

**ACT 313**  
**AFRICA DEFENCE (GHANA) ACT, 1965**

ARRANGEMENT OF SECTIONS

1. Declaration of a situation which threatens peace.
2. Parliament to be informed.
3. Regulations.

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**ACT 313**  
**AFRICA DEFENCE (GHANA) ACT, 1965(1)**

**AN ACT to confer on the President certain powers to be exercised whenever the peace and security of Africa is being threatened and to provide for related matters.**

**1. Declaration of a situation which threatens peace**

Without prejudice to the Emergency Powers Act, 1994 (Act 472), where the President is satisfied that a situation has arisen in a State or territory of Africa which is likely to prejudice the peace and security of Africa, the President may, by a legislative instrument, declare that there exists a situation which threatens peace.<sup>2(2)</sup>

**2. Parliament to be informed**

A declaration made under section 1, shall be communicated to Parliament at once if it is sitting or, if not, as soon as it meets.

**3. Regulations**

(1) On the declaration of the existence of a situation which threatens peace, the President may, acting in accordance with the advice of the Council of State by legislative instrument, make Regulations providing for the manner and form necessary to meet the situation.

(2) Without prejudice to the generality of subsection (1), the Regulations may provide for

- (a) the requisitioning of Ghanaian aircraft, ships, vehicles and other property necessary for transporting the Armed Forces, arms and ammunition and any other thing that may be considered necessary to be transported or shipped out of the Republic;
- (b) the closing of the sea ports, airports, roads and railways that may be considered necessary to facilitate the movements of troops and materials;
- (c) the mobilisation of ex-servicemen and any other persons who are considered suitable to serve with the Armed Forces outside the Republic; and
- (d) the conditions for the recruitment of volunteers who are not citizens of Ghana.

(3) For the purposes of this section, “**Armed Forces**” has the meaning assigned to it by section 114 of the Armed Forces Act, 1962 (Act 105).

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## Endnotes

### 1 (Popup - Footnote)

1. The Act was assented to on 26th November, 1965. The preamble which follows is retained for historical purposes:

“WHEREAS the Defence Commission of the Organisation of African Unity has made certain recommendations to the creation of an African Peace Keeping Defence Organisation to ensure and to maintain peace and security on the African Continent:

AND WHEREAS by reason of recent threats to peace in Africa it is necessary to give immediately full force and effect to these recommendations and to make other provision for the defence of Ghana and of such African States as may request the assistance of the Republic.”

### 2 (Popup - Footnote)

2. The words “with the approval of the Cabinet” have been omitted. The function of the Cabinet under [the Constitution](#) is advisory. See [article 76](#) of [the Constitution](#), and [article 31](#) of [the Constitution](#), where approval comes from Parliament. But the President acts in accordance with the advice of the Council of State.