



REPUBLIC OF GHANA

MINISTRY OF COMMUNICATIONS & DIGITALISATION

GHANA DIGITAL ACCELERATION PROJECT (GDAP)

(IDA-70960-GH)

TERMS OF REFERENCE

FOR

**EXTENDED PRODUCER RESPONSIBILITY STRATEGY FOR
ELECTRICAL AND ELECTRONIC EQUIPMENT IN GHANA**

1.0 BACKGROUND

The Government of Ghana has secured funding from the World Bank for its Ghana Digital Accelerated Project (GDAP) which aims to expand access to broadband, enhance the efficiency and experience of selected digital public services, and strengthen the digital innovation ecosystem. To achieve this objective, the project will consist of three interlinked technical components, in addition to the Project Management and Coordination Component, and a Contingent Emergency Response Component (CERC) to address the key binding constraints for the development and attainment of a digital economy.

By expanding access to digital services, Ghana Digital Acceleration Project intends to empower the government, citizens, entrepreneurs, and Small and Medium Enterprises (SMEs). Sustained digital growth, job creation, and enhanced digital operational efficiency are among the anticipated results.

GDAP additionally presents a prospect to mitigate the digital gender disparity and enhance internet connectivity in rural and urban regions. The project has five (5) components, namely:

1.1 Project Components

- **Component 1: Ensuring Inclusive and Safe Digital Transformation**

This component is dedicated to assisting the Government of Ghana (GoG) in enhancing the strategic, policy, and regulatory framework to facilitate a dynamic, secure, and inclusive digital transformation. This component encompasses four additional sub-components, namely (a) Enabling Environment for Broadband Development and Greening ICT Enablers; (b) Digital Connectivity in Lagging Regions; (c) Safeguards for Cybersecurity and Data Protection; (d) Skills for Digital Inclusion and Digital Jobs

- **Component 2: Modernizing Digital Government Services**

This component centers on the public sector's role in digital transformation and seeks to aid Ghana in establishing an adaptable and citizen-centric digital government model. The second component comprises three sub-components: (a) Change management is moving towards strengthened digital governance. (b) Digital Government - Enhancing User-Centric Service (c) Future of Work in Government

- **Component 3: Support for Digital Transformation of Productive Strategic Sectors**

This component is focused on the private sector side of digital transformation and aims to boost the digital innovation ecosystem. Its sub-components include.

(a) Scaling up Ghana's Digital Entrepreneurship and Innovation Ecosystem; (b) Digital Transformation in Selected Sectors (c) Skills for Digital Businesses

- **Component 4: Project Management and Implementation Support**

This component plays a pivotal role in supporting the management and execution of project-related activities. Its funding allocation is dedicated to facilitating the recruitment of consultants across various essential domains, including project management, project coordination, fiduciary expertise (e.g., procurement and financial management), Monitoring and Evaluation (M&E), Environmental and Social Safeguards (E&S), project communication, and citizen engagement.

- **Component 5: Contingent Emergency Response Component**

In light of the COVID-19 crisis, the Government has incorporated a Contingent Emergency Response Component (CERC) into the project's framework. This component is designed to facilitate rapid government intervention in the event of qualifying crises, including those related to climate, natural disasters, and public health emergencies.

2.0 E-WASTE IN GHANA

The increasing waste from electrical and electronic equipment exponentially accelerates waste generation in Ghana. The amount of e-waste generated in Ghana is estimated at 171,000 MT/year (2009), of which 90-95 percent gets processed. Estimates place the contribution of e-waste recycling and associated activities to the Ghanaian economy at US\$105-268 million, mostly undertaken by the informal sector (Prakash et al., 2010). The absence of a functional e-waste management system allows informal e-waste workers to make a living from just extracting the contained valuable metals. This results in the unsafe disposal of the negative fraction to the environment. These mismanagement along the e-waste value chain present serious threats to human and environmental health in Ghana. With the Hazardous and Electronic Waste control and Management Act, (Act 917) and its regulations (LI 2250) which intend to regulate the classification, control and management of e-waste. Ghana has set the legal framework towards a sustainable management of waste from electrical and electronic equipment

in Ghana. The passage of Act 917, LI2250 and the technical guidelines on the safe management of e-waste in Ghana has imposed several obligations on Producers (manufacturers, importers, dealers, and retailers) of Electronic and Electrical Equipment. The L.I 2250 for instance, enjoins Producers of EEE specified in the 8th Schedule of the L.I to;

- Collect the electrical and electronic waste that the producer generates during the manufacture of the EE equipment.
- Ensure the recycling or disposal of the EEE waste that the Producer generates during the manufacture of EE equipment.
- Collect the EE waste that the producer generates from the products of the producer in accordance with the principle of Extended Producer Responsibility.

Though the Government of Ghana has made strong commitments in reducing and managing E-waste, there is still an absence of clear-cut legal framework on Extended Producer Responsibility for EE equipment to ensure appropriate disposal of E-waste.

In light of the above, there is the need to develop a comprehensive national Extended Producer Responsibility framework for Electronic and Electrical Equipment that will work in tandem with the provision of Act 917.

3.0 OBJECTIVE OF THE ASSIGNMENT

The objective of this assignment is to align diverse stakeholders and design an end-to-end **strategy for an Extended Producer Responsibility (EPR) scheme for Electronic and Electrical Equipment taking into the aspirations of Act 917.**

4.0 SCOPE OF WORK

This activity aims to develop a pathway for the establishment of a viable EPR scheme for EE equipment for Ghana. To avoid duplication of efforts, the firm will consult EPA, MESTI, E-waste fund International Corporations and other partners that have either conducted or are conducting related E-waste projects in Ghana to incorporate their findings into the outputs of the following scope. The consultant shall work directly with the Electrical and electronic waste management Fund (The E-waste Fund) and make documentation arising from this assignment to the Fund and the EPA. The E-waste fund works in the capacity of a Producer Responsibility

Organization in the E-waste sector in Ghana. This documentation will help the project develop a roadmap for the implementation of the results of the assignment.

- a. Review of Existing EPR initiative/Landscape in Ghana:** The objective of this section is to assess the landscape of stakeholders relevant to an EEE-based EPR in Ghana, as well as the existing legal and institutional frameworks relating to EEE and EPR.
- b. Stakeholder analysis on EPR for EEE:** The objective of this task is to conduct an in-depth engagement with stakeholders to understand the appropriate engagement and advocacy strategy for an operationally and economically viable EEE-EPR scheme for Ghana.
- c. Designing EPR Scheme – Legal Framework:** The objective of this task is to produce a new legal framework to provide regulatory guidance for the introduction of the new EEE EPR scheme.
- d. Designing EPR Scheme – EPR Scheme Development:** The objective of this task is to prepare the strategy document for the development of a EPR scheme.
- e. Implementation Strategy for E-registry System:** The objective of this task is to provide a clear implementation Plan to kickstart the planning of a mandatory EPR in Ghana.

5.0 SUPPORT FROM THE CLIENT

The GDAP Project Coordinating Unit (PCU) shall provide the following support to the Consultant:

- i. Access to information and the relevant data and facilitate meetings and stakeholder engagements with regards to the assignment.
- ii. Access to the necessary project documents (PIM, ESMF, RPF, PAD) relevant to the assignment.
- iii. Receive support from the Project Safeguards team to facilitate the work of the consultant.
- iv. Carry out periodic quality and performance reviews of the consultancy outputs.
- v. Liaise with the World Bank for approval of the report; and
- vi. Facilitate validation workshops for the assignment.

6.0 KEY DELIVERABLES

Regarding the implementation of this assignment, the Consultant is obligated to provide updates to the GDAP Project Coordinator and manage input from the World Bank Project Team and other relevant parties. These are the specified deliverables:

- Inception report
- EPR Landscape report, including literature review/analysis of electronic EPR, review of local / regional practices and benchmarking analysis.
- Overview of stakeholder mapping and implications to EPR
- Legal framework document
- EPR Strategy document with detailed stages/phases of implementation

7.0 TIMELINE & OVERVIEW OF DELIVERABLES AND PAYMENT SCHEDULE

The assignment should be completed within three (3) calendar months after signing the contract with deliverables as specified below. Each deliverable will be reviewed by the Project Coordinating Unit and the implemented technical structure and assessed to ensure deliverables are in line with the terms of reference. The Environmental and Social Safeguard Specialist will provide input, comments, and suggestions to the consultant.

#	Deliverable/Output	Timing for Deliverables/Output	No. of copies	Payment (%)
1	Inception Report: Inception report on the methodology with regards to fulfilling the objectives of the assignment and scope of works. The inception report shall include the detail outline of the report as contained in the World Bank environmental and safeguard framework and acceptable to the client.	3 weeks from the commencement date of the contract (on signing of contract)	Three (3) hard copies and a soft copy	20

2	Draft report: Draft report covering all the scope outlined in this term of reference after thorough stakeholder engagement/consultation for review	Within 6 weeks after acceptance of the Inception Report.	Eight (8) hard copies and a soft copy	50
3	Final report: Final report incorporating the review comments from the client and World Bank.	Within 3 weeks after consultant is provided with review comments on the draft report	Ten (10) hard copies and a soft copy	30

8.0 DURATION OF ASSIGNMENT

By the time the final report is submitted, it is expected that the assignment will have been fully completed within a period of three (3) months.

9.0 QUALIFICATIONS AND EXPERIENCE OF FIRM

The consulting firm must demonstrate the following:

- a. The firm must be a legally registered consulting firm with at least 10 years of experience
- b. Must have in-depth knowledge and experience in the development of e-waste management strategies, e-waste disposal, environmental, social, and economic impacts assessment and evaluation of government – and development-funded projects in Ghana.
- c. The firm must provide evidence of at least two similar assignments in Ghana or across Africa
- d. The firm must have an in depth understanding of the **Electronic and Electrical Equipment taking into the aspirations of Act 917.**
- e. The firm must demonstrate understanding of the recycling or disposal of the EEE waste that the Producer generates during the manufacture of EE equipment

(COMPOSITION & REQUIRED QUALIFICATIONS OF KEY EXPERTS)

i. Lead Consultant

- He/she should have a minimum ten (10) years' work experience in e-waste management, environment or natural resource management issues.
- He/she should have a proven capacity to work with multiple stakeholders, including government entities, civil society organizations (CSOs), academia, multilateral agencies, development partners, and the private sector.
- He/she should have a track record in identifying and assessing policy issues, and in playing an active role in dialogue with the government and/or other stakeholders on e-waste issues.
- He/she should have a strong capability in English (oral and written), research and policy analysis skills, including ability to write cogently about the environmental costs of pollution. .
- He/she should have deep knowledge of Ghana's e-waste sector and have actively engage with stakeholders for a minimum of ten years

ii. Community and Stakeholder Engagement Specialist

- Must have a master's degree (or equivalent) in International Development, Economics, Public Administration, Sociology, Project Management, or related field from a recognised institution.
- Must have, at least, 5 years of professional experience in stakeholder engagement, community development, project /programme management or another related field.
- Must have experience in working with a wide spectrum of stakeholders, governmental and non-governmental institutions, local communities and civil society organizations and other relevant stakeholders would be an asset.
- Must have proven experience in at least 3 donor funded projects in undertaking participatory public and stakeholder engagement assignments in the context of Ghana.
- Must have knowledge in Hazardous and Electronic Waste control and Management Act, (Act 917) and its regulations (LI 2250)

iii. Waste management Specialist

- Must have a master's degree (or equivalent) in waste management, Environmental impact assessment, or related field from a recognised institution.

- Must have, at least, 3 years of professional experience in valuation, classification, control and management of e-waste
- Must have proven experience in at least 1 donor funded projects in undertaking property and land valuation in the context of Ghana.

iv. Geographic Information Systems (GIS) Specialist

- Must have at least a Masters’ degree in Geography, Geographical Information Science Planning or related discipline from a recognised institution or A bachelor’s degree with 7-10years practical experience in GIS systems.
- Must have at least 5 years in spatial/geographic data collection and mapping.
- Must have working experience in mapping slums and informal settlements in Ghana.
- Must have skills and experience in the use of ArcGIS.

10.0 REPORTING/ SUPERVISION OF REPORT PREPARATION

All reports and documents shall be submitted under official cover letter by the Consultant to:

The Chief Director

The Ministry of Communications and Digitalization

Accra, Ghana

Attn: The Project Coordinator, GDAP Project

The supervision of the inception, draft, and final reports for submission to the World Bank, EPA, Public Sector Units (PSUs) of local authorities, and other relevant institutions for evaluation will be carried out by the Ministry of Communications and Digitalisation (MoCD), in collaboration with the Project Coordinating Unit (PCU).

The Consultant is mandated to maintain coordination with the PCU Lead and the Environmental and Social (E&S) Focal Person of the MoCD during the implementation of the report. In addition, it is anticipated that the E&S Specialist at the PCU will work closely with the consultant in the execution of the report.