONSTITUTION

- 2.1: There shall be established a constitution of the **GHANA COUNTRY COORDINATING MECHANISM** of the Global Fund to Fight HIV/AIDS, TB and Malaria (**hereinafter referred to as CCM Constitution**).
- 2.2: The CCM constitution shall be the overall guiding rules in the operations, management and the use of Global Fund resources in Ghana.
- 2.3: The CCM constitution shall be subject to the existing laws of Ghana and shall be declared null and void on the basis of its inconsistency with the applicable laws of the country.
- 2.4: The CCM constitution shall take effect on the day it is approved by a two-thirds majority vote of all CCM members.
- 2.5: All CCM members, alternates, and their assigns shall be bound by this constitution.

ARTICLE 3: STRUCTURE OF THE CCM

- 3.1: The CCM shall have a main body of CCM members, an Executive Committee, a secretariat to run its day to day administrative affairs, and standing and ad hoc committees to execute various task assignments.
- 3.2: CCM Members representing each constituency or sector shall be selected or elected by their own sector(s) based on a documented, transparent process, developed within each sector. The documented process of selection or election in the various constituencies shall be filed with the CCM secretariat.
- 3.3: Individuals representing a single organization or company rather than a constituency shall not be eligible for membership on the CCM.
- 3.4: Any disagreements regarding entitlement to membership of the CCM should in the first instance be resolved by members of the constituency entitled to the CCM seat. If the constituency cannot resolve the matter, it will be referred for settlement by the full CCM.
- 3.5: The CCM shall be as inclusive as possible of country stakeholders and seek representation at the highest possible level from sectors represented.
- 3.6: All Members of the CCM shall be treated as equal partners with full rights to participation, expression and involvement in decision-making in line with their areas of expertise.
- 3.7: Any reservations or concerns of the constituencies contrary to those taken by the CCM shall be promptly communicated through the representing member to the CCM.

ARTICLE 4: COMPOSITION OF THE CCM:

- 4.1: The CCM shall consist of not more than 25 members.
- 4.2: Members of the CCM shall be selected from three main sector groupings with gender balance as follows:
 - i. *Public Sector*
 - ii. *Civil Society*
 - iii. *Bilateral and Multilateral agencies*
- 4.3: Representatives shall be selected by the agencies, recognized groupings and networks that fall under the sectors through internal discussion among stakeholders within the sectors in accordance with the following quota allocations.

- 4.4: Public Sector: 7 members
(Representation shall be from public sector organizations with programs relevant to HIV/AIDS, TB and Malaria policy and implementation).
- i. Health sector (MOH/GHS) 2 members
 - ii. Education sector 1 member
 - iii. Ghana AIDS Commission 1 member
 - iv. Local Government 1 member
 - v. Gender, Children & Social Protection 1 member
 - vi. Finance and Economic Planning 1 member
- 4.5: Civil Society 14 members
- i. Private sector: 2 members.
(Representation shall be from both the service industry as well as the business industry).
 - ii. NGOs/CBOs (under recognized groupings in Health) 4 members
 - iii. Professional Associations 1 member
 - iv. FBO from stakeholders such as:(Christian Council, Muslim Council and African Religion) 1 member
 - v. Persons living with or affected by the disease 3 members
 - vi. Key Affected Populations 1 member
 - vii. Women and Children Interest Groups 1 member
 - viii. Academic and Research institution 1 member
- 4.6: Development Partners 4 members
(Representation from multilateral and bilateral agencies shall be from institutions that support the programs of HIV and AIDS TB, and Malaria).
- i. Multilateral organizations 2 members
 - ii. Bilateral organizations 2 members

ARTICLE 5: OBJECTS OF THE CCM

- 5.1: To create a forum where Civil Society, Private Sector and Development Partners in health can interact more equitably with Government through public-private partnership.
- 5.2: To create opportunity for harmonization and alignment of health funds for aid effectiveness.
- 5.3: To maximize efficiencies through the collective efforts of national stakeholders in the submission of Global Fund proposals.
- 5.4: To increase transparency and accountability through multi-stakeholder participation in the Global Fund grant implementation.

- 5.5: To continuously build the capacity of the CCM and its constituencies.
- 5.6: To establish effective oversight systems and tools for Global Fund grant implementation.

ARTICLE 6: ALTERNATE MEMBERSHIP

- 6.1: Each constituency shall select an Alternate to the substantive CCM member. In the case of civil society sector and the Multilateral/Bilateral partners, the Alternate Member shall come from another organization, and shall be elected in the same manner as the substantive member.
- 6.2: In the absence of a member from any sector or institution, the Alternate member shall stand in. Alternate members shall be specifically named and shall be current on CCM activities and decisions.
- 6.3: The Alternate member shall have the same rights, privileges and obligations as the substantive member.

ARTICLE 7: OBSERVERS IN THE CCM

- 7.1: Non CCM Members from the various constituencies shall be admitted as observers at CCM meetings.
- 7.2: Non CCM Members shall participate in CCM meetings without voting right.

ARTICLE 8: CORE FUNCTIONS OF THE CCM

- 8.1: The CCM shall coordinate the development and submission of funding requests to the Global Fund
- 8.2: The CCM shall nominate Principal Recipients (PRs) to be responsible for implementing approved Global Fund grants.
- 8.3: The CCM shall oversee PRs and Global Fund grant implementations.
- 8.4: The CCM shall approve the programming of Global Fund grants and ensures linkages and consistency between Global Fund grants and other health and development programmes.
- 8.5: The CCM shall prevent, manage and mitigate conflict of interest.

ARTICLE 9: RESPONSIBILITIES OF CCM MEMBERS

- 9.1: It shall be the responsibility of every CCM member to regularly participate in the proceedings and to ensure that appropriate and relevant feedback is given to his or

her constituency about decisions made at the meetings as well as those made by the Global Fund Board.

- 9.2: CCM Members must have the ability to engage in substantive discussions and to maintain such dialogue with a representative number of members.
- 9.3: Members shall consult regularly with organizations and individuals within their sector with an aim to fairly and accurately represent their views and concerns at CCM meetings.
- 9.4: Members must openly declare conflict of interest when the CCM is discussing an issue which could have an impact on them or their organization, and offer to leave the room, and or to refrain from voting, during that discussion and or decision.

ARTICLE 10: TERM OF OFFICE OF CCM MEMBERS

- 10.1: The term of office for all members shall be THREE years, with the option of re-election by their constituencies or sectors.
- 10.2: As much as possible the constituencies are encouraged to consider the idea of rotating their representatives

ARTICLE 11: REMOVAL FROM OFFICE

- 11.1: A member shall cease to be a member of the CCM in any one of the following situations after due process:
 - i. A member fails to attend regular CCM meetings on three consecutive occasions without notification.
 - ii. A member is incapacitated to the extent that he or she cannot carry out his or her responsibilities to the CCM
 - iii. A member is in serious breach of the conflict of interest policy that may bring the integrity of the CCM into disrepute.
 - iv. A member abuses his or her position as member of the CCM or engages in financial malfeasance or criminal conduct or behavior that may discredit the CCM.

ARTICLE 12: CCM CHAIR & VICE CHAIR

- 12.1: There shall be a Chair and Vice Chair of the CCM to be elected by the members of the CCM
- 12.2: The CCM shall elect a Chair and Vice Chair outside of the Principal Recipients (PRs) by a secret ballot to avoid possible conflict of interest.
- 12.3: The Chair and the Vice-Chair shall be from different sectors.

- 12.4: Where the CCM Chair and Vice Chair come from the same sector as the PR or SR, the ethics and conflict of interest policy shall be used in managing potential conflict of interest
- 12.5: In the spirit of country ownership the Chair and Vice-Chair must be Ghanaian citizens

ARTICLE 13: RESPONSIBILITIES OF CCM CHAIR AND VICE CHAIR

13.1 The responsibilities of the Chair shall include:

- i. Chair CCM and Executive Committee meetings.
- ii. Propose and seek approval of the agenda of each CCM meeting.
- iii. Inform the CCM of the activities of the Executive Committee.
- iv. When necessary, make decisions between CCM and/or Executive Committee meetings
- v. Seek the opinion of the Vice Chair on all important matters.
- vi. When necessary, delegate certain responsibilities and decisions to the Vice-Chair.

13.2: The responsibilities of the Vice Chair shall include:

- i. Perform tasks delegated by the Chair.
- ii. Stand in for the Chair when requested by the Chair to do so, and when the Chair is unable to fulfill his/her functions.

ARTICLE 14: ELECTION OF CCM CHAIR AND VICE CHAIR

- 14.1: The CCM Chair and Vice Chair shall be elected by a vote of the CCM in accordance with election procedures under Article 22 of the CCM constitution.
- 14.2: If the Chair resigns or is removed from office prior to the end of his or her term of office, the Vice-Chair may serve as Chair until a new Chair is elected.
- 14.3: Section 14.2 is applicable provided the Chair had served more than half his or her term of office, otherwise an election is required.
- 14.4: If the Vice Chair resigns or is removed from office prior to the end of his or her term of office, an election shall take place for a new Vice-Chair to complete the remaining term of office of the former Vice Chair.
- 14.5: Section 14.4 is applicable provided the Vice Chair had served more than half his or her term of office, otherwise his or her election means full term election

14.6: The said elections shall take place at the meeting at which the Chair's departure or the Vice Chair's departure is announced, or at the next scheduled meeting of the CCM.

ARTICLE 15: TERM OF OFFICE OF CCM CHAIR AND VICE CHAIR

15.1: The term of office of the Chair and Vice Chair shall be TWO years with the option of re- election.

15.2: No person may serve more than **TWO** consecutive terms as Chair or Vice Chair.

ARTICLE 16: REMOVAL OF CCM CHAIR OR VICE FROM OFFICE

16.1: The CCM can vote to remove the Chair or Vice Chair in mid-term on grounds such as non-performance, incapacitation or any other reasons the CCM may consider to be working against the smooth running of the CCM.

16.2: A two-thirds majority vote of the CCM members is required to remove the Chair or the Vice Chair from office.

ARTICLE 17: THE CCM SECRETARIAT

17.1: The CCM shall establish a Secretariat and shall approve its budget and Terms of Reference. The Secretariat budget shall include CCM operational costs and administrative running costs.

17.2: The main function of the Secretariat shall be to facilitate the work of the CCM as defined in this constitution and detailed out in the Standard Operating Procedures (SOP).

17.3: The CCM shall appoint an Executive Secretary to head the Secretariat and all the secretariat staff of the CCM.

17.4: The responsibilities of the **Executive Secretary** shall be:

- i. To supervise other CCM Secretariat staff as needed, as per the agreed Terms of Reference and budget.
- ii. Attend all meetings of the CCM and of the Executive Committee in a non-voting capacity, and serve as Secretary to these meetings.
- iii. Perform other responsibilities that are specified in the CCM Secretariat Terms of Reference in the SOP.

17.5: The Executive Secretary and the secretariat staff are answerable to the CCM through the Chair and the Executive Committee.

ARTICLE 18: CCM FUNCTIONAL COMMITTEES

- 18.1: The CCM shall set up standing Committees, and or ad hoc committees as may be required to deliberate, recommend and advise the main CCM body. The following committees shall be constituted under the CCM:
- i. Executive Committee
 - ii. Technical Task Teams representing HIV and AIDS, TB, and MALARIA for proposal development
 - iii. Oversight committee (s) for the disease components.
 - iv. Other committees such as Ethics and Conflict of interest Committee relevant to the work of the CCM
- 18.2: Each Committee shall conduct tasks assigned to it by the CCM, and make recommendations to the CCM as may be required.
- 18.3: The composition of each Committee shall be determined by the CCM.
- 18.4: Members of a Committee do not need to be members of the CCM
- 18.5: Each Committee shall choose a Chairperson who shall be a substantive or alternate member of the CCM from among its members.
- 18.6: The quorum for meetings of any Committee shall be fifty percent of its membership.
- 18.7: Each Committee shall regularly report on its work to the main body of the CCM.
- 18.8: Each Committee shall operate by simple majority vote when issues are to be decided through voting

ARTICLE 19: EXECUTIVE COMMITTEE

- 19.1: The CCM shall have an Executive Committee to be composed of CCM Chair, the CCM Vice-Chair and FIVE other members as are chosen by the CCM from constituencies other than those of the Chair and Vice Chair.
- 19.2: The Executive Committee shall include at least one delegated female member
- 19.3: The responsibilities of the Executive Committee are to:
- i. Conduct those tasks specifically assigned to it at a full meeting of the CCM.
 - ii. Meet as frequently as necessary to carry out the assigned task.

- iii. Make emergency decisions between regularly scheduled meetings of the CCM, when it is not practical or possible to organize a full meeting of the CCM.
- 19.4: The CCM Chair and Vice-Chair shall serve as Chair and Vice-Chair of the Executive Committee.
- 19.5: Other members may be co-opted into the Executive Committee.
- 19.6: The Secretariat shall provide information on deliberations and decisions taken at any Executive Committee meeting to all members of the CCM immediately after their meetings to keep members abreast of decisions taken on their behalf. The Executive Committee shall also report at the subsequent CCM meeting.
- 19.7: All Executive Committee members must receive, by email or letter, at least two working days' prior notice of all meetings of the Executive Committee. The notice must specify the proposed agenda. The agenda may be modified and must be approved at the start of each meeting.
- 19.8: In the event of change in leadership, the Executive Committee shall be reconstituted.

ARTICLE 20: TECHNICAL TASK TEAMS

- 20.1: There shall be constituted Technical Task Teams representing HIV and AIDS, TB, and Malaria to be composed of members and non-members of the CCM as follows:
- i. At least one member of the CCM.
 - ii. Program Managers or representatives of HIV and AIDS, TB, and Malaria
 - iii. Representatives from relevant agencies.
 - iv. Persons from any relevant institution with the requisite technical capacity may be co-opted onto the task teams as and when the need arises.
- 20.2: The CCM shall appoint conveners of the technical task teams.
- 20.3: The functions of the technical task teams shall include:
- i. Develop the program components.
 - ii. Assess proposals submitted.
 - iii. Collate and consolidate the overall proposal.
 - iv. Respond to technical questions from the Global Fund secretariat through the CCM secretariat.

ARTICLE 21: OVERSIGHT COMMITTEES

- 21.1: Committees to oversee the implementation of the programs funded by the Global Fund grants shall be constituted for the three disease programs.
- 21.2: The Oversight Committees shall be made up of CCM members and non-members who are not directly involved in program implementation activities.
- 21.3: Technical Support to augment the oversight committees shall be provided by any agencies and academic and research institutions with the requisite and relevant expertise in the disease components.
- 21.4: The functions of the Oversight Committees shall be as stated in the oversight plan.
- 21.5: The Committees may choose to create subcommittees for the purpose of efficient use of members' time.

ARTICLE 22: ETHICS AND CONFLICT OF INTEREST COMMITTEE

- 22.1: As and when situation of conflict of interest arises or seem to arise that demands investigation the CCM shall appoint a special committee of not more than three members to investigate and report back to the CCM.
- 22.2: Members of the special committee shall not include any person or persons from the constituency of the member in conflict
- 22.3: All members of the CCM including alternates, associated persons, affiliates, members of CCM committees, task teams, or any other delegated body of the CCM, Principal recipients and sub recipients of Global Fund grants, implementers of Global Fund programs and their agents or assigns shall be bound by the Ethics and Conflict of Interest Policy of the CCM.

ARTICLE 23: MEETINGS

- 23.1: The main CCM shall hold ordinary meetings every quarter.
- 23.2: Extraordinary meetings of the CCM shall be convened as and when necessary at the instance of the Chair or at the request of at least one third of the members of the CCM.
- 23.3: Notice of extraordinary meetings and emergency meetings shall be given at least one (1) week and 48 hours respectively before the meeting.
- 23.4: The Chair shall preside at every meeting of the CCM at which he is present, and in the absence of the Chairman the Vice-Chair shall preside.
- 23.5: In the absence of both the Chair and Vice-Chair, members of CCM present shall elect a member from among themselves to chair the meeting.
- 23.6: Notice of every meeting of the CCM shall be given in such manner as the CCM may deem appropriate as to bring it to the attention of all members.
- 23.7: The quorum for all CCM meetings shall be one-third of the CCM membership.

23.8: Participation in meetings shall be either in situ or by electronic means.

ARTICLE 24: VOTING PROCEDURES

24.1: Decisions of the CCM shall be made by consensus whenever possible. But where necessary, decisions shall be made by voting.

24.2: Votes shall be of two possible kinds: "secret" or "open". All votes shall be by simple majority except where otherwise stated in this constitution.

24.3: Absentee members shall not vote.

ARTICLE 25: ELECTION PROCEDURES

25.1: Election of the Chair and Vice Chair of the CCM shall be by secret ballot of CCM members present on the floor of the meeting. In the event that there is only one candidate, the process shall still proceed by secret ballot.

25.2: The Secretariat shall open nominations to the position of CCM Chair and Vice Chair at least two months before the end of term of office of the Chair and Vice Chair.

25.3: A member interested in the Chair or Vice Chair position shall submit two copies of written expression of interest to the CCM Secretariat one (1) month before the election date.

25.4: The expression of interest shall be endorsed by at least two members of the CCM. A member shall endorse only one candidate for election to a position.

25.5: In the event that the Secretariat does not receive any nomination by close of deadline, there shall be nomination and voting on the floor of the CCM meeting.

25.6: A member who is outside the country at the time of nominations may submit his/her expression of interest duly endorsed to contest the election.

25.7: The Secretariat shall communicate the names of interested members for the position of Chair or Vice Chair and also the date for the elections at the close of nominations.

25.8: An interested member to the position of Chair or Vice Chair may withdraw his candidature at least two weeks to the date of the elections. He or she must inform the CCM Secretariat in writing of his withdrawal.

25.9: Elections shall be conducted by the Executive Secretary of the CCM who shall act as the electoral officer.

ARTICLE 26: AMENDMENTS TO THE CONSTITUTION

26.1: Any CCM member may initiate a proposed amendment to this constitution. Such proposals must be sent to the Chair, who shall send copies to all members at least

one month before the next CCM meeting. The Chair shall duly place the proposed amendment on the meeting agenda.

26.2: The CCM may review the constitution in keeping the changing trends of the Global Fund.

26.3: Two-thirds of full membership is necessary to amend any of the provisions of this constitution. For the avoidance of doubt, two-thirds majority of all members shall be approximated to the nearest whole number.

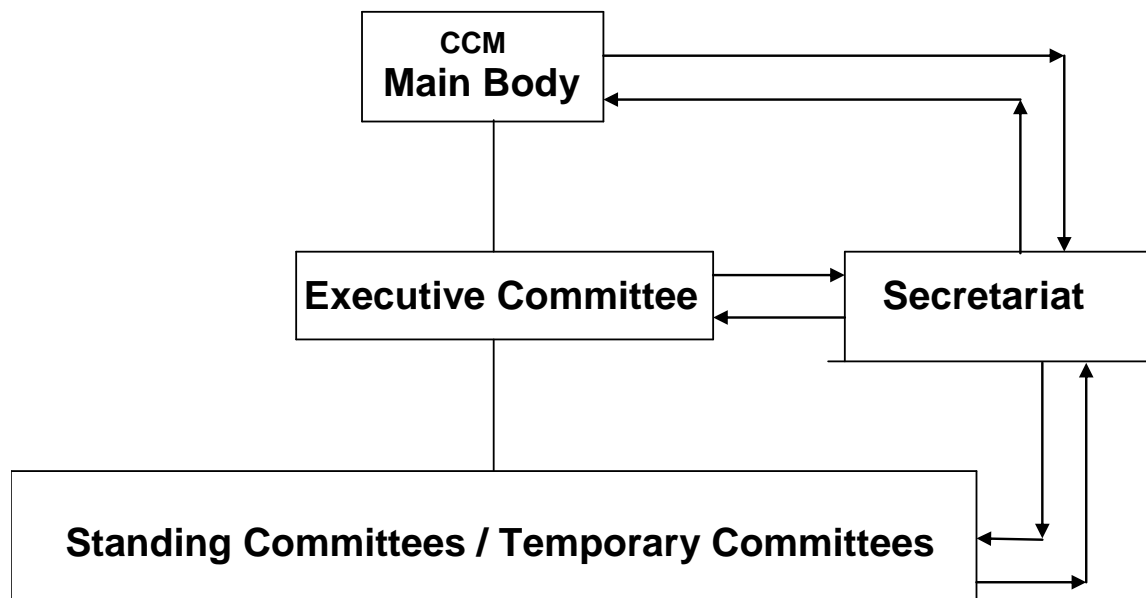
ARTICLE 27: SPECIAL CLAUSES

27.1: There shall be an open national forum of all stakeholders to be held at least once a year to disseminate information on the activities of the CCM and Global Fund grant implementation.

27.2: There shall be orientation of new members and alternates at the start of their term of office, and also for all members annually for the purpose of informing or reminding them of the CCM objectives, structure, function, rules and obligations.

27.3: The CCM shall be dissolved by a two-third majority of its members if the Global Fund is no longer available to support grant funding for country CCMs and the CCM does not have an alternative arrangement to carry out its function.

27.4: The organization structure of the CCM shall be depicted as follows:



Endorsed by the Ghana CCM and dated this 3rd day of 2014.

Signed By: Chairman of Ghana CCM: _____