

**MARTIN A. B. K. AMIDU, ESQ**

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2<sup>nd</sup> September 2022

**RE: THE PETITION OF MARTIN ALAMISI BURNS KAISER AMIDU (MARTIN A. B. K. AMIDU) ON THE APPOINTMENT OF PERMANENT STAFF INTO THE OFFICE OF THE SPECIAL PROSECUTOR (OSP) WITHOUT THE INVOLVEMENT AND APPROVAL OF THE GOVERNING BOARD AND THE PUBLIC SERVICES COMMISSION – ARTICLE 195 AND SECTION 21 OF ACT 959**


I write this letter to each of you as a sequel to my petition to the Chairman of the Public Services Commission on the above subject matter dated 31<sup>st</sup> August 2022 and delivered to his office the same day (I attach herewith a photocopy of the said petition for your ease of reference.)

My petition to the Chairman of the Public Services Commission necessitates this letter to you as keepers of the public purse/and or overseers of the expenditure charged on the public purse to ensure that you are well informed of the content of my petition. A constitutional and statutory duty is imposed on you to ensure that no expenditure is approved and charged upon the consolidated fund (the public purse) which is unlawful and violates Article 195 of the 1992 Constitution, the Office of the Special Prosecutor, Act, 2017, and pursuant regulations.

Recruitments and appointments of staff made not “...acting in accordance with the advice of the governing council of the OSP and in consultation with the Public Services Commission” will be inconsistent with and in contravention of Article 195 of the Constitution and accordingly void (Emphasis supplied). The case of Ghana Bar Association & Others v Attorney-General & Others (Consolidated Writs), Supreme Court, 20<sup>th</sup> July 2016, is binding authority on this matter. The governing council cannot ratify such unconstitutional and unlawful recruitments and appointments, neither can the Public Services Commission do so. The purported appointment letters and subsequent warrants of appointments (if any) would be standing on nothing and equally void.

It is, therefore, because of your respective gate keeping functions of protecting the public purse that I found it expedient to write to you (for the avoidance of any doubt) to become aware of the issues raised in my petition to the Public Servicesw/ Commission should you come to approve or authorize the disbursement of expenditure arising from the compensation budget of the OSP in the matters I have petitioned against to the Commission.

Kindly accept my compliments of the highest consideration.

  
Martin A. B. K. Amidu

1. **HON. KEN OFORI-ATTA**  
**THE HON MINISTER FOR FINANCE**  
**MINISTRY OF FINANCE**  
**MINISTRIES**  
**ACCRA**
2. **MR. KWASI KWANING-BOSOMPEM**  
**CONTROLLER & ACCOUNTANT-GENERAL**  
**THE CONTROLLER & ACCOUNTANT-GENERAL'S DEPT.**  
**MINISTRIES**  
**ACCRA**
3. **MR. JOHNSON AKUAMOAH ASIEDU**  
**AUDITOR-GENERAL**  
**THE AUDITOR-GENERAL'S DEPT.**  
**AUDIT SERVICE**  
**MINISTRIES**  
**ACCRA**
4. **HON. JAMES KLUTSE AVEDZI**  
**THE CHAIRMAN**  
**THE PARLIAMENTARY ACCOUNTS COMMITTEE**  
**PARLIAMENT HOUSE**  
**ACCRA**

- CC:
1. The Special Prosecutor – OSP -Accra
  2. The Chairperson – OSP – Accra
  3. Chairman – PSC – Accra
  4. Commissioner - CHRAJ - Accra