

## **ToR for Consultant: Review the Draft Conduct of Public Office (COPO) Bill**

### **1. Background**

Ghana's democratic development has witnessed significant gains over the past three decades, including regular elections, peaceful political transitions, and a relatively vibrant civil society. However, concerns persist about the integrity, accountability, and ethical conduct of public officers, including elected officials, political appointees, and senior public servants. These concerns are increasingly shaping national discourse, particularly in light of recent allegations of conflict of interest, abuse of office, illicit enrichment, and weak enforcement of existing accountability mechanisms.

Over the past few years, the conduct of public officers has come under intense public scrutiny, particularly regarding the declaration of assets, misuse of public resources, unregulated gifts and donations, and revolving-door practices where former officials leverage their positions for private gain. Media exposés, parliamentary vetting sessions, and investigative journalism have all amplified public demand for stronger rules and accountability in the exercise of public office. In recent months, the national conversation on ethical conduct in public life has intensified, sparked in part by President Mahama's **Code of Conduct for Political Appointees**. The code outlines principles around conflict of interest, acceptance of gifts, procurement processes, and responsible use of state resources, which has reignited public interest in the urgent need for legally binding standards governing public officeholders.

The proposed **Conduct of Public Office (COPO) Bill** is intended to provide a comprehensive legal framework that codifies standards of behavior for public officials, strengthens enforcement mechanisms, and promotes a culture of integrity, transparency, and accountability in the public sector. The bill was first introduced in 2008, and was later relaid before Parliament in 2015 and again in 2020 after undergoing several revisions. Since its re-introduction, the bill has remained in the draft stage.

The Ghana Center for Democratic Development (CDD-Ghana), as part of its mandate to promote good governance and democratic accountability, will [undergo] undertake a consultative process to support the drafting of a reviewed comprehensive Conduct of Public Office Bill. This process builds on earlier advocacy efforts and aligns with global best practices, as well as Ghana's commitments under the African Union Convention on Preventing and Combating Corruption and the United Nations Convention against Corruption (UNCAC) and ensures that the COPO Bill clearly outlines expected standards of behaviors for public officers and promotes public accountability across all levels of government and public institutions

Through this consultancy, CDD-Ghana seeks to engage a qualified expert to provide technical and legal support toward finalizing a high-quality draft of the Conduct of Public Office Bill for legislative advocacy and broad-based stakeholder consultation.

### **2. Objectives of the Assignment**

The overall objective of this consultancy is to provide technical and legal expertise to:

- Review existing draft versions and related policy documents on the COPO bill.
- Compare and harmonize international best practices and relevant Ghanaian laws with the draft.

- Refine and/or redraft the bill to ensure legal coherence, enforceability, and alignment with Ghana's constitutional and governance framework.
- Support stakeholder engagements and incorporate feedback into the revised draft.

### 3. Scope of Work

The Consultant will undertake the following tasks:

1. Conduct a comprehensive desk review of:
  - Existing drafts of the COPO Bill (*share with consultant*),
  - Relevant Ghanaian legislation (e.g., 1992 Constitution, Public Office Holders [Declaration of Assets and Disqualification] Act, CHRAJ Act, etc.), NACAP and international conventions e.g. UNCAC
  - Comparative legislation from other jurisdictions (e.g., Leadership Code Acts, Ethics in Public Office laws).
2. Engage with key stakeholders (virtually or in-person, as determined by CDD-Ghana) to gather further inputs and build consensus ,including:
  - Civil society organizations,
  - Anti-corruption institutions (CHRAJ, EOCO, OSP, etc.)
  - Office of the Attorney General and Ministry of Justice,
  - Parliament and the relevant Parliamentary Committees.(E.g. Constitution and Legal Affairs, Public Accounts, Ethics and Standards, Leadership, ?
3. Draft a refined version of the COPO Bill incorporating:
  - Clear standards of conduct for public officers,
  - Provisions for conflict of interest, gifts, post-employment restrictions,
  - A comprehensive asset declaration and monitoring framework,
  - Strong enforcement and sanctions mechanisms.
4. Prepare a detailed Explanatory Memorandum and justification for the Bill.
5. Present the revised Bill and Explanatory Memorandum to stakeholders for validation.
6. Finalize the draft Bill based on stakeholder feedback.

### 4. Deliverables

The Consultant will be expected to deliver the following:

- a) Inception report detailing approach and workplan
- b) Draft review and gap analysis
- c) First draft of revised CoPO bill with a **Technical Memorandum** explaining key amendments.
- d) Stakeholders' engagement/Validation report
- e) Final report summarizing the methodology, consultations, and recommendations.

## 5. Duration of Assignment

The assignment is expected to last **up to 10 weeks**,<sup>1</sup> starting from the date of signing the contract.

## 6. Reporting

The Consultant will report to the PAIReD Project Implementation Team at CDD-Ghana. The Consultant is expected to maintain close communication with the project team and attend all key meetings.

## 7. Required Qualifications and Experience

- Advanced degree in Law, Public Policy, or a related field.
- Minimum of 10 years' experience in legal drafting, constitutional or governance reform.
- Expertise in developing governance and integrity instruments
- Demonstrated knowledge of Ghana's legal and public administration systems.
- Proven track record of developing or contributing to legal or policy instruments in Ghana or similar contexts.
- Strong analytical, writing, and facilitation skills.

## 8. Application Process

Interested consultants should submit:

- A brief technical proposal (max. 3 pages) outlining their understanding of the assignment and proposed approach.
- A recent CV highlighting relevant experience.
- A sample of a legal/policy document previously authored and /or governance and integrity document developed
- A financial proposal detailing consultancy fees.

Applications should be submitted by **Friday, 8 August 2025** to [jobs@cddgh.org](mailto:jobs@cddgh.org)

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<sup>1</sup> Would normally take about 6 -8 weeks without the stakeholder's consultation.