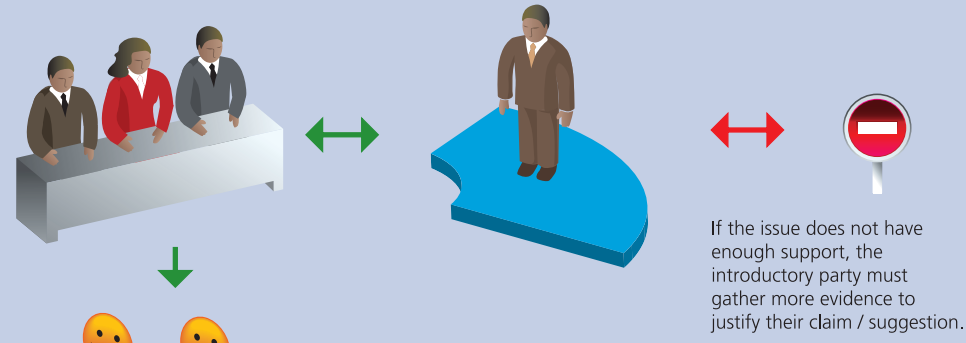


# The Law-making Process in Ghana: Structures and Procedures

## Start of the Legislative Process.

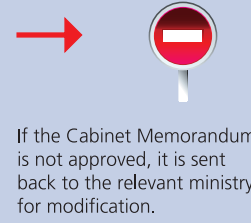
NGOs, concerned citizens, or government officials voice their opinion or concern to the appropriate ministry.



Both proposed legislation and active legislation are constantly shared and conferred with the public. The incorporation of civil society makes sure all voices are heard in the law-making process.



If the ministry finds the issue relevant, appropriate research will be conducted and a **Cabinet Memorandum** (detailing the issue and possible policy implications) will be sent to the Cabinet.



If the **Cabinet Memorandum** is approved by cabinet, the **Sector Ministry** will be notified.



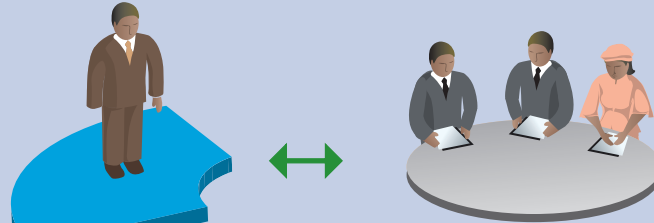
Once approved, the **Chief Director of the Sector Ministry** will draft drafting instructions to be sent to the Attorney General's Department (AG's Dept).

The **AG's Dept (Drafting Section)** receives the drafting instructions along with the Cabinet Memorandum and drafts the Bill.

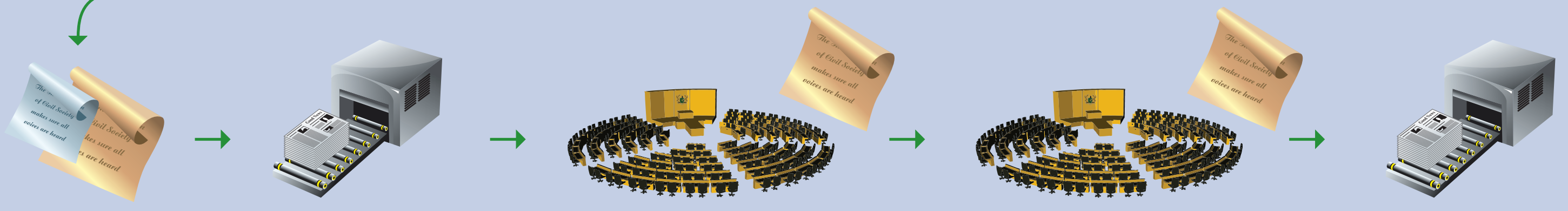
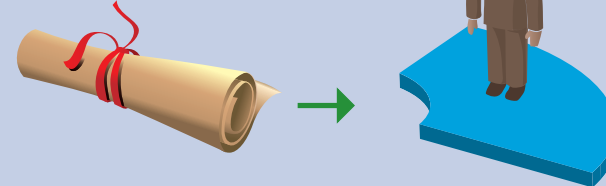


In preparing the Bill, the **Legislative Drafters** hold conferences and consultations to research necessary information.

Once the Bill is drafted, a copy of the draft is sent to the **Sector Ministry** for critique. The draft bounces back and forth between the **Sector Ministry** and the **Parliamentary Counsel (AG)** until both parties reach a consensus.



Once a consensus is reached, a **final copy** is sent to the **Sector Ministry**.



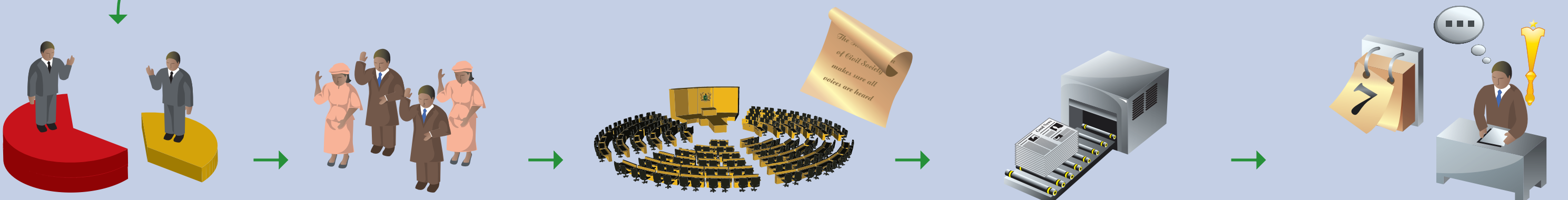
The Sector Ministry attaches a **Cabinet Memorandum** and a **brief summary of the final Bill**. This requests approval for the Bill to be introduced in Parliament.

If Cabinet approves the Bill, it is then sent to the **Government Printer**. Relevant copies are sent to Parliament and published in the Gazette.

Once the Bill is received by **Parliament**, and Standing Orders are satisfied, the **First Reading** begins. The long title of the Bill will be read to the House, and the Bill will be sent to the appropriate Parliamentary Committee.

The **Second Reading** of the Bill involves the discussion of principles and policy decisions. The Sector Minister delivers a formal speech summarising the Bill, and urging the House to pass it.

**Publication in Press** is made to invite the general public, civil society groups to make their input into the Bill. Public hearings and investigations are conducted by the relevant Committee of Parliament.



Organised debate continues between the **majority** and **minority**.

A **vote** is held on the Bill. If the Bill achieves a majority, the Bill moves into the Committee / Consideration Stage. At this stage, the Bill is discussed in Parliament clause by clause. Questions / Amendments are debated and voted on by the House.

The Bill must be voted on at the Consideration Stage by achieving majority support in Parliament.

The Bill then enters the **Third Reading**. The principles of the Bill are discussed a final time, and a vote is cast on the proposed final version of the Bill including any amendments that have been made. Again in certain specified cases, at least two-thirds of MPs must vote in favour of the Bill.

If the Bill passes, the Clerk of Parliament prepares the final version and sends it to the **printer who prints out a new version**. The Clerk sends it to the office of the President for Presidential Assent. The Bill is also published in the Gazette.

Once the Bill is received, the **President has seven days to assent, refuse, or refer the Bill** to the Council of State.

If the President refers the Bill to the Council of State, the President's comments are considered, and the Bill is sent back to Parliament for reconsideration.

If the President refuses to assent to the Bill, he must deliver an explanatory memorandum to the Speaker of Parliament within fourteen days.

If the Bill is not voted on at the Consideration Stage, it will remain there for review.

If the Bill does not pass, it dies unless it is sent back to the Consideration Stage for review.



If the President assents, the Bill becomes law. The new law is published in the Gazette.

**The Legislative Process is complete when the Bill becomes law.**