

PUBLIC FINANCIAL MANAGEMENT REGULATIONS, 2019

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IN exercise of the power conferred on the Minister responsible for Finance by section 101 of the Public Financial Management Act, 2016 (Act 921) and in consultation with the Public Procurement Authority, these Regulations are made this 12th day of March, 2019.

*Preliminary***Application**

1. (1) These Regulations apply to a covered entity, a public corporation and a state-owned enterprise.

(2) Where the covered entity referred to in subregulation (1) is a local government authority, these Regulations apply unless otherwise expressly stated.

*Responsibilities and Roles for Public Financial Management***Provision of accounting officers to covered entities**

2. (1) In furtherance of paragraph (j) of subsection (4) of section 8 of the Act, the Controller and Accountant-General shall provide accounting officers to covered entities for purposes of the receipt, custody, disbursement and reporting of public funds.

(2) The Controller and Accountant-General shall post accounting officers to covered entities except that in the case of Government Business Enterprises, accounting officers may be recruited directly by the covered entities with the approval of the Controller and Accountant-General.

(3) The conditions of service of the accounting officers posted to a covered entity shall be determined by the Controller and Accountant-General in consultation with the Head of Civil Service and the Minister except that in the case of direct recruitment as indicated in subregulation (2), the conditions of service of the accounting officers shall be determined by the covered entities.

(4) An accounting officer provided by the Controller and Accountant-General to a covered entity shall be administratively responsible to the covered entity and functionally responsible to the Controller and Accountant-General.

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Macroeconomic and Fiscal Policies

Responsibilities for macroeconomic and fiscal forecasts

3. (1) For the purpose of paragraph (a) of subsection (2) of section 15 and subsection (1) of section 21 of the Act, the Division of the Ministry, responsible for macro-fiscal policy shall coordinate the macroeconomic and fiscal forecasts required to be included in

- (a) the Fiscal Strategy Document;
- (b) the Budget Preparation Guidelines; and
- (c) the Budget Statement and Economic Policy.

(2) The Division of the Ministry responsible for macro-fiscal policy shall, for the purpose of subregulation (1),

- (a) coordinate the forecasts of
 - (i) macro-fiscal variables for the preparation of the Medium-Term Macroeconomic Framework and Medium-Term Fiscal Framework; and
 - (ii) revenues, expenditures and financing transactions of covered entities for the medium-term in collaboration with other relevant divisions of the Ministry;
- (b) collaborate with key institutions including the following involved in the macro-fiscal process to produce consistent macroeconomic forecasts:
 - (i) the Bank of Ghana;
 - (ii) the Ghana Revenue Authority;
 - (iii) the Controller and Accountant-General's Department;
 - (iv) the Statistical Service; and
 - (v) relevant divisions of the Ministry including
 - (aa) the Division responsible for revenue mobilisation;
 - (bb) the Division responsible for Real Sector;
 - (cc) the Debt Management Office;
 - (dd) the Budget Office; and
 - (ee) the Division responsible for petroleum revenue management;

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- (c) propose to the Minister, the numerical fiscal targets for the medium-term consistent with the Act;
- (d) assess the fiscal implications of key macroeconomic policies or proposals;
- (e) undertake a fiscal scenario analysis of wage adjustments for wage negotiations and advise the Minister;
- (f) monitor, assess and report fiscal risks arising from public corporations and state-owned enterprises and other entities;
- (g) develop and maintain relevant macro-fiscal models for macroeconomic analysis and forecasting;
- (h) develop and maintain a database on economic indicators;
- (i) prepare the medium-term macroeconomic framework and medium-term fiscal framework for the Fiscal Strategy Document, the budget guidelines and the annual budget;
- (j) produce and publish relevant reports on the economy that include
 - (i) an annual macroeconomic performance report, not later than the 31st of August of each financial year;
 - (ii) an annual forecast evaluation report, not later than the 30th of June of each financial year; and
 - (iii) a monthly fiscal newsletter with a lag of six weeks;
- (k) coordinate the preparation of the Fiscal Strategy Document to be submitted to Cabinet not later than the 30th of May of each financial year;
- (l) conduct research on topical economic issues for policy formulation;
- (m) collaborate with the Budget Office to prepare the Mid-Year Fiscal Policy Review;
- (n) monitor global or regional economic developments and advise the Ministry on economic integration matters; and
- (o) perform any other function assigned to the Division responsible for macro-fiscal policy under these Regulations.

Forecasting cycle and transparency

4. (1) For the purpose of paragraph (a) of subsection (2) of section 15 of the Act, the Division responsible for macro-fiscal policy shall, not later than the end of April of each financial year,

- (a) produce the initial macroeconomic and fiscal forecasts for the medium-term; and
- (b) consider
 - (i) the assumptions of the forecasts; and
 - (ii) the needs of further data collection.

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(2) The Division of the Ministry responsible for macro-fiscal policy shall include in the Fiscal Strategy Document, in respect of the Medium-Term Fiscal Framework of the Government required under paragraph (a) of subsection (2) of section 15 of the Act,

- (a) the outturns of revenue, expenditure, and financing transactions of the Government as required by approved standards for
 - (i) the two immediately preceding financial years; and
 - (ii) the current financial year;
- (b) the baseline forecasts of revenue, expenditure and financing transactions of the Government in accordance with the approved standard, which does not take into account policy changes;
- (c) the macroeconomic assumptions underlying the fiscal forecasts;
- (d) the assumptions of the wage forecasts;
- (e) the comparison with the macroeconomic and fiscal forecasts produced by reputable independent research institutions;
- (f) the estimates of proposed revenue and expenditure measures; and
- (g) the analysis of forecast errors and the difference in terms of the Budget Statement and Economic Policy for the previous year and the changes made in the forecasting methodologies, if any.

(3) For the purpose of subsection (1) of section 15 of the Act, Cabinet shall approve the Fiscal Strategy Document not later than the 25th of June of each financial year.

(4) The Division responsible for macro-fiscal policy shall, not later than the 30th of September of each financial year,

- (a) update the macroeconomic and fiscal forecasts by incorporating the prevailing macroeconomic and fiscal outturns; and
- (b) discuss the assumptions of the forecasts with the Forecasting Working Group.

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(5) The Division responsible for macro-fiscal policy shall, not later than the 30th of September of each financial year, include in the Budget Statement and Economic Policy

- (a) the updated outturns, forecasts, assumptions, and comparison required under paragraphs (a) to (g) of subregulation (2); and
- (b) an explanation for any difference in the Fiscal Strategy Document arising from the factors listed in subparagraphs (i) to (iii) of paragraph (c) of subsection (5) of section 21 of the Act.

Fiscal risk statement

5. (1) The Division responsible for macro-fiscal policy shall identify and analyse risks that may have a material effect on the fiscal outlook through the preparation of a fiscal risk statement to be specified in the Fiscal Strategy Document in accordance with paragraph (e) of subsection (2) of section 15 of the Act.

(2) Pursuant to paragraph (e) of subsection (2) of section 15 of the Act, a fiscal risk statement includes

- (a) the results of a sensitivity analysis carried out on revenue and expenditure projections;
- (b) a list of all guarantees, public private partnerships and any other contingent liabilities of covered entities;
- (c) a list of on-lending facilities from the annual budget and by covered entities;
- (d) aggregate financial positions of public corporations and state-owned enterprises;
- (e) a detailed analysis of key financial indicators of public corporations and state-owned enterprises; and
- (f) an amount of total budget support, including tax benefits, provided to public corporations and state-owned enterprises for the immediately preceding three financial years.

(3) The Division of the Ministry responsible for macro-fiscal policy shall obtain the analysis and information required to produce a fiscal

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risk statement from the relevant divisions within the Ministry, Bank of Ghana, Ghana Revenue Authority, central oversight body, Controller and Accountant-General's Department and any other covered entity.

Publication of Fiscal Strategy Document

6. For the purpose of subsection (1) of section 15 of the Act, the Minister shall, within one month after the approval of the Fiscal Strategy Document by Cabinet, publish on the website of the Ministry, relevant portions of the Fiscal Strategy Document.

Economic Policy Coordinating Committee

7. (1) For the purposes of sections 13 to 18 of the Act, there is established an Economic Policy Coordinating Committee to serve as a platform to

- (a) deliberate on high level macro-fiscal policy issues;
 - (b) provide strategic direction for effective coordination; and
 - (c) manage the economy to meet set macroeconomic objectives.
- (2) The Economic Policy Coordinating Committee consists of
- (a) the Minister;
 - (b) the Deputy Ministers responsible for Finance;
 - (c) the Governor of the Bank of Ghana;
 - (d) the Deputy Governors of the Bank of Ghana;
 - (e) the Controller and Accountant-General;
 - (f) the Commissioner-General of the Ghana Revenue Authority;
 - (g) the Government Statistician;
 - (h) the Chief Director of the Ministry; and
 - (i) the Directors responsible for macro-fiscal policy and research at the Ministry and the Bank of Ghana who shall serve as secretaries to the Economic Policy Coordinating Committee.
- (3) The Economic Policy Coordinating Committee shall
- (a) review macroeconomic performance in the real, fiscal, monetary, and external sectors of the economy on a quarterly basis and provide a strategic direction for the future;
 - (b) provide a quarterly update on the performance of the economy with possible recommendations to Cabinet;
 - (c) discuss significant deviations from the forecasts and provide direction on recommended corrective actions;

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- (d) address policy-related bottlenecks including fiscal risks to ensure the smooth implementation of macroeconomic policies;
- (e) discuss and provide direction on the implementation of relevant recommendations from studies on topical issues on the economy and propose relevant topical areas for research;
- (f) provide a platform to discuss and monitor macro-fiscal policies and strategies to ensure irreversibility in macroeconomic gains; and
- (g) perform any other assignment determined by the chairperson of the Economic Policy Coordinating Committee.

(4) The Division responsible for macro-fiscal policy in the Ministry shall coordinate the activities of the Economic Policy Coordinating Committee and serve as its secretariat.

(5) The Economic Policy Coordinating Committee shall meet on the last Wednesday of the second month in every quarter.

(6) A meeting of the Economic Policy Coordinating Committee shall be co-chaired by the Minister and the Governor of the Bank of Ghana or a Deputy Minister responsible for Finance and a Deputy Governor of the Bank of Ghana.

(7) The Minister may co-opt a person to attend a meeting of the Economic Policy Coordinating Committee but that person shall not vote on a matter for a decision at the meeting.

(8) The Minister shall establish sub-committees to support the Economic Policy Coordinating Committee.

(9) The Minister shall determine the terms of reference for the sub-committees referred to in subregulation (8).

Fiscal risk management

8. (1) For the purpose of paragraph (d) of subsection (1) of section 13 of the Act, paragraph (e) of subsection (2) of section 15 of the Act and regulation 5, the Division responsible for macro-fiscal policy in the Ministry shall

- (a) develop and update a fiscal risk register annually;
- (b) prepare a fiscal risk statement to be included in the Fiscal Strategy Document, the Budget Statement and any other documents that the Minister may determine;
- (c) analyse forecast errors of key macroeconomic and fiscal forecasts for inclusion in the Fiscal Strategy Document;

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- (d) collate relevant data for the preparation of fiscal risk analysis and reporting;
- (e) maintain a database on major sources of fiscal risk;
- (f) advise the Minister on matters with potential fiscal risk implications as determined by the Minister;
- (g) undertake research to inform decision-making as regards fiscal risk management; and
- (h) perform any other functions assigned by the Minister.

(3) The Division responsible for macro-fiscal policy may collaborate with academic and research institutions in the conduct of its functions.

Fiscal Risk Committee

9. (1) For the purpose of regulation 8, the Minister shall establish a Fiscal Risk Committee, which the Minister may designate as a sub-committee of the Economic Policy Coordinating Committee.

(2) The Fiscal Risk Committee comprises the following members appointed by the Minister:

- (a) a Deputy Minister responsible for Finance who is the chairperson;
- (b) the Chief Director of the Ministry;
- (c) the Director of the Division of the Ministry responsible for macro-fiscal policy;
- (d) the Director of the Debt Management Office;
- (e) the Director of the Division of the Ministry responsible for public investment management;
- (f) the Director of the Budget Office;
- (g) the Director of the Division of the Ministry responsible for providing legal advice to the Minister;
- (h) a Deputy Governor of the Bank of Ghana nominated by the Governor;
- (i) a Deputy Controller and Accountant-General nominated by the Controller and Accountant-General;
- (j) the Chief Executive of the central oversight body;
- (k) the Head of the Internal Audit Unit of the Ministry; and
- (l) any other member nominated by the Minister.

(3) The Fiscal Risk Committee shall

- (a) review

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- (i) the fiscal risk statement, and
 - (ii) any other reports pertaining to fiscal risk management as determined by the chairperson;
 - (b) exchange information and make recommendations pertaining to fiscal developments in relation to fiscal risk;
 - (c) give directives on the implementation of relevant policy recommendations from studies on fiscal risk;
 - (d) propose typical areas for research on fiscal risks;
 - (e) facilitate the provision of data and information needed for fiscal risk analysis and reporting to support the requirements outlined in paragraph (b) of subregulation (1) of regulation 8; and
 - (f) perform any other function assigned by the Minister.
- (4) The Minister shall determine the procedures for the meetings of the Fiscal Risk Committee.

Timing of release of macroeconomic statistics

10. (1) For the purpose of subsection (1) of section 15 and subsection (1) of section 21 of the Act, the agencies responsible for producing official statistics shall observe the deadlines specified in subregulations (2) to (4).

- (2) The Ghana Statistical Service shall release
- (a) the end-year provisional Gross Domestic Product estimates of the preceding financial year not later than the 15th of March of each financial year;
 - (b) the provisional quarterly Gross Domestic Product estimates with a lag of not more than twelve weeks;
 - (c) the final Gross Domestic Product estimates with a lag of not more than twenty-four months;
 - (d) the monthly Consumer Price Index not later than the 15th of the ensuing month; and
 - (e) the Producer Price Index not later than the 21st of the ensuing month.
- (3) The Division responsible for macro-fiscal policy shall publish the monthly fiscal data on the website of the Ministry with a lag of not more than six weeks.

(4) The Debt Management Office shall publish the monthly public debt statistics on the website of the Ministry with a lag of not more than six weeks.

*Public Financial Management Regulations, 2019***Procedure for proposing policy initiatives**

11. For the purpose of subsection (1) of section 15 and subsection (1) of section 21 of the Act, proposals of policy initiatives to be included in the Fiscal Strategy Document, Budget Statement and Economic Policy shall be accompanied with

- (a) a comprehensive concept note on the policy initiative including
 - (i) the name of the agency or institution proposing the policy;
 - (ii) the name of the implementing agency; and
 - (iii) the objectives, purpose and expected outcome of the policy;
- (b) an implementation strategy for the policy initiative including
 - (i) the start date and end date of the policy initiative;
 - (ii) indicators and targets of the policy initiative; and
 - (iii) responsibilities of the implementing agency; and
- (c) a detailed costing including the sources of funding and fiscal impact analysis of the policy initiative.

Fiscal impact analysis of legislation

12. (1) Further to section 100 of the Act, a covered entity which submits a new legislation to be laid before Parliament or a proposal for the approval of Parliament shall

- (a) provide data on expected revenues to be realised from all identified funding sources under the legislation or proposal; and
- (b) provide data on expected expenditure to be incurred under the legislation or proposal including wages, salaries, allowances and pensions.

(2) Where the legislation to be laid before Parliament envisages the creation of a new office, the covered entity submitting the legislation shall develop the proposed organogram and estimated staff requirement in consultation with the Public Services Commission, the Fair Wages and Salaries Commission and the Ministry.

(3) The Ministry shall conduct the fiscal impact analysis in accordance with information submitted by the covered entity under subregulations (1) and (2).

(4) A covered entity shall submit a fiscal impact analysis certified by the Minister when submitting a legislation or a proposal to Parliament.

*Public Financial Management Regulations, 2019**Public Financial Management Systems***Establishment of Ghana Integrated Financial Management Information System**

13. (1) In furtherance of subsection (1) of section 4 of the Act, the Minister shall establish an integrated computerised financial management information system known as the Ghana Integrated Financial Management Information System and any other related electronic platforms.

(2) The Ghana Integrated Financial Management Information System shall be the core electronic platform of Government to be used for

- (a) budget preparation,
- (b) budget execution,
- (c) revenue management,
- (d) expenditure administration,
- (e) cash management,
- (f) asset management,
- (g) debt management,
- (h) payroll management,
- (i) accounting and financial reporting,
- (j) human resource management, and
- (k) public investment management

by a covered entity to improve efficiency in managing public funds including the Consolidated Fund, internally-generated funds, statutory funds and donor funds.

(3) The Ghana Integrated Financial Management Information System includes the following components:

- (a) Financial Accounting System;
- (b) Payroll System;
- (c) Human Resource Management Information System;
- (d) Strategic Planning and Budget System;
- (e) Debt Management System;
- (f) Revenue System;
- (g) Public Investment Management System;
- (h) Treasury and Fund Transfer System;
- (i) Procurement System;
- (j) Public Investment and Asset Management System; and
- (k) any other system determined by the Minister.

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Responsibility for implementation of Ghana Integrated Financial Management Information System

14. (1) The Minister has overall responsibility for the installation and operations of the components of the Ghana Integrated Financial Management Information System and shall provide the policy guidelines for the use of the Ghana Integrated Financial Management Information System.

(2) The heads of covered entities responsible for the implementation of the Ghana Integrated Financial Management Information System as specified in subregulation (3) of regulation 13 or as determined by the Minister, shall ensure that the necessary provisions and protocols are put in place to ensure the efficient running of the system as prescribed by the policy.

(3) A user of the Ghana Integrated Financial Management Information System shall be granted authorised access to the Ghana Integrated Financial Management Information System.

(4) The authorised access that is granted to a user shall constitute a valid signature for transactions processed on the system.

(5) A user of the Ghana Integrated Financial Management Information System is personally liable for the improper use of the system for the transaction that the user is authorised to process, review, approve or access on the system.

(6) Records, logs or audit trail generated from the Ghana Integrated Financial Management Information System is admissible at law as valid evidence in the case of any malpractice or malfeasance perpetrated on the system.

Budget Preparation, Approval and Management

Forecasts for compensation of employees

15. (1) For the purpose of subsection (1) of section 15 of the Act, the Budget Office shall, not later than the end of April of each financial year, through the procedures specified in subregulations (2) to (5) and in the computerised budget management system, produce the baseline forecasts for compensation of employees for the medium-term, which shall form the basis of the Fiscal Strategy Document.

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(2) The Budget Office shall, in respect of covered entities selected by the Budget Office, generate data relevant to the compensation of employees from the computerised budget management system and transmit the data to the covered entities.

(3) A covered entity shall, within a time frame determined by the Budget Office, review the data provided under subregulation (2) and furnish the Budget Office with the information related to a headcount and progression as required by the Budget Office.

(4) For the purpose of subsection (2) of section 20 of the Act, the Minister shall specify, in the guidelines for preparation of the annual budget,

(a) the assumptions of indicators required for estimates of the compensation of employees; and

(b) the schedule for notifying the Budget Office of the results of salary and other compensation negotiations, if not completed by the end of April of the current financial year.

(5) The Budget Office shall, in the computerised budget management system, revise the baseline forecasts for compensation of employees on the basis of the results of salary and other compensation negotiations in respect of the public sector.

Expenditure ceilings

16. (1) The multi-year ceilings for each covered entity to be issued in the guidelines for preparation of the annual budget under paragraph (e) of subsection (2) of section 20 of the Act shall cover recurrent and capital expenditures of each covered entity regardless of the funding source for the medium-term.

(2) For the purposes of this regulation, recurrent and capital expenditures include expenditures for new policies and projects as well as non-discretionary expenditures and critical payments.

(3) The multi-year ceilings shall take into account the baseline forecasts for the compensation of employees and the forecasts for the payment of arrears under regulations 17 and 18.

(4) The multi-year ceilings shall be binding for the ensuing financial year but may be indicative for the subsequent outer years.

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Budget proposals and hearings

17. (1) When the guidelines for preparation of the annual budget are issued under paragraph (a) of subsection (1) section 20 of the Act, the Budget Office shall enter the multi-year ceilings referred to in paragraph (e) of subsection (2) of section 20 of the Act into the Budget Module of the Ghana Integrated Financial Management Information System.

(2) A covered entity shall, not later than the 31st of July of each financial year, submit the budget proposals of the covered entity to the Budget Office by entering the budget proposals into the Budget Module of the Ghana Integrated Financial Management Information System.

(3) For the purpose of paragraph (a) of subsection (1) of section 21 of the Act, the Budget Office shall, on behalf of the Minister, hold budget hearings with covered entities after the submission of the budget proposals under subregulation (2), but before the submission of the proposed annual budget to the Cabinet in accordance with paragraph (b) of subsection (1) of section 21 of the Act.

(4) Subject to conclusions reached at the budget hearings, a covered entity may adjust the budget estimate of that covered entity.

(5) Despite subregulation (4), an adjustment made shall be within the ceilings referred to in paragraph (e) of subsection (2) of section 20 of the Act unless otherwise determined by the Minister.

Budget Module of Ghana Integrated Financial Management Information System

18. The Budget Office is, in the performance of the functions of the Budget Office referred to in subsection (2) of section 10 of the Act, responsible for the Budget Module of the Ghana Integrated Financial Management Information System, which is for the preparation and management of the budgets for covered entities.

Integration of budget process for statutory funds

19. (1) For the purpose of paragraph (j) of subsection (2) of section 20 and paragraph (j) of subsection (5) of section 21 of the Act, all expenditures of statutory funds shall be appropriated in the annual budget by applying the level of detailed appropriations, the budget classifications and the chart of accounts in the same manner as those for other covered entities or as may be determined by the Minister.

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(2) Covered entities with statutory funds shall use the Budget Module of the Ghana Integrated Financial Management Information System for the preparation of their budget.

(3) The multi-year ceilings referred to in paragraph (e) of subsection (2) of section 20, shall cover recurrent and capital expenditures of statutory funds in the same manner as those for the other covered entities.

(4) Covered entities with statutory funds shall, not later than 31st July of each financial year, submit the budget proposals through the Budget Module of the Ghana Integrated Financial Management Information System and participate in the budget hearings in accordance with regulation 17.

(5) The following statutory funds except Social Security and National Insurance Trust shall be subject to these Regulations:

(a) the statutory funds and other earmarked funds within the meaning of the Earmarked Funds Capping and Realignment Act, 2017 (Act 947); and

(b) any other fund established by an Act of Parliament.

Programme classification

20. (1) For the purpose of paragraph (a) of subsection (4) of section 21 of the Act, expenditures in the budget shall be classified by programmes.

(2) The programmes shall be subject to the following requirements:

(a) the Principal Spending Officer of a covered entity appoints a programme manager for each programme, whose responsibilities are specified in writing;

(b) the objectives and activities of each programme are specified and evaluated in the budget preparation process;

(c) the programme structure is reflected in the chart of accounts; and

(d) adherence to requirements issued in the guidelines of the Minister.

(3) The Minister shall, in accordance with subsection (2) of section 20 of the Act, issue guidelines required for the preparation of the budget.

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Publication of budget documents

21. For the purpose of subsection (7) of section 21 of the Act, the Minister shall publish a set of documents including the estimates of Ministries, Departments and Agencies related to the budget on the website of the Ministry on the same day that the Appropriation Act is published in the *Gazette*.

Expenditure in advance of appropriation

22. Where an Appropriation Act is not approved by Parliament before the beginning of a financial year, expenditure authorised by a warrant of the President under section 23 of the Act

- (a) may be made for all expenditure classification made in the annual or supplementary budget of the preceding financial year; and
- (b) shall not exceed a quarter of the total expenditure authorised in the annual or supplementary budget of the preceding financial year.

Supplementary budget

23. (1) For the purpose of subsection (4) of section 35 of the Act, a supplementary expenditure shall not increase the total appropriation of the annual budget, unless the increase in the total appropriation

- (a) arises from an event referred to in subsection (1) of section 18 of the Act; or
- (b) can be financed by the increase in the revenue other than domestic or external borrowing.

(2) A Supplementary Appropriation Bill submitted to Parliament shall be accompanied with a report that indicates

- (a) the justification for the supplementary budget;
- (b) the revised macroeconomic and fiscal forecasts for the next three years or more;
- (c) the comparison of the forecasts referred to in paragraph (b) with those included in the annual budget and the Fiscal Strategy Document;
- (d) an analysis of the impact on achievement of the numerical fiscal targets and the adjustments to be made towards its achievement; and
- (e) a source of financing required for the execution of the supplementary budget.

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(3) The Minister shall issue to covered entities, a circular on the preparation of a supplementary estimate, when the Minister intends to prepare the Supplementary Appropriation Bill.

(4) The Minister shall, on the approval of the Supplementary Appropriation Bill by Parliament, publish the Supplementary Appropriation Bill and the report referred to in subregulation (2) on the website of the Ministry.

Mid-year review

24. (1) For the purpose of subparagraph (ii) of paragraph (e) of subsection (2) of section 28 of the Act, where necessary, the Minister shall report on the implementation of the budget of a covered entity in the mid-year review.

(2) A covered entity selected by the Budget Office shall submit to the Budget Office detailed half-yearly reports and projections up to the end of the current financial year.

(3) Despite paragraph (d) of subsection (2) of section 28 of the Act, unless the revised budget outlook for the unexpired term of the financial year results in a significant reduction in the allocation of a covered entity, the Minister shall use administrative instructions to ensure that expenditures remain within the revised numbers.

Budget Unit

25. Each Ministry, Department and Agency shall establish a Budget Unit to

- (a) coordinate budget preparation, implementation, reporting, monitoring and evaluation; and
- (b) provide quality assurance on budget issues.

Budget committees

26. (1) A covered entity shall establish a budget committee which consists of the

- (a) Principal Spending Officer, who is the chairperson; and
 - (b) Heads of Budget Management Centres or Cost Centres.
- (2) A budget committee shall
- (a) review and formulate the strategic plans based on the policies of Government;

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- (b) review the revenue collection activities of a covered entity;
 - (c) allocate resources based on budget programmes and sub-programmes of the covered entity;
 - (d) coordinate and consolidate the budget;
 - (e) monitor and evaluate budget performance; and
 - (f) present a quarterly report to a Principal Account Holder.
- (3) The head of the Budget Unit shall serve as the secretary to the Budget Committee.

Virement

27. (1) For the purpose of subsection (3) of section 32 of the Act, the virement of an amount of an item of expenditure under the budget estimates shall be prohibited where the virement is made

- (a) to the compensation of employees from other recurrent expenditure;
- (b) from the compensation of employees to other recurrent expenditure;
- (c) from capital expenditure to recurrent expenditure;
- (d) to decrease utility expenses;
- (e) for any other expenditure to be protected; and
- (f) to create a new budget programme.

(2) For the purpose of subsection (4) of section 32 of the Act, the Principal Spending Officer may reallocate an amount of an item of expenditure without the approval of the Minister if

- (a) the virement is made from recurrent expenditure to other recurrent expenditure within the same programme;
- (b) the cumulative amount of virement made during a financial year within a budget programme does not exceed five percent of the total expenditure appropriated for the budget programme; and
- (c) the virement does not require a change in a spending plan.

Procedure for virement

28. (1) Where a covered entity wishes to vire between the votes in the warrants issued, an application for virement shall be made by the covered entity on the Ghana Integrated Financial Management Information

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System to the Minister, indicating the source and destination of each amount being vired for approval.

(2) Virement from compensation of employee and capital expenditure votes to goods and services or recurrent expenditure is not allowed.

(3) Virement that involves changes in the spending plan approved by the Minister for the current financial year shall require the prior written approval from the Minister.

(4) A virement can be made from goods and services to capital expenditure.

Transfer of functions between covered entities

29. (1) For the purpose of section 29 and paragraph (d) of subsection (3) of section 32 of the Act, where a function is to be transferred between covered entities,

(a) the covered entities concerned shall consult the Minister in advance; and

(b) a covered entity to which a function is transferred shall, within ninety days submit to the Minister a memorandum to request a supplementary allocation.

(2) A circular referred to in subregulation (3) of regulation 23 shall include instructions for the purposes of this regulation.

Contingency Fund

30. (1) For the purpose of subsection (1) of section 36 of the Act, the Contingency Fund shall be subject to the following conditions:

(a) the outstanding amount of the Contingency Fund shall not exceed two percent of the total expenditure;

(b) the total expenditure to be financed by the Contingency Fund during a financial year shall not exceed two percent of the total expenditure funded by the Government in the annual budget; and

(c) the total amount of the replenishment of the Contingency Fund during a financial year shall not exceed two percent of the total expenditure funded by the Government in the annual budget or an appropriation for the Contingency Fund in the annual budget, whichever is lower.

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(2) An appropriation for the Contingency Fund authorised in the annual budget shall not be increased by the supplementary estimate or the reallocation from other appropriations.

(3) For the purpose of subsection (1) of section 36 of the Act, the examples of expenditure that shall not be funded by the Contingency Fund include

- (a) expenditure that, although known when finalising the annual budget, could not be accommodated within the annual budget;
- (b) increase in expenditure due to tariff adjustments or price increases; and
- (c) expenditure for extensions of existing services or the creation of new services that are not urgent or unforeseen.

National Development Plans

Costing of national development plans

31. (1) For the purposes of subsection (5) of section 33 of the Act, the medium-term national, sectoral or district development plans produced under the National Development Planning System Act, 1994 (Act 480) shall specify

- (a) the medium-term costs of new and ongoing programmes included in the plans;
- (b) the life-time, total, and medium-term costs of new and ongoing development projects included in the plans; and
- (c) the assumptions and methodologies used for the costing under paragraphs (a) and (b).

(2) The costing of programmes and capital projects under subsection (1) shall be based on the assumptions of economic, social, demographic and other standard indicators consistent with the National Development Policy Framework and within the constraint of the Medium Term Fiscal Framework.

(3) The Minister shall, before a national, sectoral or district development plan is approved by the National Development Planning Commission, on the recommendations of the Division responsible for public investment in the Ministry and the Budget Office, verify that in the case of a capital project, the national, sectoral or district development

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plans are consistent with the Public Investment Plan, Medium Term Fiscal Framework and the National Infrastructure Plan.

(4) The National Development Planning Commission shall publish an approved national or sectoral development plan on the website of the National Development Planning Commission together with a statement.

*Revenue Management***Responsibilities for collection of domestic revenue**

32. (1) The following institutions are respectively responsible for the collection of the following domestic revenues:

- (a) The Ministry shall collect
 - (i) dividends from public corporations and state-owned enterprises;
 - (ii) interest income on lending from the budget;
 - (iii) proceeds from the sale of shares held by the Government; and
 - (iv) proceeds from the sale of non-financial assets;
- (b) the Ghana Revenue Authority shall collect
 - (i) tax revenues;
 - (ii) petroleum revenues within the meaning of the Petroleum Revenue Management Act, 2011 (Act 815); and
 - (iii) airport tax;
- (c) the agencies referred to in the First Schedule of the Energy Sector Levies Act, 2015 (Act 899) namely
 - (i) Ghana Revenue Authority,
 - (ii) National Petroleum Authority,
 - (iii) Electricity Company of Ghana, Northern Electricity Distribution Company, Volta River Authority and other suppliers of electricity,shall collect the levies to be collected under the Energy Sector Levies Act, 2015 (Act 899);
- (d) other relevant covered entities shall collect
 - (i) other non-tax property income;
 - (ii) internally generated funds; and
 - (iii) any other non-tax revenues.

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- (2) For the purpose of paragraph (c) of subsection (1) of section 7 of the Act, the Principal Spending Officer of each covered entity shall
- (a) take effective and appropriate steps to collect money due to the covered entity; and
 - (b) report to the Office responsible for cash management any impending
 - (i) under-collection of revenue due; and
 - (ii) shortfalls in budget revenue.

Use of revenue systems by the Ghana Revenue Authority for revenue collection

33. The Ghana Revenue Authority shall deploy revenue systems to manage revenue collection.

Roll-out of the revenue information processing module

34. (1) In accordance with subsection (1) of section 47 of the Act, the Ghana Revenue Authority shall, for the purposes of paragraph (c) of section 2 of the Ghana Revenue Authority Act, 2009 (Act 791), maintain a revenue information processing module of the Ghana Integrated Financial Management Information System.

- (2) The Ghana Revenue Authority shall, in accordance with any applicable enactment,
- (a) record the information of tax returns in the revenue information processing module within six months after the coming into force of these Regulations; and
 - (b) ensure that the revenue information processing module is fully interfaced with the Ghana Customs Management System within six months after the coming into force of these Regulations.

Forecasting of tax and non-tax revenue

35. (1) For the purpose of subsection (1) of section 15 of the Act, the Division of the Ministry responsible for macro-fiscal policy shall, in collaboration with the Division responsible for revenue policy, not later than the end of April of each financial year, produce the baseline forecasts for revenue and non-tax revenue for the ensuing three years, for inclusion in the Fiscal Strategy Document.

(2) The member institutions of the Forecasting Working Group shall provide the data requested under subregulation (1) to the Division of the Ministry responsible for macro-fiscal policy not later than the 31st of March of each financial year.

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(3) For the purpose of subsection (1) of section 21 of the Act, the Division of the Ministry responsible for macro-fiscal policy shall, not later than the 30th of September of each financial year, produce and consider at the meeting of the Forecasting Working Group, the revised baseline forecasts for tax revenue and non-tax revenue for the ensuing four years, which shall form the basis of the annual budget.

Reporting of revenue collection

36. (1) For the purpose of section 31 of the Act, the Ghana Revenue Authority and any other covered entity as determined by the Budget Office shall, through the computerised budget management system, provide to the Budget Office, the monthly cash flow forecasts including the following information where requested by the Budget Office:

- (a) the actual revenue;
- (b) a projection of revenue collection for the remainder of the current financial year;
- (c) revenue arrears; and
- (d) any other data and information required under the computerised budget management system.

(2) The Budget Office of the Ministry or the Division of the Ministry, responsible for macro-fiscal policy shall meet the Ghana Revenue Authority and any other covered entity selected by the Budget Office of the Ministry to

- (a) reconcile the information submitted under subregulation (1) with the data obtained from the Ghana Integrated Financial Management Information System; and
- (b) review the projection of revenue collection and the collection of revenue arrears.

Payment of revenue

37. (1) The Ghana Revenue Authority and other covered entities shall ensure that tax and non-tax revenues and other moneys owed to the Ghana Revenue Authority and other covered entities received are, within forty-eight hours, paid

- (a) at an office of the Bank of Ghana or any other commercial bank with which the Government has a transit account;
- (b) by electronic fund transfer to the Bank of Ghana or any other commercial bank with which the Government has a transit account; or
- (c) to a cashier of an office of the Ghana Revenue Authority or any other covered entity.

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(2) A collecting bank that fails to transfer payment by cheque within forty-eight hours shall pay interest at the Bank of Ghana discount rate.

Official receipts

38. (1) The following documents shall represent evidence of receipts of tax and non-tax revenue and other moneys owed to the Government and covered entities:

- (a) a deposit-slip issued by the Bank of Ghana or a commercial bank for deposit into a revenue transit account or the Treasury Single Account;
- (b) an electronically-generated deposit-slip of an electronic fund transfer to a revenue transit account or the Treasury Single Account; and
- (c) all official receipts issued by a cashier of an office of the Ghana Revenue Authority or a covered entity.

(2) An official receipt referred to in paragraph (c) of subregulation (1) shall be in a form determined by the Controller and Accountant-General.

Transfer and reporting of collected revenue

39. (1) A commercial bank with which the Government opens a revenue transit account shall transfer moneys received, within forty-eight hours after receipt into the Treasury Single Account.

(2) Where revenue and other money is

- (a) paid in cash or cheque to a cashier of an office of the Ghana Revenue Authority or of a covered entity, or
- (b) received directly by a revenue collector or cashier,

the cashier or the revenue collector shall, within twenty-four hours after the receipt of the revenue and other money, deposit the revenue and other money into the Treasury Single Account or a revenue transit account opened with a commercial bank.

(3) A commercial bank with which the Government opens a revenue transit account shall provide the Controller and Accountant-General and the relevant office of the Ghana Revenue Authority with a bank statement and any other information concerning the account and revenue and other moneys received in a manner specified by a service level agreement.

Record of revenue in the Ghana Integrated Financial Management Information System

40. (1) The Ghana Revenue Authority and other covered entities shall, within six months after the coming into force of these Regulations, process data on tax and non-tax revenue collected by the Ghana Revenue Authority and other covered entities in the Ghana Integrated Financial Management Information System through the Ghana Customs Management System and the revenue information processing module.

(2) A revenue administration system interfaced with the Ghana Integrated Financial Management Information System or recorded directly into the Ghana Integrated Financial Management Information System shall, within six months after the coming into force of these Regulations, transfer directly data on tax and non-tax revenue collected by covered entities to the Ghana Integrated Financial Management Information System if the Ghana Integrated Financial Management Information System is used for administration of the revenue.

Payments in kind

41. (1) Tax or non-tax revenue or any other money owed to the Government and a covered entity shall not be paid in kind, unless the payment in kind is permitted or required by

(a) an applicable enactment; or

(b) the Controller and Accountant-General.

(2) Subregulation (1) does not apply to the collection of delinquent claims for revenue or any other money owed to the Government and the covered entity.

(3) Where the Principal Spending Officer intends to collect revenue and other money owed to the Government and a covered entity in a foreign currency, the Principal Spending Officer shall obtain the prior written consent of the Controller and Accountant-General.

(4) The Principal Spending Officer shall deposit revenue and other money owed to the Government and a covered entity in a foreign currency into the Treasury Single Account within seventy-two hours after the receipt of the revenue and other money in accordance with instructions of the Controller and Accountant-General.

Revenue collector and delinquent claims

42. (1) A person or officer other than a revenue collector authorised under the law or authorised by the Principal Spending Officer shall not collect revenue and other money owed to the Government and a covered entity.

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(2) The Minister may transfer a delinquent claim for tax revenue owed to the Government and a covered entity to the Ghana Revenue Authority for enforcement and collection in accordance with any applicable law.

Collection of revenue

43. (1) Revenue collection shall start from the first working day of the financial year.

(2) New rates or charges become effective from the date specified in the amending enactment or any other instrument authorising the change.

Tax revenue

44. Tax revenue shall be administered by the revenue agencies in accordance with these Regulations and any applicable law.

Non-tax revenue and internally-generated funds

45. For the purpose of these Regulations,

(a) “non-tax revenue” includes fines, penalties, forfeitures, fees and charges, rent on government lands and buildings, interest on Government investments, dividends and all other revenue generated from the activities of covered entities; and

(b) “internally-generated funds” means revenue generated from the activities of a covered entity from its operations other than taxes collected by the Ghana Revenue Authority.

Collection and lodgement of non-tax revenue

46. A Principal Spending Officer shall

(a) ensure that non-tax revenue is efficiently collected;

(b) ensure that non-tax revenue is immediately lodged in gross within twenty-four hours in the designated Consolidated Fund Transit bank accounts except in the case of internally-generated funds retained under an enactment; and

(c) monitor and ensure that non-tax revenue lodged into the transit bank accounts are promptly transferred into the main Consolidated Fund bank account.

Accounting and disclosure of non-tax revenue

47. (1) A Principal Spending Officer shall fully disclose all non-tax revenue collected, lodged or retained as part of the monthly report to the Minister required under these Regulations, with copies to the Controller and Accountant-General and the Auditor-General.

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- (2) A disclosure under subregulation (1) shall cover
- (a) the collection points of the department in the regions and districts by the type of non-tax revenue;
 - (b) the extent to which the department revenue target for the month has been achieved and measures that need to be taken to address any shortfall;
 - (c) expenditure incurred out of retained non-tax revenue including internally generated funds classified according to the Budget Classification;
 - (d) non-tax revenue including internally generated funds due but not collected;
 - (e) any non-tax revenue including internally generated funds leakages and measures to address them; and
 - (f) certification confirming reconciliation of lodgements with collections.

Review of rates, fees and charges

48. A Principal Spending Officer responsible for collecting various types of fees and charges shall review annually the administrative efficiency of collection, the accuracy of past estimates and the relevance of rates, fees and charges to current economic conditions and submit proposals through the Minister to Parliament for approval.

Failure to collect, account and disclose non-tax revenue

49. A public officer who fails to comply with these Regulations on collections, accounting and disclosures in respect of non-tax revenue including internally generated funds is in breach of section 96 of the Act.

Lodgement to be made in gross into public funds

50. (1) All public moneys collected shall be paid in gross into the Public Funds Accounts and a disbursement shall not be made from the moneys collected except as provided by an enactment.

(2) A person who makes disbursement from public moneys collected in contravention of subregulation (1) is in breach of section 96 of the Act.

Responsibility for collection of public funds

51. Except as otherwise provided in any other enactment, the collection of public and trust moneys shall be the responsibility of the Principal Spending Officer, who shall appoint supervising collectors for each area where collection is required.

*Public Financial Management Regulations, 2019***Ceremonial receipts**

52. (1) Where any moneys are paid to Government as part of a public or official ceremony, the moneys shall be paid within forty-eight hours into the appropriate Public Fund Account in compliance with these Regulations.

(2) A public officer shall not accept a symbolic cheque if that cheque is not supported with an actual cheque.

(3) A public officer who contravenes subregulation (1) or (2) is in breach of section 96 of the Act.

Information on official receipting arrangement

53. A head of department shall by notice or any other means as that head considers necessary, inform the public that a pre-numbered official receipt shall be obtained for all moneys paid to a public official authorised to receive the moneys by the department and that the public is entitled to refuse payment if the receipt is not offered.

Hours of collection

54. Official collecting offices shall

- (a) establish official hours of collection which shall be to facilitate service to the public and safe custody of public funds;
- (b) prominently display notices on their premises specifying the collecting hours; and
- (c) provide services throughout the official hours.

Notice of liability to pay revenue

55. (1) A notice to a member of the public stating revenue due from that member shall be on a serially pre-numbered form to be specified in Departmental Accounting Instructions and the form shall be controlled as a value book in accordance with these Regulations.

(2) The form under subregulation (1) shall contain details that enable the person who receives the form to check the amount properly due and shall also inform the person

- (a) of where, and at what times, payment may be made;
- (b) of what means of payment is acceptable; and
- (c) about the precautions to be observed where postal remittances are used.

*Public Financial Management Regulations, 2019***Issue of original receipt**

56. (1) A collector who is satisfied that money tendered is in order, shall issue an original receipt to the payer and shall deal with the duplicate and triplicate copies as required by Departmental Accounting Instructions.

(2) A collector shall not use temporary receipts or receipts other than in the authorised form for collections.

(3) A person who issues a temporary receipt or an unauthorised form for collections is in breach of section 96 of the Act.

Acceptance of legal tender

57. Any instrument, which is the legal tender of Ghana under any enactment, may be used in making payment for any amount due to the Government.

Cheques payable to the Government of Ghana

58. (1) Cheques in respect of payments to Government shall be made payable to the "Government of Ghana" and be crossed.

(2) Where a cheque in respect of payment to Government

(a) is incorrectly issued in the name or the post of a particular officer, the cheque shall immediately upon receipt be endorsed by the officer with the statement "Pay to the Government of Ghana"; and

(b) is uncrossed, the cheque shall immediately upon receipt be crossed by the officer who receives the cheque.

(3) An officer who fails to comply with subregulation (2) is in breach of section 96 of the Act.

Inspection by Controller and Accountant-General's Department

59. (1) The Controller and Accountant-General's Department may carry out inspections that it considers necessary to ensure the integrity of the internal control system operating in a department.

(2) A Principal Spending Officer shall give full access to the Controller and Accountant-General to documentation, systems, stores, officials, safes and other relevant information that are necessary for an inspection under subregulation (1).

Authority for refund

60. Refunds may be authorised

(a) by the authority prescribed in the appropriate enactment, in respect of revenue correctly collected in accordance with law, and subsequently reclaimed under conditions prescribed by law;

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- (b) by the head of department to be made from the Consolidated Fund in accordance with these Regulations chargeable to the revenue item concerned in respect of revenue which results from erroneous collection, where the erroneous collection took place in the current year; and
- (c) by the Controller and Accountant-General to be chargeable to an account so designated in the Departmental Accounting Instructions in respect of revenue which results from erroneous collection, where the erroneous collection took place in the current year.

*Expenditure Control***Expenditure subject to commitment control**

61. (1) A commitment for the following expenditure and payment of a covered entity shall be made in the Ghana Integrated Financial Management Information System within a commitment ceiling issued according to budget availability:

- (a) recurrent and capital expenditure financed by the Consolidated Fund;
- (b) compensation of employees financed by the Consolidated Fund;
- (c) recurrent and capital expenditure including compensation of employees financed by internally-generated funds;
- (d) recurrent and capital expenditure including compensation of employees financed by statutory funds;
- (e) recurrent and capital expenditure including compensation of employees financed by donor funds;
- (f) advance payments regardless of the funding source; and
- (g) advances and payments to create and replenish imprest, revolving funds and any other trusts and special funds.

(2) The following covered entities shall comply with subregulation (1) and regulations 42 to 56:

- (a) the statutory funds and other earmarked funds within the meaning of the Earmarked Funds Capping and Realignment Act, 2017 (Act 947);
- (b) the Social Security and National Insurance Trust; and
- (c) any other trust, pool and special funds.

*Public Financial Management Regulations, 2019***Work plan and quarterly budget allotments**

62. (1) The Budget Office shall issue annual budget implementation instructions to Ministries, Departments and Agencies not later than the 15th of January of each financial year detailing the procedures and requirements in implementing the approved budget.

(2) For the purpose of subsection (1) of section 25 of the Act, the Principal Spending Officer of each covered entity shall, by a date specified by the Minister, through the approved computerised budget management system, approve and submit to the Budget Office of the Ministry or the Office of the Ministry responsible for cash management

- (a) an annual work plan of the respective covered entity; and
- (b) the quarterly update of the work plan.

(3) A work plan shall include cashflow forecasts of the covered entity for the financial year and any other data and information required under the computerised budget management system.

(4) The Budget Office shall prepare quarterly budget allotments, which shall be within available funds and quarterly cash forecast.

(5) The quarterly budget allotments shall apply to expenditures and payments of covered entities for funding sources, but the annual budget allotments may be issued for expenditures and payments financed by development partners' funds.

(6) The Budget Office shall, with the approval of the Minister, set the quarterly budget allotments in the Ghana Integrated Financial Management Information System

- (a) for the first quarter, within ten days after the beginning of a financial year;
- (b) for the second and fourth quarters, within ten days of the ensuing month; and
- (c) for the third quarter, ten days after the approval of the mid-year review.

Request for warrant

63. (1) For the purpose of subsection (2) of section 25 of the Act, the Principal Spending Officer of each covered entity shall, by a date set by the Minister, through the Ghana Integrated Financial Management Information System, prepare and submit to the Budget Office of the Ministry, a request for a warrant for recurrent and capital expenditure to be committed during the quarter.

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(2) The Minister shall, on the basis of the request submitted under subregulation (1), through the Ghana Integrated Financial Management Information System, issue to each covered entity a warrant.

(3) A warrant issued under subregulation (2) shall be within available funds and based on quarterly cash forecasts produced by the Office responsible for cash management.

(4) The sum of warrants that are issued during a quarter shall be consistent with the amount of the corresponding budget allotments.

Distribution of commitment ceiling

64. The Principal Spending Officer of each covered entity shall, in the Ghana Integrated Financial Management Information System, distribute a commitment ceiling issued in a quarterly budget allotment to the covered entity.

Requirements for warrant

65. (1) For the purpose of subsection (3) of section 25 of the Act, a warrant shall be required for expenditure and payments of covered entities but not for public corporations and state-owned enterprises regardless of the funding sources.

(2) A warrant that is issued during a quarter shall be within the budget allotment for that quarter.

Commitment requisition and approval

66. (1) For the purpose of making a requisition for a commitment for expenditure subject to a quarterly warrant, an officer of a covered entity shall prepare and submit to the Principal Spending Officer a purchase requisition,

- (a) in case of procurement under the framework agreement, before placing an order or awarding a call-off;
- (b) in case of procurement using a public contract, before awarding a contract;
- (c) in case of an increase in price or the occurrence of an additional payment under an existing procurement contract, before approval by a public procurement committee of price variations;
- (d) in case of utilities, rents and other recurring or standing commitments, immediately after an invoice is received;
- (e) in case of grants, subsidies or transfers, before a decision of a mandated officer that results in expenditure; and

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(f) before approval of payment vouchers for advance payment and an advance to imprest, revolving funds, trust funds and special funds.

(2) An officer of a covered entity shall not proceed with a procurement or a decision that results in expenditure, until a purchase requisition and an associated commitment is approved by the Principal Spending Officer of a covered entity under this regulation.

(3) The Principal Spending Officer of a covered entity may, in the Ghana Integrated Financial Management Information System, approve a purchase requisition where the requested commitment is within an available balance of a quarterly allotment.

(4) Where a commitment requires multiple payments, the Principal Spending Officer of a covered entity may approve a requisition of the commitment where the total amount of payments is within an available balance of a commitment ceiling issued by a quarterly warrant.

(5) The Principal Spending Officer shall, on the approval of a purchase requisition in the Ghana Integrated Financial Management Information System, generate the required document and provide the requesting officer with a purchase order or a payment voucher in the case of commitments to utility payments.

Purchase requisition for capital expenditure

67. (1) Despite regulation 87, the Principal Spending Officer of a covered entity shall send a purchase requisition for capital expenditure to the Budget Office through the Ghana Integrated Financial Management Information System, together with a request for a specific warrant.

(2) The Minister or an officer authorised by the Minister shall, through the Ghana Integrated Financial Management Information System, approve the purchase requisition for capital expenditure and issue the associated warrant.

Requisition of multi-year expenditure commitments

68. (1) A covered entity shall, in accordance with the instructions of the Minister, make a requisition of a multi-year expenditure commitment for the approval of the Minister.

(2) The Principal Spending Officer shall not approve a purchase requisition for a multi-year expenditure commitment unless the purchase requisition has been approved by the Minister under this regulation.

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(3) For the purpose of subsection (1) of section 33 of the Act, the Principal Spending Officer of a covered entity shall, in order to request for a multi-year expenditure commitment, prepare and submit a purchase requisition to the Budget Office

(a) in case of a procurement using a public contract, before awarding a contract;

(b) in case of an increase in price or the occurrence of an additional payment under an existing procurement contract, before approval by a procurement committee of price variations; or

(c) in case of a commitment that does not require procurement, before a decision of a mandated officer that results in a multi-year expenditure commitment.

(4) The Minister may approve a purchase requisition submitted under subregulation (1), where the total amount of the commitment is within a medium-term expenditure ceiling issued in the current Fiscal Strategy Document.

(5) The Principal Spending Officer of a covered entity shall send a purchase requisition for a multi-year expenditure commitment to the Budget Office to be approved by the Minister through the Ghana Integrated Financial Management Information System.

(6) Commitments to be settled in the future years shall be provided for in the Budget Module of the Ghana Integrated Financial Management Information System against appropriations for the ensuing year.

(7) For the purpose of paragraph (b) of subsection (1) of section 33 of the Act, the Minister shall seek for the approval of a multi-year expenditure commitment by Parliament in the annual budget.

Unused balance of budget allotment

69. A balance of a budget allotment that remains unused at the end of a quarter shall be carried over to the following quarter but shall lapse at the end of the financial year.

Changes in budget appropriation

70. Where a budget appropriation is created or changed because of

(a) the approval of a supplementary budget under subsection (1) of section 35 of the Act,

(b) the advances from the Contingency Fund under subsection (1) of section 36 of the Act, and

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(c) the approval of the Minister for a virement under subsection (1) of section 32 of the Act, the Budget Office shall, through the Ghana Integrated Financial Management Information System and on behalf of the Minister, issue a quarterly budget allotment to make necessary changes in a budget allocation for the budget appropriation.

Commitment control

71. The Ghana Integrated Financial Management Information System shall not permit the approval of a payment voucher without a commitment having been made in the Ghana Integrated Financial Management Information System by way of a purchase order generated by the Ghana Integrated Financial Management Information System.

Provision in procurement contract

72. (1) A framework agreement that is made under the Public Procurement Act, 2003 (Act 663) and requires expenditure from the budget, shall be deemed to include the following provisions:

- (a) an order or call-off made under the framework agreement is valid only when it is made by a purchase order or expense order with a unique commitment control number; and
- (b) the contractor concerned is not entitled to compensation for any performance provided in response to an order or call-off that was not made by a purchase order or expense order with a unique commitment control number.

(2) A contract, other than a framework agreement, that is made under the Public Procurement Act, 2003 (Act 663) and requires expenditure from the annual budget shall be deemed to include the following provisions:

- (a) the contract shall be suspended automatically, if the contractor does not receive a purchase order or expense order with a unique commitment control number when they enter into the contract; and
- (b) the contractor is not entitled to compensation for any performance provided during the suspension of the contract until the contractor receives a purchase order or expense order with a unique commitment control number.

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Increase in amount of an approved commitment

73. (1) Where an amount of an approved commitment is increased above fifteen per cent, the increase shall be treated as a new commitment.

(2) An increase in amount of an approved commitment shall be of no effect, unless it is approved and recorded in accordance with these Regulations as a new commitment.

Cancellation or reduction in price of an approved commitment

74. Where an approved commitment is no longer required because of the cancellation of a procurement, contract, or the decision of a competent authority, the records of the commitment shall be modified by the Principal Spending Officer.

Cut-off date of a commitment

75. (1) The Controller and Accountant-General shall annually determine a cut-off date of processing of a purchase order, which shall allow sufficient time for the supplier to fulfil the order at least fifteen days before the end of the financial year.

(2) The Principal Spending Officer shall, after the cut-off date and before the beginning of the next financial year, not approve any new commitment.

Commitments for compensation of employees

76. The Principal Spending Officer shall record a commitment for the compensation of an employee of a covered entity in the Ghana Integrated Financial Management Information System in accordance with regulations 143 to 153.

Reporting of commitment

77. (1) The Treasury Instructions shall prescribe

(a) the content of a commitment report to be generated under the Ghana Integrated Financial Management Information System; and

(b) the reporting requirements of commitments and arrears from each Ministry, Department or Agency.

(2) The commitment report referred to in subregulation (1), includes the closing balances of the unpaid payables at the end of the reporting period, with a breakdown of their ages.

*Public Financial Management Regulations, 2019**Payment Process***Responsibilities for payment**

78. (1) A Principal Spending Officer of a covered entity is personally responsible for ensuring in respect of each payment of that covered entity,

- (a) the validity, accuracy and legality of the claim for the payment;
- (b) that evidence of services received, certificates for work done and any other supporting documents exists;
- (c) that the commitment for the payment has been approved in accordance with these Regulations through the Local Purchase Order being generated under the Ghana Integrated Financial Management Information System; and
- (d) that there is a sufficient unspent amount of an appropriation for making the payment.

(2) All covered entities shall use the Ghana Integrated Financial Management Information System from the commencement of the procurement process through to payment.

Certification of completion of works or supply of goods and services

79. (1) The Principal Spending Officer shall, on the completion of works or the supply of goods or services, prepare a certification statement in respect of works and stores received, that includes

- (a) the quantity and particulars of the works and supply,
- (b) the method and results of the inspection, and
- (c) any evidence supporting the results.

(2) Where the Principal Spending Officer identifies that works carried out, goods supplied, or services rendered or their prices are inconsistent with the contracts or specifications, the Principal Spending Officer shall specify the necessary remedial actions in the certification statement.

(3) The remedial actions referred to under subregulation (2) that the Principal Spending Officer may take include

- (a) partial rejection and payment for the portion accepted;
- (b) full rejection; or
- (c) any other action that may be necessary to ensure complete delivery.

(4) Where certification of works, goods, or services under subregulation (1) requires specific expertise, the Principal Spending Officer may appoint an independent person or firm as an inspector.

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Inspection for purpose of certification

80. (1) A Principal Spending Officer shall as a condition for certifying completion of works and large scale supply of goods, inspect the physical output of the works and supplies in the field.

(2) Inspection of completion of works and large scale supplies shall be carried out

(a) before a progress payment required under a contract is made, in order to certify progress of works and supplies required for the progress payment; and

(b) when works and supplies are fully completed.

(3) The Principal Spending Officer or the authorised officer of the Principal Spending Officer shall not certify the completion of works, unless

(a) the contractor concerned has complied with all provisions of the contract; and

(b) the size, quality, and performance of the physical output is consistent with the design and specifications.

(4) An officer authorised by the Principal Spending Officer to carry out an inspection under subregulation (1), shall be an officer who has adequate expertise in construction, engineering or other relevant technical fields.

Record of invoices and supporting documents

81. (1) When a certification statement is issued under subregulation (1) of regulation 79, the Principal Spending Officer of the covered entity shall

(a) record the details of the invoice in the Ghana Integrated Financial Management Information System, and

(b) upload the certification statement and other supporting documents onto the Ghana Integrated Financial Management Information System.

(2) A covered entity shall comply with subregulation (1) in respect of the following:

(a) expenditure financed by internally generated funds;

(b) expenditure financed by donor funds; and

(c) expenditure financed by any other public funds.

Record of approval of payment voucher

82. (1) A payment by a covered entity shall be accompanied with a payment voucher

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- (a) authorised by the head of accounts, and
 - (b) which is approved by the Principal Spending Officer
- on the Ghana Integrated Financial Management Information System.
- (2) For the purpose of subregulation (1), the Principal Spending Officer and the head of accounts shall ensure
- (a) the validity, accuracy and legality of the claim for payment;
 - (b) that the commitment has been approved through the Purchase Order or Expense Order generated under the Ghana Integrated Financial Management Information System in accordance with these Regulations; and
 - (c) that an invoice, a certificate statement and a complete set of supporting documents have been recorded in the Ghana Integrated Financial Management Information System in accordance with subregulation (1) of regulation 81.
- (3) An approval for each payment voucher of a covered entity shall be recorded in the Ghana Integrated Financial Management Information System.
- (4) Each covered entity shall comply with subregulation (2) in respect of the following:
- (a) expenditure financed by internally generated funds;
 - (b) expenditure financed by donor funds; and
 - (c) expenditure financed by any other public funds.

Payment methods

83. (1) All payments for expenditure of covered entities shall be made through the Ghana Integrated Financial Management Information System using the following methods:

- (a) electronic fund transfer for third party transactions;
- (b) system cheques or other electronic means for withdrawal of money where the expenditure is in relation to
 - (i) internal payments in the nature of imprest recoupments and other related internal payments, and
 - (ii) allowances; and
- (c) physical cash disbursement which may be allowed from imprest and payments of allowances to ultimate individual beneficiaries.

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(2) Where a payment voucher is approved under regulation 82, the Controller and Accountant-General shall release the cash to the covered entities using the Ghana Integrated Financial Management Information System.

(3) Despite subregulation (1), the Controller and Accountant-General shall not release cash for payments made in respect of the following expenditures:

- (a) expenditure financed by donor funds;
- (b) expenditure financed by internally generated funds;
- (c) expenditure of statutory funds; and
- (d) expenditure from any other fund as determined by the Minister through an Act of Parliament.

Payment in foreign currency

84. (1) The Principal Spending Officer of the covered entity and the Controller and Accountant-General shall in accordance with regulations 78 to 83, authorise the payment voucher for payment in foreign currency.

(2) On the approval of a payment voucher for payment in foreign currency, the Controller and Accountant-General shall send through the Ghana Integrated Financial Management Information System, a bank instruction for the Bank of Ghana to purchase the foreign currency and for the relevant electronic fund transfer to be made.

(3) The Controller and Accountant-General shall remit through the Ghana Integrated Financial Management Information System, an Expense Order for the Bank of Ghana to effect the transfer to a foreign mission of this country.

*Payroll Payment***Rules governing payment of compensation**

85. (1) The payment of compensation shall be made in accordance with

- (a) the Public Financial Management Act, 2016 (Act 921);
- (b) the financial and accounting procedures under these Regulations; and
- (c) relevant budget and administrative instructions.

(2) The Controller and Accountant-General shall, in consultation with the Minister, determine the means of transmitting compensation for employees.

*Public Financial Management Regulations, 2019***Eligibility for compensation**

86. A Principal Spending Officer shall

- (a) ensure that only the names of personnel who are eligible to receive payment for work done are kept on the payment voucher; and
- (b) keep records of the nominal roll of the respective covered entity in a manner that ensures that the correct amount of emolument is paid.

Control of compensation

87. (1) Activities relating to the authorisation of appointments, the authorisation of payments for compensation, and the record of those payments shall not be performed by the same person responsible for the compensation of employees of covered entities.

(2) The Principal Spending Officer of a covered entity shall ensure that appointments, promotion, salary increases, performance bonuses, and other costs of compensation of employees are within the amounts of the line items in the budget.

(3) The Controller and Accountant-General may issue guidelines to facilitate the integrating or interfacing of all public service payroll systems.

Relevant date for compensation management

88. (1) The salaries of employees of a covered entity on the payroll of the Controller and Accountant-General's Department shall be paid on the date published by the Controller and Accountant-General.

(2) Except as otherwise provided under any other enactment, the effective date of stoppage of salaries shall

- (a) in the case of a deceased public officer, be the day following the date of death;
- (b) in the case of a convicted officer, be the date of conviction;
- (c) in the case of leave without pay, be the date approved for the leave;
- (d) in the case of an officer who is absent without leave, be the first day of such absence;
- (e) in the case of vacation of post, be the date of vacation of post; and
- (f) in the case of resignation and retirement, be the date of absence or the date specified in the relevant document, whichever is earlier.

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Amendments to payroll

89. (1) A Principal Spending Officer and the head of the Management Unit of a covered entity shall, before the payroll run, ensure that personnel records are updated and validated with the Ghana Integrated Financial Management Information System.

(2) The head of each management unit of a covered entity shall, by the fifth day of each month, amend the records to the personnel and payroll information.

(3) The Payroll Processing Section of a covered entity shall, by the fifth day of each month, record in the computerised payroll system, the amendments to the personnel and payroll information.

Payroll validation

90. (1) The Controller and Accountant-General shall generate and transmit the Employee Salary Payment Voucher to each management unit after the payroll test run.

(2) The Employee Salary Payment Voucher shall be validated by the designated officers of the Human Resource Unit of a covered entity and the head of the Management Unit within a covered entity.

(3) A Principal Spending Officer or the head of the Management Unit within a covered entity or a designated officer of the Human Resource Unit of the covered entity who fails to comply with subregulation (2) is liable

(a) under paragraph (c) of subsection (1) of section 96 of the Act; and

(b) to any other sanction that the Controller and Accountant-General considers appropriate.

(4) The validation referred to in subregulation (2) is to ensure that

(a) only employees belonging to the Unit are on the salary payment vouchers;

(b) in the case of employees who are on posting or transfer out of the office, the name is declared unknown for steps to be taken to suspend the employees from the payroll;

(c) employees who are at post but whose names are not found on the salary payment voucher, are declared missing for steps to be taken to reinstate the name of the employee concerned onto the payroll;

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- (d) in the case of retirement, resignation, termination, vacation of post or death, appropriate notification is made for the name of the employee concerned to be deleted;
- (e) any over payment of personal emolument is recovered;
- (f) the names of new employees and those posted or transferred to the Unit, appear on the payment voucher; and
- (g) any instructions related to salary issued by the Controller and Accountant-General are complied with.

Payment of compensation of entities with stand-alone systems

91. (1) Until the computerised payroll system is fully rolled out, the following covered entities shall run their own payroll systems:

- (a) the Police Service;
- (b) the National Fire Service;
- (c) the Universities and Colleges under the National Council for Tertiary Education;
- (d) the statutory funds and other earmarked funds within the meaning of the Earmarked Funds Capping and Realignment Act, 2017 (Act 947);
- (e) the Ghana Infrastructure Investment Fund;
- (f) the Social Security and National Insurance Trust; and
- (g) any other trust, pool and special fund.

(2) The Controller and Accountant-General shall approve the system for processing compensation for employees by institutions that run their own payroll systems.

(3) The Auditor-General and the Controller and Accountant-General shall validate the request for release of funds to the institutions that run their own payroll systems in accordance with the control measures applicable to the institutions on the Controller and Accountant-General payroll system.

(4) The amount payable to the institutions that run their own payroll systems shall be within the appropriation.

(5) The total compensation payable to the institutions, shall include the social security contribution of the employer for the period.

Stoppage of payroll compensation

92. (1) The Principal Spending Officer of a covered entity shall ensure the immediate stoppage of payment of salary to public servants and notify the Controller and Accountant-General in the following circumstances:

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- (a) on the death of an employee,
- (b) on the conviction of an employee for an offence and sentence of that employee to imprisonment,
- (c) on the dismissal of an employee or relief of post on administrative and other related grounds,
- (d) on the grant of leave without pay to an employee;
- (e) on the vacation of post by an employee; and
- (f) on the resignation or retirement of an employee.

(2) The head of a covered entity shall take the necessary action to retrieve any unearned compensation occasioned by any of the occurrences under subregulation (1).

(3) The amount retrieved under subregulation (2) shall be credited to the Consolidated Fund.

(4) The Controller and Accountant-General shall prescribe the procedures and actions necessary for the retrieval of unearned compensation under subregulation (3).

Payroll deductions

93. (1) Deductions from salaries of employees of covered entities shall be limited to the following:

- (a) deduction of taxes and social contributions;
- (b) recovery of over payment made to employees or benefit deduction to facilitate the payment of any amount owed to the Government, arising from the benefits of the employee;
- (c) deduction of fines, losses, and damages determined through a disciplinary process;
- (d) deduction that is required or permitted under the law or by a court order; and
- (e) deduction to which the employee agrees in writing and for which the approval of the Controller and Accountant-General has been obtained.

(2) The Principal Spending Officer or the head of a Payroll Processing Section of a covered entity, shall obtain the consent of the affected employee before making a discretionary deduction from the salary of that employee.

(3) The Principal Spending Officer or the Head of the Management Unit of a covered entity, shall when validating the payroll, verify that the amount of payroll deduction is actually due.

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(4) The Controller and Accountant-General shall make payments of payroll deductions to the relevant institutions within the statutory period.

Compensation for casual labour and temporary employees

94. (1) Compensation for casual or temporary employees of a covered entity shall be prepared on a salary payment voucher system approved by the Controller and Accountant-General.

(2) The amount paid shall

- (a) have a separate line item in the budget;
- (b) be committed against budget allocations and warrants; and
- (c) be accounted for as compensation for employees.

Pension payments

95. The Controller and Accountant-General shall use the integrated payroll system to

- (a) record commitments to expenditures under the CAP 30 Pension Scheme;
- (b) approve vouchers for the payment of pension benefits; and
- (c) effect bank transfer for the payment of pension benefits.

Payroll processing cycle

96. (1) The payroll processing cycle for covered entities on the payroll of the Controller and Accountant-General shall include

- (a) the update of personnel record;
- (b) a payroll test run, correction of the payroll test run and a final validation of the test run;
- (c) the final payroll run; and
- (d) payment of employees, effected through the banks.

(2) A covered entity which is not on the payroll of the Controller and Accountant-General's Department shall be guided by the cycle provided under subregulation (1).

Authority for payment of pension

97. The payment of pension shall be in accordance with

- (a) the Pensions Ordinance, CAP 30;
- (b) the Public Financial Management Act, 2016 (Act 921);
- (c) the National Pensions Act, 2008 (Act 799); and
- (d) the financial and accounting procedures under these Regulations.

*Public Financial Management Regulations, 2019**Imprest***Issuance of imprest**

98. (1) A Principal Spending Officer who intends to operate an imprest shall apply to the Controller and Accountant-General for approval to operate the imprest.

(2) The application shall state the amount and justification for the imprest.

(3) The Controller and Accountant-General shall, if satisfied with the justification for the application, approve the application and communicate the approval to the Principal Spending Officer within fifteen days.

(4) Where the Controller and Accountant-General decides not to approve the application, the Controller and Accountant-General shall within ten days of making that decision, inform the Principal Spending Officer of the decision in writing stating the reasons for the refusal of the application.

(5) Where the Controller and Accountant-General approves the application, the Controller and Accountant-General shall issue to the covered entity, through the Ghana Integrated Financial Management Information System, an imprest warrant for the year, based on the covered amount.

(6) The issue of an imprest warrant is an authorisation by the Controller and Accountant-General for the establishment of a petty-cash imprest and special imprest by the covered entity.

Ceiling on a standing imprest

99. (1) The Controller and Accountant-General shall, when issuing an imprest warrant for the establishment of a standing imprest under subregulation (6) of regulation 98, determine, in respect of each standing imprest

(a) the ceiling for the float, which shall be within the amount of monthly payments from the standing imprest; and

(b) the ceiling of the total payments which may be made from the standing imprest during the financial year.

(2) A standing imprest of a covered entity may be replenished only once in a month.

Holder of imprest

100. (1) The Controller and Accountant-General shall, when issuing an imprest warrant for the establishment of a petty cash fund and a special imprest, specify, in writing, the person who holds the petty-cash and special imprest.

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- (2) The person who holds the imprest shall
 - (a) safeguard public money included in the imprest;
 - (b) ensure that the imprest is used wholly and exclusively for the purposes for which it is established;
 - (c) ensure the validity, regularity, and accuracy of expenditure from the imprest; and
 - (d) keep the cash book and records of the imprest.
- (3) The change of the person who holds the imprest, requires the approval of the Principal Spending Officer.
- (4) On a change of the person who holds the imprest, the holder of the imprest who is handing-over and the person who is to take over as the holder of the imprest shall
 - (a) prepare and sign a statement of accounts of the imprest in the form prescribed by the Government of Ghana Accounting Manual; and
 - (b) submit a copy of the statement of accounts to the Controller and Accountant-General.
- (5) A person who holds an imprest is personally responsible for loss or shortage of the petty-cash or special imprest under the control of that person and the loss or shortage shall be recovered initially from the salary or other emoluments of that person.
- (6) A person who holds an imprest shall not be relieved from the personal responsibility of that person for any loss or shortage of the imprest until the imprest is fully liquidated or retired in accordance with regulations 102 and 103.

Classification of moneys paid into imprest

101. (1) Moneys paid into a petty-cash or special imprest of a covered entity shall be classified as an advance.

(2) When requesting an advance to be made to a petty-cash or special imprest the Principal Spending Officer of the covered entity shall, submit through the Ghana Integrated Financial Management Information System, a Purchase Requisition to the Controller and Accountant-General.

(3) The Controller and Accountant-General shall, through the Ghana Integrated Financial Management Information System, approve a Purchase Requisition submitted under subregulation (2), only if the amount of the requested advance is within the available balance of the commitment ceiling.

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(4) The entire amount of an advance made to a petty-cash or special imprest shall be made in accordance with the commitment ceiling.

(5) On the approval of a Purchase Requisition under subregulation (3), the Controller and Accountant-General shall, through the Ghana Integrated Financial Management Information System,

- (a) approve a payment voucher for the requested advance;
- (b) release funds to the virtual account of the covered entity;
- (c) in case of a petty-cash imprest, print cheques to be cashed by the person who holds the imprest; and
- (d) in case of a special imprest, send a bank instruction for an electronic fund transfer to be made to a bank account of the person who holds the imprest.

Retirement of imprest

102. (1) The Principal Spending Officer shall ensure that the standing imprest is fully retired by the end of the financial year.

(2) A special imprest, issued for making a particular payment, or group of payments shall be fully retired within ten days after completion of the activity.

(3) The unretired imprest shall be charged to the personal name of the Principal Spending Officer or the holder of the imprest or the ultimate recipient of the imprest, as appropriate.

(4) Where a person required to retire an imprest by the due date fails to do so, that person commits an offence, unless the contravention is occasioned by the death or incapacity of that person.

(5) The Controller and Accountant-General shall not issue an imprest warrant to a covered entity that fails to retire the imprest for the previous financial year.

Retirement of petty-cash and special imprest

103. (1) A person who holds an imprest may issue part of the imprest to another officer but the imprest shall be used solely for the purpose for which the main imprest was issued.

(2) A person who holds an imprest is responsible for the proper custody and accounting for any sub-imprest, and shall replenish the sub-imprest only from the main imprest.

Unauthorised use of imprest

104. (1) Imprests shall be used only for the specific purpose for which they are issued.

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(2) The application of an imprest for a purpose other than the purpose for which the imprest was issued is in breach of subregulation (1).

Report of unretired imprest balance

105. The Controller and Accountant-General shall present a report on unretired imprest balances in the Public Accounts to be submitted to Parliament.

*Revolving Fund***Revolving fund to be on-budget**

106. (1) The budget shall include appropriations for gross amounts of staff loans, purchase of agricultural materials, and other expenditures of each revolving fund of a covered entity.

(2) The expenditures including loans and advances of revolving funds of covered entities shall, in accordance with these Regulations, be committed and paid through the Ghana Integrated Financial Management Information System in the same manner as other expenditures of the budget.

Establishment of revolving fund

107. (1) For the purpose of subsection (1) of section 67 of the Act, the establishment of a revolving fund of a covered entity requires the prior written approval of the Minister.

(2) The Treasury Instructions shall set out the limits of the purposes for which a revolving fund may be established.

(3) The Minister shall close a bank account opened for a revolving fund that fails to meet any of the requirements under subregulation (2).

(4) The Principal Spending Officer of a covered entity is responsible for the management of revolving funds of that covered entity.

Record of loans and advances from revolving funds

108. The Principal Spending Officer of a covered entity shall record in the Ghana Integrated Financial Management Information System, loans and advances provided from a revolving fund including, in respect of each loan and advance,

- (a) the name of the borrower;
- (b) the amount and date of the loan;
- (c) the repayment period and repaid amount; and
- (d) the interest, if any.

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Record of credit-in-kind from revolving funds

109. The Principal Spending Officer of a covered entity shall maintain a database of credit-in-kind provided from a revolving fund, including, in respect of each credit-in-kind,

- (a) the name of the borrower;
- (b) the details and quantity of the leased object;
- (c) the date of completion of payment; and
- (d) the fee and period of the lease, if any.

Reporting of revolving funds

110. (1) The Principal Spending Officer of a covered entity shall submit to the Controller and Accountant-General, financial statements of the revolving funds of the covered entity, in the manner and form and at the frequency prescribed by the Treasury Instructions.

(2) The annual financial statement of a revolving fund of a covered entity shall be audited by the Auditor-General and published on the website of the covered entity by the time prescribed by the Treasury Instructions.

Closure of a revolving fund

111. The Minister may wind up and close a revolving fund and moneys to the credit of the closed revolving fund shall be credited to the Consolidated Fund.

Advance Payments

Commission, payment and record of advance payment

112. (1) The Principal Spending Officer of a covered entity shall approve, through the Ghana Integrated Financial Management Information System, a Purchase Requisition for an advance payment of a covered entity, including advance payments for goods, services and works and staff advances.

(2) The entire amount of the advance payment shall be in accordance with the commitment ceiling.

(3) On the approval of a Purchase Requisition under subregulation (1), the Principal Spending Officer shall, through the Ghana Integrated Financial Management Information System, approve the payment voucher for the advance payment.

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(4) On the approval of a payment voucher under subregulation (3), the Controller and Accountant-General shall, through the Ghana Integrated Financial Management Information System, release funds to the bank account of the covered entity.

(5) On the release of the funds referred to under subregulation (4), the Principal Spending Officer shall, through the Ghana Integrated Financial Management Information System, send a bank instruction for an electronic fund transfer to be made for the advance payment.

Advance payment for goods and services and civil works

113. (1) An advance payment of a covered entity for goods and services and civil work shall meet the following conditions:

- (a) the advance payment shall be by a written public contract;
- (b) the amount shall not be more than fifteen percent of the total price to be paid under the contract;
- (c) a supplier or contractor shall obtain from a financial institution, a guarantee on payments of damages to the Government in case of the non-performance of contractual obligations by the supplier or contractor;
- (d) the term of the guarantee shall cover the entire contract period; and
- (e) the financial institution shall
 - (i) be an institution licensed by the Bank of Ghana or subject to the regulations of a foreign central bank or regulator; and
 - (ii) meet the regulatory requirements of capital adequacy or solvency ratios calculated in accordance with internationally accepted standards.

(2) An advance payment for goods and services and civil works made in a financial year shall be acquitted when

- (a) the goods and services are delivered or the civil works are completed; or
- (b) progress payments are made.

Record of advance payment

114. (1) An advance payment shall not be recorded as expenditure until the advance payment is fully acquitted.

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(2) The detailed information on advance payments that have not been acquitted shall be kept in the Ghana Integrated Financial Management Information System.

(3) Until subregulation (2) is implemented, the Principal Spending Officer shall maintain a database of advance payments that have not been acquitted.

(4) The database under subregulation (3) shall at least include, in respect of each advance payment,

(a) the amount and date of the advance payment;

(b) the identification of the recipient;

(c) in case of advance payments for goods and services and civil works, the name of the guaranteeing financial institution; and

(d) the date, amount, and reason for the acquittal.

Reporting of advance payment

115. (1) The Principal Spending Officer of each covered entity shall submit to the Controller and Accountant-General a report on the outstanding advance payments of the covered entity in the form and manner and at the frequency prescribed by the Controller and Accountant-General.

(2) The public accounts of the Consolidated Fund shall include detailed information on advance payments that have not been acquitted.

*Deposits and Other Funds***Deposits**

116. For the purposes of regulations 117 to 129, “deposit” means a sum of money

(a) required by an enactment or agreement, to be paid as security for any act or thing;

(b) required to be held or disposed of in a manner specified in an enactment or agreement; or

(c) as may be determined by the Minister.

Authority for the collection of deposits

117. The Principal Spending Officer of a covered entity shall obtain the prior written approval of the Minister to establish a scheme to collect deposits.

*Public Financial Management Regulations, 2019***Prohibition of spending deposits**

118. (1) A Principal Spending Officer of a covered entity shall ensure that deposits are not

- (a) spent for the expenditure of a covered entity; and
- (b) included in the Consolidated Fund.

(2) A covered entity shall not borrow from deposits.

Deposit to be held in a sub-account of the Treasury Single Account

119. (1) A Principal Spending Officer shall ensure that deposits are paid into a sub-account of the Treasury Single Account.

(2) The Controller and Accountant-General shall, on the request of the Principal Spending Officer, create a sub-account of the Treasury Single Account for each deposit scheme.

Record of deposit in the Ghana Integrated Financial Management Information System

120. The Principal Spending Officer of a covered entity shall record in the Ghana Integrated Financial Management Information System any deposit collected.

Unauthorised deposits

121. (1) A deposit holder shall not demand or accept any deposit, other than deposits authorised under these Regulations.

(2) A deposit holder shall immediately refund an unauthorised deposit on its discovery.

(3) The deposit holder responsible for making the unauthorised deposit shall be sanctioned in accordance with sections 96 and 98 of the Act.

Limitation of claim period

122. (1) A Principal Spending Officer shall not accept a claim for a refund of a deposit after the lapse of a period of six years from the time of the initial deposit.

(2) Where the Principal Spending Officer refuses to accept a claim for a refund of a deposit under subregulation (1), that Principal Spending Officer shall inform the depositor of the refusal and the depositor may make the claim for the repayment of the deposit to the Controller and Accountant-General.

Repayment of deposits

123. (1) The Principal Spending Officer of a covered entity shall, through the Ghana Integrated Financial Management Information

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System, submit any payment vouchers for repayment of deposits to the Controller and Accountant-General.

(2) The Controller and Accountant-General shall approve the payment under subregulation (1) in the Ghana Integrated Financial Management Information System.

(3) The Principal Spending Officer shall, when submitting the payment voucher under subregulation (1), upload onto the Ghana Integrated Financial Management Information System

- (a) the original receipt on which the deposit was collected; and
- (b) the receipt of the Controller and Accountant-General's Department for which the deposit was paid into the Consolidated Fund.

Methods of repayment

124. A deposit shall be repaid by the

- (a) transfer of the whole or part of the deposit to revenue, in settlement for sums due to Government from the depositor; or
- (b) repayment of the whole or part of the deposit to the depositor or to a third party as may be laid down in rules governing a particular deposit.

Entitlement to repayment

125. A repayment shall not be made to a depositor unless the Principal Spending Officer is satisfied that

- (a) the circumstances under which the deposit was required to provide security has ceased to exist; and
- (b) the sums due to Government have been duly collected or charged to the deposit through the Ghana Integrated Financial Management Information System.

Presentation of original deposit receipt

126. (1) Where repayment in full is made to the depositor, the payee shall be identified by the surrender of the original deposit receipt, which shall be

- (a) endorsed as "Repaid"; and
- (b) processed on the Ghana Integrated Financial Management Information System.

(2) In the case of part-payments, details of the payment voucher number and the amount paid shall be endorsed on the deposit receipt, which shall be returned to the depositor.

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(3) The endorsement of the deposit receipt shall be noted on the payment voucher in the Ghana Integrated Financial Management Information System.

Other identification of payee**127. Where**

(a) the original deposit receipt is lost, or

(b) payment is due to be made to a third party,

the Principal Spending Officer concerned, shall ensure that payment is made to the person entitled to receive it and the means used for identification shall be stated in the payment voucher in the Ghana Integrated Financial Management Information System.

Interest not payable on deposit

128. Interest is not payable on an ordinary deposit except as may be negotiated with the Minister.

Closure of deposit account**129. Where deposits are held**

(a) for two years; or

(b) such other period as may be provided for in the approved scheme,

without claim for repayment being made, the Principal Spending Officer shall seek the approval of the Controller and Accountant-General to close a sub-account of the Treasury Single Account opened for the deposit scheme.

Subsequent claims

130. (1) Without limiting regulation 122, the closure of a sub-account shall not debar a depositor from claiming a refund.

(2) A claim under subregulation (1) shall be made to the Controller and Accountant-General.

Trust fund or special funds to be on budget

131. (1) The budget shall include appropriations for gross amounts of expenditures for each

(a) trust fund;

(b) special fund; and

(c) any other fund of a covered entity.

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(2) The expenditures, including loans and advances of trust funds, special funds, and any other funds of covered entities shall be committed and paid through the Ghana Integrated Financial Management Information System in the same manner as other expenditures of the budget in accordance with these Regulations.

(3) The Minister shall take the necessary measures to liquidate and close down any trust funds, special funds, and other funds of covered entities that do not meet the requirements under subregulations (1) and (2).

(4) Subregulations (1) and (2) do not apply to the

- (a) Petroleum Holding Fund,
- (b) Ghana Stabilisation Fund, and
- (c) Ghana Heritage Fund,

established by the Petroleum Revenue Management Act, 2011 (Act 815).

Banking Arrangements

Treasury Single Account

132. (1) The Treasury Single Account established under section 46 of the Act shall comprise the following components:

- (a) the Treasury Single Account for central government agencies at the Bank of Ghana; and
- (b) the Treasury Single Account for local government authorities at a commercial bank.

(2) The Treasury Single Account for central government agencies includes

- (a) the Treasury Main Account,
- (b) revenue transit accounts for tax and non-tax,
- (c) revenue holding accounts,
- (d) operational accounts of covered entities,
- (e) donor fund bank accounts,
- (f) third party deposits and other deposits,
- (g) foreign missions bank accounts, and
- (h) any other account as may be designated by the Controller and Accountant-General.

(3) The disbursement of public funds and payment of deposits shall be transacted from the Treasury Single Account.

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(4) The Ghana Integrated Financial Management Information System is the core accounting system for managing the Treasury Single Account.

(5) There shall be corresponding ledgers and other accounting arrangements entered on the Ghana Integrated Financial Management Information System to reflect the structure, transactions and balances of the Treasury Single Account.

(6) A bank account may be opened with the Bank of Ghana or a commercial bank as a transit account into which tax and non-tax revenue may be deposited before being transferred into the Treasury Main Account.

(7) All balances of transit bank accounts opened with commercial banks shall be transferred automatically into a Revenue Holding Account and subsequently into the Treasury Main Account at the end of every working day.

(8) For the purposes of this regulation, "third party deposit" means a security deposit made by a third party institution that transacts business with employees on Government payroll.

Reconciliation of bank accounts in Treasury Single Account

133. (1) The reconciliation of all bank accounts included in the Treasury Single Account shall be conducted within the framework of the Ghana Integrated Financial Management Information System within a period specified by the Controller and Accountant-General.

(2) In respect of any bank accounts outside the Treasury Single Account, the Principal Spending Officer of a covered entity shall prepare a bank reconciliation statement and submit the bank reconciliation statement to the Controller and Accountant-General within fifteen days after the end of each month.

(3) The bank reconciliation under subregulation (1) shall be prepared in accordance with the Treasury Instructions.

Transitional arrangements for Treasury Single Account

134. (1) As part of the transitional arrangements for the Treasury Single Account, the bank account rationalisation shall progressively be implemented based on the Treasury Single Account strategy of Government.

(2) The transitional arrangements referred to in subregulation (1) include the closure of all dormant bank accounts as determined by the Controller and Accountant-General in collaboration with the covered entities.

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(3) For the purpose of effecting the transition to the Treasury Single Account, the Controller and Accountant-General shall, on the coming into force of these Regulations, close any bank accounts opened with a commercial bank for any covered entity, including accounts opened for the

- (a) internally generated fund retention;
- (b) Ghana Revenue Authority retention;
- (c) National Health Insurance Fund;
- (d) Ghana Education Trust Fund;
- (e) District Assembly Common Fund;
- (f) Road Fund;
- (g) Energy Fund;
- (h) transfers to the Ghana National Petroleum Corporation from petroleum revenue;
- (i) Youth Employment Agency;
- (j) Students Loan Trust;
- (k) Export Development Levy;
- (l) Ghana Airport Company Limited;
- (m) Minerals Development Fund;
- (n) Plastic Waste Recycling Fund; and
- (o) any other statutory funds that may be determined by the Minister.

(4) Subregulation (3) does not apply to bank accounts opened for

- (a) donor funds,
 - (b) foreign embassies and High Commissions,
 - (c) imprest, and
 - (d) the revenue transit accounts.
- (5) A sub-ledger account referred to in subregulation (4), shall be
- (a) opened only for an accounting item that requires its cash balance to be recorded separately from the rest of the Treasury Single Account; and
 - (b) structured in accordance with the classification of the chart of accounts.

Treasury Single Account for local government authorities

135. For the purpose of section 46 of the Act, the Minister may establish the Treasury Single Account for local government authorities at a commercial bank.

*Public Financial Management Regulations, 2019***Service level agreements with Bank of Ghana**

136. (1) The Minister and the Governor of the Bank of Ghana shall conclude a service level agreement that specifies, in respect of the Treasury Single Account, the responsibilities of the Bank of Ghana for the operation of the Treasury Single Account.

(2) For the purpose of subregulation (1), the responsibilities of the Bank of Ghana include

- (a) handling and transmitting of receipts, notices, and other transactional documents;
- (b) handling of Government cheques;
- (c) processing of payment instructions;
- (d) processing of transfers between sub-ledger accounts;
- (e) processing of refunds and repayments;
- (f) handling of public money held in trust as deposits;
- (g) keeping of records of sub-ledger accounts;
- (h) sweeping of balances on zero balance accounts;
- (i) establishing credit ceilings on accounts and sub-ledger accounts and restricting payments within these limits;
- (j) establishing online access to transactional information of accounts and sub-ledger accounts through a secured portal;
- (k) providing bank statements through the Ghana Integrated Financial Management Information System at the frequency specified by the Controller and Accountant-General;
- (l) reporting to the Controller and Accountant-General; and
- (m) cooperating with the Cash Management Committee established under regulation 143 in respect of cash forecasting.

(3) The service level agreement referred to in subregulation (1) shall specify

- (a) the use of intra-day overdraft of the Treasury Single Account;
- (b) the remuneration on a credit balance and charge on a debit balance of the Treasury Single Account;
- (c) the fees to be paid to the Bank of Ghana for the operation of the Treasury Single Account; and
- (d) any other matters necessary for the operation of the Treasury Single Account.

(4) The Minister and the Governor of the Bank of Ghana shall renew the service level agreement every four years and not later than one month before the expiration of the agreement.

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Opening and closure of bank accounts

137. (1) For the purpose of subsection (3) of section 51 of the Act, the Controller and Accountant-General shall approve all service level agreements for

(a) revenue transit accounts opened with a commercial bank and included in the Treasury Single Account; and

(b) any other bank accounts opened with a commercial bank for funds and entities listed in regulation 132.

(2) A service agreement under subregulation (1) shall specify the level of remuneration on credit balances of the bank accounts and cost-based fees to be paid to the commercial banks.

(3) For the purpose of paragraph (b) of subsection (7) of section 51 of the Act, the Controller and Accountant-General may, with the written approval of the Minister, close any account opened with a commercial bank or the Bank of Ghana, where necessary for the operation of the Treasury Single Account established under section 46 of the Act and in accordance with regulations 132 and 134.

(4) For the purpose of paragraph (b) of subsection (7) of section 51 of the Act,

(a) a bank account opened for a covered entity, including an entity and fund listed in paragraph (a) of subregulation (2) of regulation 132 and regulation 134, shall not be overdrawn; and

(b) an advance or a loan shall not be obtained from the account, without the prior written approval of the Minister.

Access to bank accounts and register of bank accounts

138. (1) For the purpose of subsection (9) of section 51 of the Act, the Controller and Accountant-General shall have the power to require a commercial bank to submit, in print copy or electronic format, a bank statement or other transaction information of any account opened for a covered entity including an entity and fund listed in paragraph (a) of subregulation (2) of regulation 132 and regulation 134.

(2) Where a commercial bank refuses to submit a bank statement or other required transaction information under subregulation (1), the Controller and Accountant-General shall close the account with the bank.

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(3) The Controller and Accountant-General shall maintain a register of all bank accounts opened with a commercial bank or the Bank of Ghana for

- (a) the covered entities including an entity and fund listed in paragraph (a) of subregulation (2) of regulation 132 and regulation 134, and
- (b) local government authorities.

*Financial Instrument***Financial instrument**

139. For the purposes of section 49 of the Act, a financial instrument includes

- (a) a deposit account,
- (b) shares,
- (c) bonds,
- (d) bills,
- (e) commercial papers,
- (f) notes,
- (g) loans,
- (h) receivables,
- (i) derivatives,
- (j) repurchase agreements, and
- (k) any other instrument determined by the financial market.

Investment of idle cash

140. (1) The Controller and Accountant-General shall

- (a) on a regular basis assess the cash position of Government;
- (b) in consultation with the Minister, invest any idle cash in the most appropriate financial instrument;
- (c) ensure effective management of all financial instruments; and
- (d) produce quarterly reports.

(2) The Minister shall

- (a) authorise investment in any financial instrument; and
- (b) ensure that investments in financial instruments are consistent with the fiscal strategy of Government.

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Selection of financial instruments

141. The Minister and the Controller and Accountant-General shall take into consideration the following factors in selecting the most appropriate financial instrument:

- (a) the availability of adequate cash balance on the Co. solidated Fund and idle cash;
- (b) the risk and the rate of return on the financial instrument;
- (c) the liquidity position of Government; and
- (d) any other factor that will ensure effective investment.

Closing adjustment

142. For the purposes of subsection (2) of section 39 of the Act, the Controller and Accountant-General shall adjust any surplus or deficit in the Sinking Fund after realisation of the investment by payment

- (a) to or from the Consolidated Fund; or
- (b) other public funds.

Cash Management

Cash Management Committee

143. (1) For the purposes of paragraph (b) of subsection (2) of section 45 of the Act, the Minister shall establish a Cash Management Committee at the Ministry.

- (2) The Cash Management Committee shall
 - (a) review monthly, quarterly and yearly cash forecasts of inflows and outflows in respect of economic classification and activities;
 - (b) advise the Minister on the amount of monthly, quarterly and yearly budget allocations based on the cash forecasts;
 - (c) advise the Controller and Accountant-General on the amount of monthly warrants based on the cash forecasts;
 - (d) determine a level of cash buffer in the Treasury Single Account;
 - (e) collect data from other covered entities;
 - (f) improve the quality of forecast errors;

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(g) collaborate with the Debt Management Office of the Ministry in cash management activities; and

(h) perform any other function assigned by the Minister.

(3) The Minister shall determine the procedure for the meeting of the Cash Management Committee.

Network of data collection for cash forecasting

144. (1) For the purpose of subsection (1) of section 45 of the Act, within one month before the beginning of each quarter, the Principal Spending Officer of a covered entity, including an entity or fund listed in subregulation (3) of regulation 134, shall submit to the Budget Office, a cash plan that specifies monthly revenue and expenditure for the fiscal year.

(2) The Budget Office of the Ministry shall have the power to request

(a) the Ghana Revenue Authority,

(b) the Debt Management Office of the Ministry,

(c) the Division responsible for resource mobilisation in the Ministry,

(d) the Bank of Ghana,

(e) the Division responsible for macro-fiscal policy in the Ministry,

(f) the Controller and Accountant-General's Department, and

(g) any other covered entity,

to submit to the Budget Office, any data on actuals and forecasts of cash inflows, cash outflows and balances in the form and manner and within the time frame determined by the Budget Office to facilitate the work of the Cash Management Committee..

(3) A Principal Spending Officer who fails to submit to the Budget Office

(a) cash plans under subregulation (1) and data under subregulation (2) within the required deadline; or

(b) actuals and forecasts of cash flows under subregulation (2) that are significantly inaccurate

is liable to have the release for goods and services withheld by the Minister.

*Public Financial Management Regulations, 2019***Cash buffer**

145. (1) The Cash Management Committee shall

- (a) determine annually, the target of the cash buffer in the Treasury Single Account,
- (b) monitor compliance with the cash buffer target, and
- (c) propose to the Minister any actions necessary to restore the cash buffer.

(2) For the purposes of this regulation “cash buffer target” means the minimum level of cash balances to meet daily cash requirements at all times, taking into account the availability of other liquid resources.

*Value Books***Value books**

146. For the purposes of regulations 147 to 153, a “value book”

- (a) refers to any official form, book or electronic device used in any public financial business, such as
 - (i) official receipt documents whether in the form of a book, ticket or disc,
 - (ii) cheque books,
 - (iii) local purchase order forms,
 - (iv) requisitions and bill books forming part of a standardised system approved in Departmental Accounting Instructions, and
 - (v) any other form which the Controller and Accountant-General may declare to be a value book,

the improper use of which may cause loss of public or trust moneys, and

- (b) does not include passport booklets and laminates.

Management of value books

147. (1) The Controller and Accountant-General shall specify conditions for the management and safety of value books used by a covered entity.

(2) For the purposes of subregulation (1), the Controller and Accountant-General shall

- (a) approve the design, form and content of value books,
- (b) order the supply of value books,
- (c) issue guidelines for the management of value books, and
- (d) approve stock levels of value books to be produced for use by a covered entity.

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(3) A Principal Spending Officer is responsible for the efficient control of stocks of value books of the covered entity.

Security of value books

148. The Controller and Accountant-General shall ensure that
- (a) security features of value books are reviewed periodically to prevent theft, misuse, duplication or tampering;
 - (b) systems used for the production of value books have adequate protocols and controls to prevent unauthorised access and use; and
 - (c) value books have identifiable pre-printed serial numbers or system generated numbers.

Authorisation to print cheque books

149. (1) The Controller and Accountant-General may authorise the Bank of Ghana to print cheque books.

(2) Requisition of a cheque book shall be made by the Principal Spending Officer in accordance with paragraph (c) of subregulation (2) of regulation 147.

Custody of value books

150. (1) A person to whom a value book is issued is responsible for the custody of the value book.

(2) A stockholder of a value book is responsible for the custody of the value books until the receipt of the value books has been duly acknowledged by another stockholder or user.

Loss of value books

151. (1) Loss of a value book shall be reported immediately
- (a) by the officer responsible for the custody of the value book to the issuing stockholder;
 - (b) by the issuing stockholder to the Principal Spending Officer; and
 - (c) by the Principal Spending Officer to the Police
- as the circumstance of each case requires.

(2) Where the circumstances of the loss of a value book suggests the possibility of unlawful use of the value book, the person who had custody of the value book shall give sufficient notice of the loss to the other officers and the public.

- (3) The notice under subregulation (2) includes
- (a) a publication in the *Gazette*;

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- (b) publication in a newspaper of nationwide circulation;
- (c) circular; or
- (d) any form of notice specified in the Departmental Accounting Instructions.

Value of the loss

152. The value of the loss of a value book comprises
- (a) the cost of acquiring the value book,
 - (b) the cost of the notice to the public, and
 - (c) any loss of revenue or irregular payment occasioned by the loss of the value book.

Retention of used value books

153. The Principal Spending Officer shall retain used value books for a period of seven years.

Asset Management

Fixed assets

154. (1) The Controller and Accountant-General shall determine the classes of fixed assets.

(2) For the purpose of subregulation (1), “fixed assets” include land, buildings, vehicles and other high value fixed assets which a covered entity controls and uses in the operations of the covered entity to generate revenue or provide services and which are expected to be in use for more than one year.

Inventory of land, buildings, vehicles and high value fixed assets

155. (1) The Principal Spending Officer of a covered entity shall annually undertake an inventory of all land, buildings, vehicles and other high value fixed assets of the covered entity concerned and update the records in the Ghana Integrated Financial Management Information System.

(2) The Controller and Accountant-General shall issue an instruction on the procedures for an inventory of all land, buildings, vehicles and other high value fixed assets under subregulation (1).

Fixed Assets Coordinating Unit

156. (1) For the purposes of paragraph (b) of subsection (2) of section 52 of the Act, each Principal Spending Officer shall establish a Fixed Assets Coordinating Unit.

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- (2) The Fixed Assets Coordinating Unit shall
- (a) assist the Principal Spending Officer to take an inventory of fixed assets;
 - (b) keep records on fixed assets;
 - (c) prepare an annual report on fixed assets;
 - (d) coordinate the retirement and disposal of fixed assets of a covered entity;
 - (e) coordinate the transfer of fixed assets; and
 - (f) assist the Principal Spending Officer to update the register of lands, buildings and all other fixed assets after every acquisition, disposal or transfer of land or building.

Use and disposal of land and building

157. (1) For the purpose of section 52 of the Act, the Principal Spending Officer of a covered entity shall obtain the prior written approval of the Minister for

- (a) the transfer, exchange, sale, donation, contribution-in kind, trust, and any other disposal of any land or building of that covered entity;
- (b) the lease or rental to permit the use of land or building of the covered entity;
- (c) the transfer of the management of the land or building of the covered entity to any other covered entity or local government authority;
- (d) major changes in, and demolition of any buildings and structures of the covered entity; and
- (e) major changes in the use of land or building by a covered entity.

(2) The Minister shall not approve the disposal of any land or building of a covered entity under subregulation (1), unless

- (a) the price of the land or building is
 - (i) determined by an auction in accordance with the Auction Sales Act, 1989 (P.N.D.C.L. 230); and
 - (ii) at or above the market price; and
- (b) the disposal does not disturb the delivery of public services.

(3) The Minister shall not approve a lease of a land or rental of any building of a covered entity under subregulation (1), unless

- (a) the price of the rent is

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- (i) determined by an auction in accordance with the Auction Sales Act, 1989 (P.N.D.C.L. 230); and
 - (ii) at or above the market price for rent of similar land or building;
- (b) the lessee or tenant of the covered entity will use the land or building only for the purpose approved by the Minister; and
- (c) the lease, rental, or action does not disturb the use of the land or building for delivery of public services.
- (4) Despite subregulation (3), the Minister may approve a lease, rental or use of land and building of a covered entity without the payment of a fee or rent that is below the market price, if the lease, rental or use is made
- (a) in respect of a local government authority;
 - (b) for a project financed by donor funds received by the Government;
 - (c) for dealing with a natural disaster, epidemic of disease or other public emergency;
 - (d) for giving of shelter to a vulnerable person; and
 - (e) for any other related purpose.
- (5) Where a land or building leased under subregulation (3) or (4) is used by a lessee for the purpose other than that approved by the Minister or the lessee fails to pay rent by the due date, the Minister shall take at least one of the following actions:
- (a) order the lessee to pay damages or rent with a penalty and interest;
 - (b) order the lessee to change the manner in which the land or building is used; and
 - (c) revoke the lease.
- (6) A disposal, lease, and other action referred to in subregulation (1) that is made without the prior written approval of the Minister, shall be of no effect.
- (7) Despite subregulation (1), the disposal of land or building to a private entity is subject to prior approval by Parliament on the recommendation of the Minister.
- (8) This regulation does not apply to the permission granted for the temporary use of roads, parks and any other related assets if the specific enactment relating to the use of the roads, parks and other related assets exist.

*Public Financial Management Regulations, 2019***Acquisition and disposal of vehicles**

158. (1) The Principal Spending Officer of a covered entity shall obtain the prior written approval of the Minister for the

- (a) acquisition of new vehicles;
- (b) transfer, exchange, sale, donation, contribution-in kind, trust, and any other disposal of any vehicles of the covered entity;
- (c) lease, rental or use of any vehicles of the covered entity; and
- (d) transfer of the management of any vehicle of the covered entity to any other covered entity or local government authority.

(2) The Minister shall establish a ceiling on the number of vehicles each covered entity may acquire, with the breakdown the Minister considers appropriate.

(3) The Minister shall not approve the acquisition of a new vehicle by a covered entity under paragraph (a) of subregulation (1) unless

- (a) the acquisition does not exceed a ceiling on the number of vehicles referred to under subregulation (2); and
- (b) in the case of an acquisition to replace a vehicle, the vehicle has been disposed of in accordance with subregulation (5).

(4) The Minister shall not approve the disposal of any vehicle of a covered entity under subregulation (1), unless

- (a) the price of the disposal is determined by an auction in accordance with the Auction Sales Act, 1989 (P.N.D.C.L. 230) and at or above the market price; and
- (b) the method of the disposal is in accordance with the Public Procurement Act, 2003 (Act 663).

(5) Subregulation (3) does not apply to military vehicles as designated by the Minister.

(6) Any disposal, lease, and other action referred to in subregulation (1) that is made without the prior written approval of the Minister, is void.

Disposal of shares in state-owned enterprises

159. The disposal and privatisation of shares in state-owned enterprises shall be made in accordance with the Divestiture of States Interest (Implementation) Act, 1993 (P.N.D.C.L. 326) or a statutory modification or re-enactment of that Act.

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Misused or unused land, buildings and vehicles

160. (1) Where the land, building or the vehicle of a covered entity is unused for more than one year or damaged, misused, or stolen, the Minister shall take at least one of the following measures:

- (a) issue an instruction to request the Principal Spending Officer of the covered entity concerned to change the manner in which the land, building or vehicle is used;
- (b) cause an investigation to be conducted in respect of the land, building or vehicle;
- (c) transfer the management of the land, building and vehicle from the covered entity to another covered entity or the Ministry; and
- (d) in the case of an unused land, building or vehicle, issue an instruction to request the Principal Spending Officer to dispose of the land, building or vehicle in accordance with subregulation (2) of regulation 155 and regulation 157 within a specific period.

(2) Where any land or building of a covered entity is illegally occupied or a vehicle is used by an unauthorised person, the Minister shall take at least one of the following measures:

- (a) eject the person concerned from the land or building;
- (b) request the return of the vehicle immediately or recover possession of the vehicle;
- (c) request a law enforcement officer to remove that person from the land or building;
- (d) order that person to pay rent that the person should have paid for use of the land or building;
- (e) request the person to pay for the use of the vehicle or damage caused to the vehicle; or
- (f) refer the case to the Attorney-General for advice.

Entry of register on land, buildings and vehicles in the Ghana Integrated Financial Management Information System

161. (1) For the purposes of subsection (3) of section 52 of the Act, the Principal Spending Officer shall ensure that the register of land, building and vehicles of covered entities is entered in the Ghana Integrated Financial Management Information System.

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(2) The Principal Spending Officer of a covered entity shall ensure that the register of land, building and vehicles is updated every month.

(3) Where the Principal Spending Officer fails to comply with subregulation (2), the Minister shall issue an instruction to the Principal Spending Officer to complete the data entry by the date specified by the Minister.

(4) If the Principal Spending Officer fails to comply with the instruction of the Minister issued under subregulation (3), the Minister shall authorise an officer to investigate the land, building and vehicles of the covered entity and make the entry into the Ghana Integrated Financial Management Information System.

(5) The valuation of lands, buildings and vehicles in the Ghana Integrated Financial Management Information System shall be made in accordance with the accounting standards and instructions of the Controller and Accountant-General.

Store management

162. (1) For the purposes of subsection (6) of section 52 of the Act, the Principal Spending Officer shall record the acquisition of store items in the Ghana Integrated Financial Management Information System when the delivery is certified.

(2) The disposal of stores shall be in accordance with the Public Procurement Act, 2003 (Act 663).

(3) The Principal Spending Officer shall manage stores in accordance with instructions issued by the Controller and Accountant-General.

*Debt Management***Computerised Debt Management System**

163. (1) The Debt Management Office shall maintain a computerised Debt Management System that includes records listed in section 70 of the Act.

(2) The computerised Debt Management System shall interface or integrate with and transfer the required data directly to, the following systems:

(a) the Ghana Integrated Financial Management Information System;

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- (b) the computerised Development Cooperation Management System maintained by the Division responsible for resource mobilisation and external economic relations in the Ministry;
- (c) the Real Time Gross Settlement System used by the Bank of Ghana for auctioning domestic Government securities; and
- (d) the computerised Budget Management System.

Straight-through processing

164. (1) The Ministry shall establish an interface between the Ghana Integrated Financial Management Information System, the Real Time Gross Settlement System established by the Bank of Ghana and the Central Securities Depository System established under the Central Securities Depository Act, 2007 (Act 733) in order to achieve the straight-through processing of debt service and repayments of domestic Government securities.

(2) The Bank of Ghana shall establish an interface between the Ghana Integrated Financial Management Information System and the Real Time Gross Settlement System in order to achieve the straight-through processing of debt service and repayments of

- (a) Government securities issued abroad; and
- (b) borrowing through domestic and external loans.

Issuance of Government Securities

Power to issue domestic Government securities

165. (1) For the purposes of subsection (1) of section 55 of the Act, the Minister may borrow by the issue of Government securities in the domestic debt market if the total outstanding amount excluding maturities, is within the ceiling in the borrowing plan under the Act.

- (2) The Minister may sell or distribute securities through
 - (a) an auction;
 - (b) syndications;
 - (c) tender offers;
 - (d) private placements; or
 - (e) any other method that the Minister considers appropriate.

Domestic Government securities to be dematerialised

166. (1) After the coming into force of these Regulations, Government securities issued in the country shall take the form of dematerialised securities under the Central Securities Depository Act, 2007 (Act 733).

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(2) The Central Securities Depository established under the Central Securities Depository Act, 2007 (Act 733) shall maintain accounts of all dematerialised Government securities.

(3) A transfer or a pledge of dematerialised Government securities to any transferee or pledgee eligible to maintain an account with the Central Securities Depository shall be effected by the Central Securities Depository by making an appropriate entry in its records of the securities in accordance with the Central Securities Depository Act, 2007 (Act 733).

Treasury Management Committee

167. (1) The Minister shall establish a Treasury Management Committee.

(2) The Treasury Management Committee shall comprise
(a) a Deputy Minister responsible for Finance who is chairperson;

(b) a representative from the
(i) Debt Management Office of the Ministry;
(ii) Budget Office of the Ministry;
(iii) Controller and Accountant-General's Department;
(iv) Ghana Revenue Authority;
(v) Division within the Ministry responsible for macro-fiscal policies; and
(vi) Division responsible for resource mobilisation in the Ministry.

(3) The Treasury Management Committee shall
(a) populate the Public Sector Borrowing Requirement Framework for the purpose of determining the borrowing requirement for the relevant week;
(b) make recommendations based on the market liquidity, financing needs and instruments to be issued for the consideration of management;
(c) coordinate activities between the fiscal and the monetary authorities through the auction process at the Bank of Ghana; and
(d) perform any other function assigned by the Minister.

(4) The Minister may determine the procedures for the meetings of the Treasury Management Committee.

*Public Financial Management Regulations, 2019***Issuance calendar of Government securities**

168. (1) For the purpose of subsection (1) of section 61 of the Act, the Debt Management Office shall prepare and submit to the Minister for approval, an issuance calendar of Government securities to be issued in this country within a financial year.

(2) The Debt Management Office shall publish an issuance calendar approved under subregulation (1) and facilitate the conduct of auction in accordance with the calendar issued.

(3) The Minister may, in addition to subregulations (1) and (2), borrow or lend funds in a repurchase agreement market for purposes of cash management.

Auction of Government securities

169. (1) The Ministry shall approve primary dealers or bond market specialists and institutions eligible to participate in an auction of Government securities from banks and specialised deposit-taking institutions.

(2) The Debt Management Office shall, through the auction system, notify

(a) the general public of the approved results of the auction through the website of the Ministry;

(b) the Bank of Ghana; and

(c) each bidder of the auction results through the Real Time Gross Settlement or any other electronic auction system.

(3) A winning bidder at the auction of Government securities shall, through the Central Securities Depository System or the Real Time Gross Settlement System

(a) request an entry of the holding into an account of the Government securities; and

(b) send an instruction to deposit payments of the Government securities into the Consolidated Fund.

(4) The Bank of Ghana shall, through Real Time Gross Settlement, verify the request for an entry under paragraph (a) of subregulation (3).

(5) On the verification under subregulation (4), the Central Securities Depository shall, through the Central Securities Depository System, confirm the completion of payments by the Central Securities Depository and concurrently make an entry of each holder into an account of the Government securities.

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(6) On the completion of a payment, the Central Securities Depository shall automatically generate an interface file for records of the issued Government securities and send it directly to the Ghana Integrated Financial Management Information System and the computerised debt management system.

Primary dealer or bond market specialist

170. (1) A primary dealer or bond market specialist is an institution

- (a) authorised by the Ministry and the Bank of Ghana to participate in the wholesale auctions conducted by the Bank of Ghana on behalf of the Government; and
- (b) through whom securities are distributed to a holder or end-investor.

(2) The Minister may, on the recommendation of the auction committee, appoint a primary dealer or bond market specialist to purchase Government securities in the domestic debt market, where a financial institution

- (a) is eligible to participate in the auction of Government securities;
- (b) meets the regulatory capital requirement calculated in accordance with internationally accepted standards;
- (c) has the relevant experience in, and ability to perform the duties specified in the guidelines issued under subregulation (1); and
- (d) meets the criteria specified in the guidelines issued under subregulation (1).

(3) The Debt Management Office may request a primary dealer or bond market specialist to provide the relevant information for public debt management in accordance with the guidelines issued under subregulation (1).

(4) The Minister may appoint a primary dealer or bond market specialist on the terms and conditions that the Minister may determine.

(5) The Minister may give directions where necessary to a primary dealer or bond market specialist to ensure the continuity and reliability of the provision of services by that primary dealer or bond market specialist.

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(6) The Minister may revoke the appointment of a primary dealer or bond market specialist, where that primary dealer or bond market specialist

- (a) fails to meet the criteria specified in subregulation (2);
- (b) furnishes the Auction Committee with false information;
- (c) fails to furnish the required information; or
- (d) fails to comply with the guidelines issued, conditions imposed or directions given under subregulation (2), (4) or (5).

Issuance of Government securities abroad

171. (1) For the purpose of section 62 of the Act, the Minister shall, on the recommendation of the Debt Management Office, appoint one or more agents to issue, pay, register and transfer Government securities issued abroad or for safekeeping of Government securities issued abroad.

(2) On the recommendation of the Debt Management Office the Minister shall, after Parliamentary approval of the amount and the purpose of Government securities to be issued abroad, instruct an agent appointed under subregulation (1) to issue the Government securities.

(3) An agent appointed under subregulation (1) shall deposit proceeds from the issue of Government securities abroad into the Consolidated Fund.

(4) The Debt Management Office shall,

- (a) on receipt of a notification of payments from an agent, within three days make an entry into the computerised Debt Management System; and
- (b) notify the Controller and Accountant-General of the notification from the agent.

*Domestic and External Loans***Power to raise loans**

172. (1) A loan agreement for the purposes specified in subsection (1) of section 57 of the Act shall be approved by Parliament and signed by the Minister.

(2) A loan shall be executed only when the loan has been approved by Parliament and signed by the Minister.

*Public Financial Management Regulations, 2019**Debt Service Payments***Quarterly allotments to debt service payments**

173. (1) For the purpose of subsection (1) of section 25 of the Act, the Budget Office shall, before the beginning of each quarter,

(a) obtain through the computerised Debt Management System, a schedule of debt services and repayments for the quarter; and

(b) with the written approval of the Minister, create in the Ghana Integrated Financial Management Information System, allotments sufficient for payment schedules of debt service and repayment for the quarter.

(2) Except for quarterly allotments under subregulation (1), the Director of the Debt Management Office shall not require a warrant or letter to authorise a payment voucher for debt service and repayments under regulations 174 to 176.

Debt service and repayments for domestic Government securities

174. (1) The Bank of Ghana shall, one month before the debt service and repayment of each issue of domestic Government security becomes due, through the Real Time Gross Settlement System, send to the Debt Management Office an invoice of the debt service and repayment.

(2) The Bank of Ghana shall make available and issue an invoice to the Debt Management Office ten days before the due date for the debt service and repayments for the ensuing month.

(3) The Director of the Debt Management Office shall, seven days before the due date, authorise through the Ghana Integrated Financial Management Information System a payment voucher for the invoice obtained by the Director under subregulation (1).

(4) The Chief Cashier of the Controller and Accountant-General's Department shall, three days before the due date through the Ghana Integrated Financial Management Information System, authorise and send to the Bank of Ghana an instruction for the payment of the amount specified on the payment voucher authorised under subregulation (3).

(5) The Bank of Ghana shall, on the due date through the Real Time Gross Settlement System, electronically transfer the amount specified on the payment voucher authorised under subregulation (3), to execute an instruction sent under subregulation (4).

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(6) In case of repayments of domestic Government securities, the Bank of Ghana shall, through the Real Time Gross Settlement System notify the Central Securities Depository of the completion of the repayments in order to delete an entry into an account of the Government securities.

Debt service and repayments on Government securities issued abroad

175. (1) The Debt Management Office, shall eleven days before debt service and repayments of Government securities issued abroad become due, obtain an invoice of the debt service and repayments from the paying agent of the Government securities.

(2) The Director of the Debt Management Office shall, eight days before the due date for the repayment, authorise through the Ghana Integrated Financial Management Information System, a payment voucher for the invoice obtained by the Director under subregulation (1).

(3) The Chief Cashier of the Controller and Accountant-General's Department shall, six days before the due date, through the Ghana Integrated Financial Management Information System, authorise and send to the Bank of Ghana an instruction for the payment of the amount specified on the payment voucher authorised under subregulation (2).

(4) The Bank of Ghana shall, two days before the due date for repayment, through the Real Time Gross Settlement System, electronically transfer the amount specified on the payment voucher authorised under subregulation (2), to the correspondent bank of the paying agent to execute an instruction sent under subregulation (3).

(5) On the receipt of a notification of the completion of a payment for debt service and repayments from the paying agent, the Director of the Debt Management Office shall reconcile the records in the Debt Management System with the notification.

Debt service and repayments for Government borrowing through loans

176. (1) The Director of the Debt Management Office shall,

(a) fifteen days before debt service and repayments of Government borrowing through a loan becomes due, obtain an invoice of the debt service and repayments from the creditor of the loan, and

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(b) eight days before the due date, authorise in the Ghana Integrated Financial Management Information System, a payment voucher for the invoice obtained by the Director under paragraph (a).

(2) The Chief Cashier of the Controller and Accountant General's Department shall, six days before the due date, through the Ghana Integrated Financial Management Information System, authorise and send to the Bank of Ghana, an instruction for the payment of the amount specified on the payment voucher authorised under paragraph (b) of subregulation (1).

(3) The Bank of Ghana shall, two days before the due date, through the Real Time Gross Settlement System, electronically transfer the amount specified on the payment voucher authorised under subregulation (2) to the creditor or the correspondent bank of the creditor, where applicable, to execute an instruction sent under subregulation (2).

(4) On receipt of a notification of completion of the payment for debt service and repayments under subregulation (3), from the Bank of Ghana, the Director of the Debt Management Office shall reconcile the records in the Debt Management System with the notification.

*Loan and Grant Management***Negotiation of grant**

177. (1) A covered entity, a public corporation or a state-owned enterprise that wishes to obtain a grant shall submit to the Debt Management Office in the Ministry, a proposal for the grant including recommendations on the desirable terms and conditions.

(2) The Minister shall, on the recommendation of the Division responsible for resource mobilisation in the Ministry and in consultation with the Debt Management Office, approve an initiation of negotiations for a grant proposed under subregulation (1), together with directions on the terms and conditions, if any.

(3) Negotiations for a grant shall be led by the Division responsible for resource mobilisation in the Ministry and shall have representation from

- (a) the Debt Management Office;
- (b) the Office of the Attorney-General;
- (c) the Legal Directorate of the Ministry; and
- (d) the covered entity, public corporation or state-owned enterprise concerned, or the party to the public private partnership.

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Choice of grant

178. In the exercise of a power under regulation 177, the Minister shall ensure that, to the extent possible,

- (a) the project is considered a national and sectoral priority; and
- (b) a project that is financed by a grant is conducive to the development of the private sector or international trade.

Budgeting of loan and grant for covered entity

179. (1) For the purpose of subparagraph (iii) of paragraph (f) of subsection (5) of section 21 of the Act, a loan or grant to finance expenditure of a covered entity shall be included in and appropriated by the budget.

(2) An expenditure of a covered entity that is financed by a loan or grant shall be appropriated by using the same budget classifications and chart of accounts as those of expenditures of the Government.

(3) When the actual amount of a loan to be disbursed exceeds the amount of the appropriation, the excess shall not be spent without the approval of the supplementary budget, unless the appropriation can be increased by reallocation under regulation 23.

On-lending to local government authority, public corporation and state-owned enterprise

180. (1) For the purpose of subparagraph (iii) of paragraph (f) of subsection (5) of section 21 of the Act, the Minister shall receive a loan or a grant to finance a local government authority, a public corporation or a state-owned enterprise and may on-lend to a local government authority, a public corporation or a state-owned enterprise.

(2) On-lending to a local government authority, a public corporation or a state-owned enterprise under subregulation (1) shall be appropriated by the budget.

(3) A grant to finance a local government authority, a public corporation or a state-owned enterprise may be received directly by the local government authority, public corporation or state-owned enterprise with the prior written approval of the Minister.

Country system for loan and grant

181 (1) A covered entity shall, by 31st January, 2021, use the Ghana Integrated Financial Management Information System to approve commitments and payments for an expenditure financed with loans and grants, in accordance with regulations 70 to 105.

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(2) A covered entity shall, by 31st January, 2021, use the Ghana Integrated Financial Management Information System, to generate monthly and quarterly reports on expenditures financed with loans and grants in accordance with regulations 175 to 189.

(3) A covered entity shall, by 31st January, 2021, use the Budget Module of the Ghana Integrated Financial Management Information System, to produce the budget proposals and update the projections for disbursement of loans and grants in accordance with regulations 20 to 28.

(4) Until subregulations (1) to (3) are implemented, a covered entity shall provide the Divisions responsible for debt management and resource mobilisation in the Ministry with the projections for disbursement of and the expenditures financed with loans and grants in the manner and at the time determined by the Divisions responsible for debt management and resource mobilisation in the Ministry.

Grant to non-governmental organisation

182. (1) Where a grant to finance a non-governmental organisation is channelled through the Government, the non-governmental organisation shall obtain the grant with the prior written consent of the Minister.

(2) A non-governmental organisation that receives a grant which is channelled through Government under subregulation (1) shall

(a) be registered by the relevant authority in the country where it is established; and

(b) annually provide the Division responsible for resource mobilisation in the Ministry with the updated charter, the audited financial statements, and any other information in the manner and at the time determined by the Division.

Grant in kind

183. (1) A covered entity, a public corporation or a state-owned enterprise shall communicate a grant to the Division responsible for resource mobilisation in the Ministry by letter in writing.

(2) Where a covered entity, a public corporation or a state-owned enterprise receives a grant in kind, the Principal Spending Officer shall

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provide the Division responsible for resource mobilisation in the Ministry with a copy of the letter communicating the grant within one month on the receipt of the letter.

Technical assistance

184. Where a covered entity intends to receive technical assistance from a development partner, the Principal Spending Officer of that covered entity shall obtain prior written approval from the Minister.

Grant from philanthropic organisation

185. Where a covered entity intends to receive a grant from a philanthropic organisation, the Principal Spending Officer of that covered entity shall obtain the prior written approval from the Minister.

Development Cooperation Management Information System

186. (1) The Division within the Ministry responsible for resource mobilisation shall establish and maintain a Development Cooperation Management Information System.

(2) The Development Cooperation Management Information System shall be computerised and include comprehensive information and data on all loans and grants received by a covered entity, a public corporation and a state-owned enterprise.

(3) The Development Cooperation Management System shall be interfaced with the Debt Management System specified in regulation 163.

(4) For the purpose of subregulation (1), "grant" includes grant in kind and technical assistance.

Instructions for loan and grant management

187. In accordance with paragraph (k) of subsection (2) of section 4 of the Act, the Minister shall, on the recommendation of the Division responsible for resource management, issue the instructions for the implementation of regulations 177 to 186.

Government Guarantees and On-lending

Documents for approval of Government guarantees and on-lending

188. For the purposes of clause (1) of article 181 of the Constitution and subsection (4) of section 66 of the Act and in order to seek the approval of Parliament to issue a Government guarantee or provide on-lending from the annual budget and any other public fund, the Minister shall, as

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part of the Government budget, submit the following documents in respect of each Government guarantee and on-lending:

- (a) a copy of a draft guarantee and loan agreement and on-lending agreement;
- (b) the name of the borrower;
- (c) an explanation of the project or public private partnership to which the guarantee or on-lending is being provided;
- (d) in case of a guarantee, the amount to be guaranteed, the period of the guarantee and the guarantee fee;
- (e) in case of on-lending, the amount, the date of maturity and the interest rate; and
- (f) the risk assessment submitted under subsection (3) of section 66 and subsection (3) of section 67 of the Act.

Record of guarantees and on-lending

189. (1) For the purpose of section 70 of the Act, the Debt Management Office shall, through the Debt Management System, record the following data and information in respect of each Government guarantee and on-lending from the budget and any other public funds:

- (a) a copy of a guarantee and loan agreement;
- (b) a copy of the approval by Parliament;
- (c) data on terms and conditions of a guarantee and loan;
- (d) data on the financial position of the borrower;
- (e) in the case of a guarantee, data on receipt of guarantee fees;
- (f) in the case of a loan supported by a guarantee, data on performance of the loan supported by the guarantee; and
- (g) in the case of on-lending, data on the interest payment and repayments of the on-lending.

(2) The Debt Management Office shall, after the Debt Management System is interfaced with the Ghana Integrated Financial Management Information System under subregulation (2) of regulation 162, directly transfer data on receipt of guarantee fees, interest payments and repayments from the Ghana Integrated Financial Management Information System, to the Debt Management System.

(3) The Debt Management Office shall, within five days after the end of every quarter obtain from a domestic or external financial institution, data on the performance of underlying loans in respect of each loan guarantee and record the data in the Debt Management System.

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(4) The Debt Management Office shall, within five days after the end of every quarter obtain and record in the Debt Management System the financial statements of each borrower of a Government guarantee and on-lending.

Reserve fund of guarantee fees

190. (1) A beneficiary of a Government guarantee shall deposit a guarantee fee into a sub-account of the Consolidated Fund opened for a reserve fund.

(2) The moneys in the sub-account referred to in subregulation (1), shall be used only for the repayment of a Government guarantee that is called.

(3) A commitment and payment in respect of the repayment of a Government guarantee that is called, shall be made by the same process as that for the debt service and repayment under regulations 173 to 176.

(4) The Minister shall specify in the annual budget, an amount of a reserve fund accumulated by the guarantee fees.

Recovery and calling procedures

191. (1) Where a borrower of a Government guarantee or on-lending has been or is likely to default in payment, the Debt Management Office shall, in consultation with the Office of the Attorney-General, recommend to the Minister, actions required to be taken for the debt collection and recovery.

(2) The Debt Management Office may use a debt collection service provided by a financial institution for the recovery and collection of a Government guarantee that is called and non-performing on-lending.

State-Owned Enterprises and Public Corporations

Application of regulations 193 to 206

192. (1) Unless otherwise specified in these Regulations, regulations 193 to 206 apply to public corporations and state-owned enterprises.

(2) The Minister shall, publish on the website of the Ministry, the list of public corporations and state-owned enterprises to which regulations 193 to 206 apply.

Financial year

193. The financial year of a public corporation or a state-owned enterprise that is established after the coming into force of these Regulations, shall be from first January to thirty-first December.

*Public Financial Management Regulations, 2019***Submission of financial plan**

194. (1) For the purpose of subsection (1) of section 93 of the Act, not later than four months before the beginning of each financial year, a public corporation or state-owned enterprise to which regulations 193 to 206 apply shall submit a financial plan to the relevant sector Minister, the central oversight body and the Minister.

(2) The financial plan specified in subregulation (1) shall include

(a) the annual financial statements for the previous financial year;

(b) the approved budget for the current financial year;

(c) the latest trial balances for the current financial year;

(d) the financial projections for the ensuing three years, including projections of the balance sheets and income statements;

(e) the draft budget for the ensuing financial year, including

(i) estimates of income and expenditure on an accrual basis, and

(ii) estimates of acquisition and disposal of fixed assets;

(f) an annual borrowing and recovery plan for the ensuing financial year as required under subsection (1) of section 76 of the Act, including

(i) a proposal of the total borrowing limit to be set for the financial year under subsection (1) of section 76 of the Act;

(ii) a proposal of terms and conditions of concessional and non-concessional external borrowing to be made during the financial year under paragraph (b) of subsection (2) of section 76 of the Act, which shall be subject to the approval of Parliament;

(iii) a proposal of guarantees to be issued by Government in favour of the public corporation or state-owned enterprise during the financial year;

(iv) the detailed profile of outstanding domestic and external borrowing, identified by the type of borrowing instrument; and

(v) the detailed profile of outstanding guarantees that have been issued by Government on behalf of the public corporation or state-owned enterprise, broken down to each guarantee agreement;

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- (g) a performance compact specifying financial targets and other operational indicators for the ensuing financial year; and
- (h) a proposal of dividend projections for the ensuing financial year based on the dividend policy of Government for the sector.

Approval of financial plan

195. The Minister shall, not later than two months before the beginning of each financial year, by exercising ownership rights conferred under the relevant enactment governing the oversight of public corporations and state-owned enterprises, on the recommendation of the central oversight body, approve, in respect of each public corporation and state-owned enterprise,

- (a) the annual budget for the next financial year;
- (b) the borrowing limit under subsection (1) of section 76 of the Act;
- (c) the external borrowing under paragraph (b) of subsection (2) of section 76 of the Act;
- (d) the guarantees to be issued by Government on behalf of the public corporation or state-owned enterprise for the ensuing financial year;
- (e) the performance compact for the ensuing financial year; and
- (f) the projected dividend based on the dividend policy of Government for the sector.

Performance compact

196. (1) A public corporation or a state-owned enterprise, to which regulations 193 to 206 apply, shall in accordance with regulation 195 annually conclude a performance compact with the Minister, on the advice of the central oversight body.

(2) The performance compact shall specify the financial targets and other operational indicators and targets to be achieved by the public corporation or state-owned enterprise during the financial year.

(3) The financial targets of a public corporation or state-owned enterprise shall be set at a rate of returns which are intended to maximise shareholder value of the public corporation or state-owned enterprise.

*Public Financial Management Regulations, 2019***Dividend policy**

197. (1) The Minister shall, on the advice of the central oversight body, annually approve a dividend policy for a public corporation or a state-owned enterprise to which regulations 193 to 206 apply, in accordance with regulation 195.

(2) The Minister shall, in approving the dividend policy under subregulation (1), ensure that the level of dividend

- (a) gives an appropriate balance with future capital expenditure;
- (b) ensures financial soundness;
- (c) is consistent with improvements to profitability and cash flow; and
- (d) is comparable with the level of dividend in a similar industry, if any.

Request for Government support

198. (1) A public corporation or a state-owned enterprise to which regulations 193 to 206 apply shall, in accordance with these Regulations, submit to the central oversight body for onward submission to the Minister through the Division within the Ministry responsible for public investment, a request for Government support.

(2) The request for Government support shall include

- (a) a copy of a financial plan approved under regulation 195;
- (b) the amount of Government support that
 - (i) was provided for the previous three years, and
 - (ii) is to be provided during the current year;
- (c) the amount of Government support requested for the ensuing financial year; and
- (d) the costing of activities and projects for which Government support is requested.

(3) The Division responsible for public investment in the Ministry in collaboration with the Budget Office shall coordinate with the central oversight body to scrutinise the request for Government support and include the approved request for Government support in the budget.

(4) The approved request for Government support shall be subject to the budget hearing process outlined in regulation 17, in which the central oversight body shall participate.

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(5) This regulation applies to the following types of Government support:

- (a) subsidies and capital transfers from the Government budget;
- (b) on-lending from the Government budget;
- (c) Government guarantees on borrowing; and
- (d) recapitalisation by Government in accordance with regulation 199.

Recapitalisation

199. (1) A public corporation and state-owned enterprise may be recapitalised by the Minister on the recommendation of the central oversight body, the Budget Office and Divisions responsible for public investment and debt management in the Ministry.

(2) The Minister may recapitalise a public corporation or a state-owned enterprise through

- (a) a capital injection from the annual budget;
- (b) a gift of Government securities;
- (c) a gift of Government assets;
- (d) a relief of debt owed to Government;
- (e) a debt-equity swap; or
- (f) any other means.

(3) A request for recapitalisation under subregulation (1) shall be submitted by a public corporation or a state-owned enterprise to the Minister through the central oversight body.

(4) The request for recapitalisation under subregulation (1) shall include

- (a) a detailed explanation of the proposed scheme of the recapitalisation;
- (b) a detailed justification for the recapitalisation including a fiscal impact analysis;
- (c) a business plan of the public corporation or state-owned enterprise;
- (d) a restructuring plan of the public corporation or state-owned enterprise, including
 - (i) the detailed financial projections for the ensuing five years;
 - (ii) the restructuring measures to be taken for the ensuing five years;
 - (iii) the financial targets for the ensuing five years; and

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- (iv) the time period for the repayment of the costs incurred by the Government for the recapitalisation by the public corporation or state-owned enterprise.

Monitoring of restructuring plan

200. (1) The central oversight body shall, monitor the progress in the implementation of a restructuring plan by a public corporation or state-owned enterprise recapitalised by Government.

(2) Where the financial performance shows a deviation of thirty percent from the financial target specified under a restructuring plan submitted to the Minister under paragraph (d) of subregulation (4) of regulation 199 by the public corporation or state-owned enterprise, the Minister shall, on the recommendation of the central oversight body, take one or more of the punitive measures, specified in regulation 206.

(3) The central oversight body shall, through an annual report on its operations and activities, submit to the Minister, a report on

- (a) information on progress in the implementation of a restructuring plan of every recapitalised public corporation or state-owned enterprise; and
(b) corrective actions taken under subregulation (2).

Accounting standards for a public corporation or a state-owned enterprise

201. For the purposes of sections 93 and 95 of the Act, the Controller and Accountant-General shall adopt the appropriate accounting standards and prescribe relevant policies, systems and procedures for a public corporation or a state-owned enterprise, to which regulations 192 to 205 apply.

Real-time monitoring system

202. A public corporation or a state-owned enterprise shall interface or integrate its financial management systems with the system of the central oversight body that integrates the accounting and financial data of all public corporations and state-owned enterprises.

Quarterly and annual financial reports

203. (1) For the purposes of subsection (2) of section 93 of the Act, a public corporation or a state-owned enterprise shall, within one month after the end of every quarter, submit a quarterly financial report to the relevant sector Minister and the central oversight body.

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(2) For the purposes of section 95 of the Act, each public corporation and state-owned enterprise shall submit

- (a) within two months after the end of each financial year, the unaudited annual financial statements to the relevant sector Minister and the central oversight body; and
- (b) within three months after the end of each financial year, the audited financial statements to the relevant sector Minister and the central oversight body.

(3) The central oversight body shall submit the quarterly financial report and the annual financial statements received under subregulations (1) and (2) to the Minister.

(4) The quarterly financial report and the annual financial statements specified under subregulations (1) and (2) shall include

- (a) all information, including the notes to the financial statement, required by the International Financial Reporting Standards;
- (b) the disclosure of remuneration in respect of all members of the governing body, the chief executive officer, the chief financial officer, and such other senior managers of the public corporation or state-owned enterprise as prescribed by the central oversight body;
- (c) the detailed statements of Government support received; and
- (d) the detailed costing information on public service obligations and other activities required for public interest by Government and detailed cost of corporate social responsibility.

Audit of public corporation and state-owned enterprise

204. For the purpose of section 95 of the Act, the annual financial statements of a public corporation or a state-owned enterprise, to which regulations 192 to 205 apply, shall be audited

- (a) by an external auditor who is licensed under the Chartered Accountants Act, 1963 (Act 170) and appointed by the Auditor-General; and
- (b) in accordance with international standards on auditing.

*Public Financial Management Regulations, 2019***Exercise of rights of shareholder**

205. The Minister shall, on the advice of the central oversight body, exercise all the rights of the shareholder in a public corporation or a state-owned enterprise or any other entity in which the State maintains an equity interest.

Punitive measures

206. (1) Where a public corporation or state-owned enterprise fails to comply with the requirements under regulations 193 to 205 or deviates by thirty percent from any financial target included in the performance compact, the Minister shall, on the recommendation of the central oversight body, take one or more of the following measures:

- (a) require the submission by the public corporation or state-owned enterprise of revised financial plans, corrective action plans, and additional reporting;
- (b) publish the fact of the failure, together with the names of the chief executive officer and chief financial officer of the public corporation or state-owned enterprise, in the media that the central oversight body considers appropriate;
- (c) undertake investigation through an officer appointed by the central oversight body;
- (d) suspend or annul transactions made by the public corporation or the state-owned enterprise without the required approval;
- (e) recommend to the President, the suspension of the members of the governing body, chief executive officer or chief financial officer of the public corporation or state-owned enterprise until the violation is rectified;
- (f) appoint a special advisor for the public corporation or state-owned enterprise;
- (g) appoint, with the written approval of the President, the official administrator who shall take over all the powers of the governing body of the public corporation or the state-owned enterprise for a specified period of time;
- (h) recommend to the President changes in the membership of the governing body of the public corporation or state-owned enterprise; and
- (i) recommend to the President the liquidation of the public corporation or the state-owned enterprise.

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(2) Where a public corporation or a state-owned enterprise fails to submit the quarterly financial reports or annual financial statements as required under these Regulations, the Minister shall, on the recommendation of the central oversight body,

- (a) suspend the subsidies of that public corporation or a state-owned enterprise from the annual budget until the quarterly financial reports or annual financial statements are submitted; and
- (b) publish the fact of the failure, together with the names of the chief executive officer and chief financial officer, in the media that the central oversight body considers appropriate.

Accounting, Reporting and Accounting Practices

Accounting standards

207. (1) For the purpose of paragraph (i) of subsection (4) of section 8 of the Act, the Controller and Accountant-General shall, in consultation with the Auditor-General, adopt accounting standards and prescribe relevant policies, systems and procedures for a covered entity.

(2) The accounting policies, systems and procedures prescribed under subregulation (1) shall be in accordance with internationally accepted accounting standards.

Basis of accounting

208. The accounting basis of a covered entity for the record of revenue, expenditure, assets and liabilities shall be on an accrual basis of accounting or as determined by the Controller and Accountant-General.

Chart of accounts

209. (1) The Controller and Accountant-General shall, with the approval of the Minister, develop, implement and manage the chart of accounts of Government for purposes of public financial management.

(2) The chart of accounts of Government shall apply to all covered entities except state-owned enterprises and public corporations to which regulations 192 to 205 apply.

(3) The classification used in the chart of accounts of Government shall be consistent with relevant international standards.

(4) The Controller and Accountant-General shall ensure a regular update of the chart of accounts of Government to reflect emerging needs including changes in Government policy direction and operation.

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(5) The Controller and Accountant-General may with the approval of the Minister, effect a significant change to the chart of accounts of Government.

(6) For the purposes of subregulation (5), “significant change” includes a structural adjustment, a reconfiguration or a reorganisation of the chart of accounts of Government.

Preservation of financial information

210. (1) All financial information of a covered entity processed on the Ghana Integrated Financial Management Information System, including books, ledgers, journals, vouchers, payrolls, and supporting documents of receipts and payments, shall be preserved in the Ghana Integrated Financial Management Information System in an electronic form for a minimum period of ten years.

(2) Any other financial information or data which is not admissible on the Ghana Integrated Financial Management Information System shall be kept for a minimum period of ten years.

(3) The deletion of financial information which has attained the maximum period of storage shall follow the processes directed by the Controller and Accountant-General.

(4) Financial information recorded in the Ghana Integrated Financial Management Information System shall be admissible as evidence in a court of law.

(5) The Controller and Accountant-General shall be the custodian of financial data on the Ghana Integrated Financial Management Information System.

Suspense account

211. (1) The Controller and Accountant-General may authorise the use of a suspense account into which unresolved transactions or classification issues are recorded temporarily.

(2) A suspense account may be brought to zero balance at the end of the quarter to which the suspense account relates before the financial statements are prepared.

(3) The Principal Spending Officer of a covered entity shall ensure that

(a) the sources of the transactions recorded in a suspense account are readily identifiable;

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- (b) the amount recorded in a suspense account is cleared and correctly allocated to the relevant account on a monthly basis in the Ghana Integrated Financial Management Information System; and
 - (c) the Controller and Accountant-General is provided with a monthly report on any uncleared amount recorded in a suspense account.
- (4) A suspense account for a financial year shall, before the accounts for the financial year are closed, be brought to zero balance or converted into a deposit or an advance if the Controller and Accountant-General is satisfied that the receipts or payments involves a third party.
- (5) A suspense account shall not be used to transfer expenditure from one financial year to another financial year.

Closure of accounts

212. (1) The Controller and Accountant-General shall, not later than one month before the end of the financial year, notify the Principal Spending Officer of a covered entity of the date of closure of account for a financial year.

(2) An adjustment shall not be made to the account after the closure of the account except with the prior written approval of the Controller and Accountant-General.

*In-year Reporting***Quarterly financial statements**

213. (1) For the purposes of paragraph (a) of subsection (1) of section 79 of the Act, the Principal Spending Officer of a covered entity shall, within fifteen days after the end of each quarter, submit to the Controller and Accountant-General the quarterly financial statements covering all public funds namely the Consolidated Fund, internally generated funds, donor funds, statutory funds and any other fund as may be established by an Act of Parliament.

(2) The quarterly financial statements specified in subregulation (1) shall be in the form determined by the Controller and Accountant-General and include details of

- (a) the actual revenue for the quarter and the cumulative actuals to date;
- (b) the actual expenditure for the quarter and the cumulative actuals to date;

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- (c) the committed amounts for the quarter and the cumulative commitments to date;
 - (d) outstanding commitments at the end of the quarter;
 - (e) a comparison of the figures mentioned in paragraphs (a), (b), (c), and (d) with the corresponding line-items in the budget, quarterly budget allocations, and warrants issued; and
 - (f) sufficient notes to highlight variations in excess or deficit of ten percent in the budget performance on a line-item basis.
- (3) For the purpose of paragraph (b) of subsection (1) of section 79 of the Act, the Controller and Accountant-General shall, within one month after the end of each quarter,
- (a) submit to the Minister and publish on the website of the Controller and Accountant-General's Department the quarterly financial statements including the information specified under subregulation (1), and
 - (b) consolidate all expenditure of covered entities except state-owned enterprises and public corporations to which regulations 201 to 217 apply.

*Reporting Requirements***Annual reporting**

214. (1) In addition to reporting requirements under subsection (1) of section 80 of the Act, a Principal Spending Officer of a covered entity shall submit the following financial statements as part of the annual report to the Controller and Accountant-General:

- (a) a statement of the financial position of the covered entity;
- (b) a statement of financial performance of the covered entity;
- (c) the cash flow statement of the covered entity;
- (d) a statement of changes in net assets and equity of the covered entity; and
- (e) notes to the accounts.

(2) The Controller and Accountant-General shall, by 31st December, 2020, put in place systems to produce financial statements to cover all public funds.

*Public Financial Management Regulations, 2019***Performance report**

215. (1) For the purposes of subsection (1) of section 27, subsection (3) of section 30 and subsections (1) and (2) of section 34 of the Act, the Minister shall determine the format of the budget performance report.

(2) Each Principal Account Holder shall, not later than the 31st March of the ensuing year, submit

- (a) an annual budget performance report to Parliament; and
- (b) a copy of the annual budget performance report to the Ministry.

(3) The annual budget performance report shall include

- (a) the achievements,
- (b) the annual work plan,
- (c) the staff establishment,
- (d) actions taken to implement the recommendations of Parliament in respect of the most recent report of the Auditor-General, and
- (e) any major investment to be implemented for more than one year including
 - (i) a multi-year investment, and
 - (ii) the total cost within the medium term,

of each covered entity.

(4) The quarterly budget performance report shall include

- (a) the status of implementation of the programmes of the covered entity for the preceding quarter;
- (b) the forecast commitments for the ensuing quarter; and
- (c) cash positions.

(5) For the purposes of subregulation (4), the Minister shall, not later than the end of the third week of the ensuing quarter, submit to Parliament a consolidated report for the covered entities.

(6) The Minister shall submit to Parliament, not later than the 30th day of the months of January and July of each financial year, a half-yearly report on budget implementation.

(7) The half-yearly report shall include

- (a) programme and economic classification; and
- (b) a brief statement of programme performance of each covered entity.

*Public Financial Management Regulations, 2019***Publication of annual reports of covered entity**

216. (1) For the purpose of subsection (1) of section 80 of the Act, the Principal Spending Officer of a covered entity shall, within six months after the end of each financial year, publish on the website of the covered entity, the annual reports of all expenditures financed by internally generated funds, donor funds, and statutory funds.

(2) The publication under subregulation (1) shall include

(a) the financial statements specified in subregulation (1) of regulation 215; and

(b) the report of the Auditor-General on the annual reports.

(3) The Controller and Accountant-General shall specify the form of the annual reports of a covered entity.

Annual public accounts

217. (1) In furtherance of subsection (1) of section 81 of the Act, the Controller and Accountant-General shall, within three months after the end of each financial year, submit to the Auditor-General, and copy the Minister, the financial statements on public funds including

(a) a statement of financial position;

(b) a statement of financial performance;

(c) a cash flow statement;

(d) a statement of receipts and payments;

(e) a statement of expenditure by classification of functions of Government;

(f) a statement of changes in net assets and equity; and

(g) notes to the accounts.

(2) For the purpose of subsection (1) of section 81 of the Act, the Controller and Accountant-General shall, within six months after the end of each financial year, publish on the website of the Controller and Accountant-General's Department

(a) the consolidated annual accounts of Government;

(b) the annual accounts of the Contingency Fund;

(c) the annual accounts of the Petroleum Funds; and

(d) the report of the Auditor-General on the annual accounts specified in paragraphs (a), (b) and (c).

*Internal Audit***Application of regulations 219 to 222**

218. Regulations 219 to 222 shall be read and construed as one with the Internal Audit Regulations, 2011 (L. I. 1966).

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Internal audit standards

219. (1) For the purpose of section 83 of the Act, the internal audit of a covered entity shall be conducted in accordance with the accepted standards and procedures set by the Internal Audit Agency.

(2) In furtherance of subsection (1) of section 3 of the Internal Audit Agency Act, 2003 (Act 658), the Internal Audit Agency shall prepare and publish the directives and guidelines for the implementation of accepted standards and procedures specified in subregulation (1).

Appointment and removal of the head of the Internal Audit Unit

220. (1) For the purpose of subsection (2) of section 83 of the Act, the appointing authority shall, with the prior written approval of the Internal Audit Agency and the Audit Committee of a covered entity, appoint the head of the Internal Audit Unit of that covered entity.

(2) The head of the Internal Audit Unit of a covered entity shall not be removed from office, or transferred or reassigned to another office without the prior written approval of the Internal Audit Agency and the Audit Committee of that covered entity.

Administrative and functional reporting

221. (1) For the purpose of subsection (2) of section 83 of the Act, “administrative reporting by a head of an Internal Audit Unit” means reporting to the Principal Spending Officer on the

- (a) budgeting and management of the Internal Audit Unit;
- (b) human resource administration including personnel evaluation and compensation;
- (c) internal communications and information flow; and
- (d) administration of internal policies and procedures of the covered entity.

(2) For the purpose of subsection (2) of section 83 of the Act, “functional reporting by the head of an Internal Audit Unit” means reporting to the Audit Committee on the

- (a) Internal Audit Charter;
- (b) Quarterly Internal Audit Report;
- (c) Internal Audit Risk Assessment and related risk-based Audit Plan;
- (d) Internal Audit Resource Plan;
- (e) performance of the Internal Audit Unit in relation to the plans of the Unit and other matters; and

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- (f) inquiries of management and the Internal Audit Unit, to determine whether there is an audit scope or resource limitations that impede the ability of the Internal Audit Unit to perform its functions.

Reporting of fraud and misuse

222. (1) For the purpose of subsection (9) of section 83 of the Act, where an internal auditor reports to the Principal Spending Officer a suspected case of fraud or misuse of public funds, the Principal Spending Officer shall, within ten days,

- (a) initiate an investigation into the suspected case; or
(b) if the suspected case is alleged to include the commission of an offence, refer the case to the Attorney-General for further action.

(2) Where the Principal Spending Officer fails to initiate an investigation or refer the suspected case to the Attorney-General within ten days of receipt of a report under subregulation (1), the head of the Internal Audit Unit of the covered entity concerned shall report that fact to the Audit Committee of the covered entity, the Minister, the Director-General of the Internal Audit Agency, and the Auditor-General.

(3) Where the Minister receives a report from the head of the Internal Audit Unit of a covered entity under subregulation (2), the Minister shall, in consultation with the Director-General of the Internal Audit Agency, take one or more of the following actions:

- (a) instruct the Director-General of the Internal Audit Agency to initiate an investigation into the suspected fraud or misuse;
(b) appoint persons to conduct an investigation of the covered entity;
(c) instruct the Principal Spending Officer of the covered entity to refer the case of suspected fraud or misuse to the Attorney-General for further action.

(4) Where the Principal Spending Officer fails to comply with paragraphs (a) and (b) of subregulation (1) or an instruction of the Minister under paragraph (a) or (c) of subregulation (3), the Minister shall impose one or more of the penalties specified in regulation 206.

*Public Financial Management Regulations, 2019**Audit Committees***Establishment of Audit Committees**

223. (1) In furtherance of paragraph (a) of subsection (2) of section 86 of the Act, on the coming into force of these Regulations, an Audit Committee shall be established for each covered entity.

(2) In furtherance of subregulation (1), the Minister may, on the recommendation of the Internal Audit Agency, direct a covered entity

(a) to establish a new Audit Committee; or

(b) to share an Audit Committee with another covered entity in a sector.

(3) Where the Minister issues a directive under subregulation (2), the Minister shall send a copy of the directive to the Auditor-General.

Qualification for appointment to an Audit Committee

224. (1) In furtherance of paragraph (b) of subsection (2) of section 86 of the Act, a person is qualified for appointment as a member of an Audit Committee if that person has the professional expertise and has work experience in the area of accounting, auditing or public financial management.

(2) The professional expertise and work experience required under subregulation (1), shall be specified in the Audit Committee Guidelines issued by the Minister in consultation with the Internal Audit Agency.

Tenure of office of a member of Audit Committee

225. (1) A chairperson or an independent member of an Audit Committee of a covered entity shall be appointed for a period of two years and may be re-appointed for another term only.

(2) A chairperson or an independent member of an Audit Committee shall not be removed from office without the prior written approval of the Internal Audit Agency or the Institute of Chartered Accountants, Ghana, whichever institution nominated the chairperson or that independent member.

Funding of Audit Committee

226. (1) For the purpose of paragraph (c) of subsection (2) of section 86 of the Act, an Audit Committee of a covered entity shall be funded by an appropriation for the covered entity in the annual budget.

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(2) The remuneration of a chairperson and other members of an Audit Committee of a covered entity shall be specified in the Audit Committee Guidelines issued by the Minister in consultation with the Internal Audit Agency.

Meetings of members of an Audit Committee

227. (1) For the purpose of paragraph (d) of subsection (2) of section 86 of the Act, an Audit Committee shall determine the procedure for its meetings.

(2) The quorum at a meeting of an Audit Committee is three members of the Committee including the chairperson and one independent member.

(3) The Principal Spending Officer of a covered entity may be co-opted to attend a meeting of an Audit Committee.

(4) Decisions of an Audit Committee shall be by a majority of members present and voting.

Powers of Audit Committee

228. (1) For the purpose of discharging its functions under subsection (1) of section 88 of the Act, an Audit Committee of a covered entity shall

(a) investigate matters in relation to suspected cases of fraud or misuse of public funds; and

(b) have full access to the management, personnel, books, records, documents, property and information of that covered entity.

(2) Where the Audit Committee suspects any case of fraud or misuse of public funds, the chairperson of the Audit Committee shall promptly report the case to the Principal Spending Officer or the Principal Account Holder concerned for an investigation into the matter.

Report of Audit Committee

229. An Audit Committee of a covered entity shall, on a half-yearly basis, report any concern in relation to the covered entity to the

(a) Principal Account Holder;

(b) Minister;

(c) Director-General of the Internal Audit Agency;

(d) chairperson of the Board or Council of the covered entity; and

(e) the Auditor-General.

*Public Financial Management Regulations, 2019**Miscellaneous Provisions***Actions in respect of offences**

230. (1) Where a person commits an offence under subsection (1), (2) or (3) of section 96 of the Act or fails to comply with a requirement under the Act or these Regulations, the Minister shall take one or more of the following actions:

- (a) require the person to submit a plan for corrective action and impose additional reporting requirements on the covered entity;
- (b) publish the fact of the violation and the name of the Principal Spending Officer in the media that the Minister considers appropriate;
- (c) appoint persons to undertake an investigation of the covered entity;
- (d) suspend or annul transactions made without the required approval;
- (e) appoint a special advisor for the covered entity; or
- (f) appoint a person to take over the financial management of the covered entity.

(2) Where a covered entity fails to submit the monthly, quarterly or annual financial statements in accordance with these Regulations, the Minister shall

- (a) suspend allotments and warrants for the budget expenditure of that covered entity until the monthly, quarterly financial reports or unaudited annual financial statements are submitted; or
- (b) publish the fact of the failure and the name of the Principal Spending Officer in the media that the Minister considers appropriate.

Investigation of questioned expenditure

231. (1) An employee of a covered entity who becomes aware of or suspects the occurrence of questioned expenditure, fraud, or misuse of public funds shall immediately, report in writing the suspected case to the

- (a) Principal Spending Officer of that covered entity; or
- (b) Head of Internal Audit Unit where the suspected fraud involves the Principal Spending Officer.

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(2) The Principal Spending Officer shall, within three days, of receipt of a report under subregulation (1),

- (a) initiate an investigation of the suspected case; or
- (b) if the suspected case includes the commission of an offence, refer the case to the Attorney-General for the initiation of the prosecution.

(3) Where the Principal Spending Officer fails to initiate an investigation or refer the suspected case to the Attorney-General in accordance with subregulation (2), the employee who reported the case shall inform the head of the Internal Audit Unit of the covered entity.

(4) The head of the Internal Audit Unit of the covered entity shall, on receipt of a complaint under paragraph (b) of subregulation (1) or subregulation (3), report the matter to the Audit Committee of the covered entity, the Minister, the Director-General of the Internal Audit Agency, and the Auditor-General.

(5) Where the Minister receives a report from the head of the Internal Audit Unit of a covered entity under subregulation (4), the Minister shall, in consultation with the Director-General of the Internal Audit Agency,

- (a) instruct the Principal Spending Officer of the covered entity to initiate an investigation of the suspected fraud and misuse of public funds;
- (b) appoint persons to conduct an investigation of the covered entity; or
- (c) instruct the Principal Spending Officer of the covered entity to refer the suspected fraud or misuse of public funds to the Attorney-General for further action.

(6) Where the Principal Spending Officer fails to comply with an instruction of the Minister issued under paragraph (a) or (c) of subregulation (5), regulation 206 shall apply.

(7) The Principal Spending Officer of a covered entity shall, on the detection of any alleged questioned expenditure, keep a record of the details of the questioned expenditure, together with supporting documents and initiate an investigation.

(8) Where the investigation confirms the occurrence of the questioned expenditure, the Principal Spending Officer of the covered entity shall report the details of the questioned expenditure to the Audit Committee of the covered entity, the Minister, and the Auditor-General.

*Public Financial Management Regulations, 2019***Record of questioned expenditure**

232. (1) A Principal Spending Officer with reference to the findings in the report of the internal auditor and external auditor of a covered entity shall maintain a record of questioned expenditure through the Ghana Integrated Financial Management Information System.

(2) The record specified in subregulation (1) shall indicate in detail

- (a) unauthorised commitment resulting in financial obligation to Government;
- (b) improper payment of public funds;
- (c) unreasonable payment not in conformity with the award of a contract or applicable laws or programmes;
- (d) expenditure exceeding the approved appropriation;
- (e) expenditure not supported with required documentation;
- (f) failure to collect funds due to the Government;
- (g) misappropriation of public funds;
- (h) misapplication of public funds; and
- (i) alleged fraud committed against the Government.

(3) The Principal Spending Officer shall, within two months after the end of each financial year, submit to the Controller and Accountant-General an explanation, the disciplinary actions taken and any other sanctions imposed in respect of each questioned expenditure recorded in the Ghana Integrated Financial Management Information System under subregulation (1).

Annual report on questioned expenditure

233. (1) The Controller and Accountant-General shall, within six months after the end of each financial year, prepare and submit to the Minister an annual report on questioned expenditure recorded through the Ghana Integrated Financial Management Information System.

(2) The annual report referred to in subregulation (1) shall include, at least,

- (a) the amount of questioned expenditure of the immediately preceding year for each covered entity;
- (b) a report on the progress in recovery of questioned expenditure for the immediately preceding year for each covered entity;

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- (c) information on disciplinary action or any other sanction taken against an officer responsible for questioned expenditure in the immediately preceding year; and
- (d) an analysis of whether the disciplinary action taken under paragraph (c) is
 - (i) proportional to the severity of the irregularities; and
 - (ii) consistent across covered entities.

Recovery of questioned expenditure

234. (1) A Principal Spending Officer of a covered entity shall take the necessary action to recover all money due to Government from a supplier or contractor, where the questioned expenditure arises from

- (a) non-performance of contractual obligations by that supplier or contractor; or
- (b) over-payments to the supplier, contractor or staff.

(2) In addition to the actions for the recovery of moneys due Government under subregulation (1), the Principal Spending Officer shall

- (a) report the amount owed to Government by the supplier or contractor to credit bureaus, charging interests and penalties on the amount owed, and contracting with private debt servicers; or
- (b) suspend any financial assistance given to the supplier or contractor from the annual budget in accordance with applicable laws.

Interpretation

235. In these Regulations, unless the context otherwise requires,
- “affordable” or “affordability” means the financial commitments to be incurred by a covered entity for a project or a public-private partnership which can be met within the existing budget of the covered entity or the medium-term expenditure ceilings on the covered entity;
 - “approved commitment” means a contract or other binding arrangement which creates a future expense or liability;
 - “asset” means a resource with economic value which a covered entity owns or controls with the expectation that the resource will provide a future benefit;

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- “Budget Cost Centre” means a part of a Government entity to which costs may be charged or assigned for budgeting and accounting purposes;
- “Budget Module of the Ghana Integrated Financial Management Information System” means a system that captures financial and non-financial data for budgeting from covered entities including information on output types and output volumes, wage bill ceilings for each covered entity, macroeconomic forecasting data, and indexation rates for forward estimates;
- “cash buffer” means minimum cash that should be available at all times to meet unexpected increase in cash requirement within a period;
- “Cash Management Committee” means the Cash Management Committee established under regulation 143;
- “central oversight body” means an agency under the Ministry established for the oversight of public corporations and state-owned enterprises under the relevant enactment governing the oversight of public corporations and state-owned enterprises;
- “Chart of Accounts” means a created list of the accounts used by the Government to define each class of items for which money or the equivalent is spent or received in the general ledger;
- “compensation of employees” include
- (f) salaries payable to public officers;
 - (b) wages payable to public officers as employed in daily rated posts;
 - (c) pensions and gratuities; and
 - (d) allowances and any additional remuneration due to public officers as part of their conditions of service;
- “charter” means the document governing the existence of a non-governmental organisation as an entity and the staff of the non-governmental organisation;

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- “Computerised Budget Management System” means a system that captures financial and non-financial data for budgeting from covered entities including output types and output volumes, wage bill ceilings for each covered entity, macroeconomic forecasting data and indexation rates for forward estimates;
- “Computerised Human Resource Management System” means a Government approved software which serves as a comprehensive and a common Human Resource database for all public service employees;
- “Computerised Payroll System” means an integrated system which consists of the Human Resource Management System for human resource management and payroll system for the payment of employee compensation as part of the Ghana Integrated Financial Management Information System;
- “credit-in-kind” means a high risk loan or bond that allows a borrower to pay interest with additional debt instead of cash;
- “debt-equity swap” means a transaction in which debt is exchanged for equity;
- “Debt Management System” means a system which is designed to manage external and domestic public debt including government debts, government-guaranteed debts, on-lending debts, grants and debt reorganisations;
- “Departmental Accounting Instructions” means a set of guidelines defining accounting processes, procedures and reporting within a covered entity;
- “employee salary payment voucher” means a Government document used to validate and certify employee information within forty-eight hours to eliminate the systematic inefficiencies and leakages in the Payroll System;
- “expense order” means a financial document which is used internally by a covered entity to commit Government to a transaction that does not require the use of a purchase order and includes per diem, expenditure made from imprest, and travel and transport;

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- “Forecasting Working Group” means an inter-agency team within the Ministry which is responsible for coordinating key macro-economic revenue and expenditure forecasts to be included in the Fiscal Strategy Document, the Budget Statement and any other relevant documents as determined by the Minister;
- “Ghana Customs Management System” means an electronic trade portal for processing customs goods declaration form;
- “Ghana Education Trust Fund” means the Ghana Education Trust Fund established under the Ghana Education Trust Fund Act, 2000 (Act 581);
- “Government of Ghana Accounting Manual” means a document which contains Government accounting guidelines, instructions and procedures for use for accounting in the Public Service;
- “idle cash” means available cash that is not earning interest or generating profit;
- “imprest recoupment” means the process of accounting for expenses and replenishing the amount granted as imprest;
- “Internal Audit Charter” means a document that specifies the purpose of the Internal Audit Unit, defines the position of the Internal Audit Unit within a covered entity and the powers and responsibility of an Internal Audit Unit;
- “Internal Audit Resource Plan” means a plan which summarises the level of resources including the resource utilisation schedule, the number of staff and logistics, needed to complete an audit assignment;
- “Management Instructions” means an administrative circular, directive or instructions issued by the Controller and Accountant-General on accounting related matters;
- “Management Unit” means the lowest level of a cost centre under which payroll cost is captured and analysed;
- “Minerals Development Fund” means the Minerals Development Fund established under the Minerals Development Fund Act, 2016 (Act 912).
- “National Health Insurance Fund” means the National Health Insurance Fund established under the National Health Insurance Act, 2012 (Act 852);

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- “National Infrastructure Plan” means a plan which sets out the infrastructure objectives of the medium term national development policy framework and serves as the basis for prioritising infrastructure development for the achievement of national socio-economic development;
- “nominal roll” means the number of staff at post in the total human resource of a covered entity at any particular time a census is conducted;
- “on-lending facility” means a facility which is as a result of the Government of Ghana on-lending the proceeds of financing agreements, any related counterpart funding and other relevant financing costs to implementing State institutions in furtherance of the policy of the Government to recover loan amounts from commercially viable projects financed through Government of Ghana loans;
- “outturns” means actual revenue and expenditures;
- “payment method” means the mode of making payment to a beneficiary and may be in the nature of cash, cheques and swift;
- “payment voucher” means proof that a monetary transaction has occurred between two parties which may
- (a) take the place of cash in a transaction;
 - (b) act as a receipt; or
 - (c) indicate that an invoice has been approved for payment;
- “Project Concept Note” means a summary of a proposal containing a brief description of the idea of the project and the objectives to be pursued;
- “public financial management” refer to laws, rules, systems and processes used by the Government to mobilise revenue, allocate public funds, undertake public spending, account for funds and audit results;
- “Public Investment Plan” means a plan which is prepared, prioritised and costed as capital projects approved by Cabinet and is consistent with the Medium Term Expenditure Framework;
- “purchase order” means a commercial document issued by a covered entity to a supplier indicating the type, quantities

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- and agreed prices for products or services the supplier will provide to the covered entity that commits Government to a financial obligation;
- “purchase requisition” means a request for the purchase of goods and services by a covered entity;
- “questioned expenditure” means
- (a) expenditure that is
 - (i) unreasonable or prohibited by the award contract;
 - (ii) not allowed by applicable laws;
 - (iii) not programmed or in the procurement plan of a covered entity;
 - (iv) not in the approved related budget or that exceeds the approved appropriation; or
 - (v) unsupported expenditure which has no or inadequate documentations or did not have required prior approval or authorisation; or
 - (b) misappropriation and misapplication of funds;
- “Revenue Information Processing System Module” means a software designed for tax administration including tax registration, returns processing, automated compliance, collections, taxpayer accounting, revenue accounting, refunds, risk management, case management, audit, objections and appeals that seeks to streamline and ensure transparency in the business operations of the Domestic Tax Revenue Division of the Ghana Revenue Authority;
- “Revenue Transit Account” means an account that serves as a holding account for funds which are to be moved into their appropriate accounts;
- “Risk Based Audit Plan” means a plan which takes into account the risk management framework of a covered entity using risk levels set by management for the different activities or parts of a covered entity;
- “Road Fund” means the Road Fund established under the Road Fund Act, 1997 (Act 536);
- “salary instructions” means administrative circulars or directives related to payment of salaries issued by the Controller and

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- Accountant-General to a covered entity for the effective management of Government payroll;
- “social contribution” means actual or imputed revenue receivable by social insurance schemes to make provision for social insurance benefits which is payable;
- “staff advance” means money that is advanced to a staff of a covered entity and may be recovered;
- “stores” mean consumable items in the nature of stationery, small equipment, car parts among others held by a covered entity for recurrent use;
- “Student Loan Trust” means the Student Loan Trust established under the Student Loan Trust Fund Act, 2011 (Act 820);
- “sub-imprest” means part of an imprest issued to a subordinate officer to be used solely for the purpose for which the main imprest was issued;
- “third party deposit” means a security deposit made by a third party institution which transacts business with employees on the payroll of Government;
- “Treasury Instructions” means instructions directed to the head of a covered entity which
- (a) prescribes particular accounting, financial management policies and financial statement representations that the covered entity should apply in financial reporting; and
 - (b) regulates the collection, receipt, custody, issue, expenditure, control and management of public funds, public stores, public assets or trust money; and
- “Youth Employment Agency” means the Youth Employment Agency established under the Youth Employment Agency Act, 2015 (Act 887).

Revocation

236. The Financial Administration Regulations, 2004 (L.I. 1802) is revoked.

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KEN OFORI-ATTA
Minister responsible for Finance

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