

REGISTRY DIVISION
P. O. BOX MB 60
ACCRA

Exhibit A

Filed on: 31/01/22
 at: 12:40 PM
 REGISTRAR
 HIGH COURT
 ACCRA

CHARGE SHEET

IN THE SUPERIOR COURT OF JUDICATURE

IN THE HIGH COURT OF JUSTICE

ACCRA - A.D. 2022

CASE NO: CR/0264/2022

THE REPUBLIC

VRS

JAMES GYAKYE QUAYSON

CERTIFIED TRUE COPY
 REGISTRAR
 HIGH COURT
 CRIMINAL COURT
 LAW COURT COMPLEX

The accused person is charged with the following offences:

COUNT ONE

STATEMENT OF OFFENCE

Deceit of public officer, contrary to section 251(b) of the CRIMINAL OFFENCES ACT, 1960 (ACT 29).

PARTICULARS OF OFFENCE

JAMES GYAKYE QUAYSON; on or about the 29th of July 2019 at the Passport Office, Accra with intent to facilitate the obtaining of a Ghanaian passport, deceived the Ministry of Foreign Affairs by making a false statement that you do not have a dual citizenship, a statement which you did not have a good reason to believe to be true at the time of making it.

This is the instrument Marked
 as exhibit..... referred
 to the affidavit.....
 sworn before me this.....
 day of.....
 COMMISSIONER FOR OATHS

Counterfoil Receipt

1

Exempt

HIGH COURT ACCRA

COUNT TWO

STATEMENT OF OFFENCE

Forgery of passport or travel certificate, contrary to section 15(1)(b) of the PASSPORTS AND TRAVEL CERTIFICATES ACT, 1967 (NLCD 155).

PARTICULARS OF OFFENCE

JAMES GYAKYE QUAYSON; on or about the 26th of July 2019 at the Passport Office, Accra, made a false statement that you do not have a dual citizenship for the purpose of procuring a passport, a statement you knew to be untrue at the time of making it.

COUNT THREE

STATEMENT OF OFFENCE

Knowingly making a false statutory declaration, contrary to section 5 of the STATUTORY DECLARATIONS ACT, 1971 (ACT 389).

PARTICULARS OF OFFENCE

JAMES GYAKYE QUAYSON; on or about 6th October 2020 at Assin Fosu made a statutory declaration that you do not owe allegiance to any country other than Ghana, a statement which you knew to be false in a material particular at the time of making it.

COUNT FOUR

STATEMENT OF OFFENCE

Perjury, contrary to section 210(1) of the CRIMINAL OFFENCES ACT, 1960 (ACT 29).

PARTICULARS OF OFFENCE

JAMES GYAKYE QUAYSON; on or about 6th October 2020 at Assin Fosu, made a false statement on oath that you do not owe allegiance to any country other than Ghana, a statement you did not have a reason to believe to be true at the time of making it.

COUNT FIVE

STATEMENT OF OFFENCE

False declaration for office, contrary to section 248 of the CRIMINAL OFFENCES ACT, 1960 (ACT 29).

PARTICULARS OF OFFENCE

JAMES GYAKYE QUAYSON; on or about 8th October 2020 at the Electoral Commission Office, Accra, knowingly used a declaration that you do not owe allegiance to any country other than Ghana for the purpose of obtaining a public office as a Member of Parliament, a statement you knew to be material for obtaining that office.

**DATED AT THE OFFICE OF THE ATTORNEY-GENERAL, ACCRA, THIS.....^{31st}
DAY OF JANUARY 2022.**

Yvonne Atakora Obuobisa

**YVONNE ATAKORA OBUOBISA (MRS)
DIRECTOR OF PUBLIC PROSECUTIONS
FOR: ATTORNEY-GENERAL**

Exhibit B

CERTIFIED TRUE COPY

.. *[Signature]* ..
REGISTRAR
HIGH COURT
CRIMINAL COURT
LAW COURT COMPLEX

BRIEF FACTS

The brief facts of this case are that the accused person James Gyakyé Quayson is the Member of Parliament for Assin North Constituency. The complainant, Richard Takyi-Mensah is a teacher and a resident of Yamoransa in the Central Region of Ghana.

On 26th July 2019, the accused person signed an application form for a Republic of Ghana passport. In the application form, he indicated that he is a Ghanaian and does not have a dual citizenship. The accused at the time held a Canadian citizenship issued on 30th October 2016 but failed to declare same on the application form. The passport application of the accused person was vetted on the 29th of July 2019. Based on this false information together with the other information provided by the accused person on the passport application form, he was issued with a Ghanaian passport, number G2538667 on 2nd August 2019.

Again, before the 2020 General Elections of Ghana was conducted on 7th December 2020, nominations were opened between the 5th and the 9th of October 2020. The accused person picked up nomination forms to contest for the position of Member of Parliament for Assin North Constituency. The accused person at the time was a Ghanaian and a Canadian citizen, making him a dual citizenship holder. He was therefore disqualified under Article 94(2)(a) of the 1992 Constitution of the Republic of Ghana to be a Member of Parliament. In part IV of the nomination forms of the Electoral Commission of Ghana, the accused person used a statutory declaration which he had sworn to on 6th October 2020 before the District Court Registrar at Assin Fosu stating that he does not owe allegiance to any country other than Ghana. The accused person further went ahead to file his nomination forms on 8th October 2020 with the false information in the statutory declaration. Based on this false information together with other information provided by the accused person in the nomination forms, his nomination was accepted by the Electoral Commission. He contested for the position and subsequently won the seat. The accused person was issued a Certificate of Renunciation of his Canadian

This is the instrument Marked
as exhibit *D.P. Tenwajah*
to the affidavit.
sworn before me this
day of *May 2020*
[Signature]
COMMISSIONER FOR OATHS

citizenship dated 26th November 2020, about forty-eight days after he had made the false statutory declaration and filed his nomination forms.

On 14th January 2021, the Director-General of the Criminal Investigations Department received a petition dated 11th January 2021 from the complainant in which the complainant reported these actions of the accused, leading to investigations against him. In his cautioned statement to the police, the accused person claimed that at the material time, he honestly believed that he did not owe allegiance to any other country. The accused person was subsequently charged with the offences in the charge sheet.

It is based on these facts that the accused person, James Gyakye Quayson has been arraigned for trial.

CERTIFIED TRUE COPY
[Signature]
REGIS RAR
HIGH COURT
CRIMINAL COURT
LAW COURT COMPLEX