

**GHANA STANDARDS (CERTIFICATION MARK)
RULES, 1970**

IN exercise of the powers conferred on the National Standards Board by paragraph 5 of the Standards Decree, 1967 (N.L.C.D. 199), these Rules are made this 19th day of August, 1970.

1. No person shall exhibit for sale, sell, distribute, prepare for export, export or otherwise dispose of, goods manufactured by an industrial process in Ghana, unless—

Requirement to possess licence to use standard mark.

- (a) he has a valid licence to use the standard mark, to be called the Ghana Standards Certification Mark, relating to such goods;
- (b) the goods bear a facsimile of that standard mark;
- (c) the goods bear a label indicating that the goods are "Made in Ghana."; and
- (d) the goods bear code numbers indicating the batches of production to which they belong.

2. (1) Every person desirous to have the licence referred to in rule 1 shall apply for such licence to the National Standards Board (hereinafter referred to as "the Board") and the licence shall be valid for one year, unless the licence is renewed or is suspended or revoked by the Board.

Licence.

(2) Every application for a licence shall specify—

- (a) the name and business address of the applicant;
- (b) the description of the goods for which the licence is required; and
- (c) the address of the factory or place where the goods are manufactured or stored, if such address is different from the business address.

(3) No person shall be granted the licence for such goods unless

- (a) the goods conform to the standard prescribed for such goods in a separate instrument made under paragraph 5 of the Standard Decree, 1967 (N.L.C.D. 199), and published in the *Gazette*; and
- (b) he pays the annual licence fee of ten new cedis.

3. The Ghana Standards Certification Mark shall as closely as possible approximate to the design specified in the Schedule to these Rules.

Standard mark.

*GHANA STANDARDS (CERTIFICATION MARK)
RULES, 1970*

Inspections.

4. (1) Before a person is granted a licence to use the Ghana Standards Certification Mark in respect of any goods, or such licence is renewed an officer authorised in that behalf by the Board shall have the power—

- (a) to inspect the premises where the goods are manufactured or stored; and
- (b) to examine and take samples of goods for ascertaining whether the goods conform to, or, in the case of a renewal of a licence, continue to conform to the standards referred to in paragraph (3) (a) of rule 2 of these Rules:

Provided that the provisions of this paragraph shall have effect only with respect to goods for which Ghana Standards have been established.

(2) The said power of inspection, examination and sampling shall be exercised at all reasonable times and at the discretion of the Board.

Suspension
or cancella-
tion of
licence.

5. (1) It shall be lawful for the Board to suspend or cancel any licence for any goods if it is satisfied, after the inspection of premises where such goods are manufactured or stored or after the examination of the goods or after taking of samples thereof, by any authorised officer of the Board, that the goods do not conform to the standards referred to in paragraph (3) (a) of rule 2 of these Rules.

(2) Notwithstanding anything in these Rules the licence to use the Ghana Standards Certification Mark may be revoked or suspended at any time where the Board is satisfied that the quality of the product of a factory in any material particular falls below the Ghana standards prescribed for that product as aforesaid.

Records and
returns.

6. It shall be lawful for the Board or any officer authorised in that behalf by the Board to request any person to keep such records, returns and other documents as the Board or such officer may determine for the purposes of these Rules and to furnish any such records, returns or documents to the Board or such officer within the period specified in the request.

Appeals.

7. (1) Any person who has been refused a grant or a renewal of a licence referred to in these Rules or whose licence has been

**GHANA STANDARDS (CERTIFICATION MARK)
RULES, 1970**

suspended or revoked may appeal to a Board of Appeal consisting of three persons, appointed by the Government, within thirty days of the date of such refusal, suspension or revocation.

(2) The Board of Appeal, in respect of the attendance and examination of witnesses, the production and inspection of documents, and other matters necessary or proper for the due exercise of its jurisdiction, shall have all such powers, rights and privileges as are vested in the High Court.

(3) The Board of Appeal may, subject to the preceding provisions of this rule, regulate its practice and its procedure for the hearing and determination of the appeal.

8. Any person who—

Offences.

- (a) contravenes the provisions of rule 1 of these Rules;
- (b) prevents an officer authorised by the Board to inspect any premises or examine or take samples of any goods as required under rule 4 or fails to keep any record, return or other document which he is requested to keep under these Rules or, on being requested by such officer to furnish a record, return or other document, fails so to do within the period specified in the request, or
- (c) furnishes a false or incorrect record, return or document,

shall be guilty of an offence and shall, on summary conviction, be liable to a fine not exceeding two hundred new cedis or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

9. In the case of an offence by a body of persons—

Offences by
bodies of
persons.

- (a) where the body of persons is a body corporate, every director and officer of the body corporate shall be deemed to be guilty of the offence; and
- (b) where the body of persons is a firm, every partner of the firm shall be deemed to be guilty of the offence:

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

10. These Rules shall come into force on the 1st day of January, 1971.

Commence-
ment.

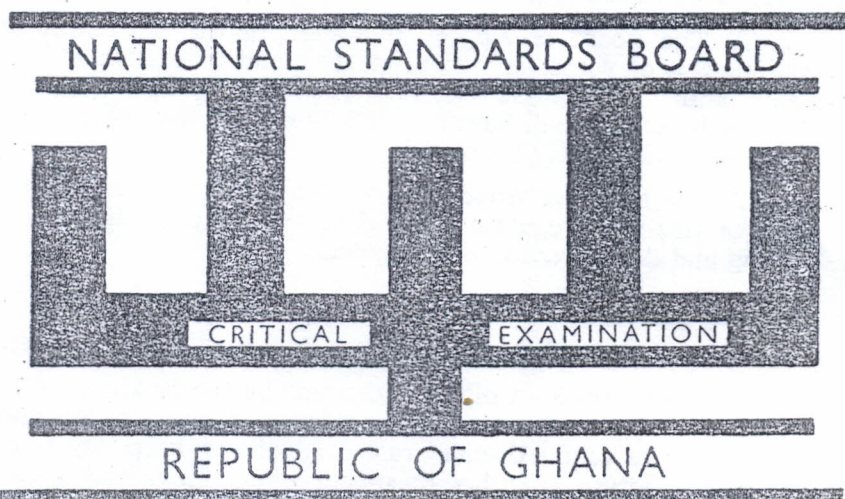
L.I. 662.

4

GHANA STANDARDS (CERTIFICATION MARK)
RULES, 1970

SCHEDULE (Rule 3)

GHANA STANDARDS CERTIFICATION MARK



S. KRAKUE
VICTOR D. ADU
A. A. LARYEA
DR. K. M. SAPE

A. OHENE-SAFFO
S. K. DADZIE
F. C. READ
E. LARTEY

Date of Gazette notification: 17th September, 1970.

PRINTED BY THE GHANA PUBLISHING CORPORATION (PRINTING DIVISION)
ACCRA-TEMA, GHANA

GPC/A543/3,000/6/73

Price 5p