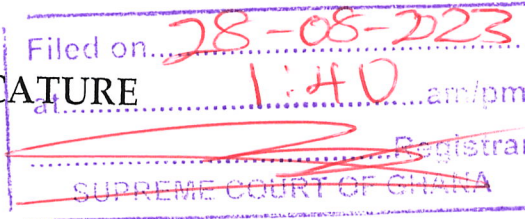


IN THE SUPERIOR COURT OF JUDICATURE
IN THE SUPREME COURT
ACCRA-A.D. 2023



SUIT NO

WRIT TO INVOKE ORIGINAL JURISDICTION OF THE SUPREME
COURT

BETWEEN

MENSAH THOMPSON
83 TRASSACO VALLEY ESTATE
ACCRA

:::

1ST PLAINTIFF

ALLIANCE FOR SOCIAL EQUITY
AND PUBLIC ACCOUNTABILITY (ASEPA)
NO 3 BLK C
NORTH LEGON EXTENSION

:::

2ND PLAINTIFF

AND

ATTORNEY-GENERAL
ATTORNEY-GENERAL'S CHAMBERS
ACCRA

:::

DEFENDANT

TO: ATTORNEY-GENERAL

IN THE NAME OF THE REPUBLIC you are hereby commanded within fourteen days after the service on you of the statement of the plaintiffs' case inclusive of the day of service, that you are to file or cause to be filed for you a statement of the defendant's case in an action at the suit of:

MENSAH THOMPSON

AND

ALLIANCE FOR SOCIAL EQUITY AND PUBLIC ACCOUNTABILITY

1. THE NATURE OF THE RELIEFS SOUGHT IS AS FOLLOWS:

- a. A declaration that persons holding public office under article 286(5) of the 1992 Constitution, who did not submit a written declaration of properties, assets, and liabilities to the Auditor-General before taking office contravened article 286(1)(a) of the 1992 Constitution;

- b. A declaration that to the extent that section 1(4) of the Public Office Holders (Declaration of Assets and Disqualification) Act, 1998 (Act 550) defers the period for submitting the written declaration of properties, assets and liabilities by six months, it is inconsistent with, or in contravention of article 286(1) of the 1992 Constitution;
- c. An order striking out the words, *"and shall be submitted not later than six months of the occurrence of any of the events specified in this subsection,"* as contained in section 1(4) of the Public Office Holders (Declaration of Assets and Disqualification) Act, 1998 (Act 550) as being inconsistent with, or in contravention of Article 286(1) of the 1992 Constitution;
- d. An order striking out the words, *'as at date of making declaration'* and *'at date of making declaration'* as contained in the Second Schedule of the Public Office Holders (Declaration of Assets and Disqualification) Act, 1998 (Act 550) as being inconsistent with, and a contravention of Article 286(1) of the 1992 Constitution;
- e. An order directing all persons holding public office under article 286(5) of the 1992 Constitution who submitted their declarations based on the unconstitutional instructions contained in the Second Schedule of the Public Office Holders (Declaration of Assets and Disqualification) Act, 1998 (Act 550) to resubmit same in compliance with the terms of article 286(1) within such reasonable time as this Honourable Court may decide; and
- f. Any other orders and directions that this Honourable Court may consider appropriate for giving effect to the declarations so made.

2. THE CAPACITY IN WHICH THE PLAINTIFFS ARE BRINGING THE ACTION IS AS FOLLOWS:

Plaintiffs are persons within the meaning of article 2(1) of the 1992 Constitution, being citizens of the Republic of Ghana

3. THE ADDRESSES FOR SERVICE OF THE PLAINTIFFS IS AS FOLLOWS:

1ST PLAINTIFF:
83 TRASSACO VALLEY
ESTATE, ACCRA

2ND PLAINTIFF
NO 83 BLK C, NORTH LEGON
EXTENSION, ACCRA

4. THE ADDRESS FOR SERVICE OF COUNSEL FOR THE PLAINTIFFS IS AS FOLLOWS:

RENAISSANCE LAW CHAMBERS
F 436/1 YEBOAH DUNCAN ST
OSU-RE, ACCRA GA-055-01167

5. THE NAME AND ADDRESS OF PERSONS AFFECTED BY THIS WRIT ARE AS FOLLOWS:

ATTORNEY-GENERAL
ATTORNEY-GENERAL'S CHAMBERS
ACCRA

DATED AT RENAISSANCE LAW CHAMBERS, ACCRA, THIS 25TH DAY OF AUGUST 2023



ISMAEL ANDANI ABDULAI, Esq.
eGAR 01023/23

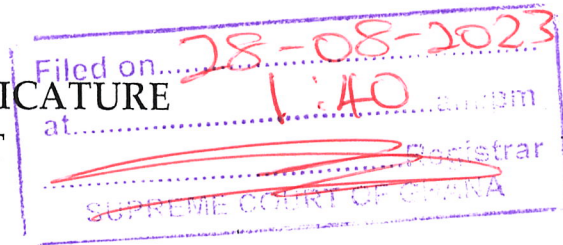
COUNSEL FOR PLAINTIFFS

RENAISSANCE LAW CHAMBERS
LEGAL PRACTITIONERS
HSE. No F436/1 YEBOAH DUNCAN ST. OSU - RE
BEHIND OXFORD STREET MALL
0302 906 407

THE REGISTRAR
SUPREME COURT
ACCRA

AND FOR SERVICE ON THE ATTORNEY-GENERAL, ATTORNEY-GENERAL'S DEPARTMENT, ACCRA.

IN THE SUPERIOR COURT OF JUDICATURE
IN THE SUPREME COURT
ACCRA-A.D. 2023



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ATTORNEY-GENERAL

:::

DEFENDANT

ATTORNEY-GENERAL'S CHAMBERS

ACCRA

STATEMENT OF PLAINTIFFS' CASE

MAY IT PLEASE THE COURT

I. INTRODUCTION

1. Before this Honourable Court is a suit invoking the original jurisdiction of the Supreme Court under articles 2(1) and 130(1)(b) of the Constitution, 1992.
2. My Lords, we explain below, why this Honourable Court is clothed with jurisdiction to entertain this matter, and why this action ought to succeed on its merits.
3. In sum, it is our respectful contention that the plaintiffs, being citizens of the Republic of Ghana, are persons within the meaning of article 2(1) of the 1992 Constitution and are thus entitled to initiate this action in

defence of same. We contend further that as the present matter is founded on article 130(1)(b) of the 1992 Constitution, the original jurisdiction of this Honourable Court has been duly invoked and the Court is empowered to entertain it.

4. On the merits, we argue that the provisions of article 286(1) of the 1992 Constitution are clear, relative to when a person holding a public office under article 286(5) is required to submit a written declaration of that person's properties, assets, and liabilities to the Auditor-General. The periods stated are: before taking office, at the end of every four years, and at the end of the term of office. We contend that the phrase '*and shall be submitted not later than six months of the occurrence of any of the events specified in this subsection,*' as contained in section 1(4) of the Public Office Holders (Declaration of Assets and Disqualification) Act, 1998 (Act 550) unconstitutionally defers the time period provided for in the Constitution.
5. We argue further that to the extent that the form provided for in the Second Schedule of Act 550 requires declarant to submit a declaration of properties, assets and liabilities existing as at the date of the declaration, and not as of the timeframe provided for in article 286(1), it is unconstitutional.
6. We conclude our submissions with a prayer for the grant of the reliefs sought.

II. BACKGROUND

7. My Lords, 1st Plaintiff is a citizen of Ghana, an anti-corruption crusader, and executive director of 2nd Plaintiff. 2nd Plaintiff, Alliance For Social Equity and Public Accountability (ASEPA) is a company limited by guarantee and engaged in anti-corruption activism in Ghana.
8. Ghana's Constitution requires certain public officers to declare their assets at particularly stated times and periods. Under article 286(1) of the 1992 Constitution, persons holding public office under article 286(5) are required to submit a written declaration of their properties, assets and liabilities according to stated timelines. These timelines being: before taking office, at the end of every four years, and at the end of that person's term of office.

9. Sometime in the year 1998, Ghana's parliament passed the Public Office Holders (Declaration of Assets and Disqualification) Act, 1998 (Act 550). This enactment, according to the memorandum accompanying the bill, was passed to *'revise the current law on the subject of declaration of assets and liabilities of public officers in order to bring the provisions in conformity with the Constitution.'*
10. Act 550, however, does not conform entirely with the Constitution. Although section 1(4) of Act 550 attempts to replicate article 286(1) of the Constitution, it injects additional words which depart from the express terms of the Constitution. The words, being *"and shall be submitted not later than six months of the occurrence of any of the events specified in this subsection,"* essentially extend the constitutionally mandated period for which the written declaration must be made by up to six months. This means, for instance, that a person has the option to submit the declaration even after taking office. This extension has the effect of amending an entrenched provision of the Constitution through the backdoor; an act which directly contravenes the express provisions of Chapter 25 of the Constitution 1992.
11. The Second Schedule of Act 550 is, in our respectful view, also unconstitutional. A person who complies faithfully with article 286(1) will inevitably submit a list of properties, assets, and liabilities existing as of the day they took office, reached their fourth year, or completed their term. The Second Schedule is the declaration form designed to elicit information. The information requested by the Second Schedule relates to properties, assets and liabilities existing at the time of making the declaration, and not as envisaged by the Constitution.
12. Dissatisfied with this state of facts, the plaintiffs herein have initiated the present action, in enforcement of the 1992 Constitution, for the following reliefs:
 - a. A declaration that persons holding public office under article 286(5) of the 1992 Constitution, who did not submit a written declaration of properties, assets, and liabilities to the Auditor-General before taking office contravened article 286(1)(a) of the 1992 Constitution;
 - b. A declaration that to the extent that section 1(4) of the Public Office Holders (Declaration of Assets and Disqualification) Act, 1998 (Act 550) defers the period for submitting the written declaration of

properties, assets and liabilities by six months, it is inconsistent with, or in contravention of article 286(1) of the 1992 Constitution;

- c. An order striking out the words, "*and shall be submitted not later than six months of the occurrence of any of the events specified in this subsection,*" as contained in section 1(4) of the Public Office Holders (Declaration of Assets and Disqualification) Act, 1998 (Act 550) as being inconsistent with, or in contravention of article 286(1) of the 1992 Constitution;
- d. An order striking out the words, '*as at date of making declaration*' and '*at date of making declaration*' as contained in the Second Schedule of the Public Office Holders (Declaration of Assets and Disqualification) Act, 1998 (Act 550) as being inconsistent with, and a contravention of article 286(1) of the 1992 Constitution;
- e. An order directing all persons holding public office under article 286(5) of the 1992 Constitution who submitted their declarations based on the unconstitutional instructions contained in the Second Schedule of the Public Office Holders (Declaration of Assets and Disqualification) Act, 1998 (Act 550) to resubmit same in compliance with the terms of article 286(1) within such reasonable time as this Honourable Court may decide; and
- f. Any other orders and directions that this Honourable Court may consider appropriate for giving effect to the declarations so made.

III. LEGAL ARGUMENTS

A. LOCUS STANDI & JURISDICTION

13. My Lords, it is our respectful submission that by virtue of being persons within the meaning of article 2(1) of the 1992 Constitution, the Plaintiffs have the constitutional right to initiate this action in defence of same. We further submit that this Honourable Court is properly seised with jurisdiction as this matter essentially involves an allegation that section 1(4) of Act 550 is inconsistent with article 286(1) of the 1992 Constitution.

Plaintiffs' standing

14. My Lords, this action is founded on the Supreme Court's original jurisdiction to strike down legislation that is inconsistent with, or in contravention of the Constitution. Articles 2(1) and 130(1)(b) of the 1992 Constitution provide:

"2. Enforcement of the Constitution

(1). A Person who alleges that-

(a) an enactment or anything contained in or done under the authority of that or any other enactment; or

(b) any act or omission of any person;

is inconsistent with, or is in contravention of a provision of this Constitution, may bring an action in the Supreme Court for a declaration to that effect."

"130. Original Jurisdiction of Supreme Court

(1). Subject to the jurisdiction of the High Court in the enforcement of the Fundamental Human Rights and Freedoms as provided in article 33 of this Constitution, the Supreme Court shall have exclusive original jurisdiction in –

(b) all matters arising as to whether an enactment was made in excess of the powers conferred on Parliament or any other authority or person by law or under this Constitution."

15. Any citizen can initiate an action under article 2(1) of the 1992 Constitution. In *New Patriotic Party v Attorney-General* [1996-97] SCGLR 729 (*CIBA Case*), the Supreme Court purposively interpreted article 2(1) to include both natural and artificial persons. Bamford-Addo JSC stated at page 740:

"Therefore, under article 2(1) other than the citizenship requirement, no limitation is placed on the nature of persons who may invoke the original jurisdiction placed on the nature of persons who may invoke the original jurisdiction of the Supreme Court."

Similarly, in *Adjei-Ampofo v Accra Metropolitan Assembly* [2007-2008] SCGLR 611 Akuffo JSC (as she then was) stated at page 620 as follows:

"Whilst the outcome of an action under article 2(1) is, invariably, primarily of benefit to the citizens in general, it may not necessarily inure to the direct or personal benefit of the plaintiff therein. The objective of article 2(1) is to encourage all Ghanaians to help ensure the effectiveness of the Constitution, as a whole, through legal action in the Supreme Court. For that reason, therefore, every Ghanaian, natural or artificial,

has locus standi to initiate an action in the Supreme Court to enforce any provision of the Constitution."

Citizenship is therefore the only threshold required in mounting an action under article 2(1).

16. Plaintiffs are both persons within the meaning of article 2(1) of the 1992 Constitution. 1st Plaintiff is a citizen by birth, and 2nd Plaintiff is an artificial citizen duly registered under the laws of Ghana. By virtue of citizenship, both plaintiffs are entitled in law to commence this action to enforce the Constitution.

The Supreme Court's jurisdiction

17. My Lords, this court is empowered to hear matters that fall within its original jurisdiction. In *Aduamo II v Adu Twum II* [2000] SCGLR 165, Acquah JSC (as he then was) explained the ambit of the Supreme Court's original jurisdiction. The learned judge stated at page 167:

"the original jurisdiction vested in the Supreme Court under articles 2(1) and 130(1) of the 1992 Constitution to interpret and enforce the provisions of the Constitution is a special jurisdiction meant to be invoked in suits raising genuine or real issues of interpretation of a provision of the constitution; or enforcement of a provision of the constitution; or a question whether an enactment was made ultra vires Parliament or any other authority or person by law or under the Constitution."

In *Adofo v Attorney-General & Cocobod* [2005-2006] SCGLR 42, Date-Bah JSC discussed this Court's exclusive powers relative to striking down legislation. His lordship stated at page 46 *et seq*:

"The power to strike down legislation in conflict with any provision of the 1992 Constitution is one of the most important jurisdictions of this court. It is a power to safeguard liberty from encroachment by the legislature, whether constituted under our current Constitution or under any earlier Constitution or constitutive document, subject to the transitional provisions of the various Constitutions we have had. It is a power accorded this court by clear provisions in the 1992 Constitution, the exercise of which is endorsed and mandated by binding precedent from this court. "

The learned judge said further, as captured at page 47 of the same report:

“This special jurisdiction to strike down legislation is made an exclusive one of this court by article 130(1) of the Constitution. The net effect of article 130(1) is that, where a plaintiff seeks to obtain a declaration that a statute or part of a statute is void as ‘made in excess of the powers conferred on Parliament or any other authority or person by law or under this Constitution’ the Supreme Court has exclusive original jurisdiction in the matter.”

The above cases emphasise the fact that this Honourable Court’s original jurisdiction is properly invoked when a question of the constitutionality of an enactment arises.

18. The present action is concerned with the constitutionality of provisions contained in an enactment. The gravamen of the plaintiffs’ case is that section 1(4) of Act 550, and the Second Schedule to the act, are not consistent with article 286(1) of the 1992 Constitution. This court is therefore called upon to consider these, and should the plaintiffs be victorious, the Supreme Court’s exclusive jurisdiction to strike out offending legislation is the only remedy available to rectify this unconstitutionality. This Honourable Court is therefore properly seised with jurisdiction in this matter.

B. DECLARATION OF ASSETS

19. My Lords, it is our respectful submission that section 1(4) of Act 550, as presently drafted violates the express provisions of article 286(1). In support of this submission, we argue below that the words of article 286(1) are clear and without ambiguity, and do not envisage any extension, as provided for under section 1(4) of Act 550. We also contend that the Second Schedule of Act 550 does not comply with the Constitution, as it requires a declaration of assets existing as at the date of declaration, and not as prescribed by the Constitution.

Article 286(1) is unambiguous

20. My Lords, article 286(1) is crystal clear. This provision states:

"286. Other Public Appointments

(1) A person who holds a public office mentioned in clause (5) of this article shall submit to the Auditor-General a written declaration of all property or assets owned by, or liabilities owned by, him whether directly or indirectly-

(a) within three months after the coming into force of this Constitution or before taking office, as the case may be;

(b) at the end of every four years; and

(c) at the end of his term of office."

From the plain words of this provisions, persons holding a public office under article 286(5), are required to comply with three timelines as far as the declaration of their properties, assets, and liabilities is concerned. They must do so:

- a. before taking office,
- b. at the end of every four years, and
- c. at the end of the term of office.

21. Article 286(1) does not require interpretation. In *Danso v Daaduum II* [2013-2014] SCGLR 1570, Anin Yeboah JSC (as he then was) stated, as per page 1574 of the report:

"...it is a cardinal rule of interpretation of statutes and national constitutions for that matter, that if the provisions are clear and unambiguous, no interpretation arises"

The task imposed by article 286(1), as well as its timelines, admit of no ambiguity, and therefore ought to be applied and enforced as is.

22. Section 1(4) of Act 550 varies the Constitution's timelines. Section 1(4) of Act 550 states:

"1. Section 1-Declaration of Assets and Liabilities by Public Office Holders

(4) In accordance with clause (1) of article 256 [sic] of the Constitution, the declaration shall be made by the public officer

(a) before taking office,

*(b) at the end of every four years, and
(c) at the end of the term of office of that public officer
and shall be submitted not later than six months of the occurrence of any
of the events specified in this subsection."*

The words '*and shall be submitted not later than six months of the occurrence of any of the events specified in this subsection*' distinguish the constitutional provision from the statutory one.

23. The effect of the addition contained in section 1(4) of Act 550 is the deferment of what should ordinarily be the compliance of an immediate constitutional obligation. The thrust of this section is to make it possible for the named public office holders to submit their written declarations after the periods that have been categorically provided for in the Constitution. On the basis of this alone, section 1(4) of Act 550 cannot be said to be in compliance with article 286(1) of the Constitution. Same is thus void to that extent.

The Special Case of Article 286(1)(a)

24. My Lords, this suit is of particular significance to the effect section 1(4) of Act 550 has on article 286(1)(a). The act essentially permits the relevant public officers to file their written declaration after taking office and not before, as constitutionally mandated. For the purpose of emphasis, we discuss the history of asset declaration provisions in previous constitutions, as well as the deliberations of the Consultative Assembly to affirm the position that public officers listed in article 286(5) must submit their written declaration before taking office.
25. Article 286(1)(a) of the 1992 Constitution is a departure from previous constitutions. Provisions on the declaration of assets are not a novelty in the present constitution, as the 1969 and 1979 constitutions both had equivalent requirements. The only distinction, however, is that the 1992 Constitution is the first to require submission before taking office.
26. The 1969 Constitution, for instance, set its requirements in articles 67, 72(5) and 89 as follows:

"67. Declaration of Assets

The Prime Minister, a Minister of State, or a Ministerial Secretary, shall, on assuming office make a declaration in writing of his assets and liabilities to the President." (Emphasis added)

"72. The Speaker

"(5)The Speaker shall, *on assuming office*, make a declaration of his assets and liabilities to the President"(Emphasis added)

89. Declaration of Assets:

"A member of the National Assembly shall, as soon after the taking of his oath of office as may be practicable and on the dissolution of the National Assembly, make a declaration in writing of his assets and *liabilities as at the time of his taking the oath and at the time of the dissolution to the Speaker*" (Emphasis added)

Here, it can be seen that in respect of the Prime Minister, ministers of state, or ministerial secretaries, the requirement was to declare assets and liabilities '*on assuming office.*' For parliamentarians, also, the declaration was required to be made at the time of taking the oath and at the time of dissolution of the National Assembly.

27. Similarly, the asset declaration regime under the 1979 Constitution did not require the declaration of assets to be submitted prior to taking office. Article 205(1) of the 1979 Constitution provided:

"205. (1) A person who holds a public office mentioned in clause (5) of this article shall submit to the Auditor-General, a written declaration of all property or assets owned by, or liabilities owed by, him and his spouse whether directly or indirectly,

(a) within three months after the coming into force of this Constitution or *after taking office*, as the case may be;

(b) at the end of every two years; and

(c) at the end of his term of office." (Emphasis added)

The submission requirement here was to follow the event of taking office.

28. The dichotomy between the erstwhile constitutions and the present is a manifest indication of the desire for change. If the framers of the 1992 Constitution intended submissions to be made after taking office, they would have been explicit in their formulation of article 286(1)(a).

29. My Lords, section 1(4) of Act 550 can be likened to a backdoor amendment of an entrenched clause of the Constitution, and Parliament

was therefore in error in enacting it, to the extent that it defers the timelines provided for in the Constitution.

The Schedule

30. My Lords, this writ also raises concerns about the Second Schedule of Act 550. The concerns raised here are an offshoot of the arguments made above. The crux of the plaintiffs' plaint here is that the form, that is the Second Schedule, has been designed in such a way that it requires declarants to provide a declaration of properties, assets, and liabilities existing as at the time of making the declaration. This is not what the Constitution requires.
31. If the intent of the framers was for Ghanaians to know the properties, assets and liabilities existing before taking office, after four years, and at the term of office, that is the information that the Second Schedule should require. In the present case, the Second Schedule only requires details as at the time of declaration. This means, for example, that if a person disposes of ill-gotten wealth between the end of his term of office and the date of submission, he will be under no obligation to declare same, as it did not exist at the time of declaration. The Constitution requires properties, assets and liabilities to be declared for the periods stated and the Second Schedule does not require same.
32. This problem with the Second Schedule is obviously one which is a result of the bifurcation of article 286 by section 1(4) of Act 550. Had section 1(4) not provided the extension of time, the submission and declaration would likely have coincided, with no consequence.
33. The Second Schedule is part of Act 550. In *X-Tra Gold Mining Ltd v Attorney General* J1 23 of 2015, unreported decision dated 28 July 2016, the Supreme Court acknowledged that the schedule to an act is part of it, and must be construed as one with the whole act. To the extent, therefore, that the Second Schedule of Act 550 is not in consonance with the Constitution offending words ought to be struck out.

IV. SUMMARY & CONCLUSION

34. My Lords, we have shown above, that Act 550 is errant. Section 1(4) and the Second Schedule both sin against article 286(1) of the 1992 Constitution, to the extent that they unconstitutionally vary the timelines provided for in the Constitution.

35. My Lords, we conclude this statement of case with the contributions of two members of the Consultative Assembly that drafted the present constitution. The first, being the contribution of Mr. Justice George L. Lamptey, Chairman of the Committee on Public Services, who spoke in opposition to a motion to remove the entire chapter on the Code of Conduct for Public Officers from the Constitution. He said, as captured at column 1734 of the Official Report of the Proceedings of the Consultative Assembly of 24th January 1992:

"Declaration of Assets: What is wrong with Declaration of Assets? What is wrong with inserting that provisions [sic] in the Constitution if it is the basic law of the land? Now for the avoidance of doubt and for purposes of probity and accountability in public office [Applause]- Before you enter public office, you must tell Ghanaians what you have possessed as property and when four years later, you are leaving office you account for what you have acquired; and acquired honestly. What is wrong with enshrining it as the basic law of the land?"

A country learns from its past experience and it is from this experience that we have found it necessary at this stage in our development, to provide for a Code of Conduct. If we did not provide for it in 1960, we did not because we were not wise! We did not know! Now we know that we would demand nothing but accountability and probity. And we will insist! Everybody will declare his assets before goes into office and as he comes out of office. [Prolonged Applause] "[Emphasis added]"

The second is from Mr. JC Amonoo-Monney, who spoke in opposition to a proposal to reduce the time of submission from 4 years to 2 years. He is captured at column 1739 of the Official Report as follows:

"I have listened to the argument of Hon Rev. David Dartey in moving the Amendment on behalf of Hon. Martin Amidu. Having regard to what he said, if I may offer a suggestion that may allay his fears. He referred specifically to the office of the President; that the term of the President that this House has agreed upon is four years and if you make it every four years, it may not be effective. Then Clause 3, i(b) must not be taken in isolation. We have a Clause 3, 1(a) which says 'within three months after the coming into force of this Constitution or before taking office' as the case may be. So the President, before he is even sworn in he has to declare his assets. Then (c), at the end of his term of office he must also

declare. So when he is leaving after four years, he as to declare. He is also caught by the clause at the end of every four years. So at least the President would have to declare twice even if he does four years only and he does not obtain re-election."

36. It is for the foregoing reasons that we pray that this Honourable Court grant the reliefs sought by the plaintiffs, pursuant to article 2(1) of the Constitution. These reliefs, it is submitted, are sufficient to cure the blatant unconstitutionality.

37. Most humbly submitted.

V. LIST OF AUTHORITIES RELIED ON

Enactments

1. The Constitution of the Republic of Ghana, 1969
2. The Constitution of the Republic of Ghana, 1979
3. The Constitution of the Republic of Ghana, 1992
4. Public Office Holders (Declaration of Assets and Disqualification) Act, 1998 (Act 550)

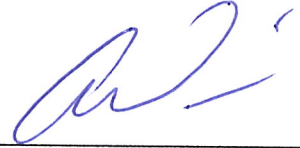
Case law

1. *New Patriotic Party v Attorney-General* [1996-97] SCGLR 729 (CIBA Case)
2. *Adjei-Ampofo v Accra Metropolitan Assembly* [2007-2008] SCGLR 611
3. *Aduamo II v Adu Twum II* [2000] SCGLR 165
4. *Adofo v Attorney-General & Cocobod* [2005-2006] SCGLR 42
5. *Danso v Daaduam II* [2013-2014] SCGLR 1570
6. *X-Tra Gold Mining Ltd Vrs Attorney General* unreported decision of the Supreme Court dated 28 July 2016

Report

1. Official Report of the Proceedings of the Consultative Assembly, No.62 dated 24th January 1992.

DATED AT RENAISSANCE LAW CHAMBERS, ACCRA THIS 25TH
DAY OF AUGUST, 2023.



ISMAEL ANDANI ABDULAI
COUNSEL FOR PLAINTIFFS

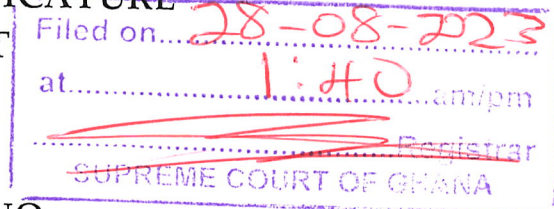
LIC. NO. eGAR 01023/23

RENAISSANCE LAW CHAMBERS
LEGAL PRACTITIONERS
HSE. No F436/1 YEBOAH DUNCAN ST. OSU - RE
BEHIND OXFORD STREET MALL
0302 906 407

THE REGISTRAR
SUPREME COURT
ACCRA

AND TO THE ATTORNEY - GENERAL, ATTORNEY - GENERAL'S
DEPARTMENT, ACCRA

IN THE SUPERIOR COURT OF JUDICATURE
IN THE SUPREME COURT
ACCRA-A.D. 2023



SUIT NO

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⋮

2ND PLAINTIFF

AND

ATTORNEY-GENERAL
ATTORNEY-GENERAL'S CHAMBERS
ACCRA

⋮

DEFENDANT

AFFIDAVIT VERIFYING FACTS CONTAINED IN STATEMENT OF
CASE

I, Mensah Thompson, of 83 Trassaco Valley Estate, Accra, make oath and say as follows:

1. That I am the deponent herein, Executive Director of the 2nd Plaintiff, and 1st Plaintiff in the instant suit.
2. That I have the consent of 2nd Plaintiff to depose to this affidavit on its behalf.
3. That the facts to which I depose to in this affidavit are, unless otherwise stated, within my personal knowledge, belief, or information.
4. That both 2nd Plaintiff and I are citizens of the Republic of Ghana engaged in anti-corruption advocacy. I am a citizen by birth, and 2nd

Plaintiff is registered under the laws of the Republic of Ghana as a company limited by guarantee.

5. That the facts and particulars I have deposed to in this affidavit, as well as those contained in the statement of case are to the best of my knowledge true and accurate.
6. Wherefore I swear to this affidavit, in verification of the facts and particulars relied upon by the plaintiffs in this suit.

Sworn at Accra this 28th]
day of August, 2023]


DEPONENT

BEFORE ME
COMMISSIONER OF OATHS

