

**GHANA TOBACCO COMPANY LIMITED (TOBACCO PURCHASES) ACT,
1978 S.M.C.D. 174**

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S.M.C.D. 174

GHANA TOBACCO COMPANY LIMITED (TOBACCO PURCHASES) ACT, 1978(1)

AN ACT to prohibit the unauthorised purchase of unmanufactured tobacco and for related matters.

1. Prohibitions on unmanufactured tobacco

(1) A person shall not purchase unmanufactured tobacco except the Ghana Tobacco Company Limited or a person authorised in writing by the Company to purchase unmanufactured tobacco for sale to the Company.

(2) A person shall not export or import unmanufactured tobacco except the Ghana Tobacco Company Limited or a person authorised in writing by the Company to do so.

2. Offence

(1) A person who contravenes a provision of section 1 commits an offence and is liable on summary

conviction to a fine not exceeding two hundred and fifty penalty units or to a term of imprisonment not

exceeding one year or to both the fine and the imprisonment.

(2) Without prejudice to an enactment relating to customs, an unmanufactured tobacco in relation to

which an offence is committed under this Act is liable to forfeiture on the orders of the Court by which

the offender is convicted.

3. Offences by bodies of persons

(1) Where an offence under this Act is committed by a body of persons,

(a) in the case of a body corporate, every director, secretary or similar officer of that body shall be deemed to have committed the offence, and

(b) in the case of a partnership, every partner shall be deemed to have committed the offence.

(2) A person shall not be convicted of an offence under subsection (1) if it is proved that the offence

was committed without the knowledge or connivance of, and that due diligence was exercised by, that

person to prevent the commission of the offence having regard to the circumstances.

4.

Interpretation

In this Act, “unmanufactured tobacco” means leaf tobacco that has not been treated in any way.

Endnotes

1 (Popup - Footnote)

1. This Act was issued as the Ghana Tobacco Company Limited (Tobacco Purchases) Decree, 1978, made on

the 15th day of August, 1978 and notified in the Gazette on 25th August, 1978.