



GUIDELINES

TO IMPLEMENT THE
LOCAL CONTENT AND
LOCAL PARTICIPATION
(ELECTRICITY SUPPLY
INDUSTRY) REGULATIONS,
2017, L.I.2354





ENERGY COMMISSION
(LOCAL CONTENT AND LOCAL
PARTICIPATION)
(ELECTRICITY SUPPLY INDUSTRY)

GUIDELINES

2020

Contents

1.0	INTRODUCTION.....	5
2.0	PURPOSE.....	5
3.0	BACKGROUND.....	5
3.1	Application.....	6
3.1.1	Local Content And Local Participation In Wholesale Electricity Power Supply and Renewable Energy Industry.....	6
3.1.2	Local Content And Local Participation In Investment in Electricity Transmission.....	7
3.1.3	Local Content And Local Participation In Electricity Distribution, Electricity Sales Retail and Brokerage Services.....	7
4.0	IMPLEMENTATION OF REGULATIONS.....	7
4.1.	Implementing Authority.....	7
4.2	FUNCTIONS OF THE LOCAL CONTENT AND LOCAL PARTICIPATION COMMITTEE.....	8
4.3.	Composition of Committee.....	8
4.4	Universal Qualification System (UQS).....	9
4.5.	Transfer Of Interest To Ghanaian Citizens In The ESI.....	9
5.0.	REGISTRATION OF MANUFACTURERS.....	10
5.1.	Introduction.....	10
5.2	Registration.....	10
5.2.1	Registered Manufacturer (RM).....	10
5.2.2	Classification Of Registered Manufacturers.....	11
5.2.2.1	Registered Electrical Equipment Manufacturer (REEM).....	11
5.2.2.2	Registered Electrical Appliance Manufacturer (REAM).....	12
5.2.2.3	Registered Renewable Energy Equipment Manufacturer (RREEM).....	12

5.3	Procedure for Acquisition of Certificate of Registration.....	13
5.3.1	Application for Registration.....	13
5.3.2	Vetting of Application.....	15
5.4	Certificate of Registration.....	15
5.4.1	Validity of Registration.....	16
5.4.2.	Renewal of Registration.....	16
5.5.	Withdrawal of Registration.....	16
6.0	CERTIFICATION OF ELECTRICITY SUPPLY PROVIDERS.....	18
6.1.	Introduction.....	18
6.2	Procedure for Acquisition of Authorization Certification.....	18
6.2.1	Application for Certification.....	19
6.2.2	Review of Local Content and Local Participation Plan.....	21
6.2.2.1	Review of Committee Decisions.....	22
6.3	Certification.....	22
6.3.1	Validity of Certification.....	22
6.3.2	Renewal of Certification.....	23
6.4	Withdrawal of Certification.....	23
7.0	OBLIGATION OF ENTITIES.....	24
7.1	Obligations of Service Providers.....	24
7.1.1	Utilisation of Local Equipment and Local Supplies.....	24
7.1.2	Compliance with Standards and Labelling Requirements.....	25
7.1.3	Equity Participation of Registered Manufacturers.....	25
7.1.4	Establishment of Local Office.....	25
7.1.5	Operation of Bank Account in Ghana.....	25
7.1.6	Submission of Local Content and Local Participation Performance Report.....	26

7.2	Obligations Of Committee/Energy Commission.....	26
8.0	PROCUREMENT OF GOODS AND SERVICES.....	28
8.1	Provision Of Goods And Services By Foreign Entities.....	28
8.2	Submission Of Proposed Contracts To Committee.....	28
8.3	Documents To Be Submitted To Committee During Bidding Process.....	29
9.0	INSPECTION AND ENFORCEMENT.....	30
9.1	Inspection.....	30
9.2	Enforcement.....	30
10.0	TRANSITIONAL PROVISIONS.....	31
11.0	OFFENCES AND PENALTIES.....	31
12.0	MINISTERIAL RESPONSIBILITY.....	33
13.0	INTERPRETATION.....	33
	APPENDICES.....	39

1.0 INTRODUCTION

These guidelines are issued this 18th June, 2020 in fulfilment of the provisions of regulation 77 of the Energy Commission (Local Content and Local Participation) (Electricity Supply Industry) Regulations, 2017 (L.I. 2354).

2.0 PURPOSE

These guidelines are to establish requirements and procedures for the implementation of the Local Content and Local Participation Regulations for the Electricity Supply Industry (ESI). These comprise:

- a) Procedure for the registration of manufacturers of electrical equipment, electrical appliance and renewable energy equipment;
- b) Procedure for certification of service providers to undertake activities in the ESI;
- c) Obligations of entities; and
- d) Procedures for procurement of goods and services in the ESI.

3.0 BACKGROUND

The Energy Commission (Local Content and Local Participation) (Electricity Supply Industry) Regulations, 2017, (L.I. 2354) was passed by the Parliament of Ghana into law on 22nd December, 2017. The key objective of the Regulations is to ensure that persons engaged in activities in the ESI make maximum use of indigenous financial capital, expertise, goods and services to enhance Ghana's economy by:

- a) Creating employment for Ghanaians;
- b) Promoting businesses in the ESI;

- c) Retaining the benefits in the Republic;
- d) Developing local capacity;
- e) Promoting technology transfer; and
- f) Promoting research and development.

3.1 Application

In accordance with regulation 2 of the Regulations, these guidelines are applicable to stakeholders in the ESI. These include:

- a) Regulatory Authorities;
- b) Manufacturers of electrical equipment, electrical appliances and renewable energy equipment;
- c) Service Providers; and
- d) Any other entities that engage in activities in the ESI.

The Regulations specifically provide for minimum levels of local content and local participation in:

- a) Wholesale electricity power supply (including renewable energy industry);
- b) Transmission of electricity;
- c) Activities relating to electricity distribution, sale, retail and brokerage; and
- d) Other activities related to the ESI.

3.1.1 Local Content And Local Participation In Wholesale Electricity Power Supply and Renewable Energy Industry

Local content and local participation in a Wholesale Power Supply or a Renewable Energy Industry entity shall be done in accordance with levels set out in the First and Second Schedules respectively of the Regulations.

(reference Appendices A and B)

3.1.2 Local Content And Local Participation In Investment in Electricity Transmission

Regulation 6 provides that local content and local participation in investments in electricity transmission infrastructure shall be in accordance with levels set out in the Sixth Schedule (reference Appendix F).

3.1.3 Local Content And Local Participation In Electricity Distribution, Electricity Sales Retail and Brokerage Services.

Licensed activities for Electricity Distribution, Electricity Sales Services and Brokerage Services shall be in accordance with levels set out in the Third, Fourth and Fifth Schedules respectively of the Regulations (reference Appendices C, D and E respectively).

4.0 IMPLEMENTATION OF REGULATIONS

4.1. Implementing Authority

In accordance with L.I. 2354, an eleven-member committee appointed by the Minister in consultation with the Commission, shall oversee activities related to local content and local participation in the ESI. This Committee shall be known as the Electricity Supply Industry Local Content and Local Participation Committee.

There shall be a Local Content and Local Participation Secretariat at the Energy Commission to provide administrative, technical and research support to the Committee.

The Energy Commission shall appoint a Coordinator for the Local Content and Local Participation Secretariat who shall coordinate activities of the Secretariat.

The Committee may establish Sub-Committees for the purpose of overseeing specific functional areas of the implementation programme. A Sub-Committee may consist of members of the Committee or non-members or both.

4.2 FUNCTIONS OF THE LOCAL CONTENT AND LOCAL PARTICIPATION COMMITTEE

The Committee shall amongst others;

- a) Ensure the implementation of the provisions of the Regulations;
- b) Oversee the development and measurable growth of local content and local participation in the ESI; and
- c) Monitor and coordinate the local content and local participation performance of all persons engaged in activities in the ESI in accordance with the Regulations.

4.3. Composition of Committee

The Committee shall consist of:

- a) Executive Secretary of the Energy Commission as the Chairperson;
- b) Local Content & Local Participation Coordinator at the Energy Commission;
- c) An expert in Local Content and Local Participation nominated by the Minister in consultation with the Energy Commission;
- d) One representative from each of the following institutions not below the rank of director:
 - i. Ministry of Energy;
 - ii. Ministry of Employment;

- iii. Ministry of Trade and Industry;
- iv. Ghana Standards Authority
- e) One representative from the following:
 - i. Ghana Institution of Engineers;
 - ii. Association of Ghana Industries;
 - iii. Ghana Employers Association; and
 - iv. Electricity Transmission Utility.

The Committee may co-opt other persons from the:

- a. Public Procurement Authority;
- b. Registrar General’s Department; and
- c. Ghana Investment Promotion Center.

4.4 Universal Qualification System (UQS)

In accordance with regulation 71, the Committee shall in consultation with industry stakeholders establish a universal qualification system for the registration and prequalification, verification of capacities & capabilities, evaluation of submitted applications, performance tracking & monitoring, ranking & categorization, etc. of all service providers in ESI.

The Committee shall maintain the confidentiality of the information provided by applicants from improper use or disclosure.

4.5. Transfer of Interest To Ghanaian Citizens In The ESI

In accordance with regulation 7, the interest of a citizen in the electricity supply industry is not transferable to a non- Ghanaian citizen. For the purposes of the regulation, the “interest” means the rights under a contract or subcontract.

An equity shareholding shall not be offloaded to a person other than a Ghanaian citizen.

5.0. REGISTRATION OF MANUFACTURERS

5.1. Introduction

In accordance with regulation 21, the Energy Commission and the Local Content and Local Participation Committee shall keep and maintain a Register of Manufacturers of electrical equipment, electrical appliances and renewable energy equipment.

The registration of manufacturers shall be applicable to all persons engaged in:

- a. Manufacture of components to produce electrical equipment, electrical appliances and renewable energy equipment; and
- b. Assembling of all imported/local components to produce electrical equipment, electrical appliances and renewable energy equipment.

5.2 REGISTRATION

In accordance with regulation 16, persons engaged in the manufacturing of electrical equipment, electrical appliances and renewable energy equipment shall be registered by the Local Content & Local Participation Committee.

5.2.1 Registered Manufacturer (RM)

A Registered Manufacturer is an entity registered under the laws of Ghana by the Registrar General's Department under the Companies Act (Act 992) and registered by the Energy Commission under the Regulations as a manufacturer of electrical equipment, electrical appliance and renewable energy equipment.

5.2.2 Classification of Registered Manufacturers

A Manufacturer of electrical equipment, electrical appliance and renewable energy equipment registered under these guidelines shall be referred to as a Registered Manufacturer (RM). There shall be three (3) classes of Registered Manufacturers:

- a) Registered Electrical Equipment Manufacturer (REEM);
- b) Registered Electrical Appliance Manufacturer (REAM); and
- c) Registered Renewable Energy Equipment Manufacturer (RREEM).

5.2.2.1 Registered Electrical Equipment Manufacturer (REEM)

A REEM shall be an entity with the requisite capacity to produce or assemble electric cables and wires, electrical components or equipment in accordance with relevant certification standards.

These electrical products and equipment include :

- a. a whole electricity generation plant or any part of it;
- b. an electrical cable or conductor;
- c. an electrical grade aluminium conductor;
- d. an insulator and pin;
- e. a wooden pole;
- f. a pole support, guy wire, shackle or pin;
- g. a distribution transformer;
- h. an electricity meter;
- i. a lattice tower;
- j. a street light fixture;
- k. street light pole;
- l. bolt and nut;
- m. socket outlet;
- n. switches;

- o. lamp holders;
- p. distribution units;
- q. connection pins and plugs;
- r. cable lug;
- s. change over switches;
- t. circuit breaker or fuse; and
- u. any other electrical equipment determined by the Minister for Energy by publication in the Gazette or in writing.

5.2.2.2 Registered Electrical Appliance Manufacturer (REAM)

A REAM shall be an entity with the requisite capacity to produce or assemble devices that use electricity to provide a function. These devices include:

- a. an electric iron, electric washing machine, clothes dryer, television set, radio, music system or a component of a music system, an electric fan, non-ducted air conditioner, commercial refrigerator or freezer;
- b. self-ballasted fluorescent lamp;
- c. light emitting diode lamp;
- d. light emitting capacitor lamp;
- e. a household appliance which is in the nature of a refrigerator, a frozen food storage cabinet or food freezer; and
- f. any other appliance that is powered by electricity.

5.2.2.3 Registered Renewable Energy Equipment Manufacturer (RREEM)

The RREEM shall be an entity with the requisite capacity to produce or assemble renewable energy equipment. These include but are not limited to the following:

- a. a solar cell;
- b. solar photo voltaic panel;
- c. solar water heater;
- d. mounting bracket;
- e. charge controller;
- f. an inverter;
- g. wind turbine generator;
- h. an electrical charge storage system; and
- i. any other renewable energy equipment determined by the Minister in respect of projects for the development and utilisation of reasonable energy resources by publication in the Gazette or in writing

5.3 Procedure for Acquisition of Certificate of Registration

The procedure for registration shall consist of the following:

- a) Application for registration;
- b) Submission of requisite documentation;
- c) Vetting of application by the Committee; and
- d) Issuance of Certificate of Registration by the Commission.

5.3.1 Application for Registration

Application shall be made by the completion and submission online of application form on the Universal Qualification System (UQS) with the following documents in a form determined by the Committee:

- 1. Exhibit LC1 “Local Content and Local Participation Plan”:**
This should be in accordance with regulation 16 indicating how the applicant intends to utilise:
 - a) locally sourced materials;
 - b) locally made components, parts or packaging;
 - c) local expertise; and

- d) local services.
(reference Appendix Z)

2. **Exhibit LC2 “Registration Documentation”:** Evidence that the applicant has been registered in accordance with the Companies Act, 2019 (Act 992) with the Registrar General’s Department. Exhibits required include:
 - a) Certificate of Registration;
 - b) Certificate to Commence Business;
 - c) Company Regulations (Second Schedule to the Companies Act, 2019 (Act 992); and
 - d) Names, titles, nationality, addresses, telephone numbers and emails of the Company’s registered Directors, Partners, Secretary and Principal Officers.
3. **Exhibit LC3 “Ownership/ Shareholding”:** Proof of the minimum equity participation of forty percent by an indigenous Ghanaian company or person as provided by regulation 23 (reference Appendix Q).
4. **Exhibit LC4 “Scope of Operation”:** A summary of the applicant’s business operations.
5. **Exhibit LC5 “Products and Specifications”:** A list of all manufactured products with their respective types and specifications.
6. **Exhibit LC6 “Proof of Payment of Registration Fee”:** Receipt confirming the payment of the prescribed licenced application fee (reference Appendix I).

7. **Exhibit LC7 “Certifications”:** All relevant certifications from the Ghana Standards Authority and other relevant local and international certifications.

5.3.2 Vetting of Application

1. The Committee shall, in respect of an Application for Registration;
 - a) Vet the applications;
 - b) make recommendations to the Board of the Commission on the vetted application. (The Board of the Commission shall approve or reject the application); and
 - c) communicate the decision of the Board in writing to the applicant within sixty (60) days after the receipt of the application.
2. The process of vetting an application may include a visit to the applicant’s premises to verify information provided on the Application form.

5.4 Certificate of Registration

Where the Board is satisfied with the Application for Registration, the Commission shall issue a Certificate of Registration to the Applicant. (reference Appendices J, K & L)

The Energy Commission and the Committee shall maintain a record of all registered manufacturers of electrical equipment, electrical appliances and renewable energy equipment in fulfilment of regulation 21.

5.4.1 Validity of Registration

1. Registration shall be valid for a period of five (5) years commencing from the date of approval of the Application for registration.
2. The continued validity of registration is subject to the submission of a bi-annual report on Local Content and Local Participation Plan from January to June and from July to December, each year by a manufacturer.
3. The bi-annual report shall be submitted to the Committee by uploading onto the online portal not later than fourteen (14) days after the end of each period.

5.4.2. Renewal of Registration

An application for renewal shall be made by completion of a Renewal Form which will be available online with an attachment of receipt of renewal fee payment made not later than sixty (60) days before the registration expires. Approved registration shall be renewed every five (5) years subject to the Applicant's compliance with conditions for renewal.

5.5. Withdrawal of Registration

1. The Commission shall withdraw the registration when it is satisfied that the registered manufacturer is not complying or has not complied with the Regulations and or any of the registration requirements.
2. The Commission shall not withdraw a registration unless the Committee has given the Registered Manufacturer:
 - a. A written notice specifying the cause of dissatisfaction of the Committee;
 - b. Directions for the rectification of the breach; and

- c. Action proposed to be taken by the Committee in the event of non-compliance with notice.
3. The Registered Manufacturer shall within thirty (30) days after receipt of this notice, take necessary steps to comply with the directives of the Committee to ensure adherence to the registration requirements.

6.0 CERTIFICATION OF ELECTRICITY SUPPLY PROVIDERS

6.1. Introduction

The purpose of this section is to provide the procedure for certifying all Service Providers defined in the provisions of the Regulations to undertake activities in the ESI.

Regulation 28, provides that all service providers submit to the Committee for approval, a Local Content and Local Participation Plan.

The Regulations further require that the Committee certifies a service provider before the service provider carries out any activity in the ESI.

A Service Provider, once certified under the Regulations, shall be recognised as a Certified Electricity Service Provider (CESP).

Provisions in the Local Content and Local Participation Plan shall ensure that first consideration is given to:

- a. goods and services provided by indigenous Ghanaian businesses in Ghana; and
- b. the provision of employment and training for qualified Ghanaian citizens.

6.2 Procedure for Acquisition of Authorization Certification

The certification process shall consist of the following:

- a) Application for Certification;
- b) Submission of requisite documentation;
- c) Review of Local Content and Local Participation Plan by the Local Content and Local Participation Committee; and
- d) Certification by the Commission.

6.2.1 Application for Certification

Application shall be made by the completion and submission of an online application form (reference Appendix M) on the Energy Commission Universal Qualification System, accompanied by the following documents in a form determined by the Committee:

- 1. Exhibit LP1 “Registration Documentation”:** Evidence of having the requisite authorisation to operate that business. This includes company registration certificate from the Registrar General’s Department as per the Companies Act, 2019 (Act 992), licences and other relevant certifications.
- 2. Exhibit LP2 “Employment and Training Sub-Plan”:** An outline of the hiring and training needs of the service provider and the applicant’s major contractors as specified in regulation 39 (Reference Appendix R).
- 3. Exhibit LP3 “Research and Development Sub-Plan”:** An outline involving a three to five year plan for related research and development initiatives to be undertaken in the ESI as specified in regulation 44 (Reference Appendix S).
- 4. Exhibit LP4 “Technology Transfer Sub-Plan”:** A programme of planned initiatives aimed at promoting the effective transfer of technologies from the service provider to Ghanaians as specified in regulation 46. The plan shall also include a comprehensive report on the procurement, installation and training of Ghanaians on current technologies acquired by the applicant during its operations (Reference Appendix T).
- 5. Exhibit LP5 “Legal Service Sub-plan”:** A comprehensive report on the expenditure on legal services and list of external solicitors utilised for legal services in the past six months, a forecast of legal

services required and the annual legal services budget for the ensuing six months and one year respectively, as specified in regulation 51 (Reference Appendix U).

- 6. Exhibit LP6 “Financial Service Sub-Plan”:** A comprehensive report on expenditures and list of financial services made by the service provider in the past six months, a forecast of financial services and projected expenditure in the ensuing six months as specified in regulation 55. The Committee may inspect the production records, purchase books and any other documents relevant to verify the information contained in this plan (Reference Appendix V).
- 7. Exhibit LP7 “Allied Service Sub-Plan”:** A report on the nature and expenditure of allied services used, a forecast and projected expenditure of allied services required for the ensuing six months as specified in regulation 60 of the Regulations (Reference Appendix W).
- 8. Exhibit LP8 “Ancillary Services Sub-Plan”:** A report on the nature and expenditure of ancillary services used, a forecast and projected expenditure of ancillary services required for the ensuing six months as specified in regulation 63 (Reference Appendix X).
- 9. Exhibit LP9 “Fuel, Lubricant and Water Supply Services Sub-Plan”:** A report on the nature and expenditure of fuel, lubricant, water and other supply services used, a forecast and projected expenditure of fuel, lubricant, water and other supply services required for the ensuing six months as specified in regulation 66 (reference Appendix Y).

- 10.Exhibit LP10 “Ownership/ Shareholding”:** Applicant shall submit proof of the minimum equity participation as provided by the Regulations.
- 11.Exhibit LP11 “Scope of Operation”:** A summary of the applicant’s business operations.
- 12.Exhibit LP12 “Proof of Payment of Certification Fee”:** Receipt confirming payment of the prescribed fee for certification (reference Appendix I).
- 13.Exhibit LP13 “Standard Certifications”:** All relevant certifications from the Ghana Standards Authority as well as all other relevant local and international certifications.

6.2.2 Review of Local Content and Local Participation Plan

1. The Committee shall within ten (10) days after receipt of all documentation acknowledge receipt of the plan and inform the Service Provider in writing of its decision after assessment. This shall be done within sixty (60) days after acknowledgement of receipt.
2. Where the Committee is dissatisfied with the Local Content and Local Participation plan, the Committee shall reject the plan and inform the service provider of its reasons for the rejection.
3. Where the service provider resubmits a revised Local Content and Local Participation plan, the Committee shall approve the Plan within twenty (20) days after receipt of the revised Local Content and Local Participation Plan if the plan as revised meets all the requirements.

6.2.2.1 Review of Committee Decisions

Where an applicant is aggrieved by the refusal of the Committee to grant or renew a certification, that applicant may lodge a complaint with the Minister for Energy who shall within thirty (30) days of receipt of the complaint, make a decision on the complaint.

Where an applicant is dissatisfied with the decision of the Minister or the thirty (30) days expires without a decision, the applicant may pursue the matter in court.

6.3 CERTIFICATION

As specified in regulation 31, the Committee shall, if satisfied with the Local Content and Local Participation Plan, issue the service provider with a Certificate of Authorisation as set out in the Eighth Schedule of the Regulations (reference Appendix N).

The certificate shall be valid for five (5) years.

6.3.1 Validity of Certification

1. Registration shall be valid for a period of five (5) years commencing from the date of approval of the Application for registration.
2. The continued validity of registration is subject to the submission by the entity of a bi-annual report on Local Content and Local Participation Plan from January to June and from July to December, each year.
3. The bi-annual report shall be submitted to the Committee by uploading unto the online portal not later than fourteen (14) days after the end of each period.

6.3.2 Renewal of Certification

An application for renewal shall be made by completion and submission of a Renewal Form which shall be available online with an attachment of receipt of renewal fee payment made not later than sixty (60) days before the Registration expires.

Approved registration shall be renewed every five (5) years subject to the the Applicant's compliance with conditions for renewal.

6.4 Withdrawal of Certification

1. The Committee shall withdraw a certification when it is satisfied that the Certified Electricity Service Provider is not complying or has not complied with the Local Content and Local Participation Regulation and/or any of the certification requirements.
2. The Committee shall not withdraw a certification unless the Committee has given the service provider;
 - a. A written notice specifying the cause of dissatisfaction of the Committee;
 - b. Directions for the rectification of the breach; and
 - c. Action proposed to be taken by the Committee in the event of non-compliance with notice.
3. The Certified Electricity Service Provider shall within thirty (30) days after receipt of the notice from the Committee, take necessary steps to comply with the directives of the Committee to ensure adherence to the certification requirements.

7.0 OBLIGATION OF ENTITIES

7.1 Obligations of Service Providers

Obligations of service providers shall include, but not be limited to:

- I. Submission of a Local Content and Local Participation Plan;
- II. Utilisation of equipment and supplies from indigenous Ghanaian businesses;
- III. Compliance with Standards and Labelling Requirements;
- IV. Equity participation of Registered Manufacturers;
- V. Establishment of a local office;
- VI. Operation of bank account in Ghana; and
- VII. Submission of Local Content and Local Participation Performance Report.

Any future obligations shall be determined by the Commission and the Committee.

7.1.1 Utilisation of Local Equipment and Local Supplies

- a) A Certified Electricity Service Provider that requires equipment, shall purchase that equipment from an entity that manufactures the equipment in the country as set out in the Seventh Schedule of the Regulations.
- b) A Certified Electricity Service Provider that contravenes Subsection (a) is liable to forfeit the use of the equipment imported in addition to the full import duty and levies on the equipment.
- c) A Registered Manufacturer, shall utilise the level of local content in terms of material, labour and services as set out in the Second and Seventh Schedules where applicable.

7.1.2 Compliance with Standards and Labelling Requirements

A Registered Manufacturer shall comply with the existing standards and labelling requirements under applicable enactments for each category of electrical equipment, electrical appliance or renewable energy equipment.

7.1.3 Equity Participation of Registered Manufacturers

- a) A Registered Manufacturer shall have minimum equity participation of forty percent (40%) by an indigenous Ghanaian company or a Ghanaian citizen.
- b) A Ghanaian citizen shall not transfer to a non-Ghanaian more than sixty percent (60%) of the equity shareholding of the Ghanaian citizen in a Registered Manufacturer's entity.

7.1.4 Establishment of Local Office

A Certified Electricity Service Provider (CESP) shall establish and maintain a place of business with adequate manpower and equipment to operate in the country. A Certified Electricity Service Provider shall notify the Commission within fourteen (14) days when the address changes.

7.1.5 Operation of Bank Account in Ghana

A Certified Electricity Service Provider (CESP) shall maintain a bank account with a bank that has majority Ghanaian shareholding and transact business of a minimum of ten percent of its total financial transactions through the bank account held with the indigenous Ghanaian bank.

7.1.6 Submission of Local Content and Local Participation Performance Report

- a) A Certified Electricity Service Provider shall, at the beginning of each calendar year, submit to the Committee an annual Local Content and Local Participation Performance Report covering activities for the preceding year. This will be done by completing a form prescribed by the Committee.
- b) The Committee shall assess and review the report submitted under section (a). A Certified Electricity Service Provider shall grant a member of the Committee, an Inspector or an agent designated by the Committee access to facilities, documents and information of the Certified Electricity Service Provider that may be required to prove compliance with the Regulations.

7.2 Obligations Of Committee/Energy Commission

- a) The Committee shall publish and keep a Register of Manufactures in both electronic and print media which shall be accessible by the general public;
- b) Ensure compliance of Certified Electricity Service Providers to the Regulations and guidelines;
- c) Propose to the Minister for Energy to recommend to the Minister for Finance grants of tax incentives to companies that wish to establish plants to manufacture or assemble electrical equipment, electrical appliance or renewable energy equipment;
- d) Issue Certificates of Registration to Manufacturers of electrical equipment, electrical appliance or renewable energy equipment;

- e) Issue Certificates of Authorization to Service Providers;
- f) Establish and Manage the Universal Qualification System;
- g) Educate the general public on the Regulations;
- h) Publish reports on the growth and development of the ESI;
and
- i) Monitor the implementation and development of local
content and local participation in the ESI.

8.0 PROCUREMENT OF GOODS AND SERVICES

1. A Certified Electricity Service Provider shall, in accordance with applicable laws, establish and implement a bidding process which gives a full and fair opportunity to indigenous Ghanaian Service Providers in the acquisition of goods and services in the ESI.
2. All Certified Electricity Service Providers shall comply with the fundamental rules of the bid evaluation and guidelines issued by the Committee subject to regulation 34.

8.1 Provision Of Goods And Services By Foreign Entities

A foreign entity that intends to provide goods and services to a service provider, shall do so in partnership with an indigenous Ghanaian company in accordance with levels set out in the First to Seventh Schedule of the Regulations.

8.2 Submission Of Proposed Contracts To Committee

A Certified Electricity Service Provider shall:

- a) Submit to the Committee thirty days before the first day of each quarter, a list of contracts, subcontracts and purchase orders that exceed the cedi equivalent of one hundred thousand United States Dollars (USD\$100,000) to be tendered for or executed in the next following quarter;
- b) Provide information specified in the Ninth Schedule in respect of each contract, subcontract or purchase order; and
- c) Inform the Committee of all proposed projects, contracts and purchase orders that are to be sole-sourced or procured by competitive bidding subject to regulation 36 (3b) of the regulations.

8.3 Documents To Be Submitted To Committee During Bidding Process

- a) A Certified Electricity Service Provider shall provide the following information at the following specified stages of the bidding process:
 - I. Prior to issuing a prequalification notification to prospective bidders, information specified in Part A of the Ninth Schedule (reference Appendix P);
 - II. Prior to issuing a Request for proposals or the Request for Quotations, the information specified in Part B of the Ninth Schedule (reference Appendix P); and
 - III. Prior to the award of contract or purchase order to the selected bidder, the information specified in Part C of the Ninth Schedule (reference Appendix P).
- b) A Certified Electricity Service Provider shall twenty-one (21) days before issuing a notification to prospective bidders, submit the following related documents for the approval of the Committee:
 - I. Relevant advertisement;
 - II. Prequalification criteria (where relevant);
 - III. Technical bid documents; and
 - IV. Technical evaluation criteria.
- c) The Committee shall review the submissions and inform the service provider which contracts or subcontracts have been designated for review by the Committee. Where the Committee is satisfied with the submitted documents, it shall approve the documents within twenty-one (21) days of receipt and communicate its decisions to the service provider.

9.0 INSPECTION AND ENFORCEMENT

9.1 Inspection

a) Pursuant to Section 52 of the Energy Commission Act, 1997 (Act 541), an Inspector shall at any reasonable time, enter and inspect any premises where the Committee has a reason to believe that a service provided in the ESI, or an electrical equipment, electrical appliance or renewable energy equipment does not meet the requirements of the Regulations.

b) An Inspector shall seize an electrical equipment, an electric appliance or a renewable energy equipment manufactured or imported in contravention of the Regulations and shall destroy or dispose of same in a manner determined by the Commission. The Manufacturer shall be surcharged with the cost of the disposal.

9.2 Enforcement

a) The Committee and the Commission shall in collaboration with the Registrar General's Department, Ghana Standards Authority, Customs Division of the Ghana Revenue Authority, Ghana Investment Promotion Council and any other relevant institution or agency, ensure strict enforcement of the Regulations.

b) The Committee shall monitor and investigate the activities of each Certified Electricity Service Provider to ensure compliance with the the Regulations.

c) The Committee shall sanction Certified Electricity Service Providers who do not comply with the Regulations.

d) Manufacturers of electrical equipment, electrical appliance or renewable energy equipment who are not registered under the provisions of the regulations as a Registered Manufacturer shall not be considered eligible to carry out their activities in Ghana.

e) Service Providers who are not authorised by the Energy Commission and the Committee as Certified Electricity Service Providers shall not be considered eligible to carry out any activity in the ESI in Ghana.

10.0 TRANSITIONAL PROVISIONS

Regulation 83 provides that persons engaged in an activity in the ESI in the country before the coming into force of the Regulations shall:

- a) Register with the Committee within three (3) months after the coming into force of the Regulations; and
- b) Satisfy the minimum requirements of these Regulations within five (5) years of the coming into force of the Regulations.

11.0 OFFENCES AND PENALTIES

In accordance with regulation 81;

1. A person who
 - a) Contravenes a provision of these Regulations for which a penalty is not provided, or
 - b) Interferes with or obstructs the Committee or an inspector in the performance of functions under these Regulations, commits an offence and is liable on summary conviction to a fine of not less than two hundred and fifty penalty units and not more than five hundred penalty units or to a term of imprisonment not less than one year and not more than two years on first conviction, and to a fine of not less than five hundred penalty units and not more than one thousand penalty units or to a term of imprisonment of not less than one year and not more than two years on a subsequent conviction.

2. A citizen who fronts for or connives with a foreign citizen or company to deceive the Commission as representing an indigenous Ghanaian company to achieve the local content and local participation requirement under these Regulations, commits an offence and is liable on summary conviction to a fine of not less than five hundred penalty units and not more than one thousand penalty units or to a term of imprisonment of not less than six months and not more than twelve months or to both.
3. A person who connives with a citizen or an indigenous Ghanaian company to deceive the Commission as representing an indigenous Ghanaian company to achieve the local content and local participation requirement under these Regulations commits an offence and is liable on summary conviction to a fine of not less than five hundred penalty units or to a term of imprisonment of not less than one thousand penalty units or to a term of imprisonment of not less than six months and not more than twelve months or both.
4. Where an offence created under these Regulations is committed by a body corporate or by a member of a partnership or other firm, every director or officer of that body corporate or a member of the partnership or any other person concerned with the management of the firm shall be deemed to have committed that offence and is liable on conviction to a fine of not more than five hundred penalty units for the offence.
5. A person shall not be convicted of an offence by virtue of subsection (4) if it is proved
 - (a) That due diligence was exercised to secure compliance with the provisions of the Act or these Regulations, and

- (b) That the offence was committed without the knowledge, consent or connivance of that person.

12.0 MINISTERIAL RESPONSIBILITY

The inclusion of any other electrical appliance, equipment or renewable energy equipment which is not captured in the Regulations shall be determined by the Minister by publication in the Gazette or in writing.

13.0 INTERPRETATION

In the Regulations and guidelines, unless the context otherwise requires;

“Ancillary service” means a service which is necessary to support the transmission of energy from the supply source to loads while maintaining reliable operation of the transmission system in accordance with Prudent Utility Practice and includes voltage control, operating reserves, black-start capability and frequency control;

“Board” means the governing body of the Energy Commission established under section 4 of the Act;

“Committee” means the Electricity Supply Industry Local Content and Local Participation Committee established under regulation 9;

“Contractor” means a person who has entered into an agreement with another person licensed under the Act to undertake the supply, construction , refurbishment, repair installation, operation of equipment or facility used or intended to be used for an activity in the electricity supply industry associated with the license;

“Coordinator” means a person responsible for the implementation of the Local Participation Policy at the Energy Commission;

“Electrical appliance” includes

- a) An electric iron, an electric washing machine, a clothes dryer, a television set, a radio, a music system, an electric fan, a non-ducted air conditioner or a commercial refrigerator or freezer;
- b) A self-ballasted fluorescent lamp;
- c) A light emitting diode lamp;
- d) A light emitting capacitor lamp;
- e) A household appliance which is in the nature of a refrigerator, a frozen food storage or a food freezer; and
- f) Any other appliance that is powered by electricity;

“Electrical equipment” includes

- a) A whole electricity generation plant or any part of it;
- b) An electrical cable or conductor;
- c) An electrical conductor grade aluminum rod;
- d) An insulator and pin;
- e) A wooden pole;
- f) A pole support, guy wire, shackle or pin;
- g) A distribution transformer;
- h) An electricity meter;
- i) A fuse or circuit breaker;
- j) A lattice tower;
- k) A street light fixture;
- l) Street light pole;
- m) Bolt and nut; or
- n) Any other electrical equipment determined by the Minister by publication in the *Gazette* or in writing; “electricity supply industry” includes any activity

- (a) That requires a license under the Energy Commission Act, 1997 (Act 541) or the renewable Energy Act, 2011 (Act 832); and
- (b) Related to the manufacture of electrical equipment, electrical appliances or renewable energy equipment in respect of projects for the development and utilization of renewable energy resources;

“Foreign entity” means an entity which is not registered in Ghana;

“fronts” means to deceive or behave in a particular manner to conceal the fact that a company is not an indigenous Ghanaian company;

“indigenous Ghanaian company” means a state owned company or a company incorporated under the Companies Act, 1963 (Act 179)

- a) That has at least fifty- one percent of its equity owned by a citizen of Ghana;
- b) That has Ghanaian citizens holding at least eighty percent of executive and senior management positions; and
- c) Any other position held by Ghanaian citizens;

“indigenous service provider” means service provider who is a Ghanaian citizen or a company in which a Ghanaian citizen owns a minimum of fifty-one percent equity;

“local content” means the percentage of utilization of Ghanaian human and material resources, services and businesses in monetary terms for the systematic development of national capacity and capability for the enhancement of the Ghanaian economy;

“Local Content and Local Participation Performance Report” means the report on the activities of a service provider for the preceding year;

“local content and local participation platform” means the principles and rules of conduct which all operators in the electricity supply industry are required to abide by as enshrined in these Regulations;

“local financial capital” means financial resources provided by a Ghanaian or an indigenous Ghanaian financial institution;

“local participation” means the percentage of local equity ownership in the electricity supply industry;

“local stakeholder” includes a Ghanaian citizen, Ghanaian company, or indigenous Ghanaian company that has interest in an activity in the electricity supply industry or that is affected by an activity in the electricity supply industry;

“manufacture” includes assembly of imported component parts of the electrical equipment, electrical appliance or renewable energy in the country;

“operator” means a person who is licensed to and performs a paid or unpaid function in the electricity supply industry;

“production facility” means a plant for the assembly or conversion of raw materials into finished products;

“regulatory authority” includes a state institution or professional association with functions that relate to licensing, approval of tariffs, control of importation, supply, installation and control of environmental effects of licensed activities under the Act;

“renewable energy equipment” includes

- a) A solar cell
- b) A solar photo voltaic panel;
- c) A solar water heater;
- d) A mounting bracket;
- e) A charge controller;
- f) Connection pins and plugs;
- g) Cable;
- h) Cable lug;
- i) Circuit breaker or fuse;
- j) An inverter;
- k) Wind mill;
- l) Wind turbine generator;
- m) An electrical charge storage system; and
- n) Any other renewable energy equipment determined by the Minister in respect of projects for the development and utilization of reasonable energy resources by publication in the Gazette or in writing;

“service provider” means

- a) A person licensed to provide a service under the Energy Commission Act,1997 (Act 541) or the Renewable Energy Act,2011 (Act 832);
- b) An operator, contractor, subcontractor or any other person performing paid services for a person operating under paragraph (a); or
- c) A person who is registered under these Regulations to manufacture electrical equipment, electrical appliances or renewable energy equipment under these Regulations; and

“Universal Qualification System” means a sole centralized system of all licensed, certified and registered service

providers, in the electricity supply industry based on their capacities, state of validity of license, permit or certificate, capacities and local content strength to enable ranking and categorization as well as tracking and monitoring their performance.

APPENDICES

APPENDIX A

FIRST SCHEDULE (regulations 4, 32 and 35 (2))

Local Content and Local Participation in Wholesale and Power supply

	Initial Level of Local Content/ Local Participation	Target Level
Ownership	15%	51% in 10 years
Engineering and Procurement	Minimum of 30% of the value of the project other than machinery shall go to Ghanaian companies	50% in 10 years
Construction Works Installations	Minimum of 60% of the cost of the construction works of the project shall go to Ghanaian companies	80% in 10 years
Post Construction Works Supplies	Minimum of 70% of all supplies shall go to Ghanaian owned companies	80% in 5 years
Services	Minimum levels for: Catering- 100%; Equipment servicings- 70%	100% in 10 years
Management	Minimum of 60% of management staff shall be Ghanaians at the beginning of the business operations	90% in 5 years
Operations and Maintenance Staff	Minimum of 60% Operations and Maintenance Staff shall be Ghanaians at any time in the lifetime of the business	80% in 5 years
All Other Staff	100% Ghanaian at all times	

APPENDIX B

SECOND SCHEDULE (regulations 5(a), 23(2),32 and 35(2))

Local Content and Local Participation in the Renewable Energy Sector.

	Initial Level of Local Participation/ Local Content	Target Level
Ownership	15%	51% in 10 years
Engineering and Procurement	Minimum 70% of the value of the project shall go to Ghanaian companies.	To be increased to 100% within 10 years
Construction Works Installations	Minimum of 60% of cost of construction works of the project shall go to Ghanaian companies.	80% in 3 years 90% in 6 years
Post Construction Works Supplies	Minimum of 70% of the value of all supplies shall go to Ghanaian owned companies.	100% in 10 years

Services	Minimum levels for: Catering 100%; Janitorial Services- 100%; Vehicle Maintenance-100%Equipment Servicing- 70%;	100%in 10 years
Management	Minimum of 60% of management staff shall be Ghanaians at the beginning of business operations.	90% in 5 years
Operations & Maintenance Staff	Minimum of 70% of Operations and Maintenance Staff shall be Ghanaians at any time in the lifetime of the business	80% in 5 years
All Other Staff	100% Ghanaians at all times	
Operation and Maintenance	Minimum of 50% of the value of all Operation and Maintenance contracts shall be awarded to indigenous Ghanaian companies	80% in 5 years

APPENDIX C

THIRD SCHEDULE (regulations 5 (b), 32 and 35(2))

Local Content and Participation in Electricity Distribution

	Initial Level of Local Content/ Local Participation	Target Level
Ownership	30% minimum upon Start up	51% in 10 years
Engineering and Procurement	Minimum of 70% of value of the project shall go to Ghanaian companies	80% in 10 years
Construction Works- Installations	Minimum of 70% of cost of the construction works of the project can go to Ghanaian companies	80 in 10 years
Post Construction Works Supplies	Minimum of 80% of all supplies shall go to Ghanaian owned companies	100% in 10 years
Services	Minimum levels for: Catering- 100%; Janitorial Services- 100%; Vehicle Maintenance- 100%; Equipment Serving-70%	100% in 10 years

Management	Minimum of 90% of management staff shall be Ghanaians at the beginning of the business operations	95% in 10 years
Operation and Maintenance staff	Minimum of 90% Operations and Maintenance Staff shall be Ghanaians at any time in the lifetime of the business	100% in 5 years
All Other Staff	100% Ghanaian at all times	
Operation and Maintenance Contract	Minimum of 90% of the value of all Operation and Maintenance contracts shall be awarded to Ghanaian owned companies	100% in 5 years
Procurement of Equipment	All equipment listed shall be procured ONLY from companies that manufacture the equipment in Ghana	

APPENDIX D

FOURTH SCHEDULE

(regulations 5(c), 32 and 35(2))

Local Content and Local Participation in Electricity Sales Service.

	Initial Level of Local Participation/ Local Content	Target Level
Ownership	80% minimum initial equity participation	100% in 5 years
Engineering and Procurement	100% Ghanaian owned Companies	
Construction Works and Installations	100% to Ghanaian owned Companies	
Post Construction Works Supplies	Minimum of 80% of the value of all supplies shall go to Ghanaian owned Companies	100% in 5 years
Services	Minimum levels for: Catering 100%;Janitorial Services- 100%; Vehicle Maintenance-100% Equipment Servicing-70%	100% in 5 years

Management	Minimum of 90% of the management staff shall be Ghanaians at the beginning of the business operations	95% in 5 years
Operations and Maintenance staff	Minimum of 95% of Operations and Maintenance staff shall be Ghanaians at any time in the lifetime of the business	100% in 5 years
All other Staff	100% Ghanaians at all times	
Operation and Maintenance Contract	Minimum of 95% of the value of all Operation and Maintenance contracts shall be awarded to Ghanaian owned companies	100% in 5 years

APPENDIX E

FIFTH SCHEDULE

(regulations 5(d), 32 and 35(2))

Local Content and Local Participation in Brokerage Services

	Initial Level of Local Content/ Local Participation	Target Level
Ownership	80% minimum initial equity participation	100% in 5 years
Engineering and Procurement	Minimum of 90% of value of the project shall go to indigenous Ghanaian companies	100% in 5 years
Construction Works and Installations	100% of cost of the construction works of the project shall be awarded to indigenous Ghanaian companies	100% in 5 years

Post Construction Works Supplies	Minimum of 80% of the value of all supplies shall go to indigenous Ghanaian companies	100% in 5 years
Services	Minimum levels for: Catering- 100%; Janitorial Services -100%; Vehicle Maintenance- 100%; Equipment Servicing- 70%	100% in 5 years
Management	Minimum of 90% of management staff shall be Ghanaians citizens at the commencement of the business operations	95% in 5 years
Operation and Maintenance staff	Minimum of 95% of Operation and Maintenance Staff shall be Ghanaian citizens	100%
All Other Staff	100% Ghanaian at all times	100%

APPENDIX F

SIXTH SCHEDULE (regulations 6, 32 and 35(2))

Local Participation and Local Content in Investment in Electricity Transmission Infrastructure.

	Initial Level of Local Participation/ Local Content	Target Level
Ownership	15%	49% in 10 years
Engineering and Procurement	Minimum of 30% of value of the project shall go to Ghanaian companies	50% in 10 years
Construction Works and Installations	Minimum of 60% of the cost of the construction works of all projects shall go to Ghanaian companies	80% in 10 years
Post Construction Works Supplies	Minimum of 60% of the value of all supplies shall go to Ghanaian owned companies	80% in 10 years

Services	Minimum levels for: Catering 100%; Janitorial Services- 100%; Vehicle Maintenance-100%; Equipment Servicing-70%;	100% in 10 years
Management	80% of the management staff shall be Ghanaians at the beginning of the business operations	100% in 10 years
Operations and Maintenance	80% of Operations and Maintenance staff shall be Ghanaians at any time in the lifetime of the business	100% in 10 years
All Other Staff	100% Ghanaian at all times	
Operation and Maintenance Contract	100% of the value of all Operation and Maintenance shall be awarded to indigenous Ghanaian companies	

APPENDIX G

SEVENTH SCHEDULE (regulations 23(3) and 32)

Equipment required to be sourced locally.

PART A ELECTRICAL EQUIPMENT AND BUILDING MATERIALS

ITEM	Initial level content from start-up, (%)	Intermediate Local Content Level, (%) by 2020	Target Local Content Level (%) by 2025
1. Whole electricity generation plant including civil works or any part of it	30	40	60
2. Electrical cable or conductor (copper)	50	60	60
3. Electrical cable or conductor (aluminum)	60	80	100
4. Electrical conductor grade aluminum rod	80	100	100
5. Insulator	15	50	80
6. Insulator pin	15	80	100

7.	Wooden pole	60	80	100
8.	Pole support, stay wire, guy wire, shackle, pin	30	50	80
9.	Distribution transformer	30	50	80
10.	Electricity measuring or dispensing meter	30	50	80
11.	Fuse or circuit breaker	10	50	80
12.	Plug, switch, used for domestic, commercial or industrial wiring	80	100	100
13.	Lattice tower	30	50	80
14.	Extension cable, extension board, adapter	50	100	100
15.	Street light fixture	30	80	90
16.	Street light pole	50	80	100
17.	Screw, bolt and nut	50	100	100
18.	Other equipment needed or used for Electricity Distribution	30	80	100

PART B- RENEWABLE ENERGY TECHNOLOGY

ITEM	Initial Local Content level from startup, (%)	Intermediate Local content Level (%)	Target Local Content Level (%)
1. Solar cell	10	50	80
2. Solar photo voltaic panel	50	80	90
3. Solar water heater	50	80	90
4. Mounting bracket	100	100	100
5. Charge controller	50	80	90
6. Connection pins and plugs	50	80	100
7. Cable	100	100	100
8. Cable lug	80	100	100
9. Circuit breaker or fuse	30	50	100
10. Inverter	50	80	100
11. Wind mill	30	80	100
12. Wind turbine generator of capacity less than 100kW	30	80	100

13.	Wind turbine generator of capacity more than 100kW	10		30	50
14.	Electrical charge storage system	50		80	80
15.	Screw, bolt and nut;	80		100	100
16.	Plug, switch used for renewable energy installations and wiring	80		100	100
17.	Building materials, including content, aggregates, iron monger, roofing materials, windows, doors, nails, tiles, cables, fittings used for the construction of renewable energy power	80		100	100

	plants, associated substations, offices, houses, warehouses, factories				
18.	Packaging materials	80	100	100	
19.	Labels and information leaflets	80	100	100	
20.	Other equipment needed or used for renewable energy technology installations	30	80	100	
21.	Any other renewable energy technology that the Minister by legislative instrument add to the list	30	80	100	

PART C- ELECTRICAL APPLIANCE

ITEM	Initial Local Content Level from start-up (%)	Intermediate Local Content Level (%)	Target Local Content Level(%)
1. Electric iron	30	50	80
2. Electric washing machine	30	80	90
3. Clothes drier	30	50	80
4. Television set	30	50	80
5. Radio receiver	30	80	90
6. Music systems or its components	30	50	80
7. Electric fan	30	50	80
8. Non-ducted air conditioner	30	50	80
9. Screws, bolts and nuts	80	100	100
10. Packaging material	80	100	100

11.	Labels and information leaflets	80	100	100
12.	Building materials including cement, aggregates, iron mongery, roofing materials, windows, doors, nails, tiles, plumbing materials, electrical cables, fittings used for the construction of factory premises, offices, houses, warehouses	80	100	100
13.	Plug switch used for connecting electrical appliance to the electrical mains	80	100	100
14.	Other components needed or used for production of electrical appliances	30	50	80
15.	Any other electrical appliance the Minister may by legislative instrument add to the list	30	50	80

APPENDIX H

**REGISTRATION FORM FOR THE REGISTRATION OF MANUFACTURERS
OF ELECTRICAL EQUIPMENT, ELECTRICAL APPLIANCE
OR RENEWABLE ENERGY EQUIPMENT**

COMPANY DETAILS			
Registered Name of Company			
Company Registration Number			
Date of Incorporation			
Date of Commencement of Business			
Details of Shareholder(s) of the Company	Name	Nationality	Percentage of Shares
Tax Identification Number (TIN)			
Energy Commission Certificate/Permit Number (if any)			
Services Provided			
OFFICE ADDRESS AND LOCATION			
Postal Address			
Telephone Number(s)			
Fax Number			
Website Address (if any)			

Street Name	
House/Plot Number	
Town/City	
Region	
Registered GhanaPost Address	

HEAD OF ENTITY (This person should have the authority to endorse this document)	
Name	
Position	
Telephone Number	
Fax Number	
Website Address (if any)	
E-mail Address (if any)	

HEAD OF ENTITY (Person responsible for answering questions on data provided)	
Name	
Position	
Telephone Number	
Fax Number	
Website Address (if any)	
E-mail Address (if any)	

APPENDIX I

APPLICATION FEES

Type of Application	Application and Registration Fee (Ghana Cedi Equivalent)
Registered Electrical Equipment Manufacturer (REEM)	3,000.00 UDS
Registered Electrical Appliance Manufacturer (REAM)	2,000.00 USD
Registered Renewable Energy Equipment Manufacturer (RREEM)	2,000.00 USD
Certified Electricity Service Provider (CESP)	3,000.00 USD

APPENDIX J

Certificate of Registration (REEM)



This Certificate is issued to

.....

(Name of Company)

having satisfied the requirements of L.I.2354 as a Registered Manufacturer that has been found satisfactory by the Local Content and Local Participation Committee is hereby granted a

CERTIFICATE OF REGISTRATION

*as a **Registered Electrical Equipment Manufacturer (REEM)***

Certificate Number.....

Certificate Valid Until.....

.....
Signature

.....
Signature

.....
Board Chairman

.....
Executive Secretary

APPENDIX K

Certificate of Registration (REAM)



This Certificate is issued to

.....

(Name of Company)

having satisfied the requirements of L.I.2354 as a Registered Manufacturer that has been found satisfactory by the Local Content and Local Participation Committee is hereby granted a

CERTIFICATE OF REGISTRATION

*as a **Registered Electrical Appliance Manufacturer (REAM)***

Certificate Number.....

Certificate Valid Until.....

.....
Signature

.....
Signature

.....
Board Chairman

.....
Executive Secretary

APPENDIX L

Certificate of Registration (RREEM)



This Certificate is issued to

.....

(Name of Company)

having satisfied the requirements of L.I.2354 as a Registered Manufacturer that has been found satisfactory by the Local Content and Local Participation Committee is hereby granted a

CERTIFICATE OF REGISTRATION

as a Registered Renewable Energy Equipment Manufacturer (RREEM)

Certificate Number.....

Certificate Valid Until.....

.....
Signature

.....
Signature

.....
Board Chairman

.....
Executive Secretary

APPENDIX M

REGISTRATION FORM FOR THE CERTIFICATION OF ELECTRICITY SERVICE PROVIDERS

COMPANY DETAILS			
Registered Name of Company			
Company Registration Number			
Date of Incorporation			
Date of Commencement of Business			
Details of Shareholder(s) of the Company	Name	Nationality	Percentage of Shares
Tax Identification Number (TIN)			
Energy Commission Certificate/Permit Number (if any)			
Services Provided			

OFFICE ADDRESS AND LOCATION	
Postal Address	
Telephone Number(s)	
Fax Number	
Website Address (if any)	

Street Name	
House/Plot Number	
Town/City	
Region	
Registered GhanaPost Address	

HEAD OF ENTITY (This person should have the authority to endorse this document)	
Name	
Position	
Telephone Number	
Fax Number	
Website Address (if any)	
E-mail Address (if any)	

HEAD OF ENTITY (Person responsible for answering questions on data provided)	
Name	
Position	
Telephone Number	
Fax Number	
Website Address (if any)	
E-mail Address (if any)	

APPENDIX N

EIGHT SCHEDULE
(Regulation 31)
CERTIFICATE OF AUTHORISATION



This Certificate is issued to

.....
(Name of Company)

having satisfied the requirement of submitting a Local Content and Local Participation Plan that has been found satisfactory by the Local Content and Local Participation Committee is hereby granted a

CERTIFICATE OF AUTHORIZATION

to undertake the underlisted activities in the Electricity Supply Industry in
Ghana

1.
2.
3.

Certificate Number.....

Certificate Valid Until.....

.....
Signature

.....
Signature

.....
Board Chairman

.....
Executive Secretary

APPENDIX P

PROCUREMENT

Part A: Information to be provided to the committee with respect to quarterly forecasts

A service provider shall provide the following information in respect of each contract, subcontract and purchase order:

1. A description of the service or items to contracted or purchased including the material and equipment specification if requested.
2. The estimated value of the contract, subcontract or purchase order.
3. The anticipated dates for the following:
 - a) the issuance and closure of the Request for Proposals:
and
 - b) contract award
4. Any other information requested by the Committee for the implementation of these Regulations.

Part B: Information to be provided to the Committee by service provider prior to issue of prequalification of prospective bidders.

A service provider shall provide the following information prior to a prequalification notice to bidders:

1. A description of the scope of work.
2. A copy of the prequalification notification, where the related documents differ from the standard prequalification notice previously reviewed and approved by the Local Content Committee.
3. The list of companies indicating the locations of head offices to whom questions will be directed

4. The anticipated date for the closure of prequalification and issuance of Request for Proposals or a Request for Quotations.

Part C: Information to be provided by service provider to the Committee prior issue of request for proposals or request for qualification.

For the purpose of compiling a bidding list for any project, the service provider shall provide the following information prior to issuing a Request for Proposals or Request for Qualification:

1. A list of bidders
2. A copy of the Request for Proposals or Request for Qualification in respect of which the Local Content Committee will advise the operator or contractor of its requirement on a case by case basis.
3. A description of the corporate ownership of the bidders, including the main shareholders by percentage.
4. The location of any Ghana based office, plant or facility.
5. The anticipated dates for closure of bids and award of contract or purchase orders.
6. Any other information which the Local Content Committee shall request.

Part D: information to be provided by the service provider to the Committee prior to the award of contract or purchase order to selected bidder

Prior to the award of contract or purchase order to the selected bidder, the service provider shall provide the following information:

1. The name of the selected contractor or vendor.
2. A list of designated subcontractors or sub-vendors.
3. Where applicable a list of proposed sub-suppliers

4. In respect of construction or service contracts, the estimated Ghanaian employment level in person-hours.
5. The commencement and completion dates for the contract or purchase order
6. The Award Notification form signed by the appropriate official of the operator or contractor.
7. a) A statement of award rationale or bid evaluation report showing the following:
 - (i) the name of the selected contractor or vendor;
 - (ii) the list of designated subcontractor or sub-vendor;
and
 - (iii) where applicable, a list of proposed sub-suppliers;
- b) in respect of construction or service contracts, the estimated Ghanaian employment level in person-hours;
- c) the commencement and completion dates for the contract or purchase order;
- d) the Award Notification Form signed by an appropriate official of the operator;
- e) a statement of award rationale or bid evaluation report showing;
- f) the percentage difference in price between the selected bidder and the other bids;
- g) the primary location of work associated with the bid of each bidder;
- h) the estimate of Ghanaian content associated with the bid of each bidder calculated in accordance with the definition of the Ghanaian content to be provided by the Local Content Committee; and
- i) any other information relevant to the evaluation of bids including where applicable, a summary of the technical, commercial and Ghanaian content aspects of the bid evaluation

**APPENDIX Q
APPENDIX- OWNERSHIP STRUCTURE AND SHAREHOLDING DECLARATION**

Item No	Name and Contact Details (Telephone & Email) of shareholders	Percentage Shareholding
1	Name: Nationality: Tel: Email:	
2	Name: Nationality: Tel: Email	
3	Name: Nationality: Tel: Email:	

Signature of Applicant..... Date of Signature.....

APPENDIX R EMPLOYMENT SUB-PLAN

a. List of All Staff
(Direct Employment)

NAME	POSITION	NATIONALITY	JOB DESCRIPTION	REQUIRED EXPERTISE	GENDER

b. Employment Category
(Direct Employment)

Employment Category	No. of Ghanaians (Male)	No. of Ghanaians (Female)	Total No. of Ghanaians	No. of Expatriates (Male)	No. of Expatriates (Female)	No. of People with Disability	Total No. of Expatriates
	Management						
Technical Core Staff							
Other							
Total							

NOTE: L12354 requires that a contractor, subcontractor, licensee or other allied entity should employ only Ghanaians in Middle and Junior Level Positions. Middle and Junior Positions for the purpose of the L1 includes foreman, supervisor, or any corresponding position designated as such.

c. Functional Distribution (Direct Employment)

Name of Department	No. of Ghanaians (Male)	No. of Ghanaians (Female)	Total no. of Ghanaians	No. of Expatriate (Male)	No. of Expatriate (Female)	Total no. of Expatriates

d. Employment Expenditure
(Direct Employment)

Category	Total No.	Expenditure (USD)
Ghanaian		
Expatriate		
Total		

e. List of Third Party Staff in the organization

Name	Position	Agency/Company	Nationality	Job Description (Responsibilities)	Required Expertise/skills	Gender

F. Forecast of Skill Needed

Activity	Description /Number
Forecast of the hiring needs of company	
Areas of Anticipated Skill Shortage	
Strategies to Bridge the Skills Shortage	

**APPENDIX S
RESEARCH & DEVELOPMENT SUB-PLAN**

TYPE OF PROJECT OR RESEARCH TO BE UNDERTAKEN	EXPENDITURE ALLOCATED TO PROJECT OR RESEARCH	COMMENCEMENT DATE DD/MM/YY	COMPLETION DATE DD/MM/YY	IN-COUNTRY INSTITUTIONS COLLABORATED WITH

**APPENDIX T
TECHNOLOGY TRANSFER SUB-PLAN**

INITIATIVE OR PROGRAMME TO BE PURSUED	COMMENCEMENT DATE DD/MM/YY	COMPLETION DATE DD/MM/YY	TARGET GROUP (GHANAIAAN INDIVIDUALS/INDIGENOUS GHANAIAAN COMPANIES)	EXPENDITURE TO BE INCURRED

**APPENDIX U
LEGAL SERVICES SUB-PLAN**

Name of Legal Practitioner/Firm			
Office Location			
Contact Details			
Date of Engagement			
Legal Services		Past 6 Months	Projection for Next 6 Months
Expenditure on Legal Services		Past 6 Months	Projection for Next 6 Months
		GHC..... USD.....	GHC..... USD.....
External Solicitors Utilised for Legal Services		Name of Solicitor	Nature of Work Done
			Expenditure
			GHC..... USD.....
Additional Information			

APPENDIX V
FINANCIAL SERVICES SUB-PLAN

Name of Financial Institution		
Branch		
Account Number(s)		
Date of Engagement		
Legal Services	Past 6 Months	Projection for Next 6 Months
Expenditure on Financial Services	Past 6 Months	Projection for Next 6 Months
	GHC..... USD.....	GHC..... USD.....
Indigenous Banks Utilised	Name of Indigenous Bank	Nature of Work Done
		Expenditure GHC..... USD.....
Date of Engagement		
Financial Expenditure		

**APPENDIX W
ALLIED SERVICES SUB-PLAN**

Past 6 Months				Projected 6 Months	
TOTAL EXPENDITURE ON ALL ALLIED SERVICES PROVIDED TO COMPANY		GHC..... USD.....		TOTAL PROJECTED EXPENDITURE ON ALL ALLIED SERVICES TO BE PROVIDED TO COMPANY	
GHC..... USD.....		GHC..... USD.....		GHC..... USD.....	
NATURE OF ALLIED SERVICE PROVIDED	COMPANIES TO WHICH CONTRACT WAS AWARDED	NATIONALITY OF COMPANY AWARDED CONTRACT	EXPENDITURE	NATURE OF ALLIED SERVICE TO BE PROVIDED	EXPENDITURE
Transport			GHC..... USD.....	Transport	GHC..... USD.....
Vehicle hire			GHC..... USD.....	Vehicle hire	GHC..... USD.....
Vehicle Maintenance and repairs			GHC..... USD.....	Vehicle Maintenance and repairs	GHC..... USD.....
Catering Services			GHC..... USD.....	Catering Services	GHC..... USD.....
Janitorial Services			GHC..... USD.....	Janitorial Services	GHC..... USD.....
(other)				(other)	

**APPENDIX X
ANCILLARY SERVICES SUB-PLAN**

		Past 6 Months		Projected 6 Months	
TOTAL EXPENDITURE ON ALL ANCILLARY SERVICES PROVIDED TO COMPANY		GHC.....	USD.....	TOTAL PROJECTED EXPENDITURE ON ALL ANCILLARY SERVICES TO BE PROVIDED TO COMPANY	GHC..... USD.....
NATURE OF ANCILLARY SERVICE PROVIDED		EXPENDITURE		NATURE OF ANCILLARY SERVICE TO BE PROVIDED	
		GHC.....	USD.....		GHC..... USD.....
		GHC.....	USD.....		GHC..... USD.....

**APPENDIX Y
FUEL, LUBRICANT AND WATER SUPPLY SERVICES SUB-PLAN**

Past 6 Months		Projected 6 Months	
TOTAL EXPENDITURE ON ALL FUEL, LUBRICANT AND WATER SUPPLIED TO THE COMPANY	GHC USD	TOTAL PROJECTED EXPENDITURE ON ALL FUEL, LUBRICANT AND WATER TO BE SUPPLIED TO THE COMPANY	GHC USD
NATURE OF ALLIED SERVICE PROVIDED	EXPENDITURE	NATURE OF ALLIED SERVICE TO BE PROVIDED	EXPENDITURE
Fuel Supply	GHC USD	Fuel Supply	GHC USD
Water Supply	GHC USD	Water Supply	GHC USD
Lubricant Supply	GHC USD	Lubricant Supply	GHC USD
(other)	GHC USD	(other)	GHC USD

APPENDIX Z
 REGISTERED MANUFACTURER'S LC & LP PLAN TEMPLATE

c. Utilization of Expertise

Value of Materials Locally Sourced	Value of Materials Locally Sourced	List of Expertise Required	No. Sourced Externally	No. Sourced Locally
GHC..... USD.....	GHC..... USD.....			

d. Utilization of Services

Value of Component, Part or Packaging Locally Sourced	Value of Component, Part or Packaging Externally Sourced	List of Services Required	Value of Service Locally Sourced	Value of Service Externally Sourced
GHC..... USD.....	GHC..... USD.....		GHC..... USD.....	GHC..... USD.....

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