



IN THE THIRD SESSION OF THE EIGHTH
PARLIAMENT OF THE FOURTH REPUBLIC OF GHANA

REPORT OF THE
COMMITTEE ON CONSTITUTIONAL, LEGAL
AND PARLIAMENTARY AFFAIRS

ON THE

2024 ANNUAL BUDGET ESTIMATES OF THE RIGHT TO
INFORMATION COMMISSION

15TH DECEMBER 2023

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ESTIMATES OF THE RIGHT TO INFORMATION COMMISSION**

1.0 INTRODUCTION

- 1.1 The Budget Statement and Economic Policy of the Government of Ghana for the year ending 31st December, 2024 was presented to Parliament, by the Hon Minister for Finance, Mr Ken Ofori-Atta, on 15th November, 2023 in accordance with Article 179 of the 1992 Constitution.
- 1.2 Pursuant to Orders 140(4) and 179 of the Standing Orders of Parliament, the Rt Hon Speaker referred the Budget Estimates of the Right to Information Commission (RTIC) to the Committee on Constitutional, Legal and Parliamentary Affairs for consideration and report to the House.

2.0 DELIBERATIONS

- 2.1 The Committee met on 12th December, 2023 and considered the 2024 Annual Budget Estimates of the Right to Information Commission.
- 2.2 Present at the meeting were the Minister responsible for Information, Mr Kojo Oppong Nkrumah; Executive Secretary of the Commission, Mr Yaw Sarpong Boateng and other technical staff, as well as Schedule Officers from the Ministry of Finance.
- 2.3 The Committee is grateful to the Hon Minister for Information, Officials of the Commission and the Ministry of Finance for the clarifications during the consideration of the Estimates.

3.0 REFERENCE DOCUMENTS

The Committee referred to the following documents during the consideration of the Budget Estimates:

- i. The 1992 Constitution
- ii. The Standing Orders of Parliament;
- iii. The Budget Statement and Economic Policy of the Government of the Republic of Ghana for the 2024 Financial Year;
- iv. The Report of the Committee on Constitutional, Legal and Parliamentary Affairs on the 2023 Budget Estimates of the Right to Information Commission.
- v. Right to Information Commission Act, 2019 (Act 989); and
- vi. The Right to Information Commission Medium Term Expenditure Framework for 2022-2025.

4.0 VISION OF THE COMMISSION

To set out the practical regime of right to information for all to secure access to information under the control of public authorities, in order to promote transparency and accountability in the work of every public institution.

5.0 MISSION OF THE COMMISSION

To build an informed citizenry, to promote transparency in public discourse and to hold government and institutions accountable to all.

6.0 CORE FUNCTIONS OF THE COMMISSION

The core functions of RTIC are to:

- i. Issue written orders requesting for the production of information;
- ii. Examine, reproduce, take extracts from or hold information for unlimited periods, including information found in any premises entered pursuant to an inspection conducted by the Commission in the performance of the monitoring function of the Commission;
- iii. Promote, sustain awareness and educate the public on the right to information within the country.
- iv. Conduct any research it considers necessary or appropriate for the attainment of the object of this Act;
- v. Monitor, ensure compliance and implementation of its directives by the public institution and relevant private body with this Act;
- vi. Publish findings, recommendations, orders, decisions and directives quarterly; and
- vii. Undertake any other action that the Commission considers necessary for the effective performance of its functions.

7.0 POLICY OBJECTIVES/STRATEGIES

The policy objectives of the 2022-2025 National Medium-Term Development Policy Framework (NMTDPF) related to RTIC are to:

- i. Deepen Transparency and public accountability;
- ii. Enhance capacity for policy formulation and coordination;
- iii. Promote the fight against corruption and economic crimes;
- iv. Improve participation of civil society (media, traditional authorities, religious bodies) in national development; and

- v. Ensure responsive governance and citizen participation in the developmental dialogue.

8.0 2023 PERFORMANCE OVERVIEW

8.1 PROGRAMME PERFORMANCE

The Right to Information Commission undertook programmes within the year. The outcomes and achievements of the Commission are provided below.

8.1.1 Sensitisation

- i. Carried out sensitisation programmes across 52 public institutions to enhance their capacity in the implementation processes of information disclosure.
- ii. Undertook a nationwide sensitisation tour to six (6) Regional Capitals: Cape Coast, Takoradi, Bolgatanga, Damongo, Nalerigu and Wa, and trained heads of public institutions, the media, students, traditional leaders and the public on the tenets of the Right to Information Act, 2019 (Act 989).

8.1.2 Monitoring Visits

- i. Conducted 241 monitoring exercises to ensure public institutions and relevant private bodies are adhering to the dictates of Act 989.
- ii. Engaged several stakeholders and organized conferences to solicit input into the draft regulations to flesh out Act 989.

8.1.3 Capacity Building

12.31 Trained 98 staff from various units of the Commission.

9.0 Financial Performance

In 2023, the Right to Information Commission was allocated an amount of **Eighteen Million, Eighty-Five Thousand, One Hundred and Thirty-two Ghana Cedis (GH¢18,085,132.00)**. As at the end of September, 2023 an amount of **Twelve Million, and Eighteen Thousand, Nine Hundred and Seventy-seven Ghana Cedis Forty-two Pesewas (GH¢12,018,977.42)**.

Table 1: Financial Performance of the Right to Information Commission as at September 2023

Item	Allocation GHc (A)	Amount Released (B)	Actual Expenditure (C)	Variance GHc (A-B)	Released (%)
Compensation	13,049,132.00	10,195,177.42	10,195,177.42	2,853,954.58	21.9
Goods and Services (GOG)	1,000,000.00	420,000.00	2,837,722.85	580,000.00	58
Rent	-	1,056,825.60	1,056,825.00	-	-
CAPEX	4,036,000.00	1,403,800.00	307,000.00	2,632,200.00	65.2
Total	18,085,132.00	12,018,977.42	17,657,444.27	6,066,154.58	33.5

Source: Presentation on the 2023 Budget Estimates Performance by the RTIC

10.0 OUTLOOK FOR 2024

The Right to Information Commission outlined the following programme of activities as part of their measure to enhance

transparency and support services for efficient service delivery in the year 2024:

- 10.1 The Commission will continue to strengthen its presence across the country by setting up new offices in 3 regional capitals.
- 10.2 The Commission plans to continue its innovative programmes to help disseminate information and educate the public about the Right to Information Commission and its mandate of ensuring that all persons are made aware of their fundamental right to access information.
- 10.3 The Commission in consultation with the Minister of Information and Parliament, will take the necessary steps to pass Legislative Instrument (L.I.) under section 83 of the Right to Information Act 2019, Act 989 to among other things provide for further procedures for access to information under the Act.
- 10.4 The Commission will continue to put in place measures to monitor and enforce compliance on the implementation of RTI across all public institutions
- 10.5 The Commission will continue to engage with all stakeholders to support the drive to create awareness among the populace and implement measures that foster trust among the populace through an expedited manner in assessing information in all public institutions.
- 10.6 The commission shall continue to train staff to equip them with the necessary skills to help the commission fulfil its mandate.

11.0 Budgetary Allocation for the 2024 Fiscal Year

For the implementation of the programmes and projects under the Right to Information Commission, a total sum of **Twenty-Two**

Million, Eight Hundred and Ninety Thousand, Two Hundred and Twenty-Two Ghana Cedis (GH¢22,890,222.00) for the 2024 fiscal Year. The Allocation in terms of economic classification, programmes and sources of funding have been provided in Tables 2 and 3.

Table 2: Budgetary Allocation by Economic Classifications for 2024

ECONOMIC CLASSIFICATION	SOURCES OF FUNDING					
	GOG	ABFA	IGF	Donor	Total	%
Compensation	18,049,132	-	-	-	18,049,132	78.9
Goods and services	2,841,090	-	-		2,841,090	12.4
Capex	2,000,000	-	-		2,000,000	8.7
Total	22,890,222.00		-		22,890,222.00	100
%	100					

Source: Budget Statement and Economic Policy of the Government for 2024

Table 3: Budgetary by Programmes for 2024

Programme	Allocation GH¢	% of Allocation
Management and Administration	22,890,222.00	100
Total	22,890,222.00	100

Source: Programme Based Budget Estimates of the RTI for 2023

12.0 OBSERVATIONS

12.1 After careful examination of the 2023 Budget Performance and the 2024 Budget Estimates of the Right to Information Commission, the following observations were made by the Committee:

12.2 Inadequate Resource Allocation to the Commission

The Committee notes that, in the year under review, despite the immense funding challenges, the RTIC in collaboration with the Ashanti and Bono Regional Coordinating Councils, managed to establish two offices in Kumasi in the Ashanti Region and the Sunyani in the Bono Region. In 2024, the Commission plans to open three more regional offices in and Upper East, Bono and Western regions, towards the effort at bringing its services closer to the people. However, the Committee can emphatically state that, the 2024 CAPEX allocation would not be able to execute the planned programme of opening additional offices to engender regional presence outside the Greater Accra Region as envisioned in the Right to information Act. The Commission raised the issue of persistent challenges in the Budget Allocation and Releases to the RTIC, which has incapacitated the Commission from effectively delivering on its mandate. The Commission bemoaned of its challenges with regards to funding, which impact on the acquisition of vehicles, staffing, office equipment, execution of monitoring and compliance exercises and the setting up of a tribunal unit to support review processes.

Recognising the crucial role of the Commission, the Committee recommends to the Ministry of Finance to take a particular interest in reviewing the allocation for Goods and Services and CAPEX during the mid-year review of the 2024 Budget.

12.3 Under Utilisation of Compensation Allocation

The Committee observed that, as at the second week in December 2023, utilization of the Employee Compensation of the Right to Information Commission was at 88.1%, which indicates that, by the end of the year, a large percentage of compensation would not have been exhausted. Upon enquiry, the Commission explained the under-utilization to be resulting from the inclusion of the remuneration of the board members of the Commission into the Compensation Allocation of the Commission. In explaining, the Commission provided that the Board Members do not come under the single-spine salary structure. Their remuneration has to be separately applied from the Controller. It was explained that, the remunerations of the Board Members have not been paid since January 2023. This explains the seemingly under-utilisation noted above. The Committee recommended to the Commission to present separate compensation budget for Board Members in subsequent Budgets and also advised the commission to explore alternative arrangements with the Office of the Accountant General to regularise the compensation of the affected staff.

12.4 Cost of Renting of Office accommodation

The Committee observed that a large portion of the Budget Allocation of the RTIC goes into the payment of rent. The Commission mentioned that, its rent is very expensive and made to pay in advance of two years. The Committee then enquired from the Commission efforts at securing a state-owned property to serve as stable and reasonably priced office accommodation. In

their response, the Commission stated that, in the effort to secure a state-owned property to use as office accommodation, it was given the Ghana House at the High Street in Accra, however that property was considered not easily accessible to the public, thus would have provided difficulties for the public to access the services of the Commission. The Commission stated that, it is still in talks with the Ministry of Works and Housing for an appropriate office accommodation. The Committee urges the Hon Minister for Information to liaise with the Hon Minister for Works and Housing to find appropriate office accommodation to house the Right to Information Commission.

12.5 Under-utilisation of CAPEX Allocation

With regards to the 2023 Budget, the Committee observed that, the Commission was allocated GHC 4,036,000.00 for capital expenditure. As at November 2023, a total release of GHC 1,403,800.00 has been made out of which only GHC

307,000.00 has been expended to cater for outstanding arrears from 2021 Fiscal Year. It was also noted that, the balance of the released amount of GHC 1,096,800.00 has not been expended. The Committee enquired from the Commission the reason for the underutilization of the released CAPEX.

The reason proffered by the Commission that said amount was meant for procurement of vehicles to help the Commission carry out its mandate specifically, in the newly opened offices in Kumasi and Sunyani. The Commission further explained that, the procurement process which started in January 2023 is currently at the National Tender Committee since September 2023, awaiting approval. The Commission is of the view that,

since the Ministry of Finance has already given clearance, the outstanding balance on the released amount and the remaining CAPEX Allocation will be expended the moment the approval is granted by the National Tender Committee.

The Committee appreciates the work of the National Tender Committee in bringing sanity in public procurement system, however, the Committee finds it unconscionable for it to take almost a year for the procurement processes to conclude. The Committee recommends that, some of the bureaucratic hitches in the procurement processes needs to be controlled.

12.6 Increase in 2024 Compensation Budget

The Committee observed a significant increment in Compensation Budget from Thirteen Million, Forty-Nine Thousand, One Hundred and Thirty-Two Ghana Cedis (**GHC13,049,132**) in 2023 to Eighteen Million, Forty-Nine Thousand, One Hundred and Thirty-Two Ghana Cedis (**GHC18,049,132**) in 2024. The Commission in its explanation stated that this was in anticipation of the 25 % adjustment in the Single Spine Salary Structure in 2024.

13.0 CONCLUSION AND RECOMMENDATION

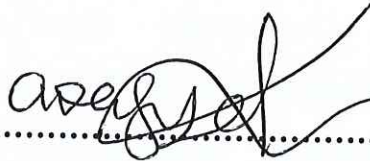
The Committee having carefully scrutinised the estimates of the Right to Information Commission, is satisfied that the programmes outlined for the year, would ultimately promote the right to

information which is cardinal to participatory, inclusive, transparent, accountable and open governance.

The Committee accordingly recommends to the House to adopt its report and approve the sum of Twenty-Two Million, Eight Hundred and Ninety Thousand, Two Hundred and Twenty-Two Ghana Cedis
(GHC22,890,222.00)



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HON. KWAME ANYIMADU ANTWI
(CHAIRMAN, COMMITTEE ON CONSTITUTIONAL,
LEGAL AND PARLIAMENTARY AFFAIRS)



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MRS. AKUA DUROWAA OWUSU-AGYEKUM
(HEAD, LEGAL COMMITTEES CLUSTER)

15th December, 2023

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