

WRIT INVOKING THE ORIGINAL JURISDICTION OF THE SUPREME COURT

BETWEEN ^V \ ^

PROGRESSIVE PEOPLE'S PARTY (PPP) PLAINTIFF

NO. 62 5th CRESCENT ASYLUM-DOWN ACCRA

AND

THE ATTORNEY GENERAL DEFENDANT

MINISTRY OF JUSTICE AND ATTORNEY GENERAL MINISTRIES ACCRA

TO:

THE ATTORNEY GENERAL

MINISTRY OF JUSTICE AND ATTORNEY GENERAL MINISTRIES-ACCRA

IN THE NAME OF THE REPUBLIC you are hereby commanded within fourteen days after the service on you of the statement of the Plaintiffs case inclusive of the day of service, that you are to file or cause to be filed for you a statement of the Defendant's case in an action at the Suit of:

PROGRESSIVE PEOPLE'S PARTY (PPP)

The Nature of the Relief Sought is as Follows:

b.

a. A declaration that on the true and proper interpretation of articles 25(1) (a) and 38 (2) of the 1992 Constitution, Government of Ghana had only twelve years commencing from January 7, 1993 to January 6,2005 to have delivered to the Ghanaian Children of School going age free, compulsory and universal basic education and that the Government has failed in discharging the said constitutional duty imposed on her by the people of Ghana.

A declaration that on the true and proper interpretation of articles 14 (1) (e), 25(1) (a) and 38 (2) of the 1992 Constitution, the Government of Ghana has a constitutional duty to compel children of school going age within the Republic who refuse and or fail so to do to be at school without fail and that Ghana Government failure to so act thereto constitutes an omission that is inconsistent with the Constitution.

c. A declaration that section 2 of Education Act, 2008,(Act 778) as amended, to the extent that it fails to provide for compulsion on the children of school going age who refuse and or fail to attend basic education instructions, to so attend, and also to provide for the law and procedure within which to exercise that compulsion, is an omission, that is inconsistent with and in contravention to articles 14 (1)

(e), 25(l)(a) and 38 (2) of the 1992 Constitution and that consequently, to the extent of such inconsistency, the said section 2 of Education Act, 2008 (Act 778) is void and of no effect.

d. A declaration that section 2(6) of Education Act, 2008, (Act 778) as amended, to the extent that it derogates from 25(1) (a) and 38 (2) of the 1992 Constitution, is inconsistent and in contravention of the Constitution and that consequently, to the extent of such, inconsistency, the said section 2(6) of Education Act, 2008 (Act 778) as amended is void and of no effect.

e. An order directed at Government of Ghana to take steps forthwith to compel children of school going age within the Republic who refuse and or fail to attend a course of instructions at the basic school, to attend basic school instructions, including legislating to lay bare the laws and procedure thereto within which such compulsion is to be exercised.

f. AN ORDER DIRECTED AT GOVERNMENT OF GHANA TO TAKE STEPS FORTHWITH LEADING TO THE AMENDMENT OF SECTION 2(6) OF THE EDUCATION ACT MAKING SAME IMPERATIVE AND MANDATORY INSTEAD OF PERMISSIVE AND EMPOWERING.

g. ANY OTHER ORDER THE COURT SO DESIRES TO MAKE AND OR DIRECTIONS FOR GIVING EFFECT OR ENABLING EFFECT TO BE GIVEN TO THE DECLARATIONS SO MADE.

The Capacity in Which the Plaintiff is Bringing the Action is as Follows:

THE PROGRESSIVE PEOPLE'S PARTY, PPP, BRINGS THIS ACTION IN HER CAPACITY AS A DULY ESTABLISHED POLITICAL PARTY WITHIN THE MEANING OF ARTICLE 55 OF THE 1992 CONSTITUTION AND SECTION 5 OF THE POLITICAL PARTIES ACT, 2000(ACT 574).

The Address for Service of the Plaintiff is as Follows:

PROGRESSIVE PEOPLE'S PARTY (PPP) NO. 62 5th CRESCENT ASYLUM - DOWN' ACCRA

The Address for Service of Counsel for the Plaintiff is as Follows:

KOI LARBI OFOSUAPEA & CO H/NO. 5 8th AVENUE WEST RIDGE ACCRA

The Name and Address of Person affected by this Writ is as Follows:

THE ATTORNEY GENERAL

RIDGE ACCRA

MINISTRY OF JUSTICE AND ATTORNEY GENERAL MINISTRIES - ACCRA

DATED AT KOI LARBI OFOSUAPEA & CO. H/NO. 5 8TH AVENUE THIS 24th DAY OF MARCH, 2014

LAWYERS FOR PLAINTIFF TIAH OFOSUAPEA ESQ.

KOI LARBI OF

P. O. BOX GP 231 ACCRA