

**THE EIGHT HUNDRED AND FORTY-EIGHTH ACT
OF THE PARLIAMENT OF THE REPUBLIC OF
GHANA**

ENTITLED

IMMIGRATION (AMENDMENT) ACT, 2012 ACT 848

AN ACT to amend the Immigration Act, 2000 (Act 573) to provide for the offence of migrant smuggling.

DATE OF ASSENT: *27th June, 2012.*

PASSED by Parliament and assented to by the President:

Section 52 amended

The Immigration Act, 2000 (Act 573) is amended by the insertion after section 52 (2) of section 52A

"Prohibition of migrant smuggling

52A. (1) A person shall not engage in migrant smuggling.

(2) A person who engages in migrant smuggling commits an offence and is liable on conviction to a fine of not less than six hundred and twenty-five penalty units and not more than one thousand, two hundred and fifty penalty units or to a term of imprisonment of not less than five years and not more than ten years or to both.

(3) For the purposes of this section, migrant smuggling: means the facilitation of the unlawful entry or departure from the country of a person in order to obtain, directly or indirectly, a financial or other material benefit.

(4) For the purposes of this section, facilitation" includes (a) producing, procuring, providing or processing a travel or identity document by fraudulent means;

(b) procuring by unlawful means other documentation in support of the processing of a travel or identity document; and

(c) enabling a person who is not a national or a permanent resident to remain in the country without complying with the requirement for legally remaining in the country by any of the means mentioned in paragraphs (a) and (b)". Date of

Gazette notification: 29th June, 2012.