

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



REPORT OF THE COMMITTEE OF THE WHOLE ON THE DRAFT PUBLIC  
ELECTIONS (REGISTRATION OF VOTERS) REGULATIONS, 2023 AND  
OTHER RELATED MATTERS

**1.0. INTRODUCTION**

The Committee of the Whole held a meeting on Tuesday, 28<sup>th</sup> February, 2023, with the Electoral Commission (EC) of Ghana, led by the Chairperson, Mrs. Jean Adukwei Mensa, the National Identification Authority, led by the Executive Secretary, Prof. Ken Attafuah and the Ministry of Finance, led by the Minister, Mr. Ken Ofori-Atta on the intention of the Electoral Commission to introduce a revised Constitutional Instrument (C.I.), Public Election (Registrations of Voters) Regulations, 2023 and Other Related Matters on new

electoral reforms as part of its preparation towards the 2024 Presidential and General Elections.

This meeting was at the instance of Parliament, as a follow up on the recommendation of the Special Budget Committee after a pre-laying briefing by the EC on the proposed reforms as contained in a draft C.I. sought to be presented to the House by the EC. The Special Budget Committee in its report, recommended to Parliament **"to hold a meeting with the EC and the NIA in order to advance discussions on the new C.I. ... and for the two institutions to give assurance to the House on the concerns identified during the briefing ... "**

The Committee of the Whole is grateful to the EC, the NIA and the Ministry of Finance for responding to the invitation.

## **2.0. REFERENCE**

The Committee was guided by the following important legal documents during the deliberations:

1. The 1992 Constitution of the Republic of Ghana
2. Citizenship Act, 2000, (Act 591)
3. Standing Orders of The Parliament of Ghana, 2000.
4. Electoral Commission Act, 1993, (Act 451)
5. Public Elections (Registration of Voters) Regulations 2016. (C. I. 91)
6. Public Elections (Regulations of Voters) (Amendment) Regulations 2020, (C. I. 126)

7. The Draft Constitutional Instrument, Public Elections (Registration of Voters) Regulations, 2023 and other Related Matters
8. The National Identification Authority Act, 2006. Act
9. National Identity Register Act, 2008, (Act 750)
10. National Identity Register Regulations, 2012, (L.I. 2111)

### 3.0. BACKGROUND

Pursuant to article 103 (3) and (6) of the 1992 Constitution, and Orders 1, 46 (2), and 155 (b) of the Standing Orders of Parliament, the Committee of the Whole, since December 2022, requested the Minister for the Interior and the National Identification Authority (NIA) to brief the House on the status of the registration, printing and issuance of the ECOWAS Identity Card commonly known as the Ghana Card and its related challenges.

Subsequent to the briefing above, the Special Budget Committee and the Subsidiary Legislation Committee of Parliament held pre-laying meetings with the EC to discuss a proposed new C. I, by the EC, in preparation towards election 2024.

In the proposed C.I, the Commission expresses the intention of using the National Identification Card, also known as the Ghana Card or ECOWAS Card, as the **ONLY** form of identification or evidence of qualification as a citizen of Ghana and therefore entitled to be registered as a voter. This proposal by the EC generated a number of concerns from some members of Parliament. In view of the strict technical provisions of Article 11 (7) of the 1992 Constitution,

Parliament, through the two Committees, sought to be briefed and to possibly make inputs before the instrument is laid before the House.

These Committees subsequently submitted reports to the plenary session of Parliament. The ensuing debates drew the attention of the Leadership of the House, to the need for further discussion on some very critical concerns. The Committee of the Whole was thus held to create a platform for the Whole House to further interrogate the concerns.

#### **4.0 PURPOSE OF THE MEETING**

The purpose of the meeting of the Committee of the Whole was to build consensus on the position taken by the two Committees as captured in the conclusion of the report of the Special Budget Committee. The conclusion of the Committee included the following:

**"The Committee having thoroughly interrogated the issues and reforms being contemplated by the EC, would like to reiterate its support for any effort that would enable every Ghanaian to get a Ghana Card because it is the law.**

**However, the Committee would like to stress that it would not accept and would reject any effort that is geared towards making the EC use the Ghana Card as the ONLY medium to qualify a person who is eligible to vote in 2024 elections.**

**This is premised on the fact that indeed Ghana has come of age and can boast of a credible national identification card (Ghana Card) to**



transact business with. However, even in the face of a number of identification options given in the past, and even in the operation of the NIA, some citizens are unable to register for the national card due to the existence of serious challenges the Authority is confronted with.

It is clear that unless and until the challenges confronting the issuance of the Ghana Card are dealt with, using the Ghana Card as the only medium of voter registration, would negatively impact on the electoral roll and thereby deny some otherwise qualified persons from registering to vote."

## **5.0 DELIBERATIONS**

The Committee of the Whole was thoroughly briefed by the EC, NIA and the Minister for Finance. A summary of the deliberations are as follows;

## **6.0 RESPONSE BY THE ELECTORAL COMMISSION**

- i. The use of only the Ghana Card and continuous registration**
  - The Chairperson explained to the Committee why the draft C.I. seeks to restrict the eligibility of a Ghanaian to be registered to vote to only the Ghana Card. The proposed C.I. also seeks to promote the continuous registration of voters and advocates for an all-year-round come a long way and can boast of a credible form of identification

to transact business everywhere in the country, which is the National Identification card.

To ensure the smooth implementation of these reforms, the Commission intends to utilize its existing staff in the exercise and not recruit new staff purposely for this exercise. She further emphasized that this approach would not require any special budgetary demands beyond the essential equipment to enable the officers of the Commission to perform their roles and functions effectively as required. This, she said, would save the country about forty million Ghana cards.

The Chairperson further added that the new C.I. is to basically spell out the intentions of the Commission to do away with the expensive periodic registration exercises which effectively had not yielded the expected results over the years and embark on an all-year-round registration exercise at the regional and district offices of the Commission across the country. The essence is to ensure that the offices of the Commission across the country are made functional throughout the year and more importantly expand accessibility to persons who attain age 18 or have not been previously registered by the Commission to simply access any of the regional and district offices to be registered or enrolled onto the Voters' Register. She added that this would also minimize the bussing of prospective applicants to the registration centres thus preventing crowding leading to an orderly, conflict-free process at the registration centres.

On the use of the Ghana Card, the Chairperson explained that indeed, previously the Commission had allowed a number of options to prove one's identity during the registration of voters which included Ghana Passports, previous Voter ID Card, Birth Certificate, Guarantor System, drivers' license, etc. These options, she said, have however proven to be unreliable over the years.

With regards to the non-use of the guarantor system, the Chairperson informed the Committee that over the years, the guarantor system has been fraught with challenges, such as enabling people to vouch for minors as well as foreigners. She added that today Ghana has come a long way and can boast of a credible form of identification to transact business everywhere in the country, which is the National Identification Card.

To ensure the smooth implementation of these reforms, the Commission intends to utilize its existing staff in the exercise and not recruit new staff purposely for this exercise. She further emphasized that this approach would not require any special budgetary demands beyond the essential equipment to enable the officers of the Commission to perform their roles and functions effectively as required. This, she said, would save the country about forty (40) million Ghana Cedis.

## **ii. Compilation of a new Biometric Register**

The Chairperson assured the Committee that notwithstanding the Commission's intentions to depart from the earlier practice of limited registration, that is, assigning a specific period to undertake voters'

registration, the biometric information compiled by the Commission and the Voters' ID card issued during the recent past election in 2020 remains credible and will be used and not become irrelevant. Therefore, there will not be any compilation of a new voters' register. The Commission would rather, continuously, update the existing register as part of the reforms to the registration processes.

**iii. Expunging ineligible names from the Commission's Database**

The Chairperson informed the Committee that the Commission established District Registration Review Committees (DRRCs) which worked assiduously in the districts to expunge the names of minors and foreigners from the Commission's Register. She added that the exercise was able to successfully expunge forty thousand (40,000) of such names from the Register.

**iv. The Ghana Card would not be used to vote in 2024**

The Chairperson emphasized that the National Identification card would not be used to vote in the upcoming General Elections in 2024. She explained that the card does not have electoral features such as the codes for the region, district, electoral area and polling station hence could not be used for voting. She added that the Ghana Card would only be a requirement to register as a voter. She clarified that the Commission does not seek to disenfranchise citizens who qualify to vote as speculated but the Commission seeks to ensure that only Ghanaians are found in the voters register.

**7. 0 RESPONSE BY THE NATIONAL IDENTIFICATION AUTHORITY**

**i. The National Identity Database Register**



The Executive Secretary of the NIA reliably informed the Committee that the number of Ghanaians registered onto the database of the Authority up to date stands at 17,375,861 out of which 16.9 million are Ghanaians aged 18 years and above. He added that the number of Ghanaians aged 18 years and above captured on the existing database of the Electoral Commission are 17,029,000 and those who are 15 years and above and are yet to be registered are 2,565,705.

**ii. Status of Card Printing**

The Executive Secretary of the NIA further informed the Committee that the current number of cards printed but not collected are 642,403 and the total number of cards not yet printed for persons who have registered is 541,529. He explained that the printing capacity per printer (per day) is 100 but they could do 120 or even 160, the number of cards printable per day using 500 printers is 50,000, 500 printers are required to print 541,529 cards and the number of days required to carry this out are eleven (11). He added that the number of functional printers currently available at the Authority are 1000. He assured the Committee that the NIA is capable of printing out the 541,529 cards

**iii. Financial Challenges of the Authority**

The Executive Secretary iterated the financial challenges faced by the Authority. He attributed the Authority's inability to print the outstanding 541,529 cards to the financial constraints on the Authority. He added that due to financial constraint, the Authority has not been able to access some 3.5 million blank cards which were brought into the country by its technical partners and are currently bonded in warehouses. He assured the Committee that the NIA is

ready and capable of printing out the 541,529 cards once the Authority is financially equipped by the Ministry of Finance.

**iv. Partnership with the Ministry of Finance and CAL Bank**

According to the Executive Secretary, the Authority would be able to fulfill its goal of acquiring the locked-up blank cards once the Ministry of Finance releases funds. He informed the Committee that part payment of 80 million Ghana cedis has been made by the Ministry of Finance as confirmed by CAL Bank and IMS. He added that once the balance of 20 million Ghana cedis is paid, CAL Bank would release the 3.5 million blank cards.

**v. NIA Verification Platform and Integration with the EC**

The Authority has a verification platform which enables institutions to verify the identity of individuals. The Electoral Commission is at an advanced stage of onboarding onto this system. The Executive Secretary informed the Committee that about 17.3 million Ghanaians have their data stored on this database platform. He emphasized that this platform would provide the nation with a single, trusted, verifiable and accurate national database.

He further added that Integration of the NIA with the EC would help eliminate the cost of periodic voter register compilation, ensure the issuance of secure ID smart cards with ten-year cycle while eliminating concerns of voter fraud as well as purge the register of deceased persons.

**8.0 RESPONSE BY THE MINISTRY OF FINANCE**

The Hon Minister for Finance reiterated the partnership between his outfit, the NIA and CAL Bank. He explained that 100 million Ghana cedis transfer was agreed between the parties to which 80 million Ghana cedis had been paid and the balance of 20 million Ghana cedis was agreed to be paid by installments so that the 3.5million blank cards stuck in warehouses could be released to the NIA to carry out its mandate. He assured the Committee that the Ministry of Finance would ensure that the resources needed for the success of the proposed completion of the NIA ID Cards registration and EC's data compilation would be made readily available towards a successful election in 2024. He again added that the Ministry of Finance had agreed on a payment plan with CAL Bank which would enable timely release of the Cards in the warehouse to the NIA for timely registration of eligible voters.

#### **9. 0 POSITION OF THE COMMITTEE**

The Committee following the presentation by the Chairperson of the Electoral Commission, the Executive Secretary of the National Identification Authority and the Minister responsible for Finance made the following observations and submissions, among others, to be included in the new C.I. by the Commission to improve the voter registration exercise and the entire electoral process:

1. The idea of dealing with the challenge of multiplicity of identification cards and documents, by creating a Ghana Card or a National Identification Card is most laudable and supported by all parties and governments. There is cross-party consensus on the idea of dealing with the challenge of multiplicity of identification cards, by creating



a Ghana Card or a National Identification Card. However, there are serious challenges to the usage of the Ghana Card as the sole means of identification as a Ghanaian to be entitled to be registered as a voter. These challenges include;

- (a) the lack of adequate resources to ensure that every eligible Ghanaian is registered before the 2024 general elections,
- (b) the trust deficits between the political parties and the consequent lack of consensus on the implementation of this time.
- (c) the Committee is emphatic in its position that this is not the time to introduce and implement the Ghana Card as the **ONLY** means of identification of citizenship for the purposes of voter registration. The EC should tarry slowly until every eligible voter is afforded the opportunity to register and procure the Ghana card before the legislation of such a compulsion.

2. Inclusion of the guarantor system as part of the reforms. The Committee of the Whole, following from the above, proposes for the consideration of the EC, the fo0llowing new clauses;

#### **REGULATION 1: QUALIFICATION FOR REGISTRATION**

*Regulation 1 – insert new sub-regulations 4 and 5 as follows:*

- (4) Notwithstanding sub-regulation (3), a person who applies for registration but cannot provide as evidence of identification card issued by the National Identification Authority because



(a) the person has not been registered by the National Identification Authority; or

(b) the person has been registered by the National Identification Authority but has not been issued with the national identification card;

that person shall be required by the Commission to produce a relative to provide evidence of identification on oath in accordance with the provisions of the Oath Act.

(5) Subject to sub-regulation (4), where a person applies for registration as a voter but has no relative to provide evidence of identification on oath, the Commission shall require two persons registered with the National Identification Authority and issued with the national identification card to identify that person under oath in accordance with the provisions of the Oath Act.

#### **REGULATION 2: DESIGNATION OF REGISTRATION CENTRES**

*Regulation 2 – insert the following in sub-regulation (1)*

**(b) The centers of electoral areas within the district of the Commission on rotational basis.**

#### **REGULATION 33 SUB – REGULATION 2: SAVINGS CLAUSE**

(2) Delete the words after "Regulation" in line 3.

(3) Despite the revocation of the enactments specified under sub-regulation (1), the existing Voters Register in force immediately

before the coming into force of these Regulations shall be considered to have been compiled under these Regulations.

- vi. The Committee of the Whole drew the attention of the three Institutions to an earlier promise of the NIA, as at July 2022, that it would complete a full registration of all citizens aged 15 and above. At that time the EC had sought the approval of Parliament to amend the C.I. This promise could not be fulfilled. If the C.I. had been passed then, it would have meant that many otherwise qualified persons could not have been registered then. The same promise is being repeated. The Committee, in the circumstance, would want to have better proof of the registration of eligible Ghanaians rather than mere assurance from the Ministry of Finance.
- vii. Establishment of New Registration Centres. The Committee expressed strong objection to the limitation of registration centers to only the regional and district capitals and centers determined by the Commission. Access to such centers by Ghanaians from many communities may pose serious challenge. The explanation of the EC that Regulations 2(1) and 2(2) of the new C.I. have given the EC sufficient authority to create centres when the need arises are not specific and mandatory enough. The areas for the centres to be created must be specifically stated in the C. I. as done in the case of the district centers. In that regard the Committee of the Whole recommends to the EC to go further downstream by adopting registration centres at the various electoral areas.
- viii. With regards to the sharing of data between the EC and the NIA, members sought to find out the technical infrastructure put in place for such a purpose. The Committee of the Whole was informed that there

was no such technical infrastructure for automatic sharing of data between these two bodies. However, the EC said it would provide data of persons to be expunged from the register to the NIA for verification.


- ix. The Committee of the Whole, calls on Parliament to consider the C. I. when presented to the House, subject to the above proposed revision and amendments.

#### **10.0 CONCLUSION**

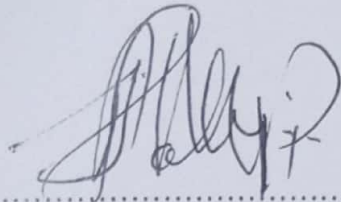
The Committee accordingly submits to the House its report on the Draft Public Elections (Registration of Voters) Regulations, 2023 and other related matters for consideration and adoption.

The Committee further urges the House to officially communicate to the EC of its decision for favorable consideration before finalization and presentation of the new C. I. to Parliament for passage into law.

Respectfully submitted.



**RT HON. SPEAKER ALBAN SUMANA KINGSFORD BAGBIN**  
**CHAIRMAN, COMMITTEE OF THE WHOLE**



JOANA ABENA SAKYI ADJEI (MRS)  
CLERK TO THE COMMITTEE

DATE: 9th March, 2023