

GHS26 billion public funds at risk

...After Audit Service skips surcharges

By Frederick Asiamah, Corruption Watch Investigative Journalist

Corruption Watch has found that Ghana could be exposed to a potential loss of more than 26 billion Ghana cedis due to the Auditor General's reliance on disallowances, without surcharges, thus leaving disallowance decisions vulnerable to legal challenge.

This is because the Auditor-General is empowered by the constitution to disallow irregular expenditures and to surcharge people found responsible.

There is concern that without a surcharge, affected persons may have stronger grounds to contest disallowances in court, potentially affecting recovery.

The Audit Service, in response to two separate right to information requests, has confirmed to Corruption Watch that the Auditor-General did not categorically "disallow and surcharge" individuals and institutions reported to have mishandled public funds in various Auditor-General reports for the period 2020-2023.

The Auditor-General's disclosure is a departure from the Supreme Court's interpretation that the Auditor-General's power under Article 187(7)(b) is mandatory and not discretionary.

Recovery of 38 billion cedis

In February 2025, the current Auditor-General, Johnson Akuamoah Asiedu, transmitted a new report on "Recoveries made from Disallowances by the Auditor-General for the period 2020-2023" to Parliament.

The Auditor-General reported the recovery of a total of GH¢12,717,731,074 out of GH¢38,988,624,925 disallowed expenditure, which was recommended for recovery.

The recovered amount represents 32.62% of the expected recoverable amount.

This means that public officers, individuals, and institutions who committed financial infractions while performing their duties have, since the year 2021,

failed to return to the state approximately 26.27 billion Ghana cedis, forming 67.38% of the recoverable amount.

Even though the Auditor-General provides a sectoral and regional breakdown of the 12.7bn Ghana cedis recovered, he does not mention all the specific individuals and institutions from whom the recoveries were made.

This raised an issue of transparency, prompting a Corruption Watch investigation that started in December 2025.

As part of the investigation, Corruption Watch filed separate RTI requests to the Auditor-General on January 8th, 2026, and April 14th, 2026.

In the January 8th, 2026, request, we asked the Auditor-General, among other things, to clarify if the total amount of GH¢38,988,624,925 was categorically disallowed and surcharged on individuals and institutions in the reports of the Auditor-General for the period 2020-2023.

In a response dated January 21st, 2026, the Auditor-General stated that “In the Auditor-General's reports, which form the basis for the Special report on recoveries, the GH¢38,988,624,925 was disallowed and a recommendation made for recovery... It is worth mentioning that, not all amounts recovered are necessarily covered by formal disallowance and surcharge certificates issued by the Auditor-General.”

Consequently, we probed further in our second request dated April 14th, 2026. We asked: “Does the GAS [Ghana Audit Service] concur that it has partially applied the law requiring the Auditor-General to disallow and surcharge? Kindly explain your answer.”

The GAS responded, “No. The Auditor-General applies the provisions of the laws regarding 'disallowance and surcharge' where applicable.”

Supreme Court determination

Meanwhile, the enforcement of the Auditor-General's disallowances and surcharges powers under Article 187(7)(b) of the 1992 Constitution of Ghana has been affirmed in OccupyGhana's landmark case against the Auditor-General in 2017.

In *Occupy Ghana v Attorney-General* [2017], the Supreme Court held that upon a true and proper interpretation of Article 187 (7) (b) (ii) of the Constitution, the Auditor-General is bound to issue a disallowance and surcharge: a) where

there has been any item of expenditure on behalf of the Government that is contrary to law; b) where any person fails to bring any sum into the Government's account; and c) where the Government suffers or incurs a loss or deficiency through the negligence or misconduct of any person.

This judgment set a precedent that the Auditor-General must use its disallowance and surcharge powers when the conditions described in its reports warrant it.

Article 187(7)(b) states that in the performance of his functions under this Constitution or any other law the Auditor-General- may disallow any item of expenditure which is contrary to law and surcharge- (i) the amount of any expenditure disallowed upon the person responsible for incurring or authorizing the expenditure; or (ii) any sum which has not been duly brought into account, upon the person by whom the sum ought to have been brought into account; or (iii) the amount of any loss or deficiency, upon any person by whose negligence or misconduct the loss or deficiency has been incurred.

Against this background, we requested the Auditor-General to clarify the legal basis for the recoveries, "as per your previous response to us, the amounts were disallowed; however, no surcharge certificates were issued to individuals and institutions found culpable."

The Auditor-General responded that "Technically, amounts deemed recoverable by the Auditor-General are to be covered by surcharge certificates; however, in many cases, the affected individuals or institutions do promptly implement the audit recommendations before these certificates are generated by the Service.

"It is also important to indicate that the Disallowance and Surcharge Committee is currently reviewing the status of all audit issues in the Auditor-General's reports for possible surcharge certificates to be raised."

We also posed the question, "In the absence of surcharge certificates, how enforceable are the disallowances?"

On enforcement the supreme audit body said that enforcement of Audit recommendations "falls outside the mandate and scope of the Auditor-General. This is because the Auditor-General does not have prosecutorial powers."

However, the Auditor-General collaborates with the office of the Attorney-General, it said, adding that “All such 'Disallowances' are covered by certificates to facilitate effective prosecution where necessary.”

Who is paying back?

The recoveries are defined as actual monetary values retrieved from offenders or defaulters and paid back into the consolidated fund, affected institutions' bank accounts, or the Auditor-General’s Recoveries Account.

In the special report on recoveries, the Auditor-General distributes the recoveries among various types of irregularities as follows: indebtedness/advances/loans irregularities represent GH¢9.9 billion (78.22%) out of the GH¢12.7 billion, tax irregularities represent about GH¢1.5 billion (11.78%), while cash irregularities represent GH¢1.24 billion (9.81%) of the recoveries. These three categories constitute 99.81% of the recoveries.

SUMMARY OF RECOVERIES BASED ON IRREGULARITIES FOR THE PERIOD 2020-2023						
IRREGULARITIES	2020	2021	2022	2023	TOTAL	PER (%)
Indebtedness/Advances/Loans Irregularities	5,931,926,146.85	371,525,215.22	3,582,794,275.51	61,608,827.65	9,947,854,465.23	78.22%
Cash Irregularities	564,643,402.33	490,829,893.80	77,334,380.88	114,675,101.90	1,247,482,778.91	9.81%
Tax Irregularities	341,531,703.17	273,108,005.15	364,371,919.67	518,732,846.07	1,497,744,474.06	11.78%
Rent Irregularities	1,050,210.35	6,851,766.84	1,231,953.92	2,750,936.83	11,884,867.94	0.09%
Payroll Irregularities	1,048,791.17	2,676,248.72	3,369,118.18	3,702,318.92	10,796,476.99	0.08%
Assets/Stores/Procurement Irregularities	270,210.30	284,016.00	610,782.00	803,002.63	1,968,010.93	0.02%
TOTAL	6,840,470,464.17	1,145,275,145.73	4,029,712,430.16	702,273,034.00	12,717,731,074.06	100%

Table 1: Summary of recoveries. Source: Auditor-General’s special report on recoveries.

Meanwhile, the GH¢12.7 billion was recovered from offenders cited in six types of reports published during 2020-2023, namely Public Boards, Ministries, Departments and Agencies (MDAs), Technical Universities, Pre-University Institutions, Accounts of District Assemblies (IGF), and District Assemblies Common Fund.

At least, GH¢10.8 billion (84.85%) of the amount was recovered from offenders cited in the report on Public Boards for 2020-2023.

In terms of geographical analysis, GH¢12.48 billion (98%) of the amount was recovered from the Greater Accra Region.

A further look at the data reveals the top five recoveries came from the Ministry of Energy (GH¢9.71bn), Ministry of Finance (GH¢1.68bn), Ministry of Communications (GH¢447.6 million), Extra Ministerial Agencies (GH¢70.78 million), and Ministry of Transport (GH¢40.29 million).

According to the Auditor-General, his office was collaborating with the Minister for Finance and other relevant stakeholders to ensure that recoveries are promptly paid into the Auditor-General’s Recoveries Account.

Meanwhile, the Auditor-General has told Corruption Watch that previously, all recoveries were paid into the Controller and Accountant General's Suspense Account, which made it difficult for the Auditor-General to track recoveries specifically linked to audit infractions. “At the Auditor-General's request, the Controller opened a dedicated account titled Auditor-General's Recoveries Account to separately track recoveries arising from audit infractions. The account is not an operational account of the Audit Service. All funds lodged into it are periodically transferred in full to the Consolidated Fund, with no amounts retained by the Auditor-General.”

According to the special report on recoveries, the Auditor-General’s Recoveries Account, which was opened in June 2022 to track all audit recoveries in real time, has so far been used to recover a total of GH¢30,531,272.29 as of 31 December 2024. A total of GH¢29,500,000 has since been transferred to the Consolidated Fund.

Five ministries responsible for 24.67bn

Conversely, our analysis of the Auditor-General’s spreadsheet supplied to Corruption Watch shows that departments and agencies under five ministries are together responsible for the total unrecovered amount of GH¢24,676,214,707.73.

The amount translates to 93.93% of the unrecovered amount of GH¢26,271,437,819.07.

Name of Ministry	Sum of Unrecovered Amount
Energy	GH¢15,235,553,302.68
Finance	GH¢3,890,600,995.29

Local Government and Rural Development	GH¢2,882,299,066.53
Employment & Labour Relations	GH¢1,736,581,455.11
Food & Agriculture	GH¢931,179,888.12

Table 2: Top 5 Unrecovered amounts by Ministry. Source: Auditor-General's spreadsheet supplied to Corruption Watch.

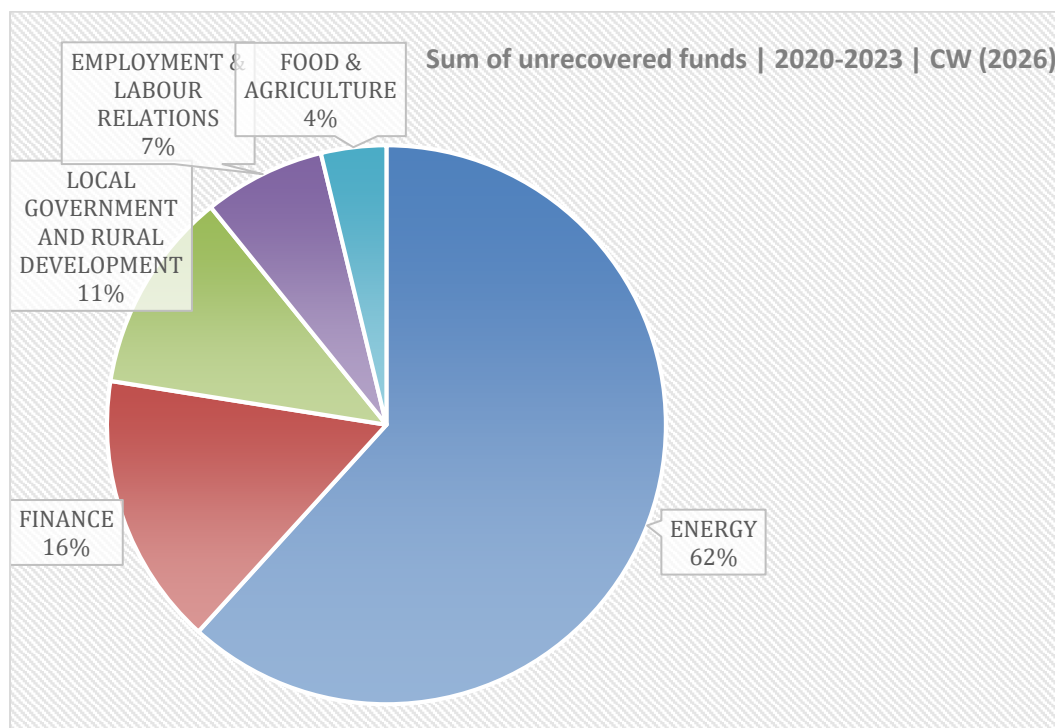


Figure 1: Top 5 Unrecovered amounts by Ministry. Source: Auditor-General's spreadsheet supplied to Corruption Watch

Data disparity

When we filed our first RTI request in January 2026, after our initial review of the special report on recoveries, we asked the Auditor-General for the particulars of the recoveries made, including the names of all specific institutions and individuals from whom the recoveries were made and the respective amounts.

Consequently, the Auditor-General provided a spreadsheet containing all the audit infractions compiled from the six types of reports published during the period 2020-2023.

When our team analyzed the data in the spreadsheet supplied to us, we discovered that there were total irregularities of approximately 82 billion cedis – a figure which was not mentioned at all in the special report on recoveries.

Intrigued by the discovery, we independently compiled all the irregularities recorded in the six types of reports for the period 2020-2023.

We discovered the sum of GH¢61,650,395,445.

The disparity between the total sum of irregularities recorded in the spreadsheet and the sum independently compiled by us from the six types of reports submitted to Parliament by the Auditor-General is approximately 21 billion Ghana cedis.

TOTAL IRREGULARITIES (2020-2023) COMPILED BY CORRUPTION WATCH					
Report	2020 Irregularities Amount (GHS)	2021 Irregularities Amount (GHS)	2022 Irregularities Amount (GHS)	2023 Irregularities Amount (GHS)	Total amount (2020-2023)
PUBLIC BOARDS	12,856,172,626	17,483,483,538	15,059,441,806	8,799,263,120	54,198,361,090
MDAs	2,053,176,449.85	1,080,931,937	1,412,021,814	2,400,874,200	6,947,004,401
TECHNICAL UNIVERSITIES	13,093,026	34,876,924	20,959,765	45,608,946	114,538,661
PRE-UNIVERSITY	41,778,465.97	18,457,644.29	7,636,498.27	7,484,080.52	75,356,689
IGF (DISTRICTS)	12,876,561.02	13,493,590.33	19,985,108.17	22,211,707.62	68,566,967
DACF	77,147,260.10	66,130,366.12	53,636,715.87	49,653,295.18	246,567,637
					61,650,395,445

Table 3: Summary of irregularities (2020-2023). Source: Auditor-General reports for 2020-2023.

On discovering this, we filed our second RTI request in April 2026, urging the Auditor-General to clarify the figures further.

It responded that “the amount of approximately 82 billion cedis submitted to you earlier is the sum of all the cash irregularities (audit findings that are cash related). Not all these are necessarily meant to be recovered.”

It, however, did not speak to the difference of 21 billion Ghana cedis found between the 82 billion Ghana cedis in the spreadsheet and the 61.6 billion Ghana cedis we compiled from its own published reports.

That notwithstanding, the Auditor-General says, “Audit issues that have been resolved through documentation and reconciliation with the Auditee have not been included as part of the recoverable amount.”

The one question yet to be answered is whether the recoverable amount of 38.9 billion Ghana cedis reported in the special report on recoveries is based on total irregularities of 82 billion Ghana cedis or 61.6 billion Ghana cedis.