




Ghana's Corporate Commercial 2025 Outlook

Content

3	Introduction	→ 
<hr/>		
3	Review of Key Developments and Updates to our 2024 Legal and Regulatory Outlook	→
<hr/>		
11	2025 Outlook & Projections	→
<hr/>		
14	Contributors	→
<hr/>		
15	About the firm	→
<hr/>		

Introduction

This report highlights developments such as new laws, policy changes and the evolving role of technology. Additionally, the report provides insights into the anticipated legal landscape in 2025, shaped by the newly elected Government's policy objectives and economic priorities.

2024 Review

Although the Ghana Investment Promotion Centre (Amendment) Bill, 2023 and the Human Sexual Rights and Family Values Bill, 2024 ("Anti-LGBTQ+ Bill") did not become law, the year 2024 saw some notable progress in legal reforms. These include the passage of the Affirmative Action (Gender Equity) Act, 2024 (Act 1121) ("Affirmative Action Act") to promote inclusivity, the National Service Authority Act, 2024 (Act 1119) ("National Service Act") to establish the framework for national service and the Contracts (Amendment) Act, 2023 (Act 1114) ("Contracts Amendment Act") to provide for contracts entered into on behalf of the Government. Additionally, developments in data sharing and artificial intelligence ("AI") signalled a shift toward a technology-driven economy, laying the groundwork for innovation and improved oversight.

Labour Landscape

Affirmative Action: A Push for Gender Equity

In 2024, Parliament enacted the Affirmative Action Act to address gender equity issues in Ghana's public and private sectors. The Affirmative Action Act sets ambitious targets for achieving 50% gender equity in the workforce by 2034, with incremental goals of 30% from 2024 to 2026, 35% from 2027 to 2028 and 50% from 2029 to 2034.

Employers must develop a gender equity policy in consultation with employees, which must be reviewed every four years and submit an annual gender equity report to the Gender Equity Committee. The Affirmative Action Act also provides tax incentives for employers who comply with its provisions, with guidelines to be developed by the Minister for Finance in consultation with the Minister for Gender, Children and Social Protection and the Ghana Revenue Authority. Government institutions are mandated to give preference to private sector employers with a Gender Equity Compliance Certificate when awarding contracts.

While the Gender Equity Compliance Committee has not yet been established, its eventual formation is expected to bring clarity to employers on meeting the targets and fulfilling other obligations under the Affirmative Action Act. This legislation marks a significant step toward promoting gender balance in Ghana's workforce.

National Service

In 2024, Parliament enacted the National Service Act. The National Service Act establishes the National Service Authority to oversee and manage the national service programme.

Key provisions include:

Mandatory Service: All citizens who have completed tertiary education are required to undertake a year of national service.

Exemptions: Individuals who were in full-time employment before pursuing tertiary education, those aged 40 years or older upon completing their studies and persons with certified disabilities or health conditions are eligible for an exemption.

Engagement by Private Institutions: Private organisations may apply to the National Service Authority for national service personnel. They must pay a user agency fee of at least 20% of the prevailing national service allowance per personnel engaged.

Employer Obligations: Employers are prohibited from hiring individuals who have not completed national service, with violations attracting administrative penalties.

The National Service Act reinforces the importance of national service while introducing flexibility for specific categories of individuals and responsibilities for private institutions.

Labour Termination

In March 2024, the Supreme Court delivered a landmark decision in *General Transport, Petroleum & Chemical Workers' Union of Trades Union Congress v Halliburton International Incorporated Ghana Branch*, providing clarity on termination under the Labour Act, 2003 (Act 651) ("Labour Act").

Key highlights include:

Termination with Notice: The Supreme Court upheld the right of either party to terminate an employment contract by providing notice or payment in lieu of notice. Employers are not obligated to provide reasons for termination unless required by a collective agreement or employment contract.

Unfair Termination: The absence of reasons for termination does not, in itself, make the termination unfair. A termination is only deemed unfair if it violates specific protections or procedural requirements outlined in section 63 of the Labour Act.

Burden of Proof: Employees alleging unfair termination under section 63 (2) of the Labour Act bear the burden of proof and must demonstrate that the termination falls within prohibited grounds outlined in the Labour Act.

This decision reinforces existing principles under the Labour Act and Ghanaian labour law, and provides clear guidance on the rights and responsibilities of employers and employees in termination disputes.

Public Contract

In March 2024, the Contracts Act, 1960 (Act 25) was amended to provide for contracts entered into on behalf of the Government. Under the Contracts Amendment Act, only a Minister and a person authorised by the Minister or any other person authorised by law may enter into contracts or transactions on behalf of the Government. Interest on sums due under such contracts must be calculated at simple interest. Contracts specifying compound interest payments are prohibited.



Travel

In 2024, Ghana signed visa exemption agreements with the following countries:

- **Malawi:** Effective 7 February 2024, allowing travel to both countries by their citizens for up to 90 days in a year, provided they do not engage in employment.
- **Grenada:** Signed on 15 February 2024, allowing travel to both countries by their citizens for up to 30 days within any 180-day period from the date of first entry.
- **Bahamas:** Signed in January 2024, allowing citizens to travel between the two countries without a visa.

Anti LGBTQ+ Bill

On 28 February 2024, Parliament passed the Anti-LGBTQ Bill to criminalise activities associated with lesbian, gay, bisexual, transgender and queer (LGBTQ+) individuals and impose penalties on the promotion or funding of such activities. However, its progression to becoming law was stalled due to legal challenges in the Supreme Court. Opponents of the Anti-LGBTQ Bill argued that it violated fundamental human rights and freedoms guaranteed under the 1992 Constitution. In its judgment, the Supreme Court dismissed the petition, stating that it lacked jurisdiction as the legislative process for the Anti-LGBTQ Bill to become law was not yet complete.

Telecommunications

In 2024, the National Communications Authority (“NCA”) took steps to strengthen its regulatory oversight, protect consumers and improve industry operations.

NCA Guidelines

- **Approval to Disconnect Telecommunications Service Operators:** Under the Electronic Communications Act, 2008 (Act 775) (“Electronic Communications Act”), network operators cannot terminate services to users during a dispute without NCA approval. These guidelines set out the procedure for obtaining NCA’s approval ensuring a fair and transparent process that protects the interests of users.
- **Dispute Resolution Committee:** The NCA established a Dispute Resolution Committee to resolve disputes among service providers, consumers, utility providers and network operators. The NCA also issued guidelines, which, among other things, sets out the committee’s composition, powers and procedures.
- **Computation and payment of annual regulatory fees to the NCA and contributions to the Ghana Investment Fund for Electronic Communications (“GIFEC”):** The guidelines deal with the mode of calculating 1% of the annual revenue of specified licensees/authorisation holders which must be paid to the NCA and GIFEC respectively. GIFEC is a fund established by the Electronic Communications Act to support universal access to telecommunications services and facilitate the provision of basic telephony.
- **Management of Network Promotional Messages:** In July 2024, the NCA sought public input on its draft guidelines which seeks to establish industry standards for transmitting network promotional messages transparently, ethically and legally. The draft guidelines seek to regulate message frequency, timing and harmonise sender identification names while protecting consumers by providing clear opt-in and opt-out mechanisms.
- **Amendment to the Special Numbering Resources (SNR) Administrative Framework and Guidelines (“SNR Guidelines”):** Under the SNR Guidelines, short codes could not be leased for a five-year period. By this amendment, short codes assigned to entities regulated by statutory bodies other than the NCA, may be granted a lease up to five years on terms determined by the NCA. The amendment also provides for a minimum lease period of three months and a maximum lease period of 12 months for all other SNRs. It also details how SNRs lapse when dormant for specified periods and the NCA’s re-issuance of lapsed SNRs.

Electronic Communications (Submarine Carrier) Service Authorisation

The NCA proposes to introduce an authorisation which allows consortium members of submarine cables landing in Ghana to sell capacity directly to users instead of through the NCA licensed cable landing entities. The NCA issued a public consultation document in November 2024 to solicit input and comments from stakeholders.

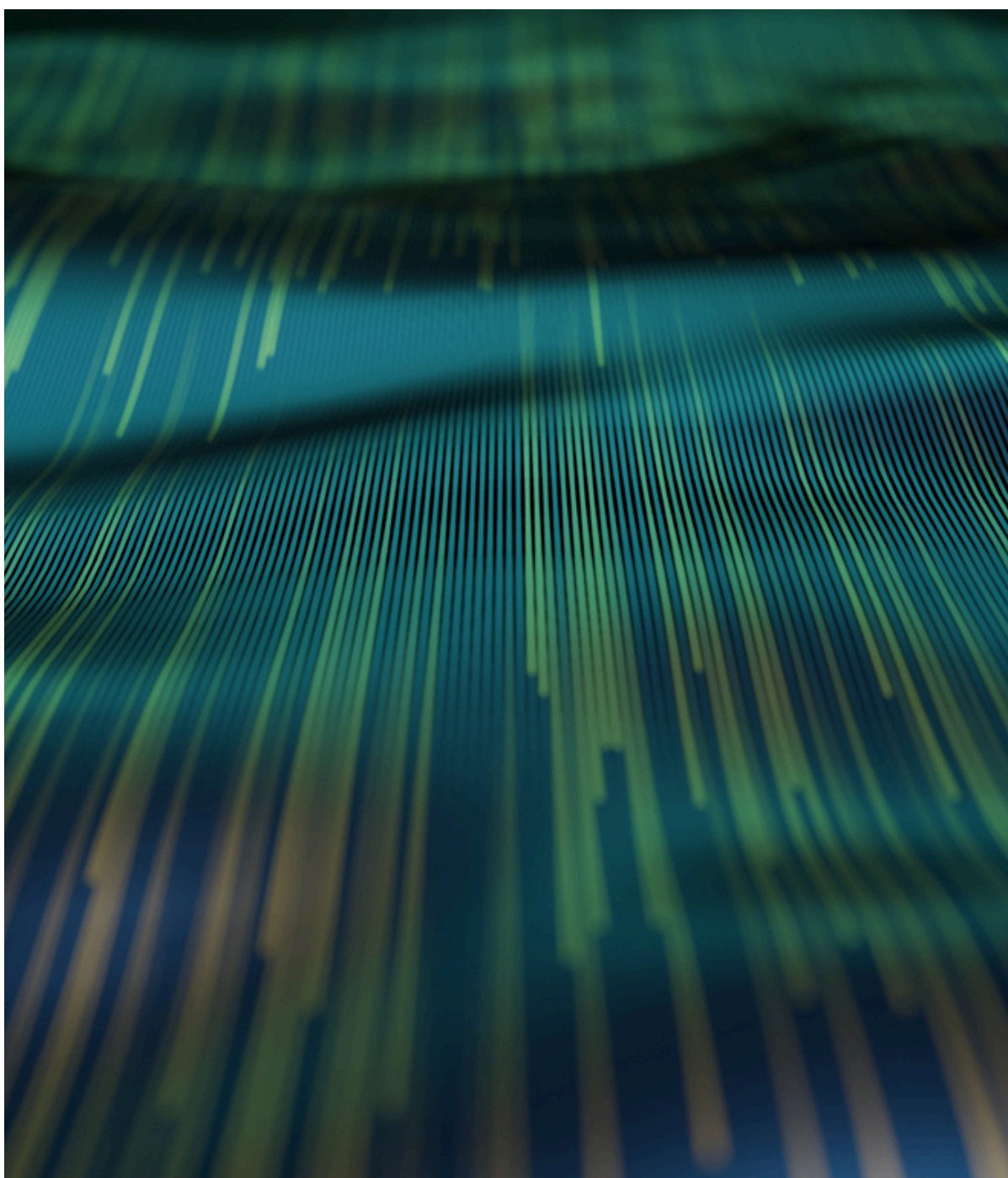
Introduction of 5G

The Government allocated the 5G spectrum to a local, carrier-neutral, open-access provider with 10-years exclusivity to accelerate 5G infrastructure deployment. In November 2024, the Minister for Communications and Digitalisation launched the 5G network, with nationwide coverage expected by 2026, starting in major cities including Accra, Kumasi and Takoradi.

International Roaming

In 2024, Ghana launched bilateral free roaming initiatives with Benin and Togo, enabling free roaming after a similar initiative with Cote d'Ivoire in 2023. Ghanaians traveling to these countries can make calls and use internet services without incurring international roaming charges for the first 30 days of their stay.

Discussions are ongoing to extend the initiative to Gambia. The broader goal is to reduce telecommunication costs across the Economic Community of West African states ("ECOWAS") region. The initiative is expected to culminate in the full implementation of ECOWAS Roaming Regulations in 2025.



Technology & Data Protection

Ghana is advancing digitally with a strong focus on data protection and public service efficiency. Recent initiatives aim to enhance access to Government services and emerging technologies as well as establishing regulatory frameworks and policies. As the digital landscape evolves, the Government remains committed to security and innovation.

Data Sharing Among Regulated Financial Institutions

In December 2024, the Bank of Ghana issued the Open Banking Directive to regulate the secure sharing of customer-consented data among banks, microfinance institutions, payment service providers and financial technology firms (“RFIs”). Aimed at fostering financial inclusion, innovation and competition, the directive mandates the use of standardised application programming interfaces (APIs) for secure and interoperable data exchange. The directive outlines responsibilities, access rules, principles of transparency, ethical conduct and data security for RFIs. It also enforces strict data protection measures under the Data Protection Act, 2012 (Act 843) (“Data Protection Act”) on explicit, informed and revocable consent from data subjects. Institutions must implement strong security measures, such as encryption and authentication protocols and would be held accountable for data breaches including those involving third-party providers.

CitizenApp

The Government launched the CitizenApp Data Interoperability System to improve access to public services. The platform enables citizens to digitally submit forms and documents. For businesses, it enhances efficiency by supporting job postings, tax filing compliance and the management of permits, licences and registrations. To safeguard user data from unauthorised access, misuse and alteration, the National Information Technology Agency has provided a privacy policy for the CitizenApp which complies with the Data Protection Act.

AI

In September 2024, the Ministry of Communications and Digitalisation and the Data Protection Commission in collaboration with UNESCO launched the Readiness Assessment Measurement (RAM) for the Ethical Use of AI to evaluate the country’s capacity to facilitate ethical AI development and use. Although Ghana currently lacks specific AI regulations, the country has a National AI Strategy document (2023–2033) which outlines eight pillars covering key policy recommendations.

Pillar 1: Expand AI Education & Training	Pillar 5: Coordinate a Robust AI Ecosystem & Community
Pillar 2: Empower Youth for AI Jobs of the Future	Pillar 6: Accelerate AI Adoption in Key Sectors
Pillar 3: Deepen Digital Infrastructure & Inclusion	Pillar 7: Invest in Applied AI Research
Pillar 4: Facilitate Data Access & Governance	Pillar 8: Promote AI Adoption in Public Sector

The strategy aims to position Ghana as an African AI hub using AI for growth and sustainable development. The strategic document also proposes establishing an independent Responsible AI Office to oversee its implementation, ensuring ethical AI adoption and governance.



Manufacturing

In the 2024 National Budget Statement, the Government announced plans to encourage vehicle production by providing import exemptions on electric vehicles (“EVs”) and their components. The Government remains dedicated to promote the use of EVs in Ghana.

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Electronic Vehicles

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- Phase 1 (Preparation for Take-Off, 2024–2026) focuses on addressing challenges and barriers to EV uptake;

- Phase 2 (Promotion Phase, 2027–2035) aims to ensure a successful transition to EVs in Ghana, targeting an EV penetration rate of 35%; and
- Phase 3 (Phasing Out of Sales of Internal Combustion Engine (ICE) Vehicles, 2036–2045) seeks to ensure that by 2045, no new petrol or diesel vehicles would be sold in or imported into Ghana.

This initiative is a response to both global and local concerns about air pollution and greenhouse gas emissions caused by vehicles with internal combustion engines. Through this policy, the Government aims to achieve several key objectives: reducing carbon emissions, decreasing reliance on fossil fuels and promoting the use of clean energy in the road transport sector. Additionally, the policy seeks to promote sustainable demand for electric vehicles and support the development of supply chain for their production and maintenance.

A significant goal of the policy is to encourage local production of EVs, ensure that companies dealing with EVs provide after sale services and ensure the availability of spare parts in Ghana. To achieve this, the Government plans to rely on the Automotive Development Policy of 2019. Currently, a policy working group has been inaugurated to oversee the implementation of the policy. We anticipate the regulations and standards for the EV ecosystem will be developed soon.

Cement Pricing Regulations

The Ghana Standards Authority (Pricing of Cement) Regulations, 2024 (LI 2491) came into force on 4 September 2024 to regularise and streamline cement pricing for wholesale and retail distribution. It also aims to prevent price gouging, ensure fair and transparent pricing and promote competitive practices within the cement industry. The regulation applies to cement manufacturers, wholesalers and retailers of cement as well as other entities involved in the cement industry.



2025 Outlook & Projections

Looking ahead for 2025, the election of a new Government introduces fresh dynamics to Ghana's policy landscape. The new administration has outlined ambitious priorities, including revising the tax regime by proposing the removal of certain taxes. Beyond taxes, the Government has signalled a strong commitment to advancing the concept of a 24-hour economy to drive productivity. These policies are expected to have far-reaching implications for businesses and the broader economic environment.

We anticipate the introduction of the Labour Bill to Parliament, which could bring significant reforms to employment practices in the country. The unfolding legislative and policy priorities of the new Government, including the development of a road map to address Ghana's digital landscape, will play a critical role in shaping the country's economic outlook in the year ahead. Our outlook for 2025 is below.

Tax

The Government intends to introduce a comprehensive reform plan to revise several tax and levy structures, including the removal of the 1% E-levy on electronic transfers, the 1% COVID levy and 10% levy on bet winnings in its first 90 days in office. Additionally, there are plans to reassess taxes and levies on vehicles and equipment imported into the country for industrial and agricultural activities.

24-Hour Economy

The 24-Hour Economy Policy is a new initiative by the Government aimed at accelerating Ghana's economic growth by enabling businesses and public institutions to operate continuously in three 8-hour shifts. This policy is designed to focus on selected public institutions with high customer traffic, including Ports and Harbours, Customs, the Passport Office and Driver and Vehicle Licensing. The strategy also prioritises critical sectors such as manufacturing, retail and agro-processing. The policy's primary objectives are to boost employment, enhance productivity and improve access to key public services.

The Government proposes tax incentives to reduce operational costs for participating businesses, financing support through the Ghana Exim Bank to boost production in agro-processing and manufacturing as well as investments for viable SMEs in priority value chains to stimulate growth, create jobs and enhance economic development.

Labour

The Government plans to reform Ghana's labour sector with a focus on job creation and improved workplace standards. Key initiatives include enhancing the Ghana Labour Market Information Systems to provide accurate data on unemployment and skill gaps for better decision making, and ratifying the International Labour Organisation's Termination of Employment Convention, 1982 (No. 158). Workplace safety will be prioritised through updates to the Factories, Offices and Shops Act, 1970 (Act 328) while a Bilateral Labour Migration Framework will create opportunities for Ghanaians to work abroad and return with skills to support national development.

The Government is expected to revisit a draft labour bill developed by the previous administration, which includes expanded provisions on termination, employee migration under bilateral agreements, paternity and compassionate leave, maternity leave revisions, employer record-keeping and regulations for private employment agencies. These reforms aim to address gaps in the labour market, enhance workplace protections and support workforce development.

Travel

On 18 December 2024, the previous Government granted executive approval for visa-free entry into Ghana for all African nationals. The new administration will undertake a review of the policy to determine its implementation.

Data

The Minister for Communications and Digitalisation has inaugurated an Inter-Agency Data Pricing Committee to develop a road map aimed at reducing data costs in Ghana. The committee, comprising representatives from key stakeholders, will evaluate current pricing models and propose recommendations for more affordable data services to promote digital inclusion and economic growth. This initiative underscores the Government's commitment to ensuring transparency in data pricing mechanisms and bridging the digital divide.

Contributors



Susan-Barbara Boye
Partner
Corporate Commercial



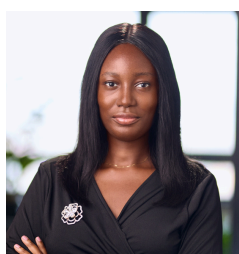
Angela Gyasi
Partner
Corporate Commercial



Porcia Agbo
Senior Associate
Corporate Commercial



Nana Ama Asare
Associate
Corporate Commercial



Karyn Sawyerr
Associate
Corporate Commercial



Ohemaa Anan-Ankomah
Associate
Corporate Commercial




Akosua Ofori-Asumadu
Associate
Corporate Commercial

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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.

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Awards & Rankings

Chambers Global 2024

Ghana Law firm of the year 2024

Corporate Commercial - **Band 1**

Disputes - **Band 1**

Projects & Energy - **Band 1**

IFLR Africa Awards, 2024

Ghana law firm of the year


Financial Services Regulatory Firm of the Year: Regional

Africa - **Deal of the Year: M&A**

Africa - **Deal of the Year: Restructuring**

Who's Who Legal Awards

Ghana law firm of the year 2024

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International Financial Law Review (IFLR) 2024

M&A - **Tier 1**

Capital Markets - **Tier 1**

Projects - **Tier 1**

Banking - **Tier 1**

The Legal 500 2024

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**

+233.302.20888
+233.302.222171
+233.302.2224612

4 Momotse Avenue, Adabraka
Accra - Ghana (GA-073-2077)
[LinkedIn](#)