

N.R.C.D. 42

MEAT MARKETING AUTHORITY ACT, 1972

ARRANGEMENT OF SECTIONS

SECTION

1. Establishment of the Authority.
2. Compulsory acquisition of property.
3. The governing body of the Authority.
4. Functions of the Authority.
5. Delegation of functions.
6. Offences.
7. Meetings of the Authority.
8. Secretary.
9. Officers and employees of the Authority.
10. Borrowing powers.
11. Accounts.
12. Audit.
13. Powers of direction.
14. Exemption from Taxes.
15. Interpretation.

N.R.C.D. 42

MEAT MARKETING AUTHORITY ACT, 1972¹**1. Establishment of the Authority**

(1) There is hereby established a body corporate to be known as the Meat Marketing Authority.²

(2) The Authority shall have perpetual succession and a common seal and may sue and be sued in its corporate name.

(3) The Authority may for the performance of any of its functions, acquire and hold movable or immovable property, dispose of that property, and enter into a contract or any other transaction.

2. Compulsory acquisition of property

Where there is a hindrance to the acquisition by the Authority of property, the property may be acquired for the Authority under the State Property and Contract Act, 1960 (C.A. 6) or under the State Lands Act, 1962 (Act 125) and each Act shall apply in relation to the acquisition with necessary modifications to provide for the vesting of the property acquired in the Authority and for the cost for the acquisition to be defrayed by the Authority.

1. This Act was issued as the Cattle Development Board Decree, 1972 (N.R.C.D. 42) made on the 7th day of March, 1972, and notified in the *Gazette* on 13th March, 1972. The short title was changed to Meat Marketing Authority by the Cattle Development Board (Amendment) Decree, 1978 (S.M.C.D. 153).
2. The amendments affects the original name of the Board.

3. The governing body of the Authority

- (1) The governing body of the Authority is a Council consisting of
- (a) the executive chairman,
 - (b) the deputy executive chairman,
 - (c) one representative of the Ministry responsible for Trade,
 - (d) one representative of the Ministry responsible for Finance,
 - (e) one representative of the Attorney-General's Office,
 - (f) one representative of the Ministry of Agriculture who is at least a senior veterinary officer,
 - (g) one representative of the Ministry of Foreign Affairs,
 - (h) one representative of the Bank of Ghana,
 - (i) one Police Officer not below the rank of an Assistant Superintendent of Police,
 - (j) one representative of the Commissioner of the Customs, Excise and Preventive Service, and
 - (k) two private businessmen nominated by the Minister.
- (2) The executive chairman and the other members of the Council,
- (a) shall be appointed by the President in accordance with article 70 of the Constitution, and
 - (b) shall hold office on the terms and conditions relating to the payment of remuneration and allowances determined by the President.

(3) The executive chairman is responsible for the day-to-day management and administration of the activities of the Authority, and shall act subject to the general directions given by the Council.

(4) The deputy executive chairman shall assist the executive chairman in the performance of the functions of office.³

4. Functions of the Authority

The functions of the Authority are

- (a) to purchase, handle and transport the cattle imported for consumption in the Republic,
- (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 any other things which, in the opinion of the Council, are incidental or conducive to all or any of the functions of the Authority.

3. Substituted by section 1 of the Cattle Development Board (Amendment) (No. 2) Decree, 1972 (N.R.C.D. 126).

5. Delegation of functions

The Council may delegate any of the functions of the Authority to a member of the Council or to any other person.

6. Offences

(1) A person, other than the Authority, shall not perform or undertake any of the objects specified under section 4.

(2) A person who contravenes a provision of subsection (1) commits an offence and is liable on summary conviction to a fine not exceeding five hundred penalty units or to a term of imprisonment not exceeding two years or to both the fine and the imprisonment.

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

(a) in the case of a body corporate, other than a partnership, every director or officer of the body shall be deemed to have committed that offence, and

(b) in the case of a partnership, every partner or officer of the body shall be deemed to have committed that offence.

(4) A person shall not be convicted of an offence under subsection (3) if it is proved that the offence was committed without the knowledge of that person, and that due diligence was exercised by that person to prevent the commission of the offence.

7. Meetings of the Authority

(1) The Council shall meet at least once in every month for the dispatch of business, at times and places approved by the executive chairman.

(2) The executive chairman shall preside at meetings of the Council and in the absence of the executive chairman a member of the Council appointed by the members present from among themselves shall preside.

(3) The quorum of every meeting is five.

(4) Questions proposed at a meeting of the Council 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 casting vote.

(5) The executive chairman may, at any time and shall at the request in writing of five members of the Council, call a special meeting of the Council.

8. Secretary

(1) The Authority shall have a secretary who shall be appointed by the President in accordance with article 195 of the Constitution on the terms and conditions stated in the letter of appointment.

(2) The secretary shall, subject to the directions of the Council, arrange the business for, and record and keep the minutes of the meetings of the Council.

(3) The secretary shall in addition perform the functions of the Authority which the Council may in writing direct or the executive chairman may in writing delegate to the

secretary who shall be assisted by the staff of the Authority as directed by the executive chairman on the recommendation of the Council.⁴

9. Officers and employees of the Authority

The President in accordance with article 195 of the Constitution shall employ the necessary officers and employees on the terms and conditions determined by the Council for performance of the functions of the Authority.

10. Borrowing powers

Subject to prior approval of the Minister responsible for Finance, the Authority may borrow from a banking institution, the amounts it may require for the performance of its functions.

11. Accounts

(1) The Authority shall, in the form approved by the Auditor-General, keep proper books of accounts and proper records in relation to the accounts.

(2) The financial year of the Authority 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 the new financial year and present the estimates to the Council for its approval not later than two months before the end of the preceding financial year of the Authority.

12. Audit

(1) Accounts prepared under section 11 shall be submitted annually for audit to the Auditor-General.

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

(3) The Minister shall transmit copies of the report and audited statement as soon as may be practicable on receipt of the report to the President.

13. Powers of direction

The Minister may give directions as to the policy of the Authority and the Authority is bound to comply.

14. Exemption from taxes

Subject to article 174 of the Constitution, the Authority shall be exempted from the taxes, rates and duties directed in writing by the Minister for Finance with the prior approval of Parliament.

4. Amended by section 3 of the Cattle Development Board (Amendment) Decree, 1972 (N.R.C.D. 82).

15. Interpretation

In this Act, unless the context otherwise requires,

“Authority” means the Meat Marketing Authority established by section 1;

“Council” means the governing body of the Authority;

“Minister” means the Minister responsible for Trade.
