



THE THREE HUNDRED AND TWENTY-SIXTH

ACT

OF THE PARLIAMENT OF THE REPUBLIC
OF GHANA

ENTITLED

THE BAST FIBRES DEVELOPMENT BOARD ACT, 1970

AN ACT to establish the Bast Fibres Development Board and to provide for other matters connected therewith.

DATE OF ASSENT: *22nd April, 1970*

BE IT ENACTED by the Presidential Commission and the National Assembly in this present Parliament assembled as follows:—

1. (1) There is hereby established a body corporate to be known as the Bast Fibres Development Board, hereafter in this Act referred to as the "Board".

Establishment of Bast Fibres Board.

(2) The Board shall have perpetual succession and a common seal and may sue and be sued in the name assigned to it by subsection (1) of this section.

(3) The Board shall have power, for the discharge of any of its functions to acquire and hold any movable or immovable property, to dispose of such property, and to enter into any contract or transaction.

2. (1) The Board shall be responsible for the development on a commercial scale of the bast fibre industry in Ghana.

Functions of Board.

(2) Without prejudice to the generality of the foregoing subsection the Board may under that subsection carry out the following activities:—

- (a) the cultivation or the arrangement for the cultivation on a commercial scale, of bast fibres;
- (b) the processing, handling and grading of bast fibres;
- (c) the purchase, sale, distribution and exportation of bast fibres;
- (d) the importation when and as it thinks fit of unprocessed bast fibres into Ghana;
- (e) the determination and guarantee, from time to time, of the prices at which bast fibres shall be purchased by the Board;
- (f) the withholding of assistance at its discretion from growers who have contravened any provision of this Act;
- (g) the undertaking of research or the arrangement of research in respect of the problems affecting the bast fibre industry for the improvement and utilisation of bast fibre products;
- (h) the giving of advice on all technical, social and economic matters connected with the general development of the bast fibre industry, and
- (i) the discharge of any other function which is incidental to or related to the discharge of any of the above-mentioned functions.

(3) The Board may from time to time in writing give to any person connected with the bast fibre industry such directions as the Board may consider necessary for promoting the development on a commercial scale of the bast fibre industry in Ghana and it shall be the duty of any such person to comply with such directions.

Composition
and tenure
of office
of the
Board.

3. (1) The Board shall consist of the following persons who shall be appointed by the President acting in accordance with the advice of the Prime Minister:—

- (a) a Chairman,
- (b) a representative of the Cocoa Marketing Board,
- (c) a representative of the Crops-Research Institute, Kumasi,
- (d) two representatives of the banking institutions in Ghana, one of whom shall be from the Agricultural Development Bank,

- (e) one representative of the Ghana Industrial Holding Corporation,
- (f) one representative of the Grains Development Board,
- (g) two representatives of bast fibre growers,
- (h) the Regional Agricultural Officer, Ashanti, and
- (i) the person appointed as Executive Secretary under section 5 of this Act.

(2) A member of the Board other than a member appointed under paragraph (g) or (h) of subsection (1) of this section shall hold office for a period of three years.

(3) A member of the Board whose term of office expires shall be eligible for re-appointment.

(4) A member, including the Chairman, may be removed from membership of the Board only when he—

- (a) becomes a person of unsound mind;
- (b) is absent from three consecutive meetings of the Board without permission;
- (c) is proved guilty of serious misconduct in relation to his duties as Chairman or member of the Board;
- (d) is sentenced to death or to imprisonment for a term exceeding 12 months without the option of a fine or is convicted of an offence involving dishonesty;
- (e) is declared insolvent or bankrupt under any law in force in Ghana or in any other country; or
- (f) (if he were a person possessed of professional qualifications) is disqualified or suspended, otherwise than at his own request, from practising his profession in Ghana or in any other country by order of any competent authority made in respect of him personally.

(5) Subject to the provisions of this Act every member of the Board shall hold office on such terms and conditions relating to the payment of remuneration and allowances as may be determined by the Government.

(6) A member of the Board other than a member appointed under paragraph (h) or (i) of subsection (1) of this section may resign his appointment by giving one month's notice in writing addressed to the President through the Prime Minister.

4. (1) The Board shall meet for the discharge of its functions at such times and places as the Chairman may appoint, so however, that the Board shall meet at intervals, not exceeding three months.

Meetings of Board.

(2) The Chairman shall preside at all meetings of the Board, and in his absence a member of the Board appointed by the members present from among themselves shall preside.

(3) Questions proposed at a meeting of the Board shall be determined by a simple majority of members present and voting and in the event of an equality of votes, the person presiding shall have a second or casting vote.

(4) The quorum at any meeting of the Board shall be five.

Executive
Secretary.

5. (1) The Board shall, with the approval of the Cabinet, appoint an Executive Secretary on such terms and conditions as the Board may determine, and for a period of five years which may be renewed.

(2) The Executive Secretary shall be responsible for the day to day management and administration of the activities of the Board and shall act subject to such general directions as may be given by the Board.

Appoint-
ment of
consultant.

6. (1) The Government may appoint a consultant to the Board on such terms and conditions as it may deem fit.

(2) The consultant shall, *inter alia*, be responsible for organising the bast fibre industry in the country on a commercial scale.

Officers and
employees
of Board.

7. The Board shall employ officers and employees on such terms and conditions as it may deem fit for the discharge of its functions.

Assets and
funds of
Board.

8. (1) The assets and funds of the Board shall consist of—

(a) all lands, buildings, equipment, stores, furniture, tools and machinery purchased by the Board or granted to the Board by the Government or by any person for the proper discharge of its functions;

(b) all sums granted to the Board from time to time by the Government with the prior approval of the Minister responsible for Finance;

(c) all sums granted to the Board by foreign governments or foreign institutions;

(d) income derived from the sale of bast fibres, and

(e) any other money or property which may in any manner become payable to or vested in the Board in respect of any matter incidental to its functions.

(2) The Board may borrow from any banking institution, corporation, local authority or other person such amounts as it may require for the discharge of its functions.

Accounts,
etc.

9. (1) The Board shall in such form as the Auditor-General may approve, keep proper books of accounts and proper records in relation thereto.

(2) The financial year of the Board shall be the period of twelve months ending on the 31st day of March in each year.

(3) The Executive Secretary shall prepare the budget estimates for any new financial year and present such estimates to the Board for its approval not later than two months before the end of the preceding financial year of the Board.

10. (1) Accounts prepared under section 9 of this Act shall be submitted annually to the Auditor-General by the Board and the Auditor-General shall cause the accounts to be audited as required by article 135 of the Constitution. Audit.

(2) The Board shall, not later than the 31st day of July immediately succeeding the end of the previous financial year, forward to the Minister responsible for Agriculture a report of its activities during the preceding financial year together with an audited statement of accounts in respect of that year.

(3) The said Minister shall transmit copies of the said report and audited statement as soon as may be practicable upon receipt thereof to the Cabinet.

11. The Board may with the prior approval of the Minister responsible for Agriculture and subject to the provisions of this Act, by legislative instrument make regulations in respect of all or any of the following matters:— Board to make regulations.

- (a) the cultivation, processing, handling, grading and storage of bast fibres;
- (b) the purchase, sale and utilisation of bast fibres which the Board deems to be in the best interest of the country and the local bast fibre industry;
- (c) the importation and exportation of bast fibres;
- (d) any matter for the purpose of carrying out the principles and provisions of this Act.

12. (1) Any person who contravenes any provision of this Act or any regulation made thereunder shall be guilty of an offence and shall on summary conviction be liable to a fine not exceeding two hundred new cedis or to a term of imprisonment not exceeding one year or to both such fine and imprisonment. Offences.

(2) In the case of an offence committed under this Act by a body of persons—

- (a) where the body of persons is a body corporate other than a partnership every director and officer of that body corporate shall be deemed to be guilty of the offence; and

- (b) where the body of persons is a partnership every partner of that partnership shall be deemed to be guilty of that offence:

Provided that no such person shall be deemed to be guilty of an offence under this Act, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of the offence.

Exemption
from taxes.

13. The Board shall be exempted from the payment of all taxes and duties for a period not exceeding ten years.