



# AFFIRMATIVE ACTION (GENDER EQUITY) ACT, 2024

Summary information sheet for  
Parliament of Ghana



Global Affairs  
Canada  
Affaires mondiales  
Canada



**AFFIRMATIVE ACTION (GENDER EQUITY) ACT 2024**  
**with a focus on Gender Equality in Parliament and**  
**Parliamentary Service**

by the **Affirmative Action Law Coalition**

**In Collaboration with**

**The African Centre for Parliamentary Affairs (ACEPA)** under  
the auspices of the GAC funded Project Inclusive Legislatures for  
Gender Responsive Policies ( ILGRP)



THE ONE THOUSAND ONE HUNDRED AND TWENTY -FIRST  
ACT

OF THE PARLIAMENT OF THE REPUBLIC OF GHANA ENTITLED  
**AFFIRMATIVE ACTION (GENDER EQUITY) ACT 2024**

AN ACT to provide for affirmative action for gender equity in the  
public and private sectors and for related purposes.

**DATE OF ASSENT:** 11<sup>th</sup> September.

PASSED by Parliament and assented to by the President.

The Affirmative Action (Gender Equity) Law has been passed in Ghana, thanks to the tireless efforts of numerous institutions, organizations, civil society groups, development partners, and individuals. Abantu for Development contributed significantly by hosting the secretariat of the Affirmative Action Coalition over the years.

This is an initiative of the Affirmative Action Law Coalition with support from the Global Affairs Canada funded Inclusive Legislatures for Gender Responsive Policies Project- implemented by the African Centre for Parliamentary Affairs(ACEPA) and Parliamentary Centre.

# TABLE OF CONTENTS

SECTION 1: Object of the Act	1
1ST SCHEDULE: Process for measuring progressive compliance with targets	1
SECTION 2: Directive Principles	2
SECTION 3: International Obligations	2
SECTION 4: Establishment of Gender Equity Committee	2
SECTION 5: Functions of the Gender Equality Committee (GEC)	2
SECTION 6-12	3
SECTION 13: Gender Equity Compliance Certificate	3
SECTION 14: Governance and decision - making in the Public Service	4
SECTION 15: Gender Equity in the Public Service	4
3RD SCHEDULE: General Guidelines for the Public Sector	5
4TH SCHEDULE	8
SECTION 16: Gender Equity in the Security Services	8
SECTION 17: Gender Equity in the Judiciary	9
SECTION 18: Gender Equity in Parliament and the Parliamentary Service	9
6TH SCHEDULE: Strategies for Gender Equity in relation to Parliament and the Parliamentary Service	10
SECTION 19: Gender Responsive Budgeting	10
SECTION 20: Political parties and representation of women	11

7TH SCHEDULE: Strategies in relation to Gender Equity for Political parties	11
SECTION 21 - 23: Gender Equity in Private Employment	12
SECTION 24: Incentives for Private Sector	12
SECTION 25: Grievance resolution procedure	13
SECTION 26: Co-operation with public and private institutions	13
SECTION 27: Data Collection	14
SECTION 28: Offences	14
Glossary of Terms	15

# AFFIRMATIVE ACTION (GENDER EQUITY) ACT, 2024 AT A GLANCE FOR PARLIAMENT OF GHANA.

## SECTION 1

### OBJECT OF THE ACT

1. Ensure the attainment of gender equity in the political, social, economic, educational and cultural spheres of the society.
2. It will be done in a progressive manner and subject to evaluation in accordance with the 1st Schedule which has the timelines and targets.
3. The Government shall promote policies and programmes to redress the political, social, economic and educational gender imbalance in the public and private sectors.

### 1<sup>ST</sup> SCHEDULE

#### PROCESS FOR MEASURING PROGRESSIVE COMPLIANCE WITH TARGETS

(b) Progressive Achievements from 2024 to 2034		
FROM	TO	PERCENTAGE
2024	2026	30
2027	2028	35
2029	2034	50

## SECTION 2

### DIRECTIVE PRINCIPLES

1. The non-discrimination clause in the Act.
2. States that government shall set gender equity targets for appointments to positions of decision-making at all levels in the Public Service in accordance with international conventions and regional agreements.
3. Appropriate measures are to be taken in the public and private sector for the full integration of women into the mainstream of economic development.

## SECTION 3

### INTERNATIONAL OBLIGATIONS

1. Refers to the international obligations on redressing gender imbalances of Ghana on gender equality and equity as listed in the 2nd Schedule

## SECTION 4

### ESTABLISHMENT OF GENDER EQUITY COMMITTEE


- Deals with the Establishment of the Gender Equity Committee at the Ministry of Gender, Children and Social Protection which is to ensure compliance with the law.

## SECTION 5

### FUNCTIONS OF THE GENDER EQUALITY COMMITTEE (GEC)

1. Ensure monitoring and compliance with the Act.
2. Receive and analyse annual reports on gender equality from organisations and institutions and recommend for deserving institutions and organisation of the Gender Equity Compliance Certificate.



- 
3. Receive complaints of non-compliance and mediate.
  4. Develop a national plan of action to address, monitor and report on the progress of implementation.
  5. Receive and investigate complaints about gender discrimination and make recommendations for redress.
  6. Coordinate issues relating to the promotion of affirmative action in the country.
  7. Facilitate, promote and coordinate public education programmes.
  8. Be the central authority for the collection of information on gender equity and equality under the Act.
  9. The GEC shall submit an annual report on gender equality to Parliament including gender disaggregated data in all sectors through the Minister.

## SECTION 6-12

The section 6 - 12 is about the tenure of office, meetings, disclosure of interest, establishment of sub - Committees, allowances, policy directive, and the secretariat of the Committee.

## SECTION 13

### GENDER EQUITY COMPLIANCE CERTIFICATE

- Recommends for the Minister to issue Gender Equality Compliance Certificates to deserving organisations on an annual basis

## SECTION 14

### GOVERNANCE AND DECISION - MAKING IN THE PUBLIC SERVICE

1. Clause 16 – Governance and Decision making in the public service (Strategies set out in 3rd, 4th and 5th Schedules)
2. The President shall ensure the progressive achievement of the gender equity targets set out in the First Schedule in making appointments to the following:
  - ministerial positions;
  - the Council of State;
  - the independent constitutional bodies;
  - governing bodies of State institutions;
  - the Public Service;
  - District Assemblies; and
  - any other office to which the President makes an appointment.
3. A public institution shall include in the annual report of the public institution to the Public Services Commission information on gender equity in accordance with guidelines prepared by the Public Services Commission.
4. Strategies for gender equity in relation to the Executive is set out in the 4th Schedule.

## SECTION 15

### GENDER EQUITY IN THE PUBLIC SERVICE

1. The governing body of a public service institution shall, in filling vacancies for decision-making at all levels, have regard to provisions of this Act to ensure gender equity in appointments.
2. The strategies for gender equity in the respective Ministries and governance institutions in the Public Service shall be as set out in the 3rd Schedule
3. A person assessed for employment into the Public Service

can lodge a complaint with the Committee if that person reasonably believes that the person has suffered gender - based violence in the process of employment.

## 3RD SCHEDULE

### GENERAL GUIDELINES FOR THE PUBLIC SECTOR

1. **Reservation of Seats:** A specified number of positions on bodies must be reserved for women.
2. **Gender Balance in Appointments:** Appointments to managerial roles should be gender-balanced; where not feasible, gender equity must still be ensured.
3. **Public Services Commission Guidelines:** The Commission is mandated to provide guidance to public institutions for promoting gender equity in human resource management.
4. **Promotion of Women in Public Service:** Measures should be taken to equip women for management roles and address workplace discrimination per existing laws.

#### A. Strategies in Relation to Education

##### 1. General Education Strategies:

- Ensure gender balance in education access.
- Strengthen non-formal education for illiterate children.
- Review curricula to include gender equity.
- Establish governance awareness programs for students.
- Provide interventions in deprived districts.
- Eliminate gender stereotypes in education.
- Sensitize communities about gender roles and women's rights.
- Address harmful practices affecting girls' education.
- Improve guidance and counseling for girls.
- Promote parental care until adulthood.

- Encourage local language textbook production.
- Enforce child welfare laws.
- Include leadership training for women.
- Improve schooling infrastructure, especially for girls.

## **2. Basic Level Education Strategies:**

- Resource the Girl-Child Education Unit to combat access barriers.
- Allocate funds to promote girl-child education.
- Maintain existing child education policies.
- Establish girl clubs in schools to promote retention and confidence.
- Monitor the progression of girls through education.

## **3. Secondary Level Education Strategies:**

- Provide scholarships for brilliant but needy females.
- Sustain policies for girl child education clinics.
- Establish reproductive health units in schools.
- Promote transition education for school drop-outs.

## **4. Tertiary Level Education Strategies:**

- Maintain lower cut-off points and reserved slots for deprived female applicants.
- Encourage private institutions to adopt policies for female enrollment increase.

# **B. Strategies in Relation to Health**

## **1. Ministry of Health:**

- Focus on reducing anemia and maternal mortality among women and girls.

## **2. National Population Council:**

- Provide reproductive health education for girls.
- Work to reduce child marriage and teenage pregnancies.

## **C. Strategies in Relation to Employment**

### **1. Ministry of Employment and Labour Relations:**

- Protect employment of pregnant women.
- Promote social protection for women in informal sectors.
- Enhance financial literacy and social security for women in informal work.
- Protect domestic workers, especially migrants.

### **2. Ministry of Gender, Children and Social Protection:**

- Promote economic empowerment of vulnerable households.

## **D. Strategies in Relation to Local Governance**

### **1. Presidential Responsibilities:**

- Ensure gender equity in appointments of Chief Executives and members of District Assemblies.

### **2. Promotion of Women's Participation:**

- Allocate separate budgets for women's affairs at the assembly level.
- Provide training for successful female politicians to support aspiring candidates.
- Create a database of female political aspirants.
- Monitor the progression of female assembly members.
- Establish a mentoring program for female candidates.
- Include gender equity in criteria for accessing funding.
- Implement sanctions for non-compliance and rewards for compliant assemblies.

## 4TH SCHEDULE

1. **Tracking Women's Experiences:** The President is responsible for monitoring and recording the experiences of women who are appointed to public offices and are in governance and decision-making roles.
2. **Implementation of Gender Mainstreaming:** The government is mandated to incorporate gender mainstreaming practices across public offices and within governance and decision-making sectors.
3. **Gender-Sensitivity Training:** The government shall provide training for appointees to enhance their understanding of gender issues, thereby fostering awareness and promoting gender equity.
4. **Leadership Development Initiatives:** The government shall establish programmes and initiatives focused on developing leadership skills to increase women's representation in leadership roles within the government.

## SECTION 16

### GENDER EQUITY IN THE SECURITY SERVICES

1. Ensures the governing councils of the security services monitor. Recruit and fill vacancies for positions at all levels, to ensure gender equity with the Security Service.
2. A woman shall not be subjected to discrimination on the basis of the gender of the woman in the security service and shall have equal opportunity to;
  - receive training to enable that woman rise to a leadership position in the Security Service
  - Head a Security Service
  - The provisions on gender equity are provided in the standard operating procedures of the Service.
3. The Minister responsible for Security Service shall annually submit to the GEC;

- Gender disaggregated data on employees
- The policies and plans on gender equity for the progressive achievement of the targets set out in the 1st Schedule.

## **SECTION 17**

### **GENDER EQUITY IN THE JUDICIARY**

1. Ensure equitable representation of women and men on the Judicial Council.
2. The Judicial Council shall ensure the progressive achievement of the gender equity targets set out in the 1st Schedule in the appointment of Judges to Superior, Lower Courts and in the appointment of other Judicial Officers.
3. The Council is responsible for monitoring, developing strategies for the implementation of gender equity in the Judiciary as set out in the 5th Schedule.

## **SECTION 18**

### **GENDER EQUITY IN PARLIAMENT AND THE PARLIAMENTARY SERVICE**

1. The Speaker and Leadership of Parliament shall ensure the progressive achievement of the gender equity targets set out in the 1st Schedule in appointments to leadership positions and Committees of Parliament.
2. Parliament shall require accountability from Ministries, Departments and Agencies of Government by ensuring that sector policies and plans integrate gender equity objectives and targets.
3. The strategies for gender equity in relation to Parliament and the Parliamentary Service shall be as set out in the 6th Schedule.

## 6TH SCHEDULE

### STRATEGIES FOR GENDER EQUITY IN RELATION TO PARLIAMENT AND THE PARLIAMENTARY SERVICE

1. The Speaker and Leadership of Parliament shall track and monitor experiences of female Members of Parliament.
2. The Clerk to Parliament shall track and monitor experiences of female Members of the Parliamentary Service.
3. The Speaker and Leadership of Parliament shall ensure that gender-sensitivity training is conducted for Members of Parliament and staff of the Parliamentary Service to raise awareness about gender issues and promote gender equity.
4. The Speaker and Leadership of Parliament shall ensure the creation of a gender-sensitive organisational culture within Parliament and the Parliamentary Service that values and promotes gender equity to help address systemic barriers to active participation of women in decision-making.
5. The Speaker and Leadership of Parliament shall ensure a conducive work environment that supports female Members of Parliament in balancing parliamentary duties with family responsibilities.
6. The Parliamentary Service Board shall ensure a conducive work environment that supports women in the Parliamentary Service to balance official duties with family responsibilities.

## SECTION 19

### GENDER RESPONSIVE BUDGETING

1. Government to take steps to promote gender responsive budgeting in all sectors.
2. Ministries, Departments and Agencies of Government and District Assemblies shall include a budget line to deal with gender specific and gender sensitive issues identified in the plans of those Ministries, Departments and Agencies and District Assemblies.



3. Ministry responsible for Finance shall ensure the provision of adequate resources for the implementation of prioritised gender equity policies, programmes and projects
4. Parliament shall ensure the allocation of adequate resources for funding and demand accountability for the utilisation of the resources

## SECTION 20

### POLITICAL PARTIES AND REPRESENTATION OF WOMEN

1. A political party shall ensure the progressive achievement of the gender equity targets set out in the 1st Schedule in participation and representation in party politics.
2. A political party shall adopt effective measures including the provision of information, and financial resources to support gender equity in the full participation and representation in party politics.
3. A political party shall ensure that the progressive achievement of the gender equity targets set out in the 1st Schedule is factored into the sponsorship of candidates for election; and the appointment or election of persons to serve as party officials.
4. A political party registered with the Electoral Commission shall submit to the Electoral Commission an annual report on gender equity in the party and the Electoral Commission shall publish the report in the Gazette.
5. Political parties are required to adopt strategies in the 7th Schedule both in the party machinery and contest of elections.

## 7<sup>TH</sup> SCHEDULE

### STRATEGIES IN RELATION TO GENDER EQUITY FOR POLITICAL PARTIES

1. A political party shall ensure the creation of a database of female aspirants for political positions at all levels of decision-making.

2. A political party shall conduct mentoring programmes for aspiring, successful and unsuccessful female candidates.
3. A political party shall create a gender-sensitive organisational culture that values and promotes gender equity within the political party to help address systemic barriers to active participation of women in decision-making.
4. A political party shall provide leadership training and support to women in the party to help address unique challenges that women encounter.
5. A political party shall adopt gender mainstreaming in policies and programmes of the political party.

## SECTION 21 - 23

### GENDER EQUITY IN PRIVATE EMPLOYMENT

#### 22- Submission of Gender Equity report

#### 23- Compliance

1. Employers in the private sector are to maintain progressive gender equality in the workforce within the period specified in the 1st Schedule; and have a gender equity policy for the maintenance of the quota
2. Employer is to submit an annual report to the Gender Equality Committee
3. Where the GEC determines an employer has failed to comply with the gender Equity policy, it shall require a written undertaking from the employer to comply within six months.
4. The Committee has discretion to use any dispute resolution mechanism available to address non-compliance with the Act

## SECTION 24

### INCENTIVES FOR PRIVATE SECTOR

1. The Minister responsible for Finance shall, in consultation with the Minister and the Ghana Revenue Authority, develop

guidelines for granting tax incentives to employers within the private sector who comply with the provisions of this Act.

2. An employer who complies with the 1st Schedule (within the 1st 12 months or after the 1st 12 months of coming into force of this Act may apply to the minister responsible for Finance for a tax incentive.
3. The Minister responsible for Finance may, in accordance with the Exemptions Act, 2022 (Act 1083), grant a tax incentive to an employer
4. A procurement entity shall, in the award of a Government contract, give preference to an employer in the private sector who has been issued with a Gender Equity Compliance Certificate.

## **SECTION 25**

### **GRIEVANCE RESOLUTION PROCEDURE**

1. A complaint can be made in writing about Gender Inequality to the Gender Equity Committee, the National Labour Commission (if labour related) or CHRAJ.
2. A complaint shall be settled by mediation within six months of receipt of the complaint
3. Where a person is dissatisfied with the settlement made or the six-month period indicated has expired and the complaint has not been settled, an aggrieved person may submit the complaint to the High Court and notify the Committee of the submission.

## **SECTION 26**

### **CO-OPERATION WITH PUBLIC AND PRIVATE INSTITUTIONS**

1. The Ministry may seek information on gender equity from a public or private institution and the responsible officer in the

institution shall cooperate with the Ministry to collate the information.

2. An officer who fails without reasonable cause to cooperate with the Ministry in the collation of information, commits an offence and is liable on summary conviction to a fine of not less than two hundred than 200 penalty units and not more than 500 penalty units or to a term of imprisonment of not less than 3 months and not more than 12 months.

## SECTION 27

### DATA COLLECTION

- The Minister may require an institution or a body to provide gender disaggregated statistics.

## SECTION 28

### OFFENCES

1. Provides an offences regime and states that a person (be it an individual or an organisation) who victimises, obstructs or exerts undue influence on a person in an attempt to defeat the object of this Act or subjects an employee (encapsulating political appointees in the public sector as well) to gender-specific verbal attack, stereotyping, hate speech or harsh rhetoric, discriminates against, intimidates or seeks to disqualify a candidate on grounds of gender , commits an offence.
2. Failing to provide information or knowingly provide false information contrary to the requirements of the Act, commits an offence.
3. Such a person is liable to a term of imprisonment not less than six months and not more than twelve months or to a fine between 500 and 1000 penalty units or both
4. An employer in the private sector who fails to comply commits an offence and is also liable to the same punishments above

## GLOSSARY OF TERMS

TERM	INTERPRETATION IN THE ACT
<b>Affirmative Action</b>	A set of measures including enactments, policies, practices and strategies adopted by the government, public and private institutions to address a history of systemic discrimination and exclusion of women and to encourage their efforts towards addressing political, social, cultural, economic, and educational gender imbalance in the public and the private sectors.
<b>Candidate</b>	A person who stands or is presented by others to be elected to an office.
<b>Committee</b>	Gender Equity Committee
<b>Court</b>	A court of competent jurisdiction
<b>Employers organisation</b>	An association of employers established by the employers to represent and promote the interests of the employers and regulation of relations between employers and workers registered under the Labour Act, 2003( Act 651).
<b>Gender</b>	The economic, educational, social, political and cultural attributes , opportunities and societal differences with being women and men.
<b>Gender Balance</b>	The ratio of women and men in any given situation is achieved when there is an approximately equal number of women to men present or participating.
<b>Gender Discrimination</b>	Any distinction, exclusion or restriction made on the basis of gender that has the effect or purpose of impairing the recognition, enjoyment or exercise by women of human rights and fundamental freedoms in the political, economic, educational , employment, social, cultural or any other field.
<b>Gender Disaggregated Data</b>	Data that is categorized by gender allowing for a more detailed analysis of the differences and disparities between men and women to provide visibility into how programming targets impacts women and girls as well as boys and men.

<b>Gender Equity</b>	The process of being fair to women and men in a way that leads to equal social value, equal rights and responsibilities and equal access to the means to access.
<b>Gender Responsive Budgeting</b>	A strategy that considers and analyses the unique and diverse needs of every gender to ensure a fair distribution of resources.
<b>Parity</b>	Relative equality in terms of numbers and proportion in terms of women and men, girls and boys, and often calculated as a ratio of female to male.
<b>Policy</b>	A statement of intent or course of action designed to influence and determine a decision , event and other matters.
<b>Private Sector</b>	Part of the economy which is run by a private individual or group as a means of enterprise for profit or otherwise not controlled by government and entities the government has a share in.
<b>Public Office</b>	An office the emoluments attached to which are paid directly from the consolidated fund or directly out of moneys provided by Parliament and an office in a public corporation established entirely out of public funds or moneys approved by Parliament.
<b>Public Officer</b>	A person who holds a public office
<b>Public Service</b>	Includes a service in any civil office of government , or employment the emoluments of which are paid directly from the Consolidated Fund or directly out of moneys approved by Parliament.
<b>Progressive</b>	Implies a commitment to improvement, reform, and positive change. Making progress or advancing towards a goal or better state.
<b>Schedule</b>	Refers to a supplementary document or annex that forms part of the Act. It typically contains detailed provisions, rules, or information that support the main body of the Act.
<b>Security Service</b>	This includes the Ghana Armed Force, Police Service, Prisons Service, National Fire Service, Customs Division of the Ghana Revenue Authority, The Immigration Service and the National Intelligence Bureau.



