



LD | FC | ASD | 2241 | 2021  
0757917  
26/8/2021

**\*\*\*FAMILY CONSTITUTION \*\*\***

**ENACTED BY DR NANA OPPONG (JURIST DOCTOR)**

FILED ON: 26/8/2021  
AT: 10:23 AM/PM  
REGISTRAR  
HIGH COURT, KUMASI

**FOR**  
**HUAHI ACHAMA TUTUWAA ROYAL FAMILY OF**  
**BOADI-GOASO**  
*(the enchanting wife of the late Otumfuor Osei Tutu 2, founder of Ashanti empire)*  
(Post Office Box UP 1152 , Kumasi, Ashanti Region-Ghana)

YAN ATTAKORA ARMOR ESQ.  
ADVOCATE GENERAL  
ADDUMAA  
P. O. BOX 12003-KUMASI  
SOLICITOR OF THE  
SUPREME COURT



LID | FC | ASP | 2241 | 2021

## **THE CONSTITUTION OF HUAHI ACHAMA TUTUWAA ROYAL FAMILY OF BOADI-GOASO**

### **PREAMBLE**

We the descendants of the great Huahi Achama Tutuwaa, the Enchanted wife of Asantehene Otumfuor Osei Tutu 1<sup>st</sup>, in honor of ancestry and in the pursuit of our inalienable rights and heritage, hereby enact this constitution for ourselves and for our offspring for generations to come.

### **ARTICLE -1-THE FAMILY**

- a). This Constitution affects and binds every member of the Huahi Achama Tutuwaa Royal Family (the "Family") as defined following.
- b). The Huahi Achama Tutuwaa Royal Family shall consist of all natural descendants of the matriarch Huahi Achama Tutuwaa. For avoidance of doubt, the names of the descendants of the matriarch are described in the "Family Tree" attached as Schedule "1" to this Constitution. Any person born to any person who is a descendant of the matriarch as detailed in the "Family Tree", is a member of the Family.
- c). No person shall be a member of the Family unless he or she is a descendant of the matriarch Huahi Achama Tutuwaa.
- d). The names of the principal elders of the Family are described in "Principal Elders' List attached as Schedule "2" to this Constitution. A principal elder of the Family shall be any person named on the list.
- e). Upon the death or upon the total incapacity of the principal elder, he or she shall be succeeded as a principal elder by the eldest child born to the principal elder unless before his or her death or total incapacity, the principal elder nominated a different younger person to succeed him or her.
- f). The Head of Family shall be any male principal elder of the Family nominated, elected and installed as Head by at least the majority of the principal elders of the Family. The current Head of Family is **Abusuapayin Odenho Odehye Nanaba Kwabena Badu.**
- g). The Head of Family and the principal elders of Family are trustees for the Family. They shall be held to the highest standard of trust on any matter affecting the lands, the assets or properties of the Family.
- h). A fundamental breach of trust by any person shall be grounds for his or her removal from any position under this Constitution.

## ARTICLE -2-THE FAMILY SENATE

- a). There shall be established a body called the "Family Senate" under this Constitution. The Senate shall be composed of the Head of Family, the principal elders of the Family and one representative elected to the Senate by a majority of the youth of the Family.
- b). The Family Senate shall be the highest governing and adjudicative body for the Family and subject to this Constitution, its decision on any matter affecting the Family shall be final.
- c). A decision of the Senate shall be valid when:
  - i). made or approved by at least a majority of the members of the Senate at a meeting properly called for the purpose;
  - ii). The decision has been made for the purpose of and it is reasonably expected to have the effect of preserving the lands, property or rights of the Family; and
  - iii). The decision is lawful.
- iv). The Family Senate shall keep written or better records including audio and videos where possible, of its decisions and the reasons for the decisions.

## ARTICLE -3- FAMILY COUNCIL

- a). There shall be established a body called the "Family Council" (FC) under this Constitution. Every member of the Family over the age of 17 may be a member of the Council.
- b). The FC shall by majority choose its officers including a President and a vice President, a secretary, a spokesperson and a finance officer. The current president of the Family Council is **Nana Kwesi Osei Bonsu**.
- c). An officer of the FC shall hold office for a term of four years renewable once for an additional term up to a maximum of eight years of service in any position.
- d). The FC shall be democratic in all of its procedures, deliberations and decisions.
- e). No decision of the FC shall be binding on the Family Senate but the FC may make inputs and suggestions into any decision of the Council of Elders through its representative to the Council
- e). The FC shall keep written or better records including audio and videos where possible, of its decisions and the reasons for the decisions.

## ARTICLE -4-THE FAMILY'S LANDS AT BOADI

- a). The family is the lawful owner of over 1,200 acres of lands situated and lying at Boadi, sharing boundaries with Kentinkrono, Ayeduase, Emena, Anwomaso and rivers Bokro, Twuwaa, Akwaago and Subin. The lands were gifted to the matriarch by her husband the Otumfour Asantehene Osei Tutu the 1<sup>st</sup> to keep and to hold forever as a result of their marriage account.
- b). The lands at Boadi are described in the Plan of Land attached to this Constitution as Schedule 3.
- c). The lands are owned by the Family collectively. The lands are not owned by any individual member of the Family however described. Holding a high position in the Family does not make a member the owner of the lands.
- d). Every person including every head or principal elder of the Family shall be a trustee of the lands with the entire family as the beneficiary.

e). Every member of the family dealing with any portion of the lands shall be a trustee bound to the highest duties of a trustee. For avoidance of doubt, every member of the Family dealing with a portion of the lands shall always act for and shall always act in the best interest of the entire family.

f). Any act or transaction made by any member of the family affecting any portion of the lands that is made in breach of trust to the family or that is made in a manner that benefits that member or his or her children, associates, agents or partners at the expense of the Family, shall be unlawful and null and void.

g). The Family shall have the right to take any action it deems fit against any member who breaches his trust or who acts injuriously against the Family's interest in a manner that the Family deems fit.

h). Subject to this Constitution, every transaction affecting any portion of the lands shall be valid when made by the Head of Family with the written consent of at least a majority of the principal elders of the family.

i). All proceeds resulting from any lease, royalties, use or alienation of any portions of the lands shall be held in trust by the family members receiving the funds and same shall be deposited in the Family's consolidated account approved and controlled by the Family Senate at any reputable bank in Ghana.

j). The Family Senate shall keep proper, standard, examinable financial records of all transactions and disbursements of funds relating to the sale, use or lease of any portion of the lands.

j). There shall always be reserved for future members of the Family significant portions of the lands. Accordingly, any permanent disposition of any portion of the lands including outright sale of the lands, shall be unauthorized, unlawful and null and void.

k). Accordingly, any alienation of a very large portion of the lands at any time shall be unlawful unless the proceeds of the transaction have the sole purpose of creating a trust for the benefit of and for the advancement of the welfare of all members of the Family.

#### **ARTICLE -5-HUAHIACHAMAA TRUST**

a). There shall be created an institution under this Constitution named Huahi Achamaa Trust for the Family for the sole purpose of creating, preserving and growing businesses, assets and funds for the living and the unborn members of the Family.

b). The trust shall be managed by professionals/experts validly appointed by the Family under the supervision and control of the Family Senate.

c). As the name clearly shows, the Trust shall be managed for the welfare and for the best interests of the Family only and any action made in breach of that trust, shall be unlawful and null and void.

#### **ARTICLE -6-BILL OF RIGHTS**

a). All members of the Family shall be treated equally.

b). Every member of the Family shall have the right to benefit from and to share in any goods, services, funds, properties or businesses owned by the Family in a manner that is fair, timely and just having regards to the number of people in the family and the amount and purpose of any available assets

c) Every member shall have the right to information as the ownership of and management of any goods, lands, properties or moneys of the Family from the Family Senate and from the Trust.

#### **ARTICLE -7- BINDING AGREEMENTS**

a) Existing agreements made by the current Head of Family with the consent of the majority of principal elders hiring Dr. Nana Oppong and authorizing him to take lawful actions for the benefit of the family are hereby confirmed

b) Existing agreements made by the current Head of Family with the consent of the majority of principal elders seeking financial and other support from Milton Investments Ltd. for the benefit of the family are hereby confirmed

#### **ARTICLE -8-DUTIES**

a) Every member shall have a duty to take lawful actions to protect the name, honor and properties of the Family.

b) Every member shall take action to support any action that has the sole purpose of enabling and supporting the advancement of the welfare of the Family.

c) It shall be unlawful, unjust and a crime against the Family for any member to collude or to partner with any person whose actions are or foreseeably injurious to the interest of the Family.

d) All members of the family shall respect and support one another and subject to this constitution, the younger members listen to and obey their elders.

#### **ARTICLE -9-DISPUTE RESOLUTION**

a) There shall be respectful, measured, peaceful, amicable and just resolution of all disputes within the Family.

b) No member shall use violence, force, intimidation or threats of any kind against another member at any time.

c) Any member who acts contrary to paragraph b). above shall be sanctioned by the Family as it deems it.

d) The Family Senate shall set up a Family Court which shall follow due process and simplified rules; and it shall hear and decide all matters openly, lawfully and justly for all concerned.

e) Every member shall comply with a summons from the Family Court and he or she shall cooperate with any inquiry, hearing or judgment as the case may be.

f) The Family Court shall be assisted by a lawyer(s) hired by the Family.

g) A person who is dissatisfied with a decision of the Family Court may petition the Family Senate on an appeal within 30 days of the date of the decision.

h) A decision of the Family Senate made or approved by the Head of Family and at least three quarters of the principal elders shall be final.

**ARTICLE -10-AMENDMENTS**

This Constitution may be amended by a unanimous decision made by the Family Senate.

**COMING INTO FORCE**

This Constitution shall come into force on the date signed or approved by the Head of Family and the majority of the principal elders named in this Constitution.

Date: December 7<sup>th</sup> 2020

Signed \_\_\_\_\_

Kwame Kwadwo Yiradom  
Name ABUSUAPPININ

Signed \_\_\_\_\_

Abena Ama Binsu  
Name A.K.A Sarah Ibrahim Binsu

Signed \_\_\_\_\_

Obaapayin Akosa Adwira Denkyi Akye  
Name A.K.A

Signed \_\_\_\_\_

Odeneko Edeteye Kwabena Buntu  
Name \_\_\_\_\_

Signed \_\_\_\_\_

Opanin Kwabena Tawiah  
represented by Benjamin & Ababio  
Name \_\_\_\_\_

Signed \_\_\_\_\_

Opanin Kwasi Szurpang  
represented by Samuel epky  
Name \_\_\_\_\_

Signed \_\_\_\_\_

Name \_\_\_\_\_



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Date: December..... 2020

.....  
Signed

\_\_\_\_\_  
Name

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Signed

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Name

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Signed

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Signed

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Name

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Signed

\_\_\_\_\_  
Name

.....  
Signed

\_\_\_\_\_  
Name



OBAPANYIN: ADWOAYEBOAH  
AKA: SAKINA DONKOR



WITNESSES - SIGNATURES

FIRST WITNESS

Signature: [Signature] Date: 07/12/2020

Name: Nana Kwesi Osei Bonsu a.k.a Bashirudeen Bonsu

Address: P.O Box KS 85 Kasoa

SECOND WITNESS

Signature: [Signature] Date: 01/08/2021

Name: Kankam Osman

Address: Box RT. 460. Ksi



# OATH OF PROOF


I, Mana Kwesi Osei Bonsu of Boad, Kumasi MAKE OATH AND SAY that on the 7th day of December 2020 I was present and saw the Within named Principal Elders Duly execute the said Constitution now produced to me and that the said principal elders can read and write.

SWORN at Kumasi this 26<sup>th</sup> Day of August, 2021 )

BEFORE ME )



DEPONENT



REGISTRAR  
HIGH COURT

.....  
*Registrar*  
**HIGH COURT**  
**KUMASI**



IN ACCORDANCE WITH THE STAMP ACT 2005  
(ACT 689) I CERTIFY THAT IN MY OPINION THIS  
INSTRUMENT IS CHARGEABLE WITH A DUTY OF

GHC

*[Handwritten Signature]*

DATE

*26-08-201*

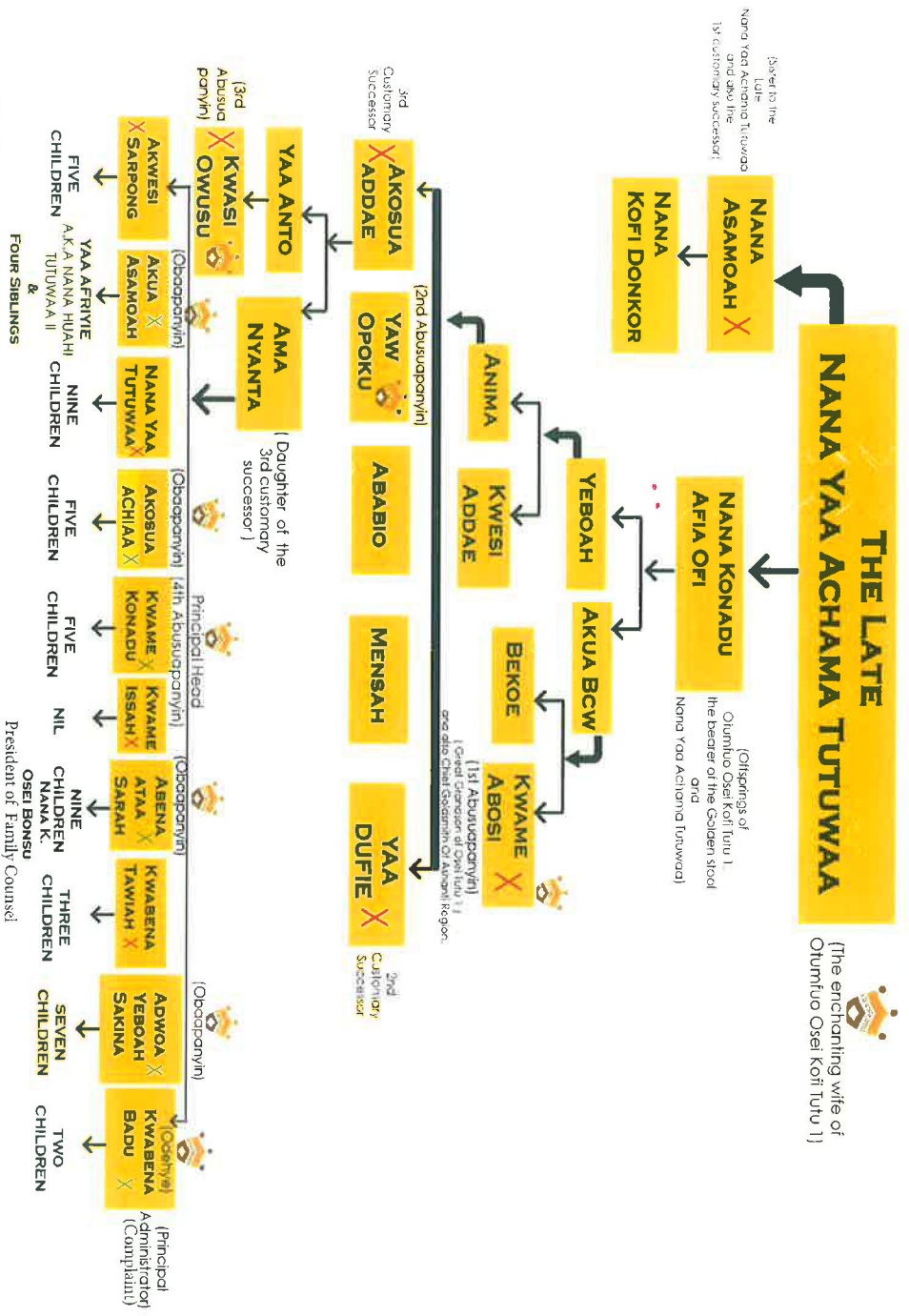
Commissioner of Stamp



# SCHEDULE 1

## THE ROYAL LINEAGE AND BIOLOGICAL DESCENDANTS OF

**OTUMFUO OSEI KOFI TUTU I, THE BEARER OF THE GOLDEN STOOL**  
**NANA YAA ACHAMA TUTUWAA (enchancing wife of the king).**



Principal Bloodline  
 Family leader  
 Deceased  
 Alive

# SCHEDULE 2

## PRINCIPAL ELDERS OF OTUMFUO OSEI KOFI TUTU I AND



## HUAHI ACHAMA TUTUWAA ROYAL FAMILY

**ABUSUAPAYIN ODENEHO ODEHYE NANABA KWABENA BADU**  
( Head of Family) 6th Generation

**OBAAPAYIN NANAYAA POKUA**  
(5th Generation)

**OBAAPAYIN AKUA ASAMOAH**  
(6th Generation)

**OBAAPAYIN AKOSUA ACHIA A.K.A MARY DONKOR**  
(6th Generation)

**OBAAPAYIN ABENA ATAA A.K.A SARAH IBRAHIM BONSU**  
5th Customary successor(Oheneyere)  
(6th Generation)

**OBAAPAYIN ADWOA YEBOAH A.K.A SAKINA DONKOR**  
(6th Generation)

**NANA KWESI OSEI BONSU** (7th Generation)  
President of The Family Council

**AMA AMANKWA** (7th Generation)  
Daughter of Obaapanin Yaa Tutuwaa (Deceased)

**SAMUEL OPOKU** (7th Generation)  
Financial Secretary of Family Council (Treasury)  
Son of Opanin Kwasi Sarpong (Deceased)

**BENJAMIN ABABIO** (7th Generation)  
Son of Opanin Kwabena Tawiah (Deceased)

**ERICA KONADU ADUTWUMWAA** (7th Generation) Daughter of  
Opanin Kwame Konadu Yiadom  
(Immediate passed Abusuapanin)

**AFIA AMOAH** (7th Generation)  
Daughter of Opanin Kwasi Owusu (Deceased)

# SCHEDULE 3

## PLAN OF LAND

FOR HUAHI ACHAMA TUTUWAA ROYAL FAMILY OF BOADI-GOASO

- Shewn Edged Pink -

Area = 1298.33 Acres OR 525.43 Hect.

Scale 1 : 5000

LOCALITY  
BOADI

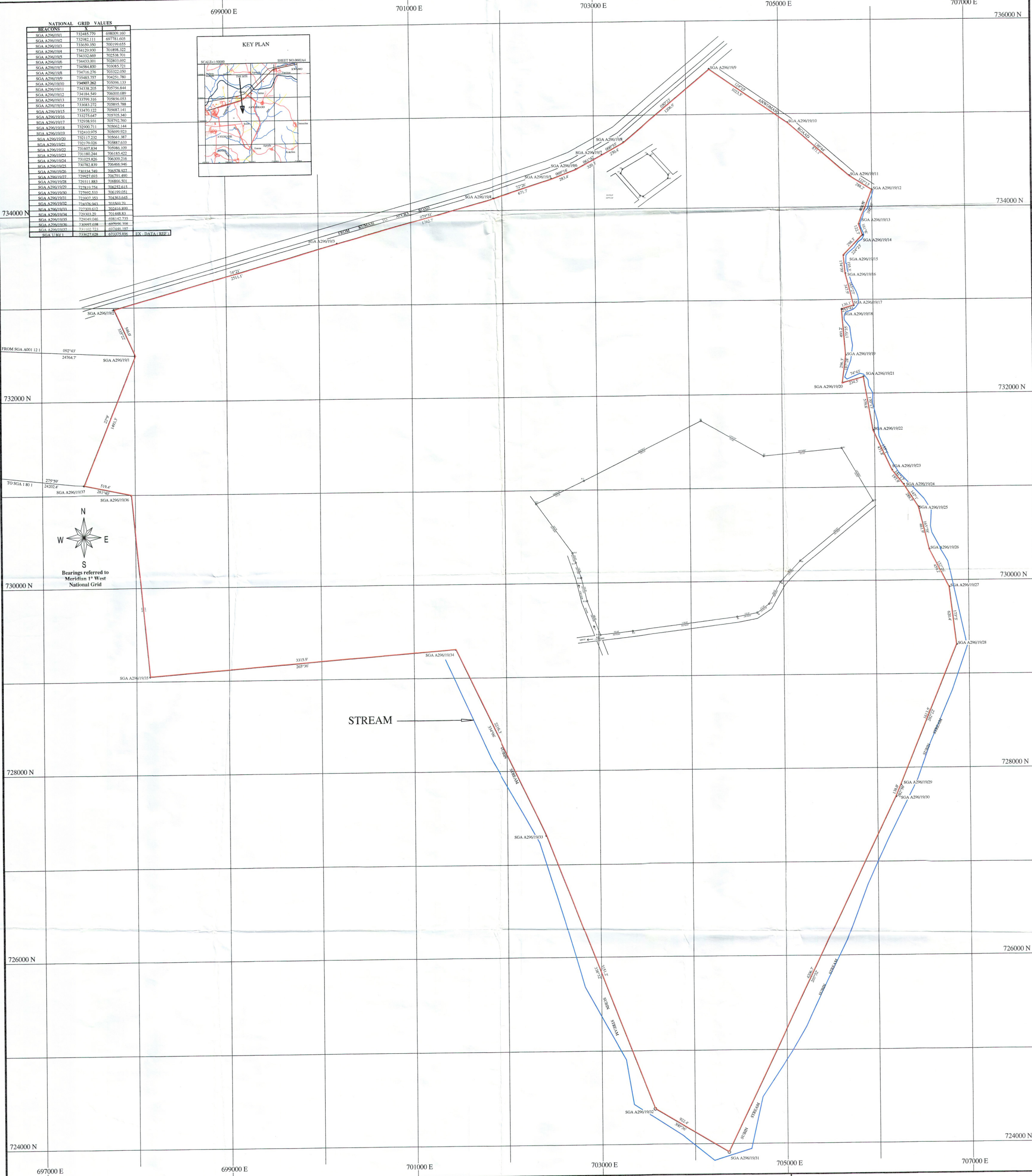
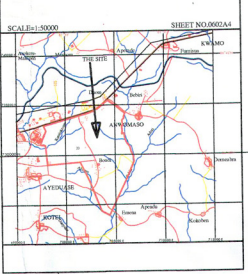
MUNICIPALITY  
OFORIKROM

REGION  
ASHANTI

**NATIONAL GRID VALUES**

BEACONS	X	Y
SGA A296/1971	73245.779	69800.165
SGA A296/1972	72982.111	69778.655
SGA A296/1973	73309.150	70019.655
SGA A296/1974	73129.930	70189.322
SGA A296/1975	73432.669	70258.705
SGA A296/1976	73443.001	70283.692
SGA A296/1977	73454.830	70308.721
SGA A296/1978	73471.278	70333.086
SGA A296/1979	73485.797	70425.780
SGA A296/1980	73497.262	70506.133
SGA A296/1981	73438.268	70578.844
SGA A296/1982	73418.589	70600.680
SGA A296/1983	73379.316	70585.053
SGA A296/1984	73368.272	70589.788
SGA A296/1985	73430.122	70565.144
SGA A296/1986	73325.647	70570.340
SGA A296/1987	73298.911	70572.760
SGA A296/1988	73290.711	70566.144
SGA A296/1989	73240.925	70569.923
SGA A296/1990	73217.232	70561.387
SGA A296/1991	73217.026	70584.633
SGA A296/1992	73167.834	70598.109
SGA A296/1993	73180.244	70618.422
SGA A296/1994	73153.805	70628.246
SGA A296/1995	73078.839	70666.948
SGA A296/1996	73034.249	70678.927
SGA A296/1997	72927.893	70671.680
SGA A296/1998	72911.883	70666.401
SGA A296/1999	72749.254	70627.615
SGA A296/2000	72769.533	70627.051
SGA A296/2001	72707.833	70483.666
SGA A296/2002	72476.943	70359.735
SGA A296/2003	72729.612	70246.899
SGA A296/2004	72903.59	70148.83
SGA A296/2005	72909.036	70142.735
SGA A296/2006	72997.038	70096.298
SGA A296/2007	73102.123	70246.197
SGA 1786/1	73367.628	67375.896

**KEY PLAN**



I, **ANTHONY ACKAH**, Licensed surveyor certify that this plan is faithfully and correctly executed and accurately shows the land within the limits of the description given to me by my client.

Date: 18 - 12 - 20

*Anthony Ackah*  
**ANTHONY ACKAH**  
 LICENSED SURVEYOR NO. 217  
 TEL. 076 850 5444

LICENSED SURVEYOR No: 257

**APPROVED SEAL**

**APPROVED BY:**  
 THE REGIONAL HEAD  
 SURVEY & MAPPING DIVISION  
 LANDS COMMISSION  
 REGIONAL SURVEYOR (ASH/R)

Date: 18/12/2020