

N.R.C.D. 56
LICENSED BUYING AGENTS (CONTROL) ACT, 1972

ARRANGEMENT OF SECTIONS

1. Payment of moneys by buying agents.
 2. Forfeiture of assets on non-payment.
 3. Directions by the President.
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N.R.C.D. 56
LICENSED BUYING AGENTS (CONTROL) ACT, 1972(1)

AN ACT to provide for the payment to farmers of cocoa bought by buying agents and for related matters.

1. Payment of moneys by buying agents

The moneys due from a licensed buying agent of the Ghana Cocoa Marketing Board to a cocoa farmer immediately before the commencement of this Act, in respect of cocoa purchased from that farmer, shall be paid to the farmer within three months after the commencement of this Act or a longer period that the President may in exceptional cases direct.

2. Forfeiture of assets on non-payment

(1) Where a licensed buying agent fails to comply with section 1, the assets belonging to the licensed buying agent are forfeited to the Republic and to the value of the extent of the indebtedness of the buying agent.

(2) The President shall take the necessary steps to ensure that the farmer is duly paid.

(3) Where the assets of a licensed buying agent are insufficient to meet a debt required to be paid under section 1, that agent is liable in addition to the forfeiture of assets, to a term of imprisonment not exceeding ten years.

(4) Where the licensed buying agent is a body of persons, subsections (1) and (2) shall apply to every director, partner, secretary or similar officer of that body in respect of the indebtedness of the agent.

3. Directions by the President

(1) The President may by writing give the necessary directions for giving full effect to this Act and these directions shall have effect despite a law to the contrary.

(2) In addition to subsection (1), the President may give directions under that subsection

- (a) for determining who is the owner of an asset for the purposes of this Act, and
- (b) for determining a matter about which a doubt exists.

(3) A person who without reasonable excuse, the proof of which lies on that person, fails to comply with a direction given under this section commits an offence and is liable on summary conviction to a term of imprisonment not exceeding five years.

Endnotes

1 (Popup - Footnote)

1. This Act was issued as the Licensed Buying Agents (Control) Decree, 1972 (N.R.C.D. 72) made on the 29th day of March, 1972 and notified in the *Gazette* on 13th April, 1972.