

Ghana

<b>Background</b>	<b>Name of EMB:</b>	Electoral Commission (EC), Ghana.
	<b>Status:</b>	Permanent
	<b>Number of commissioners:</b>	Seven: one chairperson; two deputy chairpersons; four other members.
	<b>Number of full-time EMB staff:</b>	1,313
	<b>Constitutional and/or legislative provisions for establishment of the EMB:</b>	Constitution of Ghana, 1992, Article 43 Section 1; the Electoral Commission Act, 1993, Act 451, Section 1.
<b>Establishment of the EMB</b>	<b>EMB's mandate:</b>	Constitution of Ghana, 1992, Article 45; the Electoral Commission Act, 1993, Act 451, Section 2; <ul style="list-style-type: none"> <li>• compile and revise voters register;</li> <li>• demarcate electoral boundaries for national and local government elections;</li> <li>• conduct and supervise all public elections and referenda;</li> <li>• educate the people on the electoral process and its purpose;</li> <li>• undertake programmes for the expansion of the registration of voters;</li> <li>• proper storage of election materials; and</li> <li>• perform such other functions as may be prescribed by law.</li> </ul>
	<b>EMB model:</b>	Independent: Constitution of Ghana, 1992, Article 46; the Electoral Commission Act, 1993, Act 451, Section 3.
	<b>What standards are established in the constitution or other legislation for the democratic legitimacy?</b>	The establishment, functions (mandate) independence, as well as the qualifications, terms and conditions of service of the EMB, are all entrenched in the 1992 Constitution of Ghana: Articles 43, 44, 45 and 46.
	<b>Provisions for the appointment of commissioners:</b>	Appointment is by the President on the advice of the Council of State: Constitution of Ghana, 1992, Article 70 Section 2; the Electoral Commission Act, 1993, Act 451, Section 4 (2).
	<b>Political status of the commissioners:</b>	Based on expertise
<b>Appointment, tenure and removals:</b>	<b>Chair qualifications:</b>	Should be qualified to be elected as a Member of Parliament: the Electoral Commission Act, 1993, Act 451, Section 4 (1); Representation of the People Law 1992, PNDC L 284 Section 9.

	<p><b>Commissioner qualifications:</b></p> <p>Should be qualified to be elected as a Member of Parliament: the Electoral Commission Act, 1993, Act 451, Section 4 (1); Representation of the People Law 1992, PNDC L 284 Section 9.</p> <p><b>Tenure of chair and commissioners:</b></p> <p>Permanent term of office: chairperson retires at age 70; deputy chairpersons retire at age 65; other members retire at age 60. Tenure is not renewable.</p> <p><b>Provisions for the removal of commissioners:</b></p> <ol style="list-style-type: none"> <li>Any member of the public may petition the president for the removal of commissioners.</li> <li>The petition for the removal must be based on stated misbehaviour or incompetence or on grounds of inability to perform their official functions due to infirmity of body or mind.</li> <li>The president then refers the petition for the removal to the chief justice who, after establishing that there is a prima facie case, sets up a committee on the advice of the Council of State to investigate the complaint.</li> <li>The committee's recommendations are sent to the chief justice who shall forward same to the president.</li> <li>The president shall on the advice of the Judicial Council, act on the recommendations of the committee.</li> </ol> <p><b>Provisions for the appointment of EMB staff:</b></p> <p>By the EMB in consultation with the Public Service Commission: the Electoral Commission Act, 1993, Act 451, Section 8.</p> <p><b>Tenure of EMB senior staff:</b></p> <p>At age 60 and tenure is not renewable.</p> <p><b>Provisions for the removal of EMB senior staff:</b></p> <p>By the Electoral Commission, through the setting up of a committee of enquiry to investigate the alleged offences of the staff in question and make recommendations to management for appropriate sanctions.</p> <p><b>Setting and control of EMB's budget:</b></p> <p>The Ministry of Finance: the Electoral Commission Act, 1993, Act 451, Sections 10 and 11.</p> <p><b>Financial autonomy:</b></p> <p>The EC has the authority to re-appropriate its allocated budget/funds.</p> <p><b>Legal provisions for the financial autonomy:</b></p> <p>There is no legal basis to establish formal financial autonomy of the commission. However, the constitution provides that the expenses of the commission shall be charged on the consolidated fund: the emoluments of the commission and staff, as well as its operational and administrative expenses.</p>
<p><b>Funding arrangements:</b></p>	

<p><b>Electoral system:</b></p>	<p><b>Number of chambers/houses within the legislature:</b></p> <p><b>Voting system:</b></p> <p><b>Amendments to electoral laws:</b></p> <p><b>Drafting of electoral regulations:</b></p>	<p>Unicameral.</p> <p>FPTP (for parliamentary and local government elections): 50 per cent plus 1 of total valid votes for presidential elections.</p> <p>The EMB proposes amendments to electoral law; these go to parliament in the form of a bill for approval.</p> <p>Yes; but this requires parliamentary approval.</p>
<p><b>Electoral disputes:</b></p>	<p><b>Electoral disputes resolution mechanisms:</b></p>	<p>a. The EMB constitutes District Registration Review Committees (DRRCs) in each district to adjudicate all voter registration challenge cases.</p> <p><i>The composition of the DRRCs:</i></p> <ul style="list-style-type: none"> <li>• representation of all political parties active in the district;</li> <li>• a representative of the traditional authority in the district;</li> <li>• the head of the Ghana police service in the district; and</li> <li>• the head of the Ghana education service in the district.</li> </ul> <p>b. The EMB also appoints revising officers (senior judicial officers – judges) in each district to handle objection cases recorded during the exhibition of the voters register.</p> <p>c. The traditional court system is also resorted to in resolving disputes.</p>
<p><b>Other issues</b></p>		
<p><b>Secretariat:</b></p>	<p><b>Administrative autonomy:</b></p> <p><b>Women in senior positions:</b></p> <p><b>Administrative structure:</b></p>	<p>Yes</p> <p>The Chair, one of two Deputy Chairs, and three of four Commissioners are women.</p> <p>a. At the apex of the administrative structure is the commission (board members);</p> <p>b. chairperson;</p> <p>c. two deputy chairpersons (for co-operation services and operations);</p> <p>d. seven departments: Electoral Services; Finance; Human Resources and General Services; Information Communication Technology; Administration and Co-ordination; Research, Monitoring and Evaluation; Registration and Regulation;</p> <p>e. ten regional offices;</p> <p>f. 231 district offices.</p>