

THE KYEREMA

FSB LAW CONSULT'S MONTHLY NEWSLETTER

Vol. 3 | Issue 6



In this issue:

- ◆ New Laws passed by Parliament: June 2022
- ◆ Maximizing Employee Performance at the workplace
- ◆ The Role of Trusts in Estate Planning

New Laws passed by Parliament: June 2022



By: Sylvia Mends,
Esq.

Ghana Standards Authority Act, 2022 (Act ...)

On 22nd June, 2022, Parliament passed the Ghana Standards

Authority Act, 2022 law after its third reading on the floor of Parliament¹. The law establishes the Ghana Standards Authority (GSA) as the body responsible for the “establishment and promulgation of standards, enforcement of conformity assessment programmes, and regulation of activities in respect of weights and measures in the country.” The law has now put together Standards Authority Act, 1973 (NRCD 173) and the Weights and Measures Act, 1975 (NRCD 326) into a single law to help with the effective management of the GSA’s responsibilities.

This will ensure that the GSA has the necessary support to enable it accomplish its mandate successfully and also strengthen and widen its scope. The trend of fake goods and products being brought into the country highlights the importance of this law in making sure that the standards of goods are strictly observed in order to protect consumers and businesses. Some of the fake products include automotive parts popularly known as “spare parts”, prescription drugs, cosmetics, and many others. Such fake products can pose serious harm to public health and public safety.

Criminal and Other Offences (Procedure) (Amendment) Act, 2022 (Act ...): Plea Bargaining Act

The Criminal and Other Offences (Procedure) (Amendment) Act, 2022 was passed into law on 24th June, 2022. This law, popularly called the Plea Bargain law, has been passed to introduce plea bargaining in the criminal justice in Ghana². This law is the first comprehensive law of its kind in Ghana’s criminal procedure regime. Plea bargaining refers to an arrangement that a prosecutor and the accused can have whereby the accused person will plead guilty to a lesser offence or all the charges in exchange for a lighter sentence. With the passage of this law, the concept of plea bargain will apply to most offences. But the law provides that, plea bargain cannot be used in serious criminal cases such as treason, high treason, genocide, rape, murder, etc.

One of the objectives of the concept of plea bargaining is to deal with the issue of delay in resolving cases. As stated in the memorandum supporting the bill, some of the advantages of applying plea bargain include saving the government time and money by providing a quick alternative to a long trial, reducing the caseload of courts and prosecutors, among others.

Both new laws are yet to receive the Presidential Assent.

FOOTNOTE:

1. <https://www.graphic.com.gh/news/general-news/ghana-standards-authority-bill-passed.html>

2. <https://www.ghanabusinessnews.com/2022/06/27/ghana-introduces-plea-bargaining-as-parliament-passes-criminal-and-other-offences-amendment-bill-2021/>

Maximizing Employee Performance at the workplace

Every employer's wish is to have employees who give off their best and maximize their work output. But sometimes, this wish does not materialize and there will be employees who may not perform well from the beginning of their employment. There are others who also have a great work performance but somehow, may end up experiencing a drop in their performance. Performance Improvement Plan, usually just shortened to 'PIP', is a tool used by employers to give under-performing employees the chance to succeed at their work.



By: Lebene Gbebleou-Sleem

Although the aim of PIP is to improve and increase work output, it has recently become the first step many employers take in the process of terminating the employment of their employees. Employees who are put on PIP become unsure of their employment status and instead of working with the PIP to increase their performance, end up looking for new employment all together, thereby defeating the main purpose for which PIP was put in place.

To ensure employee output at the workplace is maximized, employers must adopt different strategies some of which are as follows:

1. **Give instant feedback**- Do not wait until the traditional annual review before you address an employee's performance. Immediately you notice a drop or change in the performance of an employee, bring it to their attention. Have regular conversations with your employees. Find out how they are

faring in the job and encourage them.

However, do not give feedback only when the employee is not performing.

Acknowledge it when they perform well. Let them know you see and acknowledge how well they are doing. This will also create a boost in their morale and help them perform better.

2. **Set personal goals**- This works directly with giving instant feedback.

Meet regularly with your employees and empower them to set their own goals in line with their work expectations.

When you allow your employees to set their own goals which are unique to them, instead of giving them generic goals, they feel a personal attachment to their goals and are more likely to achieve them. To further increase their commitment, let them see how achieving their goals will connect to the overall vision of the company.

3. **Do not micromanage employees** - Let your employees 'own' their job roles. Give them the freedom to execute the role given to them. Let them know what is expected of them but leave the execution plan to them. When they feel they are in control of their job, they will give off their best.

Micromanaging an employee takes away their willingness to bring up initiatives that will help the company as they will relax and expect to be told at every turn.

When these strategies are utilized by employers, the performance of their employees will reach their maximum levels.

THE ROLE OF TRUSTS IN ESTATE PLANNING

Free Webinar

Elisus-Beatty
Elisus-Beatty Trust Services Limited,
in collaboration with
Republic Trust Limited Company presents:

Republic Trust

The Role of Trusts in Estate planning



Francisca Serwaa Boateng, Esq.
Director,
Elisus-Beatty Trust Services Limited.

Kwesi Tetteh Amanor.
Chief Executive Officer,
Republic Trust Limited Company.

Thursday, 30th June, 2022

Zoom 5:00pm GMT Tel: +233 541 926 205

Francisca Serwaa Boateng, Esq., as a Director of Elisus-Beatty Trust Services Limited gave a presentation on “The Role of Trusts in Estate Planning”. This was in a webinar organized by Elisus-Beatty Trust Services Limited and Republic Trust Limited Company on Friday, 30th June, 2022.

Meet the Editorial Team!



Francisca Serwaa Boateng
Managing Counsel, FSB Law Consult
Editor-In-Chief



Sylvia Mends
Associate Counsel, FSB Law Consult
Contributor



Lebene Gbebleou-Sleem
Office Manager, FSB Law Consult
Page Layout/Design



FSB LAW CONSULT
Legal Practitioners | Notaries

No. BAC 34/3B
11th Street
Baatsona, Spintex Road
Accra

+ (233) 30 281 8433
+ (233) 50 798 0400
info@fsblawconsult.com
fsblawconsult.com

Our Areas of Practice:

- Commercial Litigation
- Arbitration
- Labour/Employment Law
- Family Law
- (Wills, Probate & Divorce)
- Property/Real Estate Law
- Technology law (Data Protection, Privacy, E-commerce)

FSB Law Consult's lawyers are based in Accra, but act for clients nationwide.

DISCLAIMER: THIS IS A PUBLICATION OF FSB LAW CONSULT. IT IS ONLY INTENDED TO PROVIDE GENERAL INFORMATION ON THE SUBJECT MATTER HEREIN AND DOES NOT BY ITSELF CONSTITUTE LEGAL ADVICE. APPROPRIATE LEGAL ADVICE MUST BE SOUGHT ABOUT THE READER'S SPECIFIC CIRCUMSTANCES WHEN THEY ARISE. FOR FURTHER INFORMATION, PLEASE CONTACT US AT INFO@FSBLAWCONSULT.COM.