

# **Citizens' Energy Manifesto 2016**

**(Citizens Agenda for Energy Sector Development in Ghana)**



# FOREWORD

The democratic credentials of Ghana since the fourth republican constitution continue to improve after over two decades of tolerance of varied opinions thriving in a free space of active civic, media and public engagements on national issues. The Ghana "Citizens' Energy Manifesto" is an important input into the democratic evolution of the country; identifying the energy sector as one of the most critical sectors relevant for charting strong socio-economic development paths for the country.

The manifesto process took a more futuristic and consultative approach of social accountability to take policy discussions out of the arena of expert and scholarly opinions to direct engagement with citizens on their expectations from their next political party in power. In essence the manifesto is reversing the process where political parties share their manifestoes so late in the campaign period and citizens have limited time to digest, seek clarity and be informed by those promises, to a process where citizens inform political parties' manifesto with their own expectations. We are by this giving meaning to the principle of bottom-up decision making in which national policies reflect the true aspirations of the citizens. This is what we call the "peoples' democracy".

The Manifesto also ushers in an era in which elections become platforms for generating policy reforms, building political consensus on policies and creating an effective mechanism for holding elected officials accountable.

Our focus on the energy sector is not by accident. It is borne out of our belief that energy, either petroleum or power, is the fuel for the engine of economic growth and accelerated development.

Ghana is one of the luckiest nations to host significant natural resources. The addition of oil and gas in 2007 provided a new window of extra revenue for socioeconomic development. The critical issue with natural resources is the fact that they are finite and every unit extracted is not replaceable. This heightens the need to ensure that revenue management and governance of the petroleum sector are properly aligned to generate a transformative effect. To that extent, resource revenues are capital for investment which ensure that the sustainable impact of the lost resources are positive and equitably distributed in the society.

Unfortunately, many countries have lost the plot to catapult development and alleviate poverty and the suffering of their citizens with increased revenue. Rather, greed, corruption and patronage have led to unjust enrichment of a few. Many economies also tend to be so reliant on resource revenues, leaving other sectors to stagnate or decline.

The governance of the power sector in Ghana, an important part of the energy value chain, also faces similar challenges. Over the past three decades, Ghana has not followed the path of breaking away from the historical underinvestment in its power infrastructure which has now brought the country to its knees, getting only temporary reliefs at the mercy of vampire political investors and its neighbour, Nigeria for supply of fuel. This, in addition to poor management and financial challenges, has

dwarfed the potential of what could be a strong middle income economy. Power cuts have been cyclical and each of the load shedding over the years have been worse than the previous.

With the current power challenges having lasted for five years, it is scary to imagine another future power crisis. This worrying trend has no place in a developing country like Ghana with enormous potential for industrial growth.

Indeed, there is no denying the fact that citizens have to be part of the next steps for governing the energy sector. The "Citizens' Energy Manifesto" should therefore become the social contract between the next government and citizens to ensure that there is a national, strategic and corporate resolve to manage the energy sector efficiently.

The process of developing this manifesto has involved many Ghanaians whose dedication to seeing their country develop cannot be ignored. The Africa Centre for Energy Policy (ACEP) would like to thank all those who supported this effort, particularly the many Ghanaians who spent time to answer questionnaires and attended the forums organized in the regions. We also thank the supporting partners; the Ghana Oil and Gas for Inclusive Growth (GOGIG) and Oxfam for supporting this worthy course. Finally, to the hardworking ACEP staff and interns who combed the country to engage with citizens, we are greatly indebted to you for the success of this process.

The next steps after this Manifesto involve two activities. The first one, the ACEP Energy Manifesto Monitor, will summarize the energy sector promises of the political parties benchmarked

against the Citizens' Energy Manifesto and published widely. The second one, the Energy Manifesto Expert Panel, will feature experts at a public forum to scrutinize the energy sector promises and policy proposals of the political parties. This will be carried live on Television and Radio. These next steps we believe will help Ghanaians make informed decisions in exercising their franchise.

We believe that our elections can be issue-based rather than insults and vilification of political opponents; and this is our modest contribution to make our democracy decent, enduring and participatory.

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# THE OBJECTIVES OF THE MANIFESTO

The "Citizens Agenda for Energy Sector Development" which is also called the "Citizens' Energy Manifesto" provides platform for using democratic elections as an instrument for generating policy reforms, building political consensus of policies and holding elected officials accountable for their promises.

The "Citizens' Energy Manifesto" therefore aims to achieve a number of objectives defined as follows:

- i. Public expression of what they consider their priorities in the petroleum and energy sector deserving the attention of our political parties;
- ii. Influence the Manifesto of the political parties on the petroleum and energy sector; and
- iii. Public understanding of the manifesto proposals of political parties on the petroleum and energy sector;
- iv. Inform the choice of the voters with the view to forming a social contract based on which the elected government will be held accountable after the general elections.



# THE ENERGY SECTOR AS THEMATIC FOCUS

The petroleum and energy sector of our country has become so intertwined with our national life that the wishes of our people would be unfulfilled if important issues relating to the sector are not scrutinized in the 2016 general elections. In our view, irrespective of the party that wins the elections, the challenges in the petroleum and energy sector of the country will be the same. These therefore require pragmatic and practical solutions to address the challenges. Political parties that seek the mandate of the people to govern must therefore demonstrate proper understanding of the petroleum and energy sector and present workable proposals for the scrutiny and consideration by the citizens.

Revenue from Ghana's share of petroleum has become an important source of fiscal space for the government's budget. The next government will have increased revenues to manage if ongoing development projects are completed. Tweneboa, Enyenra and Ntomme (TEN) is expected on stream in the third quarter of this year 2016; Sankofa is expected to produce oil in 2017 and gas in 2018. These projects will no doubt increase production of crude oil levels above 200,000 barrels a day, with implications for double petroleum revenue to the government at current levels of crude oil prices. These resources could change the development fortunes of Ghana if properly and efficiently invested. Ghanaians are therefore concerned about how best these resources can be managed for the benefit of the citizens. Besides revenue, there is also the potential for value addition through the development of the service industry; and the accompanying benefits of job creation and improvements in income levels will contribute to economic growth and development.

Given the current level of inactivity on Ghana's exploration map, it is not clear what the future of the oil industry looks like. Ghana is currently depleting petroleum reserves without replacing them at the same level, as oil companies hold inactive petroleum licenses. The policy proposals of the political parties for attracting upstream investments to increase the potential for new discoveries must be matched against the current downturn in the oil industry. Risk appreciation and allocation must therefore be tempered by the technical competence and financial capacity of prospecting companies. Since, future production of oil depends on discoveries made today, policies must target companies that have experience in increasing the prospects of frontier basins such as Ghana's. It is also important to recognize that poor governance of the petroleum resources adversely affects the efficient harnessing of the resources. A transparent mechanism for allocating petroleum rights, disclosing petroleum contracts and the eventual real interest owners have eluded the petroleum sector for a long time. The implications for increasing corruption and rent seeking behaviour are therefore obvious.

The power sector challenges have formed a major part of the policy discourse over the past few years. The two most important issues in this sector are - financing and technical/operational efficiency of our utilities.

Financing is the greatest challenge facing the power subsector today. Apart from the problem of securing project financing, procurement of fuel has increasingly become difficult due to the financial problems of the Volta River Authority, which also supplies fuel to the private sector generators. The Energy Commission estimates that the utilities will require about US\$1.18 billion to purchase fuel in 2016. This will increase to about US\$1.5 billion in 2017 if indigenous and imported gas supply does not improve. Citizens must know how our political parties will address the financing issues when they are given the

mandate to govern, as that has become the most significant challenge of our power sector.

The technical and operational inefficiencies in the power subsector has been associated with frequent power outages, power fluctuations, low staff morale, poor procurement practices and poor customer service. To improve on technical and operational efficiency of the distribution utilities, the government has started a process for partial privatization of the Electricity Company of Ghana (ECG) and a Management Contract for the Northern Electricity Distribution Company (NEDco). The Labour Union has clearly expressed its strong opposition to the policy. We also know with certainty that there are serious challenges in the management of power distribution in Ghana, which must be addressed if we are to build a stronger energy industry to match our country's industrialization drive.

The levels of electricity tariffs have also become contentious. Whilst economic tariffs are necessary for the attraction of private investments, the need to protect the poor cannot be overlooked if energy is to become an input for poverty reduction. There is no consensus on the optimal level of tariffs. Whilst the utilities think that tariffs are lower and not cost-based, consumers see tariffs to be too high. The need for an efficient regulatory regime that balances the need for investors' reasonable returns on investments with the protection of consumers through the provision of quality services, uninterrupted and affordable power must be seriously considered.

# THE GHANA CITIZENS' ENERGY MANIFESTO 2016

This document sets out the views of a cross section of Ghanaians of how the challenges of the petroleum and power sectors in Ghana can be addressed by the political parties seeking our mandate to govern us after the 2016 general elections.

We the citizens are aware of the transformative effect of petroleum. We are also aware that poor governance of the petroleum wealth could lead our country to the undesirable consequences of the “resource curse”.

We are also concerned about the recurring power shortages over the years since the 1980s and the debilitating effects of reducing economic growth, jobs and incomes.

Convinced about the potential for the petroleum and power sectors to support accelerated development of Ghana, the need for the political parties to show proper understanding of the challenges of managing the petroleum wealth and providing reliable and affordable electricity cannot be over-emphasized.

In fulfilment of our civic responsibility to contribute to policy making and to hold our leaders accountable for the implementation of policies, we the citizens of Ghana ranging from entrepreneurs, traders, students, civil society activists, teachers and other public sector workers, and generally ordinary citizens

from various geographical and socio-economic structures of our community, participated in the platforms provided by the Africa Centre for Energy Policy (ACEP) to contribute to the development of this Ghana Citizens' Energy Manifesto.

We are by this manifesto urging the political parties to act on our 7-point Agenda for Energy Sector Development below and to work toward delivering this vision for the good of our country and our people.

## **PETROLEUM SUBSECTOR**

1. Develop a robust Petroleum Law which implements best governance and regulatory practices to fight corruption and rent seeking behaviour in the oil and gas sector.
2. Insulate management and operational decisions of the Ghana National Petroleum Corporation (GNPC) from political control
3. Make the allocation of petroleum revenues to pro-poor investments the cornerstone of accelerated poverty reduction
4. Eliminate fiscal indiscipline in the management of petroleum and non-petroleum revenues

## **POWER SUBSECTOR**

5. Stabilize the power subsector by increasing electricity generation capacity and expanding the transmission and distribution network
6. Introduce a program for addressing the financial crisis in the power sector on a sustainable basis

7. Restructure the State-owned Power Distribution Companies (the Electricity Company of Ghana and Northern Electricity Distribution Company) to make them technically and operationally efficient.

# AGENDA FOR ENERGY SECTOR DEVELOPMENT

This section presents key recommendations under the 7-point Agenda for Energy Sector Development outlined above.

## PETROLEUM SUBSECTOR

*1. Develop and pass a robust Petroleum Law which implements best governance and regulatory practices to create a level playing field for all investors, and to fight corruption and rent seeking behaviour in the petroleum subsector*

For more than 3 years now the Petroleum (Exploration and Production) Bill, that will define Ghana's new exploration environment, has been pending in Parliament. The Bill contains some of the most progressive global best standards for the governance of petroleum resources, such as the use of open and competitive bidding processes for granting petroleum contracts and mandatory requirements for the disclosure of those. However, sections of the bill also provide for broad ministerial discretion for vetoing the results of an open and competitive process in favour of direct negotiation with any company of the Minister's choice. The bill does not also require the disclosure of the eventual beneficial interest owners in petroleum contracts. These gaps can only provide room for corruption and rent seeking behaviour in the petroleum industry, and undermine national beneficiation of the petroleum wealth.

To improve on the governance of the petroleum resources of Ghana, we demand that:

- i. A competitive bidding process for the award of petroleum contracts should be introduced
- ii. There should be publicly disclosed rules governing the bidding process including the minimum pre-defined criteria by which companies are qualified to participate in a bidding process, the disclosure of list of all entities that submitted bids and the identity of the winning bidder.
- iii. Mandatory disclosure of petroleum contracts should be introduced in the petroleum bill
- iv. Mandatory disclosure of beneficial ownership information of companies should be introduced in the petroleum bill
- v. Provisions on conflict of interest in the award of petroleum contracts should be incorporated into the petroleum bill

## *2. Insulate management and operational decisions of the Ghana National Petroleum Corporation (GNPC) from political control*

The subject of institutional restructuring in the oil and gas sector particularly the Ghana National Petroleum Corporation (GNPC) is also an important issue. GNPC has recently been in the news for a number of reasons – advancing money meant for its core exploration functions to the Ministry of Finance and investment in non-core activity. Some of these decisions have been blamed on the strong political hold on management decisions of the corporation. Considering that the corporation is the national vehicle for positioning Ghana to harness the potential of the petroleum wealth, it is important to know the model under which the corporation will be restructured.

To insulate GNPC's management and operational decisions from political control, we demand that:

- i. The budget of GNPC should be approved by Parliament



- ii. There should be appointment of independent Directors and key management staff by the Board of the corporation
- iii. The mandate of GNPC should be purely commercial to maximize the commercial interest of the state
- iv. GNPC should focus its commercial mandate on its core business of promoting Ghana's upstream potential, exploration and production of petroleum

*3. Make the allocation of petroleum revenues to pro-poor investments the cornerstone of accelerated poverty reduction*

Countries that have failed to realize the transformative effect of oil wealth are those that fail to invest their revenue in pro-poor development that ensures equitable distribution of the wealth and to build a social capital to support medium to long-term development. Ghana's education, agriculture and health sectors that employ the largest number of the citizens and which provide social and economic infrastructure for accelerated development remain under-funded, in spite of initiatives such as the Ghana Education Trust Fund (GETFUND) and National Health Insurance Scheme (NHIS). Factors responsible for these developments range from fiscal indiscipline, weak investment capacity, poor development planning and weak accountability.

To ensure that petroleum revenue supports poverty reduction efforts, we demand that the revenue from petroleum is invested in the following order of priority:

- i. Agriculture sector
- ii. Education sector
- iii. Energy sector
- iv. Health sector

#### *4. Eliminate fiscal indiscipline in the management of petroleum and non-petroleum revenues*

Fiscal indiscipline refers to the uncontrolled and inappropriate allocation and spending of public resources. In the absence of robust legislation to regulate the expenditure of public finances, there is the tendency for financial misappropriation by public officials. Instead of committing these already limited public resources to projects that require them, monies are diverted for personal gain or committed to projects that do not meet the need of the ordinary people. Besides eliminating fiscal indiscipline, there is need for efficient utilization of petroleum and non-petroleum revenue. Efficient public spending depends on value for money achieved from the allocation and spending of public resources, commitment to a robust system for selecting public investment projects, timely completion of projects and delivery of quality projects. Given that petroleum revenue allocation and spending in Ghana so far has not been guided by a public investment plan leading to thin distribution of revenue, and lack of value for money consideration accounting for significant levels of time and cost overruns, it has become very urgent for a review in the allocation and utilization of petroleum and non-petroleum revenue:

To address fiscal indiscipline and ensure efficient public spending, we demand that:

- i. A Fiscal Responsibility Bill/Public Financial Management Bill must be developed and passed into Law
- ii. A Public Investment Plan must be developed and published

- iii. A Public Guide on Value for Money must be developed and enforced to guide the conduct of Value for Money Audit before approval of publicly funded projects

## POWER SUBSECTOR

### *5. Stabilize the power subsector by increasing electricity generation capacity and expanding the transmission and distribution network*

We recognize that generation project development is very expensive especially those by Volta River Authority (VRA), which requires substantial uninterrupted resource flow from project inception to completion, but which has proven to be a challenge in many ways. As a result of this challenge, our country must attract private investment into generation including renewable generation options. The need to provide the enabling environment for attracting investments into generation must be matched against the growth in demand for electricity, which is estimated to be around 10% annually, tariff levels and security of fuel supply. It should also be reviewed in terms of the industrial plan of the country.

To ensure that supply of electricity grows to meet the increasing demand and for exports, we demand that:

- i. Existing generation sources should be revamped by the Volta River Authority to operate at their maximum capacity
- ii. Strategic heavy and large scale projects in the mining and other sectors should invest in their own electricity generation plants to complement the national grid

- iii. Provide incentives including favourable tariff environment such as the Automatic Tariff Adjustment system and fuel security to attract private investors to invest in new generation projects
- iv. Mass deployment of renewable energy generation options through grid, mini-grid and off-grid technology should be promoted through competitive bidding and financing guarantee for local entrepreneurs from the Renewable Energy Fund and other facilities to invest in production of renewable energy component.

*6. Introduce a program for addressing the financial crisis in the power sector on a sustainable basis*

Apart from investing in generation and distribution infrastructure, the issue of financing fuel procurements and liquidating the overburdening debts of the utilities has undermined the stability of the power sub-sector. For example, the current debt profile of the Volta River Authority is about US\$1.6 billion. Other utilities are also heavily indebted for non-payment of bills and often lower tariffs. The sector is simply in financial crisis, which must be addressed as quickly as possible if the utilities are to survive the increasing demand for electricity to support the industrialization drive of Ghana.

To salvage the financial challenges and ensure that there is adequate financing to the power sector,

- i. Proceeds from the Energy Sector Levies should be ring-fenced to liquidate the debts of the Volta River Authority

- ii. The government must be accountable to citizens about how proceeds from the Energy Sector Levies are utilized by issuing annual reports to Parliament and the public
- iii. Government should float energy bonds to finance the development of new generation and distribution projects
- iv. The Electricity Company of Ghana (ECG) and the Northern Electricity Distribution Company (NEDco) should institute an efficient system of collecting bills from consumers.
- v. The distribution companies should reduce collection losses by increasing the deployment of pre-paid meters to at least 70% over three years through acceleration of private sector participation in billing
- vi. Government must settle all its indebtedness to the utilities and stop the centralized payment of electricity bill on behalf of government Ministries, Agencies and Departments to prevent accumulation new debts

*7. Restructure the State-owned Power Distribution Companies (the Electricity Company of Ghana and Northern Electricity Distribution Company) to make them technically and operationally efficient*

The technical and operational status of our utilities particularly on the distribution side has historically been behind reasonable standards. Current aggregate losses of about 32% are way above industry standards. Key reliability indices such as the System Average Interruption Duration Index (SAIDI), the System Average Interruption Frequency Index (SAIFI) and the Customer Average Interruption Duration Index (CAIDI) in Ghana are

considerably off the targets of the Public Utilities Regulatory Commission (PURC) and industry standards.

To achieve technical and operational efficiency in the distribution utilities, we demand that:

- i. Conduct an audit of the transmission and distribution network to identify the key challenges and publish the report
- ii. Increase investments in the expansion of the distribution network to reduce distribution losses
- iii. Introduce a performance based renewable management contract for a period of 5 years with the private sector for the management of ECG and NEDco. Ghanaian private sector must be encouraged in this process.

# THE MANIFESTO PROCESS

The process for developing the Citizens' Energy Manifesto is one of a three-phase program towards providing a platform for Ghanaian citizens to express their priorities in the petroleum and power sectors for consideration by the political parties participating in the 2016 general elections. The three phases of the program are explained.

## CITIZENS ENERGY MANIFESTO

The process involved public forums attended by Ghanaians from different geographical, political and socio-economic background. Three public forums were held in Tamale in the Northern Region, Kumasi in the Ashanti Region and Takoradi in the Western Region. Many participants including women, youth and people with physical disability freely expressed their opinion and concerns on how the political parties could address the challenges confronting the petroleum and power sectors of the country. Also, direct interviews and administration of questionnaire were also conducted for citizens in the markets, chop bars, educational institutions to provide platform for citizens to indicate their priorities through a random sampling technique. The questionnaires were administered in Tamale, Kintampo, Techiman, Kumasi, Cape Coast and Takoradi.

In addition, social media and online platforms (Facebook, Twitter, ACEP Website) were provided to widen participation. This helped in identifying the issues around which there was significant consensus among participants. The proposals presented in this Manifesto therefore indicate clustered impressions by participants on the options for the transparent and efficient management of Ghana's petroleum wealth and the development of a reliable, affordable and efficient power sector. The Manifesto

will be submitted to the political parties for consideration in their manifestoes to ensure that the policies and programmes of the elected government reflect directly or indirectly the priorities of the citizens. This ensures that citizens hold elected officials publicly accountable.

## **ACEP ENERGY MANIFESTO MONITOR**

This is the second phase of the Citizens' Energy Manifesto Program, which is focused on monitoring of the energy manifestoes of the political parties and tracking of implementation before and after the general elections respectively. Before the elections, the Monitor summarizes petroleum and power sector manifestoes and matching the issues against those of the Citizens Energy Manifesto. This will be published and widely circulated through all appropriate media. The Monitor does not intend to get feedback on voting preference of recipients of the document. Rather, it is intended to share information to guide citizens to make informed choices based on a comparative view of the policies of the political parties.

After the elections, the Monitor will match the energy manifesto of the elected government against the Citizens Energy Manifesto and the status of implementation. A report on the Monitor will be regularly issued to the public. of the main political parties. The Monitor will be circulated to broad section of Ghanaians. The second activity, a post-election activity, is intended to produce an Annual Energy Manifesto Monitor to assess the implementation of the Citizens Energy Manifesto.



## ENERGY MANIFESTO EXPERT PANEL

This will be the third phase of the programme. In this case, seasoned experts will be assembled to publicly evaluate the feasibility of the energy manifesto proposals of the political parties. The experts will be selected through a rigorous process to ensure that their expertise is relevant to the subject matter of the programme. The panel will be televised live and carried on some radio stations to enable many Ghanaians to follow. It will therefore facilitate public appreciation of the energy manifestoes of the political parties to ensure informed choices in the general elections.

The experts selected for this purpose will focus on the uniqueness of the proposals published by the political parties, the feasibility of the proposals being implemented and recommendations on how the proposals can be improved into workable policies and programmes. Guidelines for governing the panel have also been developed (See Appendix 1). A report from the panel will be published and submitted to the political parties with the view to supporting the eventually elected government to refine its policies and programmes for effective implementation of the policies.

# PICTURES FROM THE FIELD



# CITIZENS' ENERGY MANIFESTO

## GUIDELINES ON EXPERT PANEL ON POLITICAL PARTY ENERGY MANIFESTO

The following guidelines have been developed to guide and control the processes and conduct of the Expert Panel on the Energy Sector Promises of the Political Parties. The Panel is intended to generate expert opinion on the uniqueness and practicality of the policy proposals of political parties for addressing the petroleum and energy sector challenges of Ghana.

### **1. Appointment and role of a Moderator**

- a. A moderator will be appointed by a Selection Committee
- b. A list of three persons will be short-listed for consideration by the Selection Committee
- c. The moderator will be responsible for raising questions, controlling the conduct of panelists and the audience.

## **2. The Panel Structure and Control**

- a. A cross expert panelists will be selected by the Selection Committee based on their known expertise relevant to the petroleum and energy sector;
- b. Two experts will be selected for each of the two main thematic subjects – Petroleum and Power;
- c. Each panelist will have a dedicated microphone fixed to their shirts;
- d. There will not be any physical movement on stage between the panelists;
- e. There will not be any physical movement or communication between the panelist and the audience;
- f. At any time during the program the audience are expected to be quiet;
- g. No clapping or applause will be allowed. However, there will be one general applause from the audience at the commencement of the program and another at the end of the program, each to be requested by the moderator.

## **3. The Panelists**

- a. Panelists for the petroleum sector will have opportunity to comment on any question posed by the moderator;
- b. Panelists for the power sector will have opportunity to comment on any question posed by the moderator;
- c. Each panelist will be given 3 minutes to answer a question;

- d. Panelists will not be allowed to use vulgar or inappropriate language or words in communicating their opinion;
- e. Panelists will be straight to the point, using examples and illustrations where appropriate; Unrelated digression will not be allowed by the moderator;
- f. Panelists shall not openly support any party or communicate their preference for parties or encourage the electorate to vote any particular party while commenting on questions;
- g. Panelists are to focus on the following criteria when making their comments on manifesto promises of the political parties:
  - The uniqueness of the proposals
  - The feasibility of the proposal being implemented
  - Make recommendations for parties to consider for improving on their proposals (where possible express best practices anywhere in the world)
- h. Note that the moderator shall over-rule any statement, which stands contrary to any of the guidelines above.