

LICENSED BUYING AGENTS CONTROL DECREE, 1972 (NRCD 56)

ARRANGEMENT OF SECTIONS

Section

1. Moneys Due from Buying Agents to be Paid within Three Months.
2. Forfeiture of Assets upon Non-payment and Imprisonment where Assets are Insufficient.
3. N.R.C. to Give Directives.

IN pursuance of the provisions of the National Redemption Council (Establishment) Proclamation this Decree is hereby made:—

Section 1—Moneys Due from Buying Agents to be Paid within Three Months.

All moneys due from every licensed buying agent of the Ghana Cocoa Marketing Board to any cocoa farmer immediately before the commencement of this Decree in respect of any cocoa purchased from such farmer shall be paid to the farmer within three months after the commencement of this Decree or such longer period as the National Redemption Council may in exceptional cases direct.

Section 2—Forfeiture of Assets upon Non-payment and Imprisonment where Assets are Insufficient.

(1) Where any licensed buying agent fails to comply with section 1 of this Decree there shall be forfeited to the Republic assets belonging to the licensed buying agent and to the value of the extent of his indebtedness and the National Redemption Council shall take such steps as it may think necessary to ensure that the farmer is duly paid.

(2) Where the assets of any licensed buying agent are insufficient to meet any debt required to be paid under section 1, that agent may, in addition to the forfeiture of his assets, be imprisoned for such period not exceeding ten years as the National Redemption Council may by writing determine.

(3) Where the licensed buying agent is a body of persons, subsections (1) and (2) of this section shall unless the National Redemption Council otherwise directs apply to every director, partner, Secretary or similar officer of that body in respect of the indebtedness of the agent.

Section 3—N.R.C. to Give Directives.

(1) The National Redemption Council may by writing give any directions that may appear to it necessary for giving full effect to the provisions of this Decree and such directions shall have effect notwithstanding any law to the contrary.

(2) Without prejudice to the generality of subsection (1) of this section the National Redemption Council may give directions under that subsection:—

(a) for determining who is the owner of any asset for the purposes of this Decree, and

(b) for determining any matter about which any doubt exists.

(3) Any person who without reasonable excuse proof of which shall be on him fails to comply with any direction given under this section shall be guilty of an offence and liable on summary conviction to a term of imprisonment not exceeding five years.

Made this 29th day of March, 1972.

COLONEL I. K. ACHEAMPONG

Chairman of the National Redemption Council

Date of Gazette Notification: 13th April, 1972.