BENTSI-ENCHILL
LETSA & ANKOMAH

Ghana's Corporate Commercial Outlook 2026

Content

Introduction

2025 saw significant policy and regulatory developments across key sectors. Notable developments included new regulations on virtual assets, as well as proposed bills on data protection, emerging technologies and cybersecurity. The Government continued to advance its digital and telecommunications agenda, including proposed reforms to the Electronic Communications Act and the National Communications Authority Act. There was also an increased focus on artificial intelligence (AI), laying the groundwork for a National AI Strategy. Additionally, the automotive sector experienced increased imports of electric vehicles and expanded charging infrastructure. Strategic policy initiatives in foreign affairs, including visa waiver agreements, and in agriculture, further shaped the regulatory landscape.

Labour

The Government has been developing a new Labour Bill to replace the Labour Act, 2003 (Act 651). In 2025, stakeholder consultations were conducted on a draft Labour Bill, 2025 (the “Labour Bill”). Among other things, the Labour Bill introduces paternity leave for fathers of newborn children, including in cases of surrogacy and adoption of children below one year; compassionate leave to care for a spouse, child or parent; and extends maternity leave to at least 14 weeks. The Labour Bill further addresses workplace violence and harassment by expanding its scope to include work related communication channels, systems or platforms, including those enabled by information and communication technologies. The Labour Bill also introduces a framework for labour migration, enabling skilled Ghanaian workers to take up employment opportunities abroad where there is demand.

Data Privacy

The Data Protection Commission held stakeholder consultations on a draft Data Protection Bill, 2025 (the “Data Protection Bill”). The Data Protection Bill, if passed, would repeal the Data Protection Act, 2012 (Act 843), establish a Data Protection Authority (the “Authority”) and introduce new provisions as well as expand on existing ones. Key provisions include:

- **Establishment of a Data Protection Authority:** The Authority would have enhanced enforcement powers, including issuing corrective measures, imposing administrative fines and directing peer sector regulators to act against non-compliant entities.

- **Expanded Scope:** The definition of a data controller would extend to entities outside Ghana that offer goods or services to or monitor the behaviour of individuals within the country.

- **Enhanced Data Subject Rights**: The Data Protection Bill introduces additional rights, including the right to data portability and the right to erasure or to be forgotten.

- **Cross-Border Data Transfers:** Transfers of personal data would be subject to specified conditions, including consent, necessity and the existence of adequate safeguards.

The Data Protection Bill aims to modernise Ghana’s data protection regime and strengthen regulatory oversight.

Regulation on Vitual Assets

The Virtual Asset Service Providers Act, 2025 (Act 1154) (the "VASP Act") was enacted to establish the legal framework for the registration, licensing and supervision of Virtual Asset Service Providers (VASPs) in Ghana. The VASP Act is jointly administered by the Bank of Ghana and the Securities and Exchange Commission, which are responsible for regulatory approval, supervision and enforcement. The VASP Act categorises VASP activities by type, function and description, assigns the relevant regulatory authority, and prescribes applicable regulatory requirements, including registration or licensing. Across all categories, VASPs are required to meet ongoing obligations, including AML/CFT compliance, consumer protection, business integrity and continuity, and cybersecurity.

The VASP Act incorporates robust anti-money laundering and counter-terrorism financing (AML/CFT) requirements. VASPs are required to implement risk-based AML/CFT programmes, conduct customer due diligence, maintain transaction records, and report suspicious transactions to the Financial Intelligence Centre. These requirements align with the Financial Action Task Force (FATF) recommendations on virtual assets and reflect Ghana's commitment to addressing money laundering risks associated with virtual asset activities.

Travel

In 2025, Ghana signed visa waiver agreements with several countries, including Colombia, Mozambique, São Tomé and Príncipe, and Dominica. Generally, nationals of these countries may enter Ghana without a visa for up to 60 days for business or tourism purposes. Ghana has also signed visa waiver agreements with Algeria, Serbia, South Africa, Mauritius, Seychelles and Barbados, which apply to holders of all passport types.

Under Ghana's visa arrangement with Morocco, holders of ordinary Ghanaian passports travelling to Morocco are required to obtain an electronic travel authorisation (an "ETA") through an online application at no cost. Ghana has yet to implement a reciprocal ETA system, and Moroccan nationals travelling to Ghana are currently issued with gratis visas. Ghanaian passport holders aged 55 and above are exempt from the ETA requirement and may travel to Morocco without a visa.

Technology, Media & Telecommunications

The Government, through the Ministry of Communication, Digital Technology and Innovations ("MoC"), is developing several laws to address key areas of Ghana's digital sector. The MoC conducted public consultations on these proposed laws in 2025 and stakeholder engagements are ongoing.

a) Information Technology

Emerging Technologies - The Government is proposing an Emerging Technologies Bill, 2025 as the legal and regulatory framework for the responsible development and use of artificial intelligence ("AI"), blockchain and other emerging technologies. The Emerging Technologies Bill establishes the Emerging Technologies Agency to, among others, advance the adoption of emerging technologies, deploy these technologies to increase productivity, and provide harmonised rules on ethics and safety. The agency would have divisions responsible for AI, blockchain-based technologies, Internet of Things (IoT), cloud technologies and quantum computing.

Secure Sharing of Public Interest Data - The Data Harmonisation Bill, 2025 seeks to establish a comprehensive legal and institutional framework for the standardisation and secure sharing of public interest data in Ghana and is currently being developed. The Bill provides for the establishment of a National Data Exchange Platform, a central national infrastructure for the secure, standardised and interoperable exchange of public interest data held by public institutions and private entities. Entities that generate or manage such data will be required to onboard to the platform. The Bill also requires data holders to classify data as open, shareable or restricted.

b) Electronic Communications

Review of National Communications Act, 2008 (Act 769) - The Government intends to amend the National Communications Authority Act, 2008 (Act 769), to expand the role of the National Communications Authority ("NCA") to include broader coordination and promotional functions within the sector.

The Bill requires the NCA, in performing its functions, to have regard to applicable international standards and best practices, including guidelines of the International Telecommunication Union and relevant regional or bilateral protocols ratified or adopted by the country.

Review of Electronic Communications Act, 2008 (Act 775) - The Government intends to introduce the Electronic Communications Bill, 2025, to repeal and replace the existing Electronic Communications Act, 2008 (Act 775). The Bill seeks to:

(i) modernise and consolidate the legal and regulatory framework governing electronic communications, broadcasting and related digital services;

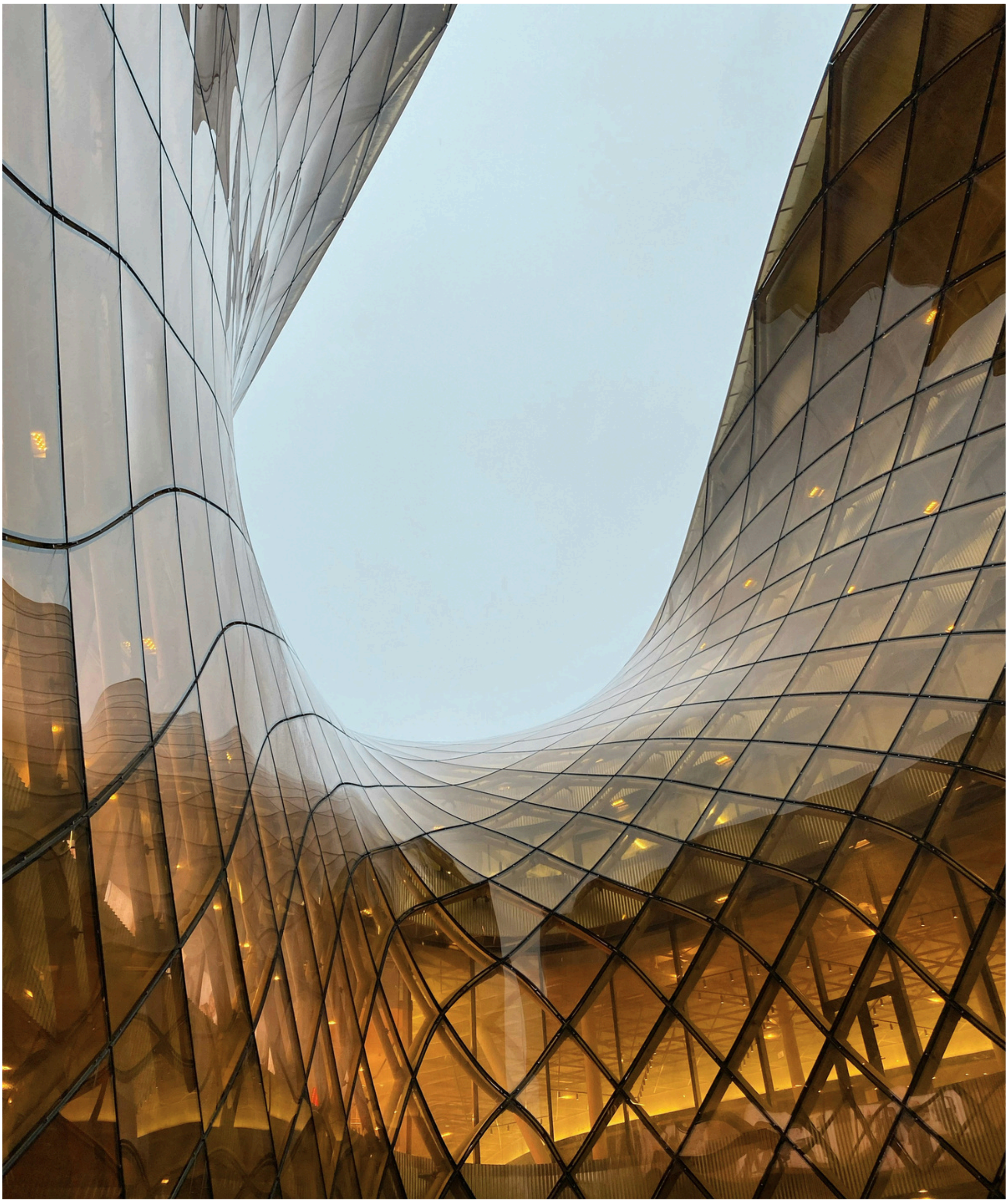
(ii) promote fair competition, innovation, and investment in Ghana's communications and digital ecosystem;

(iii) enhance and promote consumer protection, data privacy, cybersecurity resilience, and universal access to communications services; and

(iv) ensure alignment of emerging technologies, international best practices and national digital transformation objectives.

c) Cyber Security

The Government has proposed the Cybersecurity (Amendment) Bill, 2025, to amend the Cybersecurity Act, 2020 (Act 1038) ("Cybersecurity Act"). The Bill empowers the Cyber Security Authority ("CSA"), acting under the Attorney-General's mandate, to investigate and prosecute cybercrimes, including offences under the Electronic Transactions Act, 2008 (Act 772). The CSA will also be empowered to apply to the High Court for orders to confiscate money, properties and other assets derived from cybercrimes. The CSA will also be mandated to establish security standards, certify emerging technologies, and accredit cybersecurity institutions and professionals. Additionally, it may promote the online protection of vulnerable groups, collaborate on developing technical security solutions and guidelines, and support the protection of digital rights in the context of cybersecurity.



The Year Ahead

We expect 2026 to be a year of implementation across key sectors as ongoing legislative reforms, policy initiatives and regulatory frameworks take effect. Across labour, technology, digital assets, agriculture and data governance, there is a shift towards strengthening institutional frameworks, improving regulatory clarity, and addressing emerging economic and technological trends.

Ghana Investment Promotion Authority

On 26 March 2026, Parliament passed the Ghana Investment Promotion Authority Act, 2026 ("GIPA"). The GIPA establishes the Ghana Investment Promotion Authority with expanded promotional and regulatory functions, including operating as a one-stop shop for investors and introducing an investor grievance mechanism. The GIPA introduces several key changes, including revised minimum capital requirements, most notably a USD 500,000 cash requirement for trading companies, updates to activities reserved for Ghanaians, a new expatriate quota regime, and provisions on citizenship through investment.

The GIPA also reforms to the Technology Transfer Agreement ("TTA") framework. It reduces the minimum duration of TTAs from 18 months to 12 months and revises the renewal structure. Under the new regime, the initial term of a registered TTA will be five years, renewable for further five-year terms. Further, fees and charges relating to unregistered TTAs are not deductible for tax purposes.

Labour

The Labour Bill is expected to be presented to Parliament, with proposed changes to enhance employee protections, modernise working conditions, and reform statutory leave frameworks. The Ghanaian labour market continues to evolve, as more companies move towards flexible work arrangements and expand the use of flexible workspace facilities to accommodate remote working.

Employers are also increasingly adopting third-party outsourcing arrangements to manage workforce needs, thereby reallocating employment-related responsibilities. These developments point to the need for a labour law that reflects the evolving Ghanaian labour market and its changing needs.

In addition, the enactment of the 24-Hour Economy Authority Act, 2026 (Act 1164) is expected to play a central role in job creation. The Authority's functions include supporting and facilitating job creation, within a broader policy aimed at enabling continuous business operations beyond traditional working hours. This is likely to increase demand for shift-based roles across key sectors, including manufacturing, and encourage businesses to participate in the 24-hour economy policy and benefit from any incentives established by the Authority.

Digital Assets

The VASP Act establishes a regulatory sandbox regime, allowing specified VASPs to operate under a temporary sandbox licence with tailored requirements and regulatory oversight. The Securities and Exchange Commission has introduced a sandbox initiative enabling 11 firms to test new virtual asset products and services in a controlled environment. The initiative includes defined restrictions, such as limits on client numbers or transaction values as well as enhanced monitoring and disclosure requirements. Insights from this programme are expected to inform the development and finalisation of activity-based licensing guidelines, following which the broader market is likely to be opened for VASP licensing and registration. We expect regulators to issue detailed operational guidelines, providing further regulatory clarity.

Agriculture and Agribusiness

We expect 2026 to be a significant year for agriculture and agribusiness in Ghana, driven by renewed government focus on improving local production and reducing import dependency. Ongoing government initiatives are expected to support domestic production across key value chains, including poultry, rice, maize, and tomatoes. These efforts are likely to be reinforced by a broader policy direction that aims to boost local value addition, enhance food security, and reduce reliance on imports. At the same time, recent challenges, such as surplus production in certain sectors and disruptions to regional trade, including restrictions on cross-border imports, are expected to prompt a stronger policy shift towards improving storage, processing, and market access for locally produced goods. Overall, we anticipate increased investment in agriculture, greater emphasis on value chain development, and a more coordinated approach to addressing structural inefficiencies in the sector.

The cocoa sector is expected to undergo significant reforms in 2026, aimed at guaranteeing fair prices for farmers and ensuring the industry's long-term sustainability. Key changes include the introduction of an automatic producer price adjustment mechanism, which will align farmgate prices with movements in world market prices and exchange rates, while ensuring that cocoa farmers receive at least 70% of the gross FOB price. The government has also introduced a new financing model based on domestic Cocoa Bonds, reducing reliance on external syndicated loans. There is also a renewed emphasis on local value addition, with at least 50% of Ghana’s cocoa beans to be processed locally from the 2026/27 crop season. These reforms, together with measures to restructure COCOBOD’s balance sheet and improve operational efficiency, signal a shift towards a more sustainable and domestically oriented cocoa sector.

Data Privacy

We expect data protection and privacy to remain a key area of focus in 2026, driven by the growing volume of personal data collected and processed across sectors. Developments such as the expansion of digital financial services, the Government’s promotion of emerging technologies that rely on personal data, and large-scale data collection initiatives such as SIM card registration continue to increase the amount of personal data in circulation. At the same time, rising incidents of data misuse, including fraud involving card details, as well as increasing public awareness of data privacy rights, are expected to heighten scrutiny of how personal data is collected, used, and protected. These trends are likely to drive sustained demand for a more modern and comprehensive data protection framework. Overall, we anticipate increased regulatory attention, stronger enforcement, and greater accountability for organisations handling personal data, alongside a shift towards more privacy-conscious practices among both businesses and individuals.

Travel

There is a growing effort by the Government, as part of its policy objectives and in a bid to boost trade and tourism, to pursue visa-free arrangements with other countries. In the first quarter of 2026, the Government signed visa waiver agreements with Saint Kitts and Nevis and Kyrgyzstan, with more anticipated over the course of the year. The Government has also announced that, effective 25 May 2026, Ghana will implement a free visa regime for all African citizens, allowing travellers from any African country to obtain e-visas online at no cost.

On 25 May 2026, Ghana launched its e-visa portal. The platform is intended to streamline visa processing through a secure digital system, enhance border security and operational efficiency, and facilitate travel, tourism, trade, and investment by making entry into Ghana more accessible for foreign nationals. The introduction of the platform may also support the implementation of reciprocal electronic travel arrangements with other countries.

Technology

We expect 2026 to be a pivotal year for technology regulation and digital policy in Ghana, as several proposed bills currently under stakeholder consultation progress toward enactment. The Government has now launched a National Artificial Intelligence (AI) Strategy, which provides a roadmap for the responsible, human-centred development and use of AI across key sectors. The strategy focuses on promoting AI adoption and establishing ethical and regulatory frameworks, including principles on data governance and algorithmic transparency. It also emphasises the development of locally relevant and culturally aligned AI systems. Collectively, these developments signal a shift from policy development to implementation, with clearer rules for emerging technologies.

We expect continued evolution of Ghana's financial services regulatory landscape in 2026. The implementation of the Open Banking Directives is anticipated to drive innovation in financial technology, with more fintech companies seeking to leverage open banking infrastructure. The Bank of Ghana is expected to issue further guidance on digital lending, mobile money interoperability, and consumer protection in digital financial services. Additionally, with the growth of digital payment platforms and the expansion of financial inclusion initiatives, regulatory attention to operational resilience and cybersecurity in the financial sector is expected to intensify.

Competition and Anti-Trust Regulation

Ghana is continuing efforts towards the adoption of a national competition and consumer protection framework. The Ministry for Trade, Agribusiness and Industry has indicated that the proposed framework forms part of Ghana's broader trade agenda, which seeks to enhance competitiveness and ensure that businesses and consumers benefit from fair market practices. ECOWAS member countries are required to adopt competition legislation and establish independent national competition authorities. In September 2025, the ECOWAS Regional Competition Authority ("ERCA"), which is responsible for enforcing Community Competition Rules within ECOWAS, pledged its full support for the implementation of competition and consumer protection legislation in Ghana.

ERCA has authority to review commercial activities in the community market, investigate anticompetitive practices, control mergers and acquisitions, and sanction violations of competition rules. Ghana's Ministry of Trade, Agribusiness and Industry sits on the Consultative Competition Committee, which reviews and implements ECOWAS competition rules. There is some uncertainty on the application of ERCA competition rules in Ghana due to the lack of parliamentary ratification of the ERCA protocols. We expect the Government to resolve this uncertainty and seek parliamentary ratification of the ERCA protocols.

At the continental level, a survey conducted by the AfCFTA Secretariat and the OECD revealed that 76.2% of African jurisdictions have a competition law framework in place. With the adoption of AfCFTA competition regulations, businesses may face compliance obligations under multiple supranational frameworks, making coordination between regional and continental competition regimes increasingly important.

Contributors

Susan-Barbara Boye
Partner
Corporate Commercial

Angela Gyasi
Partner
Corporate Commercial

Nana Ama Asare
Associate
Corporate Commercial

Akosua Ofori-Asumadu
Associate
Corporate Commercial

Visit www.ghanasoutlook.com to read our full 2026 Outlook

About the firm

Bentsi-Enchill, Letsa & Ankomah is a leading full-service law firm in Ghana with in-depth expertise and experience in providing first-rate legal services for international and local clients in all sectors of the economy. We are well-recognised for our leadership and stand out for providing commercially relevant legal services and innovative solutions to our clients.

What drives us is our long-term commitment to providing legal services with the highest level of professionalism and quality, as well as building our teams to help our clients succeed and take advantage of the right opportunities. At Bentsi-Enchill, Letsa & Ankomah, we understand that our clients operate in increasingly challenging times and are committed to partnering with them to help them navigate these challenges and deliver the highest-quality advice and service.

Find more about our firm here.

Awards & Rankings

Chambers Global 2026

Corporate Commercial - Band 1

Disputes - Band 1

Projects & Energy - Band 1

Fintech- Band 1

International & Cross-border capabilities- Spotlight Firm

Legal 500 2026

Banking and Finance - Tier 1

Capital Markets - Tier 1

Corporate, Commercial and M&A - Tier 1

Energy - Tier 1

Dispute Resolution - Tier 1

Infrastructure Projects - Tier 1

IFLR Africa Awards, 2026

Ghana law firm of the year

Partner of the Year

Impact Deal of the Year

International Financial Law Review (IFLR1000) 2025

M&A - Tier 1

Capital Markets - Tier 1

Projects - Tier 1

Banking - Tier 1

Find more about our services here

BENTSI-ENCHILL
LETSA & ANKOMAH

+233.302.208888
+233.302.2221171
+233.302.2224612

4 Momotse Avenue, Adabraka
Accra - Ghana (GA-073-2077)
LinkedIn
www.ghanasoutlook.com
www.bentsienchill.com