

ADDITIONAL REQUIREMENTS TO OBTAIN WORK PERMITS IN THE OIL AND GAS SECTORS (GHANA)

The Petroleum Commission has announced stringent measures as regards application requirements for work permits. This is as part of the Commission's efforts to fully and effectively implement the provisions of the Petroleum Commission (Local Content and Local Participation) Regulations, 2013 (L.I 2204). The LI, among other things, states that Ghanaian must be prioritised in terms of employment and capacity building in the petroleum industry.

What's new!!

Effective **1st September, 2014**;

- Employers must notify the Commission of all vacant positions through a dedicated email address.
- It is compulsory to attach proof of advertisement to the work permit applications when submitting them to the Commission. Positions must be advertised in at least two (2) local newspapers including Daily Graphic and Ghanaian Times.
- There must be a Ghanaian who would understudy the expatriate employee; and the details of such Ghanaian must be attached to the work permit application.
- The application should indicate a comprehensive succession plan in a suggested layout.

Employers;

- must advertise position in at least two (2) local print media which must include the Daily Graphic and the Ghanaian Times.
- must intensify efforts in local market search to recruit Ghanaians to understudy expatriate staff.
- are required to provide a succession plan of training provided to Ghanaians in the industry.
- In the case of renewal applications an updated succession plan would be required

Our take:

- It is important to note that the new directions by the Commission are not necessarily new but novel in the sense that they seek to make compulsory, some of the stipulations of the Regulations in their application with respect to employers in the petroleum industry.
- The new measures affect only work permit applications in respect of the petroleum industry.
- The impact on processing time is not known. The timeframe for advertisement of a role is not known. Nevertheless, GT Legal does not anticipate that the new measures will unreasonably prolong current processing times, if they indeed do.

Conclusion

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