



Petroleum Hub Development Corporation

RIGHT TO INFORMATION (RTI) MANUAL
DOCUMENT NUMBER: PHDC/RTI/2025

Table of content

Contents

Table of content	2
1. Overview	3
1.1. Purpose of Manual.....	3
2. Corporate Information on Petroleum Hub Development Corporation.....	4
2.1. Departments in the Petroleum Hub Development Corporation	4
2.2. Types of Information Accessible at a fee	5
2.3. Under Section 75 (2), fees are not payable for:	6
3. Procedure for Applying and Processing Request	7
3.1. The Application Process	7
3.2. Processing the Application	9
3.3. Response to Applicants.....	10
4. Amendment of Personal Records.....	12
4.1. How to Apply for an Amendment.....	12
5. Appendix A: Standard RTI Request Form	13
6. Appendix B: Contact details of PHDC's Information Unit	16
7. Appendix C: Acronyms.....	17
8. Appendix D: Glossary	18

1. Overview

This Right to Information (RTI) Manual is under the provisions of the recently passed Act, (Act 989) by Parliament and assented to by the former President, Nana Addo Dankwa Akuffo-Addo. The Act gives substance to the constitutional right to information provided under Article 21 (1) (f) of the Constitution, enabling citizens access to official information held by government institutions, and the qualifications and conditions under which the access may be obtained. Under Section 80, the Act applies to information that came into existence before, or which will come into existence after the commencement of the Act.

1.1. Purpose of Manual

To inform the public on the organizational structure, responsibilities, and activities of the Petroleum Hub Development Corporation (PHDC) and provide the types of information and classes of information available at PHDC, including the location and contact details of its information officers and units.

2. Corporate Information on Petroleum Hub Development Corporation

The Petroleum Hub Development Corporation (PHDC) is a state-owned organization established by an act of parliament (ACT 1053, 2020). PHDC is responsible for developing, implementing, and managing Ghana's petroleum and petrochemicals hub.

VISION

To be the Petroleum Hub of choice

MISSION

To promote and develop a competitive, sustainable and enabling environment for investments in the midstream and downstream petroleum industry.

2.1. Departments in the Petroleum Hub Development Corporation

- i. Executive Management / Office
- ii. Finance and Administration;
- iii. Operations and Technical;
- iv. Human Capital and General services;
- v. Sustainability;
- vi. Risk;
- vii. Internal Audit;
- viii. Legal.

2.2.Types of Information Accessible at a fee

The Act mandates Parliament in Section 75 to approve a fee that public institutions can charge. However, fees shall apply to only the three circumstances stated below:

- i. Request for information in a language other than the language in which the information is held. (s.75) (3);
- ii. When a request is made for a written transcript of the information, the Information Officer may request a reasonable transcription cost. (s.75) (4);
- iii. Cost of media conversion or reformatting. (s.75) (5).

However, the following constitutes a list of exempt information in accordance with section 5 to 17 of the Right to Information Act, 2019.

Information	Status
Corporate Plans	Exempt
Management Reports	Exempt
Financial Reports	Exempt
Audit Reports	Exempt
Staff Personal Records	Exempt
Medical Reports Exempt	Exempt
Board Minutes	Exempt

2.3. Under Section 75 (2), fees are not payable for:

- i. Reproduction of personal information;
- ii. Information in the public interest;
- iii. Information that should be provided within the stipulated time under the Act;
- iv. An applicant who is poor or has a disability;
- v. Time spent by the information officer in reviewing the information;
- vi. Time spent by the information officer to examine and ensure the Information is not exempt; and
- vii. Preparing the information.

Section 76 of Ghana's Right to Information Act, 2019 (Act 989) dictates that the retention of charges received by a public institution to the Constitution. The charges retained by the public institution shall:

- (a) only be used to defray expenses incurred by the public institution in the performance of functions under this Act, and
- (b) be paid into a bank account opened for the purpose with the approval of the Controller and Accountant-General.

3. Procedure for Applying and Processing Request

Section 18 of the RTI Act provides specific guidelines for application for access to information kept by a public institution. It is thus important that request for information be made in accordance with provisions under this section. The information officer is responsible for dealing with applications made to the Petroleum Hub Development Corporation (PHDC). When seeking information under the RTI Act from PHDC, applicants are to follow these basic procedures:

3.1. The Application Process

- a. Application made by any person or organization who seeks access to information must be made in writing, using the standard RTI Application Form. **(See Appendix A for the Standard RTI Application Form)**. A copy of the form can be downloaded or completed and submitted electronically on the PHDC's official website or the Ministry of Information website.
- b. In making the request, the following information must be provided:
 - Date of the Application;
 - Name of the applicant or the person on whose behalf an application is being made;
 - Name of the organization represented by the applicant;
 - Available contact details of the applicant or address of the person/organization on whose behalf an application is being made (Telephone Number, Email, postal address, Fax);
 - Brief description of information being sought (Specify the class and type of information including cover dates);
 - Payment of relevant fee if applicable; and

- Signature/ thumbprint.

c. Provision of identification

The applicant must present at least one (1) of the following valid identification cards (IDs) to serve as proof of identity:

- Driver's License;
- Passport;
- National ID; and
- Voter's ID.

d. The applicant should state the requested information format and the mode of transmission. Example (do you need a certified true copy, normal photocopy or electronic copies. Would you want to receive it through a postal address, e-mail, courier services, fax, etc)?

e. Where an applicant cannot write due to illiteracy or a disability, he/she may make the request orally. However, oral requests must conform to the following guidelines;

- The Information Officer must reduce the oral request into writing and give a copy of the written request as recorded for the applicant to authenticate (s. 18) (3);
- The information officer shall clearly and correctly read and explain the written request to the understanding of the applicant;
- A witness must endorse the face of the request with the writing; "the request was read to the applicant in the language the applicant understand and the applicant appeared to have understood the content of the request."; and
- The applicant must then make a thumbprint or mark on the request.

3.2. Processing the Application

- a. Applications would be treated on a priority basis. The Information Officer is responsible for handling requests to ensure that statutory deadlines are met;
- b. He reviews and identify which part is exempt based on Section 5 to 16 of the RTI Act and determines which of the units in the institution have the records or is responsible for the subject matter of the request;
- c. Provision is made under section 20 for the transfer of an application within a period of not more than ten days of receipt where the public institution to which the application was initially made is unable to deal with the application. In such situations, applicants would be notified accordingly with the reasons and dates of transfer;
- d. For information readily available in official publications, the Information Officer shall direct the applicant to the institution having custody of that publication and notify the public institution of the request. (s.21); and
- e. If a requested information is not readily accessible, the estimated time it will take to search for the information would be communicated to the applicant.

3.3. Response to Applicants

- a. The information officer is required under section 23 of the RTI Act to notify applicants within fourteen (14) days from the date of receipt. Applicant should note that the time limit does not apply to applications transferred to another public institution or refused due to failure to pay the prescribed deposit or fee (s.23) (6). The notice should state:
 - Whether or not full access to the requested information will be granted or only a part can be given and the reason;
 - The format and mode of the access;
 - The expected publication or submission day of the information in the case of deferred access; and
 - The prescribed fee (s.24).
- b. The Information Officer can request an extension to the deadline if:
 - The information requested is voluminous;
 - It is necessary to search through a large number of records;
 - The information has to be gathered from more than one source; and
 - Consultation with someone outside the institution is required.
- c. The Information Officer would notify applicants of an extension and the period and reason for the extension in such situations. An extension should not be more than seven days.
- d. In giving applicants access to information, the applicant would be given the opportunity to inspect the information or receive a copy physically or any other form required such as electronic, magnetic, optical, or otherwise, including a computer print-out, various computer storage devices, and web portals.

Where access cannot be given in the form specified by the applicant, access can be given in some other form. In such cases, the applicant shall be provided with a reason why access cannot be given in the specified form.

4. Amendment of Personal Records

A person given access to the information contained in records of a public institution may apply for an amendment of the information if the information represents the personal records of that person and in the person's opinion, the information is incorrect, misleading, incomplete or out of date.

4.1. How to Apply for an Amendment

- a. The application should be in writing indicating:
 - Name and proof of identity;
 - Particulars that will enable the records of the public institution to identify the applicant;
 - The incorrect, misleading, incomplete, or out-of-date information in the record; and
 - Signature of the applicant.
- b. For incomplete information claimed or out-of-date records, the application should be accompanied by the relevant information that the applicant considers necessary to complete the records.
- c. The address to which a notice shall be sent should be indicated.
- d. The application can then be submitted to the public institution's office.

5. Appendix A: Standard RTI Request Form

[Reference No.:]

APPLICATION FOR ACCESS TO INFORMATION UNDER THE RIGHT TO INFORMATION
ACT, 2019 (ACT 989)



1.	Name of Applicant:			
2.	Date:			
3.	Public Institution:			
4.	Date of Birth:	DD	MM	YYYY
5.	Type of Applicant:	<input type="checkbox"/> Individual <input type="checkbox"/> Organization/Institution		
6.	TIN Number			
7.	If Represented, Name of Representative:			
7 (a).	Capacity of Representative:			
8.	Type of Identification:	<input type="checkbox"/> National ID Card <input type="checkbox"/> Passport <input type="checkbox"/> Driver's License <input type="checkbox"/> Voter's ID		
8 (a).	Id. No.:			
9.	Description of the Information being sought (specify the type and class of information including cover dates. Kindly fill multiple applications for multiple requests):			

10.	Manner of Access:	<input type="checkbox"/> Inspection of Information <input type="checkbox"/> Copy of Information <input type="checkbox"/> Viewing / Listen <input type="checkbox"/> Written Transcript <input type="checkbox"/> Translated (specify language)
10 (a).	Form of Access:	<input type="checkbox"/> Hard copy <input type="checkbox"/> Electronic copy <input type="checkbox"/> Braille
11.	Contact Details:	<input type="checkbox"/> Email Address _____ <input type="checkbox"/> Postal Address _____ <input type="checkbox"/> Tel: _____
12.	Applicant's signature/thumbprint:	
13.	Signature of Witness (where applicable) <i>"This request was read to the applicant in the language the applicant understands and the applicant appeared to have understood the content of the request."</i>	

6. Appendix B: Contact details of PHDC's Information Unit

Name of Information/Designated Officer:

Telephone/Mobile number of Information Unit:

Postal Address of the institution:

7. Appendix C: Acronyms

Table 1 Acronyms

Acronym	Literal Translation
<i>RTI</i>	<i>Right to Information</i>
<i>PHDC</i>	<i>Petroleum Hub Development Corporation</i>
<i>MDA</i>	<i>Ministries, Departments and Agencies</i>
<i>s.</i>	<i>section</i>

8. Appendix D: Glossary

This Glossary presents clear and concise definitions for terms used in this manual that may be unfamiliar to readers listed in alphabetical order. Definitions for terms are based on section 84 of the RTI Act.

Table 2 Glossary

Term	Definition
Access	<i>Right to Information</i>
Access to information	<i>Right to obtain information from public institutions</i>
Contact details	<i>Information by which an applicant and an information officer may be contacted</i>
Court	<i>A court of competent jurisdiction</i>
Designated officer	<i>An officer designated for the purposes of the Act who perform similar role as the information officer</i>
Exempt information	<i>Information which falls within any of the exemptions specified in sections 5 to 16 of the Act</i>
Function	<i>Powers and duties</i>
Government	<i>Any authority by which the executive authority of the Republic of Ghana is duly exercised</i>
Information	<i>Information according to the Act includes recorded matter or material regardless of form or medium in the possession or under the control or custody of a public institution whether or not it was created by the public institution, and in the case of a private body, relates to the performance of a public function.</i>
Information officer	<i>The information officer of a public institution or the officer designated to whom an application is made</i>
Public	<i>Used throughout this document to refer to a person who requires and/or has acquired access to information.</i>

<i>Public institution</i>	<i>Includes a private institution or organization that receives public resources or provides a public function</i>
<i>Right to information</i>	<i>The right assigned to access information</i>
<i>Section</i>	<i>Different parts of the RTI Act</i>



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