



Government of Ghana
Right to Information Manual

ENERGY COMMISSION (EC)

2023

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1. Overview

This Right to Information (RTI) Manual is pursuant to the provisions of the recently passed Act, (Act 989) by Parliament and assented to by the President, Nana Addo Dankwa Akuffo-Addo. The Act gives substance to the constitutional right to information provided under Article 21 (1) (f) of the Constitution, enabling citizens access to official information held by government institutions, and the qualifications and conditions under which the access may be obtained. In accordance with Section 80, the Act applies to information which came into existence before, or which will come into existence after the commencement of the Act.

1.1 Purpose of Manual – To inform/assist the public on the organizational structure, responsibilities and activities of the Energy Commission (EC) and provide the types of information and classes of information available at EC, including the location and contact details of its Information Officers and Units.

2. The Energy Commission

2.1 The Establishment

The Energy Commission was established by the Energy Commission Act, 1997, (Act 541) to regulate and manage the utilisation of energy resources in Ghana and coordinate policies in relation to them. In 2011, the mandate of the Energy Commission was expanded by the passage of the Renewable Energy Act, 2011, (Act 832) which amended section 42 of Act 541 to include the promotion and management of renewable energy resources in the country. The Energy Commission was in 2013 given the additional responsibility of coordinating the implementation of the Ghana Action Plan under the UN Secretary General's Sustainable Energy for All (SE4ALL) initiative. The SE4ALL Secretariat is therefore housed, equipped and managed by the Energy Commission.

In 2016, section 42 of Act 541 was amended by section 2 of the Energy Commission (Amendment) Act, 2016, (Act 993) and the Energy Commission was given another responsibility to promote local content and local participation in the Electricity Supply Industry in Ghana. The Commission was weaned off funding from the Consolidated Fund and now finances all of its activities from the Energy Fund and other available funds.

In December 2017, the Parliament of the Republic approved two new Legislative Instruments, the Energy Commission Energy Efficiency Standards and Labels (Light Emitting Diode Lamps) Regulations, 2017 (L.I 2353); and the Energy Commission Local Content and Local Participation in the Electricity Supply Industry Regulations, 2017, (L.I. 2354) to add to the portfolio of Legislative Instruments to be implemented by the Energy Commission in 2018 and beyond.

Vision

To become a leading energy planning and regulatory institution reputed for excellence, innovation and transparency in Africa and beyond.

Mission

To regulate and manage the development and utilization of energy resources of Ghana to ensure the provision of affordable energy supplies in a reliable, efficient and secure manner in order to promote the social and economic well-being of the people of Ghana, enhance environmental quality and public safety.

2.2 Functions of the Commission

The functions of the Commission are grouped under the following broad areas:

- (a) Development of policy and strategy recommendations and advice to the Minister for Energy on energy matters;
- (b) Energy data collection and analysis;
- (c) Energy planning;
- (d) Promotion of energy efficiency and conservation;
- (e) Promotion of Local Content and Local Participation in the Electricity Supply Industry;
- (f) Promotion of renewable energy; and
- (g) Regulation of electricity and natural gas industries;

2.3 Governing Body of the Commission

The governing body of the Commission is a Board consisting of

- (a) The chairman;
- (b) One representative of the National Development Planning Commission;
- (c) The Executive Secretary of the Commission appointed under section 45 of the establishing the Commission; and
- (d) Four other persons with knowledge in matters relevant to the function of the Commission.

3. Directorates and Units under Energy Commission (EC)

This section lists the names of all Directorates and Units under the Commission, including the description of organizational structure, responsibilities, details of activities and classes and types of information accessible at a fee.

Directorates and Units under Energy Commission (EC)
<p>1. OFFICE OF THE EXECUTIVE SECRETARY</p> <p>The Units under this office are:</p> <ul style="list-style-type: none">• Public Affairs• Internal Audit• Legal and Board Secretariat• Inspectorate and Enforcement
<p>2. THE FINANCE AND ADMINISTRATION DIRECTORATE</p> <ul style="list-style-type: none">• Finance Unit• Human Resource and Administration Unit
<p>3. PLANNING, POLICY AND RESEARCH DIRECTORATE</p> <ul style="list-style-type: none">• Planning Policy and Research Unit• Monitoring and Evaluation Unit
<p>4. ELECTRICITY AND NATURAL GAS DIRECTORATE</p> <ul style="list-style-type: none">• Electricity Regulation Unit• Natural Gas Regulation Unit
<p>5. RENEWABLE ENERGY AND ENERGY EFFICIENCY DIRECTORATE</p> <ul style="list-style-type: none">• Renewable Energy Regulation Unit• Energy Efficiency Regulation Unit

Responsibilities of the Commission:

The Energy Commission is required by law to regulate and manage the development and utilization of energy resources in Ghana as well as to provide the legal, regulatory and supervisory framework for all providers of energy in the country, specifically by granting licenses for the transmission, wholesale supply, distribution and sale of electricity and natural gas and related matters.

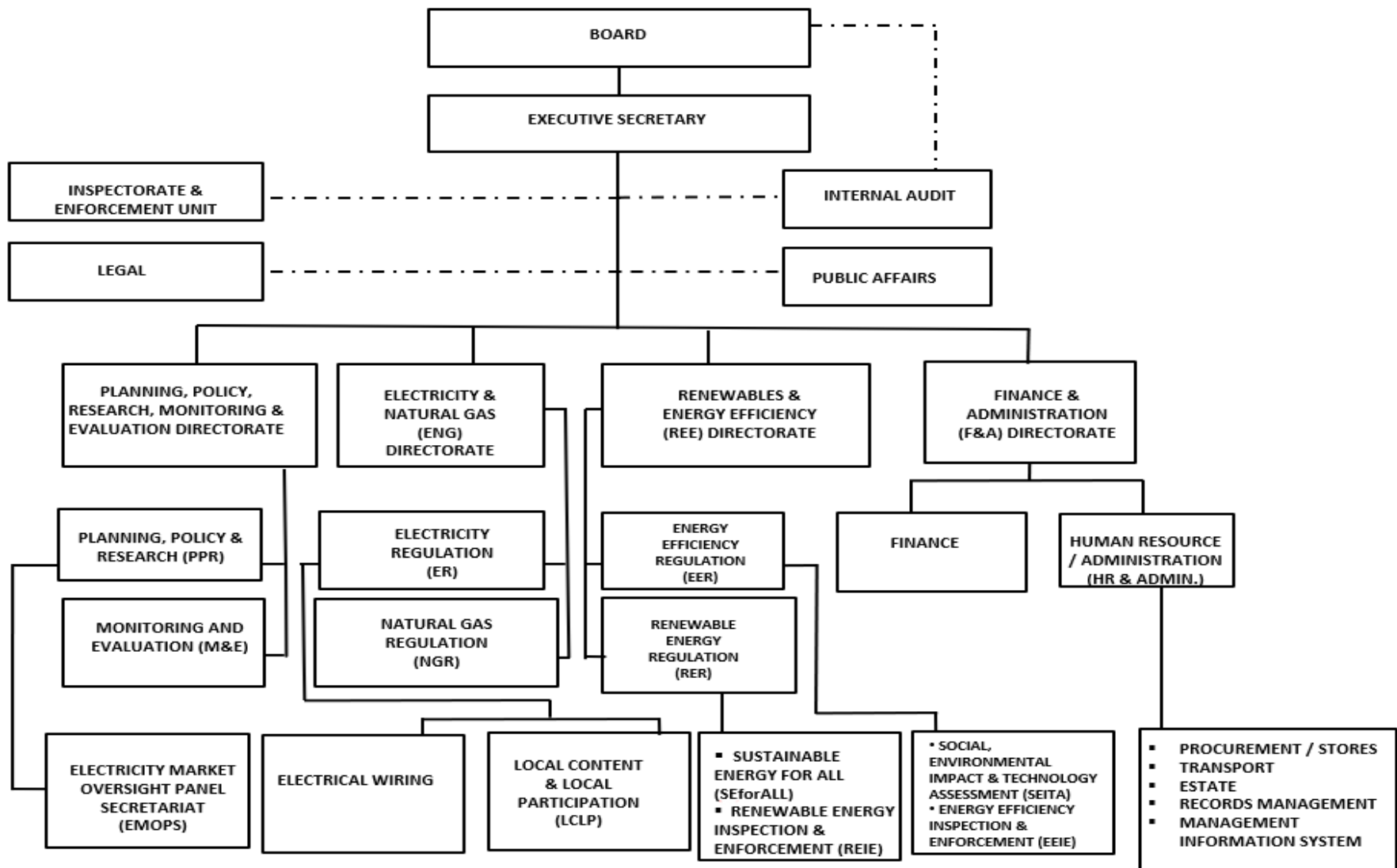
3.1 Description of Activities of each Directorate and Unit

Directorate/Department	Responsibilities/Activities
<p><i>OFFICE OF THE EXECUTIVE SECRETARY</i></p> <ul style="list-style-type: none"> • Public Affairs Unit • Internal Audit Unit • Legal and Board Secretariat • Inspectorate and Enforcement 	<p>a. Public Affairs Unit work combines government relations, media communications, issue management, corporate and social responsibility, information dissemination and strategic communications advice.</p> <p>b. Internal Audit Unit is responsible for evaluating and improving risk management, control and governance processes in order to add value and improve the operational activities of the Commission.</p> <p>c. The Legal Unit is charged with the overall responsibility for all Legal and Board Secretariat matters.</p> <p>d. The Inspectorate and Enforcement Unit is responsible for ensuring that all regulations are enforced and guidelines are complied with.</p>
<p><i>THE FINANCE AND ADMINISTRATION DIRECTORATE</i></p>	<p>1. The Finance Unit is responsible for:</p> <ul style="list-style-type: none"> a. keeping proper accounting records

<ul style="list-style-type: none"> • Finance Unit • Human Resource and Administration Unit 	<p>that give a true and fair view of the state of affairs of the commission;</p> <ul style="list-style-type: none"> b. preparation of financial statements in accordance with applicable standards; c. Providing information that the Board and Management need to perform their functions; and d. Performance of the financial management function and institution of internal controls to ensure efficient operations. <p>2. The HR and Administration Unit is responsible for the administration of all issues dealing with employees and employment matters while ensuring harmonious employer-employee relations. It is also responsible for processing employee data, updating the Commission’s policies and assisting in the hiring process among others.</p>
<p><i>PLANNING POLICY AND RESEARCH DIRECTORATE</i></p> <ul style="list-style-type: none"> • Planning, Policy and Research Unit • Monitoring and Evaluation Unit 	<ul style="list-style-type: none"> a. The Planning Policy and Research Unit is responsible for the development of the Strategic National Energy Plan, including district-level energy plans and the identification of energy resources that are available at the district level. b. The Monitoring and Evaluation Unit is responsible for collecting and analyzing data to measure progress toward achieving specific goals and objectives.

<p><i>ELECTRICITY AND NATURAL GAS DIRECTORATE</i></p> <ul style="list-style-type: none"> • Electricity Regulation Unit • Natural Gas Regulation Unit 	<p>The Directorate is responsible for:</p> <ol style="list-style-type: none"> a. the regulation of the electricity and natural gas industries. b. licensing operations in the electricity and natural gas industries. In collaboration with Public Utilities Regulatory Commission. c. enforcing all the regulations passed under the Acts that govern the operations of the Commission.
<p><i>RENEWABLE ENERGY AND ENERGY EFFICIENCY DIRECTORATE</i></p> <ul style="list-style-type: none"> • Renewable Energy Regulation Unit • Energy Efficiency Regulation Unit 	<p>The Directorate is responsible for:</p> <ol style="list-style-type: none"> a. the development and implementation of programmes aimed at the promotion of renewable energy and the implementation of the Renewable Energy Act, 2011 (Act 832); b. the promotion of energy efficiency and climate change mitigation; c. for enforcing all the regulations passed under the relevant Acts that govern the operations of the Commission, including the Renewable Energy Act, 2011 (Act 832) and the Local Content and Local Participation Regulations, 2018 (L.I. 2354); and d. Regulating the importation of used electrical appliances.

3.2 Energy Commission’s Organogram



3.4 Classes and Types of Information

List of various classes of information in the custody of the Energy Commission:
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|---|
| <ol style="list-style-type: none">1. Board Information2. Accounting and Financial Records3. Human Resources and Administrative Records4. Trade Agreements5. Programmes and Projects6. Procurements and Contracts7. Internal Audit Reports8. Research, Statistics and Information Management9. Technical Reports |
|---|

Types of Information Accessible at a fee:
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|--|
| <ol style="list-style-type: none">1. Audio materials.2. Copies of files in large volumes.3. Copies of images.4. Copy in a computer-readable form on an external storage device.5. Transcription of visual images.6. Transcription of an audio record. |
|--|

4. Procedures in Applying and Processing Requests

Section 18 of the RTI Act provides specific guidelines for the application for access to information kept by a public institution. It is thus important that request for information be made in accordance with provisions under this section. The Information Officer or a designated officer is responsible for dealing with applications made to the Energy Commission. An applicant who wishes to request for information under the RTI Act from the Energy Commission, shall follow the procedures outlined in paragraph 4.1.

4.1 The Application Procedure

- a.** Application by any person or organization who seeks access to information in the custody of Energy Commission must be made in writing, using the standard RTI Application Form. **(See Appendix A for the Standard RTI Application Form)**. A copy of the form can be downloaded or completed and submitted electronically on the Energy Commission’s official website or the Ministry of Information website.

- b.** In making the request, the following information must be provided:
 - Date of the Application.
 - Name of the applicant or the person on whose behalf an application is being made.
 - Name of the organization represented by the applicant.
 - Available contact details of the applicant or address of the person/organization on whose behalf an application is being made (Telephone Number, Email, Postal Address, Fax).
 - Brief description of the information being sought. (Applicants are to specify the class and type of information including cover dates).
 - Payment of relevant fee if applicable.
 - Signature or thumbprint of the applicant.

c. Provision of identification

The applicant must present at least one (1) of the following valid identification cards (IDs) to serve as proof of identity:

- National ID.
- Passport.
- Voter's ID.
- Driver's License.

d. The applicant should state the format of the information being requested and the mode of transmission, for example a certified true copy, normal photocopy or electronic copies through email, post or courier services.

e. Where an applicant cannot write due to illiteracy or a disability, he/she may make the request orally. In such situation:

- The Information Officer must reduce the oral request into writing and give a copy of the written request as recorded for the applicant to authenticate. (Section 18 (3)).
- The Information Officer shall clearly and correctly read and explain the written request to the understanding of the applicant.
- A witness must endorse the face of the request with the writing; *“the request was read to the applicant in the language the applicant understand and the applicant appeared to have understood the content of the request.”*
- The applicant must then make a thumbprint or mark on the request.

4.2 Processing the Application

- Applications would be treated on a priority basis. The Information Officer is responsible for handling requests to ensure that statutory deadlines are met.
- The Information Officer identifies which part of the request is exempt based on Sections 5 to 16 of the RTI Act and determines which of the Units in the institution have the records or is responsible for the subject matter of the request.

- Provision is made under Section 20 for the transfer of an application within a period of not more than ten days of receipt where the public institution to which the application was initially made is unable to deal with the application. In such situations, applicants would be notified accordingly with the reasons and dates of transfer.
- For information readily available in official publications, the Information Officer shall direct the applicant to the institution having custody of that publication and notify the public institution of the request. (Section 21).
- If the requested information is not readily accessible, the estimated time it will take to search for the information would be communicated to the applicant.

4.3 Response to Applicants

a. The Information Officer is required under Section 23 of the RTI Act to notify applicants within fourteen (14) days from the date of receipt. Applicant should however note that the time limit does not apply to applications transferred to another public institution or which has been refused due to failure to pay the prescribed deposit or fee. (Section 23) (6). The notice should state:

- Whether or not full access to the requested information will be granted or only a part can be given and the reason.
- The format and mode of the access.
- The expected publication or submission day of the information in the case of a deferred access.
- The prescribed fee (Section 75).

b. The Information Officer can request an extension to the deadline if:

- Information requested is voluminous.
- It is necessary to search through a large number of records.
- The information has to be gathered from more than one source.
- Consultation with someone outside the institution is required.

c. The Information Officer would in such situations notify applicants of an extension as well as the period and reason for the extension. An extension should not be more than seven days.

d. In giving applicants access to information, the applicant would be given the opportunity to inspect the information or receive a copy physically or any other form required such as electronic, magnetic, optical or otherwise, including a computer print-out, various computer storage devices and web portals.

- Where access cannot be given in the form specified by the applicant, access can be given in some other form. In such cases, the applicant shall be provided with a reason why access cannot be given in the specified form.

5. Amendment of Personal Record

A person given access to information contained in records of a public institution may apply for an amendment of the information if the information represents the personal records of that person and in the person's opinion, the information is incorrect, misleading, incomplete or out of date.

5.1 How to apply for an Amendment

- a. The application should be in writing indicating;
 - Name and proof of identity.
 - Particulars that will enable the records of the public institution identify the applicant.
 - The incorrect, misleading, incomplete or the out of date information in the record.
 - Signature of the applicant.

- b. For incomplete information claimed or out of date records, the application should be accompanied with the relevant information which the applicant considers necessary to complete the records.

- c. The address to which a notice shall be sent should be indicated.

- d. The application can then be submitted at the office of the public institution.

- e. A statutory declaration must be attached.

6. Fees and Charges for Access to Information

The Act mandates Parliament in Section 75 to approve a fee that public institutions can charge. However, fees shall apply to only the three circumstances stated below:

- Request for information in a language other than the language in which the information is held. (Section (75) (3)).
- When request is made for a written transcript of the information, the information officer may request a reasonable transcription cost. (Section (75) (4)).
- Cost of media conversion or reformatting. (Section (75) (5)).

6.1 Under Section 75 (2), fees are not payable for:

- reproduction of personal information
- information in the public interest
- information that should be provided within stipulated time under the Act
- an applicant who is poor or has a disability
- time spent by the information officer to examine and ensure the information is not exempt
- preparing the information

7.0 Appendix

7.1 Appendix A: Standard RTI Request Form

[Reference No.:]

**APPLICATION FOR ACCESS TO
INFORMATION UNDER THE RIGHT TO
INFORMATION ACT, 2019 (ACT 989)**



1.	Name of Applicant:			
2.	Date:			
3.	Public Institution:			
4.	Date of Birth:	DD	MM	YYYY
5.	Type of Applicant:	<input type="checkbox"/>	<input type="checkbox"/>	
		Individual	Organization/Institution	
6.	Tax Identification Number			
7.	If Represented, Name of Person Being Represented:			
7 (a).	Capacity of Representative:			
8.	Type of Identification:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	National ID Card	Passport
		Driver's License		Voter's ID
8 (a).	Id. No.:			
9.	Description of the Information being sought (specify the type and class of information including cover dates. Kindly fill multiple applications for multiple requests):			
10.	Manner of Access:	<input type="checkbox"/>	Inspection of Information	
		<input type="checkbox"/>	Copy of Information	

		<input type="checkbox"/> Viewing / Listen <input type="checkbox"/> Written Transcript <input type="checkbox"/> Translated (specify language)
10 (a).	Form of Access:	<input type="checkbox"/> Hard copy <input type="checkbox"/> Electronic copy <input type="checkbox"/> Braille
11.	Contact Details:	<input type="checkbox"/> Email Address _____ <input type="checkbox"/> Postal Address _____ <input type="checkbox"/> Tel: _____
12.	Applicant's signature/thumbprint:	
13.	Signature of Witness (where applicable) <i>"This request was read to the applicant in the language the applicant understands and the applicant appeared to have understood the content of the request."</i>	

7.2 Appendix B: Contact Details of Energy Commission's Information Unit

Name of Information/Designated Officer:

ERNEST AYITEY ADAMAH

Telephone/Mobile number of Information Unit:

0546785338

Email:

Postal Address of the institution:

P.M.B MINISTRIES POST OFFICE, ACCRA – GHANA.

7.3 Appendix C: Acronyms

Table 1 Acronyms

Acronym	Literal Translation
RTI	<i>Right to Information</i>
MDA	<i>Ministries, Departments and Agencies</i>
s.	<i>section</i>
MMDAs	<i>Metropolitan, Municipal and District Assemblies</i>
EC	<i>Energy Commission</i>

7.4 Appendix D: Glossary

This Glossary presents clear and concise definitions for terms used in this manual that may be unfamiliar to readers listed in alphabetical order. Definitions for terms are based on section 84 of the RTI Act.

Table 2 Glossary

Term	Definition
Access	<i>Right to Information</i>
Access to information	<i>Right to obtain information from public institutions</i>
Contact details	<i>Information by which an applicant and an Information Officer may be contacted</i>
Court	<i>A court of competent jurisdiction</i>
Designated officer	<i>An officer designated for the purposes of the Act who perform similar role as the Information Officer</i>
Exempt information	<i>Information which falls within any of the exemptions specified in sections 5 to 16 of the Act</i>
Function	<i>Powers and duties</i>
Government	<i>Any authority by which the executive authority of the Republic of Ghana is duly exercised</i>
Information	<i>Information according to the Act includes recorded matter or material regardless of form or medium in the possession or under the control or custody of a public institution whether or not it was created by the public institution, and in the case of a private body, relates to the performance of a public function.</i>
Information officer	<i>The Information Officer of a public institution or the officer designated to whom an application is made</i>
Public	<i>Used throughout this document to refer to a person who requires and/or has acquired access to information.</i>
Public institution	<i>Includes a private institution or organization that receives public resources or provides a public function</i>
Right to information	<i>The right assigned to access information</i>
Section	<i>Different parts of the RTI Act</i>