



**UNDER THE
STRATEGIC PARTNERSHIPS TO PREVENT AND FIGHT ADMINISTRATIVE
CORRUPTION IN GHANA PROJECT**

**PREPARED FOR:
PRIVATE ENTERPRISE FEDERATION (PEF)**

**PREPARED BY:
CLARA BEERI KASSER-TEE (CONSULTANT)**



List of Acronyms and Abbreviations

Companies Act	Companies Act, 1963 (Act 179)
DFI	Department of Factory Inspectorate
EPA	Environmental Protection Agency
GIPC	Ghana Investment Promotion Centre
GRA	Ghana Revenue Authority
IPPA	Incorporated Private Partnerships Act, 1962 (Act 152)
LUSPA	Land Use and Spatial Planning Authority
MMDA	Metropolitan/Municipal/District Assembly
PEF	Private Enterprise Federation
RGD	Registrar General's Department
SDC	Service Delivery Charter
SSNIT	Social Security & National Insurance Trust
TCPD	Town and Country planning
TIN	Tax Identification Number
VAT	Value Added Tax

Table of Contents

List of Acronyms and Abbreviations

1.0 Executive Summary and Key Findings

1.1 Introduction

1.2 The Final Research Report

1.3 Summary of Findings

1.4 Summary of Recommendations

2.0 Discussion

2.1 Introduction

2.2 Project Background

2.3 Approach and Methodology of Research Report

3.0 Key Research Findings

3.1 Confirmation and Validation of Findings in Baseline Report

4.0 Overview of Administered Questionnaire and interviews

4.1 The Findings from Administration of Questionnaires and Interviews to Confirm the PEF research Report

4.2 Findings from Administered Questionnaire and Interviews ascertaining the cost of administrative corruption

5.0 The Model Service Delivery Charters

5.1 Review of Existing Charters

5.2 Model Service Charter for the EPA

5.3 Model Service Charter for the DFI

5.4 Model Service Charter for the LPSU

6.0 Reports

7.0 Recommendations and Conclusions

Page Numbers

Error! Bookmark not defined.

Error! Bookmark not defined.

Error! Bookmark not defined.

Error! Bookmark not defined.

Error! Bookmark not defined.

Error! Bookmark not defined.

Error! Bookmark not defined.

Error! Bookmark not defined.

Error! Bookmark not defined.

Error! Bookmark not defined.

Error! Bookmark not defined.

Error! Bookmark not defined.

Error! Bookmark not defined.

Error! Bookmark not defined.

Error! Bookmark not defined.

Error! Bookmark not defined.

Error! Bookmark not defined.

Error! Bookmark not defined.

Error! Bookmark not defined.

Error! Bookmark not defined.

Error! Bookmark not defined.

Error! Bookmark not defined.

1.0 Executive Summary and Key Findings

1.1 Introduction

Private Enterprise Federation, (PEF) with the assistance of Star Ghana is engaging other stakeholders to form a strategic partnership to prevent and fight administrative corruption in Ghana, (the “SPPACG Project”). This will be a nationwide project that seeks to achieve the following objectives:

1. A transparent, efficient, cost effective, and fair service delivery to the private sector and citizenry by the administering public institutions.
2. Adoption of a mandatory electronic application system (at least two of the crosscutting licensing requirements).
3. The generation of requisite data to support advocacy positions on the cost of corruption (monetary terms and denial of prompt service delivery) to the country.
4. Well informed private sector and citizenry on their roles and responsibilities in preventing and fighting administrative corruption.

PEF has contracted Clara Beer Kasser-Tee as Consultant on this Project. The Project is supported by Star Ghana, UKAID, DANIDA and the European Union.

1.2 The Final Research Report

This Final Research Report constitutes an essential component of the SPPACG Project. It is the product of:

- a. legal research on the licensing, permit and certification regime of businesses in Ghana;
- b. Review of existing research findings (PEF licensing regime report);
- c. Review of current Service Delivery Charters of three (3) administering agencies to identify gaps or impediments and other inefficiencies (including fees payable and other monies collected) in the business licensing regime in Ghana. The three (3) administering agencies are the EPA, DFI and LUSPA;
- d. Preparing a Model Service Delivery Charter and draft Service Delivery Charters for three (3) administering agencies, (EPA, DFI and LUSPA);
- e. Administration of questionnaire on the cost of corruption; and
- f. Stakeholder engagements on research findings on the licensing regime for businesses in Ghana and adoption of Service Delivery Charters

1.3 Summary of Findings

1. Findings in the Baseline Report have been confirmed and validated as follows:

- a. Legislative, regulatory and policy changes since 2013 means that rather than seven (7) cross-sectoral licenses, a business requires thirteen (13) cross-sectoral licenses, permits/certificates to operate in Ghana, particularly where such business has foreign participation in the ownership or workforce of the business.
- b. The Town and Country Planning Ordinance, 1945 (Cap 84) has been repealed by the Land Use and Spatial Planning Authority Act, 2016 (Act 925).
- c. The Factories, Offices and Shops Act, 1970 (Act 328) has not been repealed. It has also not been amended since 2012, (the date of the PEF Report). It may however be complemented by other pieces of legislation in Ghana such as the Labour Act, 2003, (Act 651), Ghana National Fire Service Act, 1997 (Act 537), and Workmen's Compensation Act, 1987, (P.N.D.C.L. 187) as amended, until it is overhauled to reflect current standards.
- d. With the exception of the Registrar Generals' Department, there is absence of an electronic application platform in the other Administering Agencies.
- e. There still exist uncoordinated approaches to the approval processes.
- f. All the three Service Delivery Charters do not state the responsibilities of employees of the Administering Agency on the one hand, and that of the end users on the other hand. Such a clear statement of responsibilities makes for transparency and trust as the public is aware what duties to legitimately expect from the Administering Agency's employees, and what options they have, should employees of the Administering Agency fail to deliver on these responsibilities. Such clear statement also enables end users know what is required of them in the permit/licensing and certification process. Such a provision is crucial to accountability and empowering the public to hold themselves and employees of the various Administering Agencies accountable for those responsibilities.
- g. All of the three Service Delivery Charters do not contain a checklist of the documents that applicants must present on applying for a license/permit/certificate nor the practices and procedures involved in such applications. Providing a checklist of the documents required and the processes involved makes for efficiency and prevents undue delays as applicants are able to cut out delay from non-submission of required documents. It also empowers the end users to assist the EPA in the delivery of efficient and cost effective services.
- h. All of the three Service Delivery Charters do not state the fees payable for the specific services to be provided, so the fees cannot be reviewed in this Report. A good Service Delivery Charter must stipulate the fees for each service, as this bolsters transparency, empowers the public to differentiate between approved and unapproved fees, and is crucial to preventing and fighting administrative corruption.
- i. All of the three Service Delivery Charters either contain no complaint redress provisions or ineffective complaint redress mechanisms. An effective complaint resolution procedure

must state specific officials or contact persons to whom complaints must be addressed, and, timelines within which to address these complaints. This is an important part of an equal opportunity policy, and helps the Agency deal with complaints quickly, fairly and consistently. Sufficiently detailed complaint redress provisions and a customized complaint management software will aid in quick and effective resolution of disputes.

- j. Although the EPA Service Delivery Charter contains a provision that lists the services that the EPA provides and the timelines for the delivery of these services, the provision omits two of EPA's key services and the timelines for these two key services – the issuance of EPA permit and EPA certificate.
 - k. All of the three existing Service Delivery Charters generally state the Mission and Vision of the administering agency, but not the Objectives.
 - l. The EPA's Vision as stated in its Service Delivery Charter is too long, and thus not easy to remember/memorise. A good Vision statement should be short, simple and specific to the services that the Agency renders to the public. It should not leave anything open to interpretation, and should have ambition. This makes it easy for employees and the public to remember or memorise and to identify with.¹
 - m. Two of the three existing Service Delivery Charters do not contain the logo/symbols of the Administering Entity. Logos are known to give an added sense of identity to an entity, and evoke some level of connection with its clients. The importance of a logo to the identity of an entity cannot be overemphasized.
 - n. All of the three Charters do not stipulate timelines for periodic reviews. A good Charter must stipulate timelines for periodic reviews to ensure continuously improves its service delivery and that keeps up to date with the needs of the public.
 - o. All of the Service Delivery Charters were not available online. There was also not evidence that these Charters had been publicized widely particularly in the media. A Charter cannot be effective unless end users are aware of its existence.
2. Business Owners, Observers and Staff of Administering agencies recognize that “facilitation fees”, (unofficial payments) that they make to staff of the Administering agencies to avoid delays in the licensing regime constitutes administrative corruption. The givers justified their actions on the grounds of wanting to avoid unnecessary delays and its attendant costs to their businesses, and staff of Administering agencies justified taking these fees for personal use or as transportation to the field, which indeed facilitates the process.

¹ See Bryson, J.M., 2018. *Strategic planning for public and nonprofit organizations: A guide to strengthening and sustaining organizational achievement*. John Wiley & Sons; and Aithal, P.S., 2016. *Creating innovators through setting up organizational vision, mission and core values: a strategic model in higher education*.

3. Business owners and staff of the Administering agencies estimate that out of ten personnel at the agencies an average of 9 persons are believed to engage in administrative corruption, while Observers estimate that out of ten personnel at the agencies an average of 7 persons are believed to engage in administrative corruption.
4. Senior staff of Administering agencies believe that it is generally Junior and Middle Level Staff who engage in administrative corruption.
5. The Administering Agencies do not deliver the listed services within the stipulated timelines, in the absence of “corrupt payments” from customers. This is because whereas it takes between two weeks to three months on average to complete license, permit or certification processes on payment of “facilitation fees”, it took three months to a year on average to complete similar processes on failing to pay “facilitation fees”.
6. Delays in the licensing regime is as a result of: (i) sluggishness and incompetence of staff mostly; (ii) lack of resources at these Agencies; and (iii) layers of bureaucratic and several documentation processes required for the licensing, permit and certification of businesses.
7. The estimated cost of administrative corruption to businesses is a total of between Ghc1, 000 and Ghc10, 000 per each business for the completion of each process. This translates to between Ghc500, 000, 00 to Ghc5, 000,000,000 for every 500,000 businesses registered².
8. The estimated loss to businesses as a result of unnecessary delays is between Ghc24, 000 and \$20,000 per each business.
9. Businesses find the business permit, license, and certification processes in Ghana difficult and frustrating.
10. There has been pressure on the administering agencies in recent times to involve the private sector when reviewing applicable fees, and there was visible improvement in the manner in which the agencies worked as a result.
11. The Occupational Safety Bill which will be a more comprehensive piece of legislation when passed, and which has been in existence since the 2000s, is yet to be passed by parliament. The general public ought to be sensitized on this Bill and advocate for its passage.

1.4 Summary of Recommendations

Consultant’s recommendations include:

² Total businesses registered (number) in Ghana was reported at 802176 in 2003, according to the World Bank collection of development indicators, compiled from officially recognized sources

1. The fees that administering agencies charge must reflect the services rendered.
2. The laws be amended to enable Administering agencies maintain user fees, rather than payment of such fees into the Consolidated Fund.
3. Article 1(2) of the Constitution requires every public officer to exercise the powers and authority given them by law for the welfare of the people. Looking out for the welfare of the people in the provision of services is therefore a Constitutional obligation, and, an effective Service Delivery Charter, will aid an Administering Agency fulfil this obligation.
4. Where appropriate, specific fees must be stated in the Service Delivery Charters of Administering agencies, and, where it is impractical to state a specific figure, administering agencies must state the range, formulae or factors used in determining such fees. This ensures: transparency; eschew arbitrariness or perceptions of arbitrariness; empowers customers to fight administrative corruption where unapproved fees are demanded; and enables customers and the Administering agencies determine whether or not the fees reflect fairly the services provided.
5. Effective use of electronic applications would not only reduce the timelines for issuance of permits/licenses/certificates, but would reduce drastically, if not eliminate corruption in the business licensing/permit/certification regime in Ghana.
12. A collaborative process between the Administering agencies, will be more efficient particularly where there is need for inspections. It is therefore important for the RGD to put in place an effective and efficient platform that links all administrative agencies in a manner that enables them share information and draw from the different expertise and strengths of each agency. This will also reduce drastically if not eliminate the submission of fictitious or forged documents, as Administering agencies will have access to the documents in the RGD database.
13. The Service Delivery Charters must be drawn with the active participation of employees, must be widely publicized and reviewed periodically.

2.0 Discussion

2.1 Introduction

Administrative corruption is generally defined as profiteering from public posts. It includes a public officer's abuse of roles, powers, or resources in public bureaucracies.³ Ghana law defines a public official to include any person holding an office by election or appointment under any enactment or under powers conferred by any enactment⁴. Employees of Administering Agencies are therefore "public officers" for purposes of administrative corruption as these persons are appointed under an

³ See Perry, J.L., 2015. Revisiting the core of our good government ethos. *Public Administration Review*, 75(2), pp.186-187.

⁴ Section 3, sections 244 and 245 of the Criminal and Other Offences Act, 1960 (Act 29).

enactment and exercise their powers pursuant to an enactment. A public officer who, to do or for doing an act required of him or her as a public officer, secretly accepts, or agrees or offers secretly to accept any valuable consideration for his or her personal benefit is presumed by law to have acted corruptly.⁵ The presumption of corruption by a public officer therefore applies irrespective of whether the valuable consideration was received before or after the act by the public officer on account of the public office⁶.

The greatest challenge identified in the business registration regime in Ghana is the intentional and/or unnecessary delays by the officials of administering state agencies with the perceived motive of extracting money from applicants. These applicants who are usually desperate to obtain the applicable licenses, permits and certificates to enable them operate their business, and who directly lose business as a result of these delays most often than not are ‘alleged’ to make “unofficial payments” to officials of administering state agencies in order to facilitate the issuance of the license, permit, or certificate, thereby becoming unwitting participants in administrative corruption.

This Final Research Report is the product of: (i) a review of the legal regime for permit/licensing/certification of businesses to enable them operate in Ghana; (ii) a review of existing research findings (PEF licensing regime report); (iii) a review of current Service Charters of three administering agencies, (the EPA, DFI and LPSA) to identify gaps or impediments and other inefficiencies (including fees payable and other monies collected) in the business licensing regime in Ghana; (iv) Engagement of stakeholders to review the baseline report; (v) administration of questionnaires and interviews to confirm implementation of certain parts of the recommendations contained in the PEF Research Report and ascertain the actual cost of administrative corruption; (vi) organization of a full workshop to review the baseline report including Consultant’s review of the existing Service Charters and administration of questionnaire on the cost of corruption; (vii) preparing Model Service Delivery Charters for the three (3) Administering agencies to cater for the inadequacies of their existing service delivery charters; (viii) preparing a general Model Service Charter for adaption by Administering agencies; and (ix) several levels of Stakeholder reviews and validation of the Model Service Delivery Charters prepared by Consultant including at workshops and breakfast meetings.

Stakeholders and participants included: the various levels of staff at the respective agencies, the business community, civil society and staff of the Ministries, as contained in the Inception Report included in this Report as **Appendix 1**.

This Report begins with the confirmation and validation of the findings in the Baseline Report at workshops and breakfast meetings organized for this purposes. The findings in the Baseline Report include the Consultant’s review of existing Service Delivery Charters and administration of questionnaire on the cost of corruption. The Baseline Report is included in this Report as **Appendix 2**. This Report next gives an overview of administration of questionnaires and interviews to confirm implementation of certain parts of the recommendations contained in the PEF Research Report, and, ascertain the actual cost of administrative corruption. Thirdly, the Report presents the Model Service Delivery Charters for the three (3) Administering Agencies, (i.e. EPA, DFI and LUPSA), to cater for the inadequacies of the existing service delivery charters, as well as a draft Model Service Charter for

⁵ Section 244, *ibid*.

⁶ See sections 244 and 245, *ibid*.

adaption by other Administering agencies. Fourthly, the Report captures and attaches activity reports for: the first full workshop organized on January 23, 2019 to review the baseline report including the existing Service Charters and administration of questionnaire on the cost of corruption; second full Stakeholder workshop organized on February 8, 2019 to review Consultant's first draft Service Delivery Charter, research report and also administration of questionnaire on the cost of corruption; and the sensitization breakfast meeting organised on February 13, 2019 for select participants including the respective agencies, parliamentary select committees and Ministries to validate the Baseline report and the new draft Service Delivery Charter. Finally, the Report presents its recommendations, conclusions and qualifications.

2.2 Project Background

The background to this Project is as described in **Appendix 3**.

2.3 Approach and Methodology of Research Report

The sampling technology, approach and methodology resulting in the findings contained in this Report are contained in the Inception Report and Baseline Report included in this Report as Appendixes 1 and 2.

3.0 Key Research Findings

3.1 Confirmation and Validation of Findings in Baseline Report

The first full workshop to review the baseline report including the existing Service Delivery Charters and administration of questionnaire on the cost of corruption, second full Stakeholder workshop organized on February 8, 2019 to review the Consultant's first draft Service Delivery Charter and research report, the sensitization breakfast meeting organised on February 13, 2019 for select participants including the respective agencies, parliamentary select committees and Ministries to validate the baseline report and the new draft Service Charter, and the overview of the findings of the questionnaires and interviews administered and conducted all confirmed and validated the Findings in the Baseline Report, (i.e. Appendix 2 of this Report). The Findings in the Baseline Report have therefore been confirmed and unanimously validated.

4.0 Overview of administration of questionnaires and interviews to confirm implementation of certain parts of the recommendations contained in the PEF Research Report and ascertain the actual cost of administrative corruption.

Pursuant to the Inception Report and Baseline Report, (i.e. Appendixes 1 and 2 of this Report), the Questionnaires were administered at the various workshops mentioned above, and to three categories of persons:

- Private individuals and Business Owners;
- Staff of Administering agencies; and
- Observers, (i.e. civil society).

The responses from the write ups of the participants in this study sounded genuine and unrehearsed. They discussed honestly the issues covered by the questionnaires and interviews, and their realistic expectations when their businesses/organisations deal with administering agencies. Copies of the category of questionnaires are contained in **Appendix 4** of this Report.

4.1 The Findings from Administration of Questionnaires and Interviews to Confirm the PEF research Report

The findings from administration of questionnaires and interviews to confirm implementation of certain parts of the recommendations contained in the PEF Research Report are as follows:

- a. Absence of electronic application platforms in most agencies.
- b. Uncoordinated approaches to approval of services.
- c. The Administering Agencies do not deliver the listed services within the stipulated timelines in the absence of payment of “facilitation fees” from customers. Whereas it takes between a few days to two weeks to complete the business registration process on payment of “facilitation fees”, it could take up to a year to complete the same process on failing to pay “facilitation fees”. Businesses therefore feel compelled to pay “facilitation fees” to avoid unnecessary delays.
- d. It is noted that business registration processes in the 1980s took a much shorter time to complete than has been the case after 2010. For example, in 1987-1994, it took about two (2) weeks to complete registration of a limited liability company; In 2006, it took about three (3) working days to complete registration of a limited liability company; and in 2007, it took about two (2) weeks to complete registration of a limited liability company. However, after 2007, (from 2010), it took between three (3) months to one (1) year to complete registration of a Company without payment of facilitation fees, but between a few days to one (1) month to complete registration processes on payment of facilitation fees. The research therefore revealed that except where staff of the Administrative agencies receive “facilitation fees” from customers, Administering Agencies do not deliver the listed services within the stipulated timelines, particular after 2010.
- e. Delays in the licensing, permit and certification regime is as a result of: sluggishness and incompetence of staff mostly, lack of resources at these Agencies, and the bureaucracy and several documentation processes that business are required to go through.
- f. All of the participants, (i.e. Business Owners, Observers and Staff of Administering agencies recognize that “facilitation fees”, (unofficial payments) that they make to staff of the Administering agencies to avoid delays in the licensing regime constitutes

administrative corruption. The givers justified their actions on the grounds of wanting to avoid the unnecessary delays in the license, permit and certification regime as the Administering agencies do not provide the requested services in accordance with the stipulated timelines. They also explained, that payment of these unofficial fees to the staff of administering agencies did in fact achieve the purpose of avoiding unnecessary delays, as it took between a few days or weeks to complete the licensing, permit and certification process on the payment of such unapproved fees, but up to six months or a year to complete the same processes where one fails to pay the unofficial fees, (i.e. engage in administrative corruption). This was after the Consultant defined what amounted to “administrative corruption” under Ghana law.

Staff of the Administering agencies on their part justified taking these unofficial fees for personal use or as transportation to the field for required inspections. They explained that often times, the State Agency lacks the resources required for staff to undertake their official duties. For example, staff may not have access to transportation within the State agency to enable them travel to a particular site for inspections. They therefore relied on the businesses to bear the cost of transportation for purposes of inspections, and this forms part of the unofficial fees that they receive from businesses. To them, these unofficial payments, (i.e. administrative corruption) do sometimes indeed facilitate the process.

- g. While business owners and staff of the Administering agencies considered that an average of 9 out of 10 staff are engaged in administrative corruption, Observers considered that an average of 7 out of 10 are estimated to engage in bribery and corruption within the agencies. The general reason suggested as the cause of this bribery was the high demand for the services and the low productivity of the staff. Senior staff of Administering agencies believe that it is generally Junior and Middle Level Staff who engaged in administrative corruption.
- h. 10 out of 42 admitted that they were aware that their actions amounted to bribery which is a crime in the country, 2 out of 42 stated that they were not aware their actions amounted to bribery. The rest were silent on the issue of bribery.⁷
- i. The Occupational Safety Bill which will be a more comprehensive piece of legislation when passed, and which has been in existence since the 2000s, is yet to be passed by parliament. The general public ought to be sensitized on this Bill and advocate for its passage.

The Research thus confirmed that staff of administering agencies do engage in administrative corruption, and that businesses become willing participants in administrative corruption in a

⁷ It appears that while they all understood that staff of the Administering agencies were engaging in administrative corruption by receiving facilitation fees, two of the respondents did not believe that paying the facilitation fees amounted to bribery, and therefore that they were committing a crime by paying the facilitation fee. It is worthy of note that these two respondents were not part of the participants who were at the workshop at which administrative corruption was explained to them. All the respondents who were also participants at this workshop recognized the facilitation fees as bribery and corruption.

bid to avoid unnecessary delays in the licensing, permit and certification regime of businesses in Ghana.

4.2 The findings from administration of questionnaires and interviews to ascertain the actual cost of administrative corruption

This will be addressed in a more comprehensive manner in the Report to be written on this in Assignment 2. However, for purposes of this Report, suffice it to state the findings are as follows:

- a. The private sector was unaware that some of the Administering agencies had Service Delivery Charters.
- b. For businesses, abetting administrative corruption, (i.e. paying facilitation fees) is what incentivizes staff of the Administering agencies to achieve speedy registration in spite of bottlenecks at the Agencies.
- c. The unofficial payments made to the different Administering agencies vary. The business persons interviewed admitted to paying facilitations fees of as low as Ghc50 and as high as a Ghc1000 each to staff of the Registrar General's Department alone, and a total of between Ghc2, 000 and Ghc20, 000 per each business for the completion of the entire process. This translates to unofficial payments of between Ghc1, 000,000, 000 and Ghc10, 000,000,000 from every five hundred thousand businesses that apply for licensing, permit and certification of their businesses.⁸ There are currently over 802,176 registered businesses in Ghana.⁹
- d. Some business owners estimated their losses due to delays to range between Ghc24, 000 and \$20,000 per each business. It therefore made economic sense for businesses to abet administrative corruption in the hope of reducing avoidable losses. This translates to a loss of potentially taxable income of between Ghc12, 000,000,000 and \$10,000,000,000 from every five hundred thousand businesses that apply for licensing, permit and certification of their businesses,¹⁰ with corresponding losses in revenue that government would have generated from taxes on such incomes.
- e. There has been pressure from the private sector on the Administering agencies in recent times to involve the private sector when reviewing official fees for the business licensing, permit and certification regime in Ghana.

⁸ The total number of registered businesses in Ghana was reported at 802,176 in 2003 according to a World Bank Report.

⁹ Supra

¹⁰ Supra.

A comprehensive overview of administration of questionnaires and interviews to confirm implementation of certain parts of the recommendations contained in the PEF Research is contained in Appendix 5, but that on ascertaining the actual cost of administrative corruption will be included in the Report in Assignment 2 for that purpose.

5.0 The Model Service Delivery Charters for the three (3) Administering Agencies, (i.e. EPA, DFI and LPSA), to cater for the inadequacies of the existing service delivery charters, as well as a draft Model Service Charter for adaption by other Administering agencies

5.1 A review and comprehensive identification of the gaps or impediments and other inefficiencies in the existing Service Delivery Charters of the EPA, DFI and LUSPA is contained in Appendix 2, (the Baseline Report and presentation).

5.2 The Consultant prepared a Model Service Delivery Charter for the EPA to cater for the inadequacies of its existing service delivery charters. This Model Charter has been reviewed and validated by the Stakeholders to this Project, and is included in this Report as **Appendix 6**.

5.3 The Consultant prepared a Model Service Delivery Charter for the DFI to cater for the inadequacies of its existing service delivery charters. This Model Charter has been reviewed and validated by the Stakeholders to this Project, and is included in this Report as **Appendix 7**.

The Consultant prepared a Model Service Delivery Charter for the LPSU to cater for the inadequacies of its existing service delivery charters. This Model Charter has been reviewed and validated by the Stakeholders to this Project, and is included in this Report as **Appendix 8**.

6.0 Activity reports for: the first full workshop organized on January 23, 2019 to review the baseline report including the existing Service Charters and administration of questionnaire on the cost of corruption; second full Stakeholder workshop organized on February 8, 2019 to review Consultant's first draft Service Delivery Charter, research report and also administration of questionnaire on the cost of corruption; and the sensitization breakfast meeting organised on February 13, 2019 for select participants including the respective agencies, parliamentary select committees and Ministries to validate the baseline report and the new draft Service Charter.

This Research Report includes activity reports for the 1st breakfast meeting of 23rd January 2019 as **Appendix 9**, activity reports for the second breakfast meeting of February 8, 2019 as **Appendix 10**, and activity reports for the sensitization meeting of February 13, 2019 is attached as **Appendix 11**.

7.0 Recommendations and Conclusions

This Report makes the following Recommendations:

a. Use of Electronic Application Process

Electronic applications would not only reduce the timelines for issuance of permits/licenses/certificates, it would also reduce drastically, if not eliminate corruption in the licensing/permit/certification regime in Ghana.

b. Collaboration of by the Agencies

Collaboration between the Agencies will not only prove faster and more efficient in avoiding unnecessary delays in the license/permit and certification of businesses regime in Ghana, it would also reduce drastically if not eliminate completely the submission of forged and/or fictitious documents to some of the Administering agencies in the license/permit and certification process. Some members of the General Public sometimes provide the agencies with fictitious documents, which could be avoided if the Agencies collaborated amongst themselves.

It would therefore improve the ease of doing business in Ghana if the Registrar General's Department is able to link all other Administering Agencies to its database for purposes of confirming registration details of business entities and for sharing of information where necessary in the license, permit and certification process.

c. Stating Fees in Service Delivery Charters:

One of the gaps of all of the three Service Delivery Charters that the Consultant reviewed is that none of them contains any provisions on the fees for the various services that the administering agencies provide, thereby making it not feasible to discuss inefficiencies with respect to fees. To prevent and fight administrative corruption, it is important for the public to know the exact amount of official fees payable for each stated service. This empowers the public to differentiate between approved and unapproved fees. A clear knowledge of all official fees payable is key to fighting and preventing administrative corruption.

d. Involve Private Sector in Fixing Fees

The Private Sector ought to be involved in the fixing of Fees. Obtaining their goodwill in this regard makes for effective regulation.

e. Fees be fixed in a manner that reflects the services rendered, and the existing laws be amended to enable the Administering Agencies retain all fees rather than pay same into the Consolidated Fund as currently required by law.

The formula for setting fees must reflect the cost of services rendered, otherwise, where such fee do not represent or reflect the cost of the stated service, it takes on the character of a tax.

It is also recommended that the law be amended to allow for fees to be retained by the administering agencies rather than paid into the consolidated fund. The current law which requires that fees be paid into the consolidated fund is unhelpful, as it serves to blur the lines between "fees" properly so called and taxes.

f. Publication of Charters

A Service Delivery Charter is an expression of an understanding between citizens and a provider of a public service on quantity and quality of services. The Service Delivery Charter must therefore be a widely publicised document that defines the type, quality, and magnitude of service that the citizenry can expect from the particular State Institution. Employees of the Administering agencies must be involved in the drawing up of the Charter, and, the general public must be aware of and have access to these service delivery charters.

g. Reminders sent by Agencies to Public

It was recommended that Agencies should create a data base of its customers and send them reminders to renew their permits/licenses/certificate or suffer penalties for lateness.

Conclusions

The quest to provide quality services to the Ghanaian public is a quest to achieve the realisation of a Constitutional right. It is the duty of every public officer to exercise all powers given them by law for the welfare of the Ghanaian people, and it is the right of the Ghanaian people to expect this from public officers. A service Delivery Charter will among other things, seek to ensure that Administering agencies focus of service delivery, measure and assess performance and initiate performance improvement. It will also be a worthy and important step in the fight against corruption and to ensure transparency. It must however be noted that whether or not a Service Delivery Charter is able to assist an agency deliver transparent and efficient service as intended, depends to a large extent on whether the Service Delivery Charter meets the criteria discussed in our reports, and whether it is in fact implemented and adhered to.