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BILL

ENTITLED

DIGITAL ECONOMY AND INNOVATION DEVELOPMENT FUND ACT, 2025

An Act to establish the Digital Economy and Innovation Development Fund to provide financial and technical support for digital infrastructure, innovation, skills development, entrepreneurship, and inclusive access to digital services; to ensure sustainable, transparent, and accountable use of resources; and to provide for related matters.

PASSED By Parliament and assented to by the President

Preliminary Provisions

Application of the Act

1. This Act applies to a public, private or non-profit entity that
 - (a) contributes to the Fund;
 - (b) seeks to access the Fund; or
 - (c) partners with the Fund.

Object of the Act

2. The object of this Act is to provide a sustainable and transparent mechanism to mobilise and allocate financial and other resources to accelerate digital inclusion and innovation in the underserved and unserved areas.

Digital Economy and Innovation Development Fund

Establishment of the Fund

3. (1) There is established by this Act the Digital Economy and Innovation Development Fund as a body corporate.

(2) The Fund may for the performance of the functions of the Fund acquire and hold property, dispose of property and enter into a contract or any other related transaction.

(3) Where there is hindrance to the acquisition of land, the land may be acquired for the Fund under the Land Act, 2020 (Act 1036) and the cost shall be borne by the Fund.

Object of the Fund

4. The object of the Fund is to provide financial and non-financial support to facilitate and accelerate

(a) universal access to digital infrastructure and services in underserved and unserved areas to close coverage, upgrade, and usage gaps in broadband and digital service delivery across the country;

(b) the growth of the digital economy of the Country through support for innovation, entrepreneurship, and technology development;

(c) the development of a digitally skilled and inclusive workforce; and

(d) the deployment of digital solutions that enhance governance, service delivery, productivity, and job creation.

Functions of the Fund

5. To achieve the object of the Fund, the Fund shall

(a) mobilise financial and non-financial resources from public, private and donor sources;

(b) provide resources, grants, subsidies, co-financing or other support to eligible digital economy and innovation projects;

(c) promote investments in broadband and connectivity infrastructure in underserved and unserved areas;

(d) support digital entrepreneurship, start-ups, innovation hubs and FinTech initiatives;

(e) finance programmes for digital skills development including youth, women and vulnerable groups;

- (f) fund the development and uptake of digital public infrastructure and services including e-health, e-education, e-agriculture and e-government platforms;
- (g) collaborate with development partners, private sector actors, academic institutions and civil society organisations;
- (h) establish frameworks for monitoring, evaluating and reporting on the use and impact of the resources of the Fund; and
- (i) perform any other function ancillary to the achievement of the object of the Fund.

Governance of the Fund

Governing body of the Fund

6. (1) The governing body of the Fund is a Board of Trustees consisting of
- (a) the Minister or a representative of the Minister as chairperson;
 - (b) the Administrator of the Fund;
 - (c) a representative each of
 - (i) the National Communications Authority, not below the rank of a Director, nominated by..... ;
 - (ii) the Ministry, not below the rank of a Director, nominated by.....;
 - (iii) the Ghana Chamber of Telecommunications, nominated by.....;
 - (iv) the Mobile Network Operators, nominated by.....;
 - (d) a member of the Parliamentary Select Committee on Communications nominated by that Committee; and
 - (e) two other persons nominated by the President, one of whom is a woman.
- (2) Members of the Board shall be appointed by the President in accordance with article 70 of the Constitution.
- (3) The chairperson and other members of the Board shall, before assuming office, take and subscribe to the Official Oaths specified in the First Schedule.

Functions of the Board

7. (1) The Board is responsible for the policy direction, strategic oversight, and governance of the Fund.
- (2) The Board shall, in the performance of this function, have regard to this Act and any other relevant enactment.

Tenure of office of members of the Board

8. (1) A member of the Board, other than the Administrator, shall hold office for a term of four years and is eligible for re-appointment for another term only.

(2) A member may resign from office by notice in writing addressed to the President through the Minister.

(3) The President may, by a letter addressed to a member, revoke the appointment of that member.

(4) A member of the Board, other than the Chief Executive Officer, who is absent from three consecutive meetings of the Board without reasonable cause ceases to be a member of the Board.

(5) Where a member of the Board is, for a sufficient reason, unable to act as a member, the Minister shall determine whether the inability may result in the declaration of a vacancy.

(6) Where there is a vacancy

(a) under subsection (2) or (3) or subsection (2) of section 11,

(b) as a result of a declaration under subsection (5), or

(c) by reason of the death of a member,

the Minister shall notify the President of the vacancy and the President shall, in accordance with this Act, appoint another person to fill the vacancy for the unexpired term.

Duties and liabilities of a member of the Board

9. (1) A member of the Board has the same fiduciary relationship with the Fund and the same duty to act in good faith as a director of a company incorporated under the Companies Act, 2019 (Act 992).

(2) Without limiting subsection (1), a member of the Board has a duty

(a) to act honestly in the performance of the functions of that member;

(b) to exercise the degree of care and diligence in the performance of the functions of that member that a reasonable person in that position would reasonably be expected to exercise in the circumstances;

(c) not to use information acquired by virtue of the position of that member as a member of the Board without authorisation; and

(d) not to make improper use of the position of the member so as to gain directly or indirectly, a benefit for the member or for any other person or cause loss to the Fund.

(3) A member of the Board who contravenes subsection (1) or (2) commits an offence and is liable on summary conviction to a fine of not less than three hundred and fifty penalty units and not more than six hundred and fifty penalty units.

Meetings of the Board

10. (1) The Board shall meet at least once every quarter for the conduct of business at a time and place determined by the Chairperson.

(2) The Chairperson shall preside at meetings of the Board and in the absence of the Chairperson, the members present shall elect one of their number to preside.

(3) The quorum for a meeting of the Board is five members, including at least one representative each from the public and private sectors.

(4) Matters before the Board shall be decided by a majority of the members present and voting and in the event of a tie, the Chairperson shall have a casting vote.

(5) The Board may co-opt any person to attend its meetings but such person shall not have a right to vote.

(6) The Chairperson shall, upon receipt of a written request by not less than one-third of the members of the Board, convene an extraordinary meeting of the Board at a time and place determined by the Chairperson, but not later than fourteen days from the date of the request.

(7) A vacancy in the membership of the Board or any defect in the appointment or qualification of a member does not invalidate proceedings of the Board.

(8) Subject to the provisions of this Act, the Board may determine the procedure for its meetings and the regulation of its own affairs.

Disclosure of interest

11. (1) A member of the Board who has an interest in a matter for consideration by the Board shall

(a) disclose in writing the nature of that interest and the disclosure shall form part of the record of the consideration of the matter; and

(b) not participate in any deliberations or decisions of the Board relating to that matter.

(2) A member who contravenes subsection (1) ceases to be a member of the Board from the date of the contravention.

Committees of the Board

12. (1) The Board may establish committees consisting of members or non-members or both to perform a function of the Board.

(2) A committee established under this section shall be chaired by a member of the Board.

Allowances

13. A member of the Board or a member of a committee of the Board shall be paid allowances approved by the Minister in consultation with the Minister responsible for Finance.

Policy directives

14. The Minister may give written directives to the Board on matters of policy and the Board shall comply.

Administrative provisions

Administrator of the Fund

15. (1) The President shall, in accordance with article 195 of the Constitution, appoint an Administrator for the Fund.

(2) The Administrator shall hold office on the terms and conditions specified in the letter of appointment.

(3) The administrator

(a) is responsible for the day-to-day management of the Fund;

(b) is responsible for the implementation of the decisions of the Board; and

(c) shall perform any other function determined by the Board.

Deputy Administrator

16. (1) The President shall, in accordance with article 195 of the Constitution appoint a Deputy Administrator for the Fund.

(2) The Deputy Administrator shall hold office on the terms and conditions specified in the letter of appointment.

(3) The Deputy Administrator shall

(a) assist the Administrator in the performance of the functions; and

- (b) perform any other duty as may be assigned by the Administrator or the Board.

Appointment of other staff of the Fund

17. (1) The President shall, in accordance with article 195 of the Constitution, appoint other staff of the Fund as may be necessary.

(2) The Board may engage the services of consultants or advisors with expertise in matters relevant to the mandate of the Fund on terms approved by the Board.

Offices of the Fund

18. (1) The head office of the Fund shall be in Accra.

(2) The Fund may establish regional or district offices in other parts of the country as the Board may determine.

Financial Provisions

Sources of money for the Fund

19. The sources of money for the Fund are

- (a) moneys approved by Parliament;
- (b) a mandatory quarterly contribution of three percent of net revenues from electronic communications service providers and licensees specified in Second schedule.
- (c) one percent of net revenue from electronic money issuers;
- (d) one percent of the total revenue generated by the Government from the **ICT** sector, including taxes, levies, regulatory fees, and statutory charges, as may be prescribed by regulations;
- (e) grants, donations and gifts;
- (f) income generated from investments made by the Fund; and
- (g) any other money that may become lawfully payable to the Fund.

Bank account of the Fund

20. The moneys of the Fund shall be paid into a bank account opened for the Fund with the approval of the Controller and Accountant-General.

Investment of Funds

- 21.** (1) The Board may invest part of the Fund that is not required for immediate use in
- (a) government securities;
 - (b) instruments approved by the Bank of Ghana; or
 - (c) any other secure investment approved by the Board, in consultation with the Minister responsible for Finance.
- (2) Returns on investments shall accrue to the Fund.

Retention and roll-over of Funds

- 22.** (1) Monies in the Fund not disbursed in a financial year shall not lapse but shall be retained in the Fund for the same purpose in subsequent years.
- (2) Any disbursement from the Fund shall be guided by an approved work plan and financing strategy.

Tax Exemption

- 23.** Subject to the Constitution and in accordance with the Exemptions Act, 2022 (Act 1083) the Fund is exempt from tax.

Expenses of the Fund

- 24.** The expenses of the Fund including the salaries of employees of the Fund and other administrative expenses related to the Fund shall be paid from moneys provided for the Fund.

Accounts and audit

- 25.** (1) The Board shall keep books, records, returns and other documents relevant to the accounts in the form approved by the Auditor-General.
- (2) The Board shall submit the accounts of the Fund to the Auditor-General for audit at the end of the financial year.
- (3) The Auditor-General shall, within six months after the end of the immediately preceding financial year, audit the accounts of the Fund and submit a report to Parliament and forward a copy of the audit report to the Minister and the Board.
- (4) The Auditor-General may, in addition to the annual audit under subsection (3), conduct technical audits.
- (5) The financial year of the Fund is the same as the financial year of Government.

Annual report and other reports

26. (1) The Board shall, within thirty days after the receipt of the audit report, submit an annual report to the Minister covering the activities and operations of the Fund for the year to which the annual report relates.

(2) The annual report shall include the report of the Auditor General.

(3) The Minister shall, within thirty days after the receipt of the annual report, submit the report to Parliament with a statement that the Minister considers necessary.

(4) The Board shall submit to the Minister any other report which the Minister may require in writing.

Internal Audit Unit

27. (1) The Fund shall have an Internal Audit Unit in accordance with section 83 of the Public Financial Management Act, 2016 (Act 921).

(2) The Internal Audit Unit shall be headed by an Internal Auditor who shall be appointed in accordance with the Internal Audit Agency Act, 2003 (Act 658).

(3) The Internal Auditor is responsible for the internal audit of the Fund.

(4) The Internal Auditor shall, subject to subsections (3) and (4) of section 16 of the Internal Audit Agency Act, 2003 (Act 658), at intervals of three months

(a) prepare and submit to the Board, a report on the internal audit carried out during the period of three months immediately preceding the preparation of the report; and

(b) make recommendations in each report with respect to matters which appear to the Internal Auditor as necessary for the conduct of the affairs of the Fund.

(5) The Internal Auditor shall, in accordance with subsection (4) of section 16 of the Internal Audit Agency Act, 2003 (Act 658), submit a copy of each report prepared under this section to the Administrator and the chairperson of the Board.

Utilisation of the Fund

Use of moneys of the Fund

28. Moneys from the Fund shall be applied to

(a) finance digital connectivity and infrastructure projects in underserved or unserved areas;

- (b) support innovation hubs, start-ups and digital entrepreneurs through grants, co-investment or matching funds;
- (c) implement programmes that promote digital literacy, inclusion and skills development;
- (d) support development and deployment of digital public infrastructure and services;
- (e) co-finance public-private partnership projects in the digital economy sector;
- (f) provide operational and technical support to beneficiaries of the Fund; and
- (g) cover administrative expenses incurred by the Fund in the performance of the functions of the Fund subject to ceilings approved by the Board.

Disbursement principles

29.(1) The disbursement of money from the Fund shall be guided by the following principles:

- (a) alignment with the objects and functions of the Fund under this Act;
- (b) fairness, transparency and accountability in the selection of beneficiaries;
- (c) prioritisation of initiatives that address access, coverage, usage, digital literacy and innovation gaps;
- (d) support for underserved and unserved communities, youth, women and vulnerable groups;
- (e) promotion of public-private and community-based partnerships;
- (f) performance-based and results-oriented funding models; and
- (g) compliance with any guidelines issued by the Board.

(2) Disbursements may include non-commercial competitive grants to support start-up digital infrastructure and services in underserved and unserved areas, consistent with the development mandate of the Fund.

Project prioritisation

30.(1) The Board shall establish a project prioritisation framework to guide disbursements from the Fund in accordance with national policy.

- (2) In determining the order of priority, the Board shall give preference to
- (a) a project that provides basic digital connectivity in underserved areas;
 - (b) a project that establishes access to internet infrastructure, digital public services or innovation facilities; and
 - (c) any other project or programme designated as a national priority by the Minister.

(3) The prioritisation framework shall be subject to periodic review by the Board and published on the website of the Fund.

Guidelines for disbursement

31. (1) The Board shall issue guidelines for

- (a) eligibility criteria for access to the Fund;
- (b) types of support available, including grants, subsidies, co-financing and technical assistance;
- (c) disbursement procedures and timelines;
- (d) monitoring and evaluation of funded projects; and
- (e) any other matter necessary to give effect to the efficient disbursement and use of the Fund.

(2) The guidelines shall be developed through a consultative process involving relevant stakeholders.

(3) The Board shall publish the guidelines on the website of the Fund and ensure that the guidelines are accessible to the public.

(4) The guidelines shall include the following

- (a) procedures for open and competitive tendering for public connectivity and infrastructure projects;
- (b) procedures for direct disbursement for community-scale or innovation-related initiatives below a monetary threshold to be specified by the Board;
- (c) procedures for challenge funds or performance-based calls for proposals for innovation support programmes; and
- (d) any other procedures for disbursement that the Board may approve.

(5) Where disbursement involves co-financing or contributions from donors or development partners, the Fund may adopt alternative procedures agreed with such partners, provided those procedures are consistent with the object and priorities of the Fund.

Eligible beneficiaries

32. Eligible beneficiaries of the Fund include;

- (a) licensed telecommunications providers, internet service providers, FinTech, mobile money providers and electronic communications service providers that undertake projects in underserved areas;

- (b) registered digital start-ups, innovation hubs and accelerators;
- (c) institutions that offer digital skills and inclusion programmes;
- (d) public sector bodies that implement digital public infrastructure or platforms;
- (e) universities, research institutions, and TVET providers with approved digital innovation programmes;
- (f) community organisations and cooperatives engaged in grassroots digital initiatives; and
- (g) any other entity approved by the Board in line with the objects of the Fund.

Funding modalities

33. (1) The Fund may support projects through

- (a) outright grants;
- (b) co-investment with private or development partners;
- (c) results-based financing tied to defined performance indicators; or
- (d) demand-side subsidies or digital vouchers for devices, services or skills development.

(2) The choice of modality shall be based on the nature, impact and sustainability of the proposed intervention.

Disbursement oversight

34. (1) The Board shall establish an internal Disbursement and Project Evaluation Committee which is responsible for

- (a) assessing funding applications;
- (b) verifying compliance with technical and financial due diligence; and
- (c) recommending disbursement decisions to the Board.

(2) The Board shall ensure that all funded projects are subject to periodic monitoring and post-project evaluation.

Public disclosure and transparency

35. (1) The Fund shall establish a publicly accessible digital reporting platform for the publication of

- (a) approved funding allocations and beneficiary names;

- (b)* the implementation status of funded projects;
- (c)* quarterly summaries of income and expenditure; and
- (d)* audit findings and recommendations.

(2) The Board shall update the digital reporting platform at least once every quarter.

(3) The Board shall develop data privacy and information security protocols to ensure responsible disclosure in line with applicable laws.

Performance-based funding and monitoring

36. (1) Disbursement of funds to beneficiaries shall be based on performance indicators specified in funding agreements.

(2) The Fund shall apply monitoring and evaluation mechanisms to track and assess the outcomes of all supported interventions.

- (3) The Board shall publish an Annual Digital Impact Dashboard, summarising
- (a)* the number and type of beneficiaries reached,
 - (b)* the key metrics on digital inclusion, innovation, and entrepreneurship,
 - (c)* gender and geographic equity, and
 - (d)* recommendations for continuous improvement.

(4) The Fund shall be evaluated based on measurable performance indicators, including the

- (a)* number of districts with access to basic digital connectivity;
- (b)* number of districts with established internet points-of-presence;
- (c)* number of accredited digital skills institutions supported by the Fund;
- (d)* number of individuals trained through Fund-supported digital skills programmes;
- (e)* volume and quality of **ICT** content creation and awareness campaigns implemented;
- (f)* financial sustainability and efficiency of Fund-supported initiatives; and
- (g)* socio-economic impact of projects on beneficiary communities.

Rural Telecommunications and Sector Coordination

Access to frequency spectrum

37.(1) The Fund shall collaborate with the National Communications Authority to promote access to radio frequency spectrum for rural connectivity initiatives in a manner that preserves the freedom of choice of technology for operators.

(2) The Board may recommend to the National Communications Authority the partial waiver or reduction of spectrum fees for operators that undertake projects in underserved or high-cost rural areas.

(3) The Fund shall encourage the use of cost-effective, state-of-the-art or scalable solutions that promote sustainability and coverage.

Tariff recommendations for rural services

38.(1) The Board may make recommendations to the National Communications Authority on tariff frameworks or interconnection policies that support equitable pricing for rural communications services.

(2) In promoting universal access, the Board may engage the National Communications Authority to consider tariff rebalancing or special interconnection agreements that facilitate affordable access in rural areas.

(3) The Board shall advocate that the special interconnection agreements do not result in higher call or data charges for end-users in rural communities.

Monitoring and evaluation of subsidised projects

39.(1) A project supported by the Fund shall be subject to independent monitoring and evaluation to ensure alignment with universal access and digital inclusion targets.

(2) A subsidised project shall be subject to reporting requirements including financial accountability, performance indicators and beneficiary outcomes as determined by the Board.

(3) The Fund may publish periodic reports on the status and impact of subsidised initiatives to inform stakeholders and the public.

Miscellaneous Provisions

Regulations

40. (1) The Minister may, by legislative instrument, make Regulations to give effect to this Act.

- (2) Without limiting subsection (1), the Regulations shall provide for
- (a) modalities for calculating contributions from digital ecosystem actors;
 - (b) procedures for eligibility, application and disbursement of funding;
 - (c) financial management, audit and investment standards;
 - (d) performance monitoring and evaluation; and
 - (e) reporting formats and digital transparency tools.

Guidelines

41. (1) The Board may issue guidelines or administrative directives consistent with this Act or regulations made under this Act to

- (a) clarify procedures for fund management and disbursement;
- (b) establish operational frameworks, codes of conduct or technical protocols;
- (c) provide direction on reporting, compliance and use of fund-supported resources; and
- (d) provide for any other matter necessary for the effective and efficient functioning of the Fund.

(2) Guidelines issues under this Act shall be published on the website of the Fund.

Interpretation

42. In this Act, unless the context otherwise requires

“Board” means the governing Board of the Digital Economy and Innovation Development Fund established under section 3 of this Act;

“Administrator” means the person appointed under section 15 as the Administrator of the Fund;

“digital ecosystem players” includes telecommunication operators, over-the-top platforms, cloud service providers, FinTechs, digital content platforms,

device manufacturers, and other entities deriving economic value from Ghana's digital infrastructure;

“digital innovation” means the creation or improvement of digital solutions, services, models or platforms that contribute to economic transformation;

“disbursement” means the release or allocation of resources from the Fund to eligible recipients or initiatives;

“Fund” means the Digital Economy and Innovation Development Fund established under section 3 of this Act;

“Minister” means the Minister responsible for Communications, Digital Technology and Innovation;

“National digital transformation policy” refers to the prevailing government policy framework or strategy that guides the implementation of digital economy and innovation programmes in Ghana;

“start-up” means a newly established or early-stage business, typically with high growth potential and operating in the technology or innovation sector; and

“underserved or unserved areas” means any geographical, demographic or sectoral area with limited or no access to adequate digital services, infrastructure, or capacity.

Repeal and savings

43. (1) Sections 31 to 53 of the Electronic Communications Act, 2008 (Act 775) are repealed.

(2) Despite the repeal in subsection (1) any

(a) Regulations, bye-laws, directives, rules, guidelines, notices, directions or other acts lawfully made or done under the repealed provisions and in force immediately before the coming into force of this Act shall be considered to have been made or done under this Act and shall continue to have effect until revoked, reviewed, cancelled, withdrawn, or terminated; and

(b) right, obligation or proceedings arising under those sections before the coming into force of this Act be deemed to have been made under the corresponding provisions of this Act and shall continue to have effect until revoked, cancelled, withdrawn, or terminated.

Transitional provisions

44. On the coming into force of this Act

- (a)* the Ghana Investment Fund for Electronic Communications established under Sections 31 to 53 of the Electronic Communications Act, 2008 (Act 775) shall cease to exist;
- (b)* the assets, rights, obligations, liabilities, and records of the Ghana Investment Fund for Electronic Communications immediately before the commencement of this Act are transferred to the Digital Economy and Innovation Development Fund established under this Act;
- (c)* any decision, agreement, project, or contract lawfully entered into by or on behalf of the Ghana Investment Fund for Electronic Communications and subsisting immediately before the coming into force of this Act shall be deemed to have been made by or in favour of the Fund established under this Act;
- (d)* a person in the employment of the Ghana Investment Fund for Electronic Communications shall be deemed to have been duly employed by the Fund on terms and conditions which are no less favourable in aggregate to the terms and conditions attached to the post held by the person before the coming into force of this Act;”

(2) The Minister may, in consultation with the Public Services Commission, issue administrative directives to facilitate the smooth transition from the Ghana Investment Fund for Electronic Communications to the new Fund.

SECOND SCHEDULE

(Section 6 (3))

OFFICIAL OATHS

PART A

OATH OF OFFICE

I.do, (in the name of the Almighty God, swear) (solemnly affirm) that I will, at all times, well and truly serve the Republic of Ghana in the office of and that I will uphold, preserve and protect the Fund as by law established (So help me God).

PART B

OATH OF SECRECY

I., holding the office of..... do (in the name of the Almighty God, swear) (solemnly affirm) that I will not directly or indirectly communicate or reveal to any person any matter which shall be brought under my consideration or shall come to my knowledge in the discharge of my official duties except as may be required for the discharge of my official duties or as may be specifically permitted by law (So help me God).

SECOND SCHEDULE

*(Section 19)***SECTOR CONTRIBUTIONS**

Sector	Entities	Percentage of net revenue
<p>1. Technology Space Operators</p> <p>Electronic communications service providers and licensees, authorised, or designated under the applicable Acts or regulations administered by the National Communications Authority</p>	<p>(a) Fixed Network Operators (FNOs)</p> <p>(b) Mobile Network Operators (MNOs)</p> <p>(c) Telecommunications Infrastructure Companies</p> <p>(d) Terrestrial Fibre Optic Network Operators</p> <p>(e) Broadband Wireless Access (BWA) Service Providers</p> <p>(f) International Gateway Licensees (IGLs)</p> <p>(g) Mobile Virtual Network Operators (MVNOs)</p> <p>(h) International Wholesale Carrier Licensees (IWCLs)</p> <p>(i) Submarine Cable Landing Station Operators</p> <p>(j) Interconnect Clearing House (ICH) Operators</p> <p>(k) Communications Managed and Support Services Providers</p> <p>(l) any other licensee or service provider that the National Communications Authority may designate as a contributor to the Fund</p>	3%
2.	net revenue from electronic money issuers;	1%
3. ICT	total gross revenue generated by the Government	1%