

**N.L.C.D. 235**  
**BORDER DEMARCATION COMMISSION ACT, 1968**

ARRANGEMENT OF SECTIONS

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**N.L.C.D. 235**  
**BORDER DEMARCATION COMMISSION ACT, 1968(1)**

**AN ACT to provide for the establishment of a Border Commission to undertake negotiations for the purpose of determining the borders of Ghana and for related matters.**

**1. Appointment of the Commission**

- (1) The President may, by legislative instrument, appoint a Commission
  - (a) to negotiate with a neighbouring country concerning the border between the Republic and that country,
  - (b) to undertake the physical demarcation of the border line agreed on, and
  - (c) to hold enquiries that are necessary to solve the human problems occasioned by the border demarcation.
- (2) The Commission may deal with any or all of the matters mentioned in subsection (1).

**2. Matters for which an instrument may provide**

- (1) An instrument made under section 1 may provide for incidental or supplementary matters that appear to be necessary or expedient for, or in connection with, the appointment and functioning of the Commission.
- (2) An instrument appointing a Commission consisting of two or more members shall designate one of the members to be chairman of the Commission.

**3. Appointment of a secretary**

The instrument appointing the Commission shall designate a person as secretary to the Commission

who shall perform the functions relating to the work of the Commission that the Commission may prescribe.

#### **4. Powers of the Commission**

(1) For the purposes of the physical demarcation, the Commission may enter on a land, shall have reasonable access to a land, and place a beaconing object on a land in the line of demarcation.

(2) A person who removes or interferes with a beaconing object fixed on the land or on an object on the land by or under the authority of the Commission, commits an offence and is liable on conviction to a fine not exceeding two hundred and fifty penalty units or to a term of imprisonment not exceeding one year.

#### **5. Procedure**

(1) Subject to its terms of reference, the Commission may set the time and place for work and meetings and may prescribe its own rules of procedure.

(2) Where the Commission consists of two or more members who are equally divided on a question arising in the course of its proceedings, the chairman shall have a casting vote.

#### **6. Powers in respect of taking evidence**

The Commission has the powers, rights and privileges that are vested in a Commission of Inquiry, established under Chapter Twenty-three of the Constitution.

#### **7. Attendance of police officers**

An instrument made under this Act shall direct the Inspector-General of Police to detail police officers to attend on the members of the Commission and to perform any other functions relating to and directed by the Commission.

#### **8. Expenses of the Commission**

(1) A witness summoned by the Commission is entitled to the allowances that are payable to a witness summoned by the High Court in a criminal trial.

(2) The President may direct the remuneration which should be paid to the secretary to the Commission who shall perform the functions relating to the work prescribed by the Commission.

(3) A member of the Commission is not entitled to remuneration other than the actual expenses incurred by that member in performing functions under the Instrument appointing that member, but the President may, in special cases, provide for a special remuneration to be paid to a member of the Commission.

(4) The expenses incurred by the Commission appointed under this Act shall be a charge on the Consolidated Fund.

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## Endnotes

### 1 (Popup - Footnote)

1. This Act was issued as the Border Demarcation Commission Decree, 1968 ([N.L.C.D. 235](#)) made on the 27th day of February, 1968 and published in the *Gazette* on 5th April, 1968.