

Act 562
Laws of Ghana (Revised Edition) Act, 1998

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ACT 562
LAWS OF GHANA (REVISED EDITION) ACT, 1998(1)

AN ACT to provide for the preparation and publication of a Revised Edition of the Laws of Ghana and to provide for related matters.

1. Appointment of Law Revision Commissioner

(1) The President in consultation with the Council of State and the Minister for Justice shall appoint a Commissioner to be known as the Statute Law Revision Commissioner to prepare a Revised Edition of

- (a) all Acts in force on the 1st January, 2005, and
- (b) all subsidiary legislation in force on the 1st January, 2005.²⁽²⁾

(2) Where the Commissioner is for a reasonable and just cause unable to perform the functions assigned to the Commissioner under this Act, the President may, in accordance with the advice of the Minister for Justice, appoint another person qualified to be Commissioner during the period of absence of

the Commissioner.

2. Functions and powers of the Commissioner

(1) In the preparation of the Revised Edition, the Commissioner

- (a) shall omit
 - (i) all Acts or parts of Acts which have been expressly or specifically repealed or which have expired, become spent or ceased to have effect;
 - (ii) all repealing enactments contained in Acts and tables and all lists of repealed enactments whether contained in Schedules or otherwise;
 - (iii) all preambles to Acts where the Commissioner considers that the omission can conveniently be made;
 - (iv) all enactments prescribing the date on which an Act or part of an Act is to come into force where the Commissioner considers that the omission can conveniently be made;
 - (v) all amending Acts or parts of amending Acts where the Commissioner has incorporated the amendments in the Acts to which the amendments relate;
 - (vi) all enacting clauses;
- (b) shall make adaptations of and amendments to Acts in order to bring those Acts into conformity with the Constitution of Ghana, 1992;
- (c) may arrange any Act in such groups and sequence that may be convenient irrespective of the date of enactment;
- (d) may alter
 - (i) the order of sections in any Act and renumber the sections;
 - (ii) the form or arrangement of any sections by transferring words, by combining any sections or other sections, or by dividing any sections into two or more subsections;
- (e) may transfer an enactment contained in an Act from that Act to any other Act to which that enactment properly belongs;
- (f) may omit a chart, map or plan annexed to an Act;
- (g) may divide Acts into parts or other suitable divisions;
- (h) may alter the short title of an Act or add a short title to an Act which may require a short title;
- (i) may redesignate Legal Notices as statutory instruments;
- (j) may supply or add head notes;
- (k) shall convert marginal notes to head notes;
- (l) shall correct all grammatical, typographical and similar errors in the Acts and for that purpose the Commissioner may effect such alterations that are necessary whilst not affecting the meaning of any Act;
- (m) may alter names, localities, offices, forms and methods in order to bring an Act into conformity with the circumstances of the country or the Commonwealth; and

- (n) may do all other things relating to form and method that the Commissioner considers necessary to make perfect the Revised Edition.

(2) Despite subsection (1) the Commissioner may omit from the Revised Edition an Act which is in force on the 1st January, 2005,³⁽³⁾ but which is repealed before the coming into force of the Revised Edition.

3. No power to make alteration of substance

(1) The functions of the Commissioner contained in section 2 does not include a power to make an alteration or amendment in the matter or substance of an Act.

(2) Where the Commissioner considers

- (a) that an alteration or amendment in the matter or substance of an Act is desirable, or
- (b) that an Act requires considerable alteration or amendment involving the entire recasting of the Act,

the Commissioner shall prepare a Bill setting out the alteration or amendment or the recasting of the Act for introduction into Parliament.

4. Power to omit specific enactments

The Commissioner may, where the Commissioner considers it appropriate, exclude from the Revised Edition

- (a) an Act of a personal nature;
- (b) an Act of a temporary nature,

which can in the opinion of the Commissioner be conveniently omitted.

5. Omission of maps, charts or plans

(1) Where a chart, map or plan annexed to an Act is omitted in the Revised Edition of the Acts under paragraph (f) of subsection (1) of section 2, the Commissioner shall deposit a duly authenticated copy of the chart, map or plan with the appropriate authority, for inspection, without the payment of a fee, by a person who desires to inspect the chart, map or plan.

(2) A person may obtain a copy of a chart, map or plan deposited pursuant to subsection (1) on the payment of the fee normally demanded by the appropriate authority for that copy.

6. Form of publication

(1) The Revised Edition shall

- (a) be printed and published in loose-leaf form, and
- (b) be issued in the number of volumes with binders that the Commissioner shall determine.

(2) Despite subsection (1) (a), the Commissioner shall cause a number of copies of the Revised Edition as the Commissioner considers necessary for signature in accordance with section 14, and for record purposes to be bound as volumes in book form.

(3) Subject to this section any other particulars relating to form of publication of the Revised Edition shall be determined by the Commissioner in consultation with the Minister.

7. Maintenance of a Cumulative Edition of the Laws of Ghana

(1) There shall be maintained after the publication of the Revised Edition a Cumulative Edition of the Laws in accordance with this section.

(2) The Minister shall, as soon as practicable after the 31st December of the year in which the Revised Edition comes into force and after the 30th June and the 31st December of each succeeding year, cause to be revised the enactments in the Revised Edition.

(3) For the purposes of subsection (2), the Minister shall authorise the inclusion in the Revised Edition of amendments, and the deletion of repeals on a printed page referred to in this Act as “a replacement page” and the Revised Edition as from time-to-time revised shall constitute the Cumulative Edition.

(4) A replacement page may

(a) replace an affected page;

(b) indicate a complete repeal of an enactment in which event the repealed enactment shall be removed from the Cumulative Edition;

(c) replace an enactment in the Revised Edition or Cumulative Edition as amended.

(5) Pages replaced in the Cumulative Edition may be kept separately for record purposes.

(6) An inclusion or a deletion effected under this section shall have stated on the replacement page or the reprint, the short title, date and number of the amending enactment incorporated or effecting the repeal.

(7) Where amendments are made to the enactments in the Cumulative Edition, this section shall apply as appropriate.

8. Effective date of Revised Edition

(1) As soon as practicable after the completion of the Revised Edition, the Commissioner shall submit a set in bound book form to the Minister who shall lay it before Parliament.

(2) Parliament shall on a resolution passed for the purpose and supported by the votes of the majority of the members present and voting approve the Revised Edition to come into force on a date that the President may by executive instrument published in the *Gazette* specify.^{3a(4)}

(3) From the date specified as the date of the coming into force of the Revised Edition under subsection (2), the Revised Edition shall have the force of law as the sole Statute Book in respect of the Acts in force on the 1st January, 2005.⁴⁽⁵⁾

9. Saving of subsidiary legislation

(1) A subsidiary legislation made under an Act included in the Revised Edition of the Acts and in force on the day the Revised Edition of the Acts comes into force, shall continue in force until otherwise dealt with.

(2) A reference in a subsidiary legislation mentioned in subsection (1) to the Act under which it is made or to a part of it, or to an enactment, shall, where necessary, be construed as a reference to the corresponding provision in the Revised Edition.

10. Revision of subsidiary legislation

In the preparation by the Commissioner of the Revised Edition of subsidiary legislation, this Act, unless otherwise provided, shall apply to subsidiary legislation as it applies to Acts with the modifications that may be necessary.

11. Effective date of Revised Edition of subsidiary legislation

(1) The President may, by legislative instrument, specify the date on which the Revised Edition of subsidiary legislation shall come into force.

(2) From the date specified under subsection (1), the Revised Edition of subsidiary legislation shall, for all purposes, have the force of law as the sole and only set of subsidiary legislation which was in force on the 1st January, 2005,⁵⁽⁶⁾ under the Statute Book.

12. Complimentary matters

The Revised Edition may contain a reprint of historical and constitutional documents, including in particular imperial Statutes, Order-in-Council, Royal Instructions and other instruments as the Commissioner may determine.

13. Construction of references

Where in an enactment or in a document a reference is made to an enactment affected by or under the operation of this Act, that reference shall, where necessary, be construed as a reference to the corresponding enactment in the Revised Edition of the Acts or the Revised Edition of the subsidiary legislation.

14. Signed copies

One copy of each set of bound volumes of the Revised Edition of the Acts and of the Revised Edition of subsidiary legislation shall be signed by the President, the Speaker and the Commissioner and shall be deposited with the President, the Speaker, the Chief Justice and the Public Records and Archives Department.

15. Sale of Revised Edition

Copies of the Revised Edition of the Acts and of the subsidiary legislation shall be available for sale to the public as a government publication.

16. Expenses of the revision

The expenses of, and incidental to, the preparation and publication of the Revised Edition shall be a charge on the Consolidated Fund.

17. Printing of this Act with the first Revised Edition

This Act shall be printed at the commencement of the Revised Edition.

18. Interpretation

In this Act, unless the context otherwise requires,

“Act” includes Ordinance, Decree and Law;

“Commissioner” means the Statute Law Revision Commissioner appointed under section 1;

“Cumulative Edition” means the Revised Edition as revised from time-to-time in accordance with section 7;

“Minister” means the Minister responsible for Justice;

“Revised Edition” means the written laws of Ghana as revised and published under the authority of this Act;

“subsidiary legislation” includes Proclamations, Orders, Regulations, Rules and Legal Notifications made or issued under the authority of an Act.

19. Repeals

The Revised Edition of the Laws Ordinance, 1951 (No. 36) and the Revised Edition of the Laws (Amendment) Decree, 1954 (No. 35) are hereby repealed.⁶⁽⁷⁾

Endnotes

1 (Popup - Footnote)

1. Assented to on 30th December, 1998.

2 (Popup - Footnote)

2. Amended by the Laws of Ghana (Revised Edition) (Amendment) Act, 2006.

3 (Popup - Footnote)

3. Amended by the Laws of Ghana (Revised Edition) (Amendment) Act, 2006 consequentially.

4 (Popup - Footnote)

- 3a. Amended by the Laws of Ghana (Revised Edition) (Amendment) Act, 2007 (Act 729).

5 (Popup - Footnote)

4. Amended by the Laws of Ghana (Revised Edition) (Amendment) Act, 2006 consequentially.

6 (Popup - Footnote)

5. See footnote 4.

7 (Popup - Footnote)

6. This is consequent on the coming into force of the Laws of Ghana (Revised Edition) Act, 1998 ([Act 562](#)).