

Meat Marketing Board Act - 1972 (Nrcd 42)

Section - 1 - Establishment of Meat Marketing Board.

(1) There is hereby established a body corporate to be known as the Meat Marketing Board, in this Decree referred to as the Board. [As amended by the Meat Marketing Board (Amendment) Decree, 1978 (SMCD 153)].

Without prejudice to the generality of subsection (1) for the short title to the Cattle Development Board Decree, 1972 (NRCD 42), there is hereby substituted the following:-

MEAT MARKETING BOARD DECREE, 1972 [As inserted by the Meat Marketing Board (Amendment) Decree, 1978 (SMCD 153)].

(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 enter into any contract or other transaction.

Section - 2 - Compulsory Acquisition of Property for Board where there is Hindrance.

Where there is any hindrance to the acquisition by the Board of any property, the property may be acquired for the Board under the State Property and Contracts Act, 1960 (CA 6) or as the case may be, under the State Lands Act, 1962 (Act 125), and each such Act shall, as the case may be, apply in relation to any such acquisition with such modifications as may be necessary to provide for the vesting of the property acquired thereunder in the Board and for the cost of such acquisition to be defrayed by the Board.

Section - 3 - Composition and Terms of Office of Members of the Board.

(1) The Board shall consist of the following persons who shall be appointed by the National Redemption Council:-

- (a) an Executive Chairman;
- (b) a Deputy Executive Chairman;
- (c) a representative of the Ministry responsible for Trade;

- (d) a representative of the Ministry responsible for Finance;
- (e) a representative of the Attorney-General's office;
- (f) a representative of the Ministry of Agriculture who shall be at least a Senior Veterinary Officer;
- (g) a representative of the Ministry of Foreign Affairs;
- (h) a representative of the Bank of Ghana;
- (i) a Police Officer not below the rank of an Assistant Superintendent of Police;
- (j) a representative of the Comptroller of Customs; and
- (k) two private businessmen nominated by the Commissioner.

(2) The Executive Chairman, the Deputy Executive Chairman and other members 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 Executive Council.

(3) The Executive Chairman 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.

(4) The Deputy Executive Chairman shall assist the Executive Chairman in the performance of his functions aforesaid. [As substituted by the Meat Marketing Board (Amendment) (No. 2) Decree, 1972 (NRCD 126) s. 1].

Section - 4 - Functions of the Board.

The objects of the Board are-

- (a) to purchase, handle and transport all cattle imported for consumption in Ghana;
- (b) to arrange satisfactory distribution of cattle to any Butchers' Association recognised by the Government;
- (c) to make financial arrangements in respect of transfer of proceeds of the sale of cattle; and
- (d) to do such other things which in the opinion of the Board are incidental or conducive to all or any of the foregoing objects.

Section - 5 - Power of Board to Delegate its Functions.

The Board may delegate any of its functions to any of the members thereof or to any other person.

Section - 6 - Offence.

(1) No person other than the Board shall perform or undertake any of the objects specified under section 4 of this Decree.

(2) Any person who contravenes any provision of this section shall be liable on summary conviction to a fine not exceeding four hundred cedis or to a term of imprisonment not exceeding two years or to both.

(3) Where the offence is committed by a body of persons then-

(a) in the case of a body corporate (other than a partnership) every director or officer of the body shall be deemed also to be guilty of the offence;

(b) in the case of a partnership every partner or officer of the body shall also be deemed to be guilty of that 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.

Section - 7 - Meetings of the Board.

(1) The Board shall meet for the despatch of business, at such times and places as the Executive Chairman may appoint but shall meet at least once in every month. [As amended by the Meat Marketing Board (Amendment) Decree, 1972 (NRCD 82) s. 2].

(2) The Executive Chairman shall preside at meetings of the Board and in his absence, a member of the Board appointed by the members present from among themselves shall preside. [As amended by the Meat Marketing Board (Amendment) Decree, 1972 (NRCD 82)].

(3) The quorum of every meeting shall be five.

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

(5) The Executive Chairman may, at any time, and shall at the request in writing of five members of the Board call a special meeting of the Board.

Section - 8 - Secretary.

(1) The Board shall have a Secretary who shall be appointed by the National Redemption Council on such terms and conditions as may be stated in his letter of appointment.

(2) The Secretary shall, subject to the directions of the Board, arrange the business for and cause to be recorded and kept minutes of all meetings of the Board.

(3) The Secretary shall in addition perform such functions as the Board may by writing direct or as the Executive Chairman may by writing delegate to him and shall be assisted in his functions by such of the staff of the Board as the Board may on the recommendations of the Executive Chairman direct. [As substituted by the Meat Marketing Board (Amendment) Decree, 1972 (NRCD 82) s .3].

Section - 9 - Officers and Employees of Board.

The Board shall employ such officers and employees on such terms and conditions as it may deem fit for the discharge of its functions, in accordance with the advice of the Public Services Commission.

Section - 10 - Borrowing Powers.

Subject to the prior approval of the Commissioner responsible for Finance the Board may borrow from any banking institution, such amounts as it may require for the discharge of its functions.

Section - 11 - Accounts, Etc.

(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 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.

Section - 12 - Audit.

(1) Accounts prepared under section 11 of this Decree shall be submitted annually to the Auditor-General by the Board and the Auditor-General shall cause the accounts to be audited.

(2) The Board shall not later than three months after the end of the previous financial year, forward to the Commissioner a report of its activities during the preceding financial year together with the audited statement of accounts in respect of that year.

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

Section - 13 - Commissioner's Power of Direction.

The Commissioner may give directions as to policy to the Board and the Board shall be bound to comply.

Section - 14 - Exemption from Taxes.

The Board shall be exempted from such taxes, rates and duties as the Commissioner for Finance may, with the prior approval of the Executive Council, by writing direct.

Section - 15 - Interpretation.

In this Decree-

"Commissioner" means the Commissioner responsible for Trade.