



**IN THE THIRD SESSION OF THE EIGHT
PARLIAMENT OF THE FOURTH REPUBLIC OF GHANA**

**REPORT OF THE
COMMITTEE ON SUBSIDIARY LEGISLATION**

ON THE

TREE CROPS REGULATIONS, 2022

28TH NOVEMBER, 2023

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REPORT OF THE COMMITTEE ON SUBSIDIARY LEGISLATION **ON THE TREE CROPS REGULATIONS, 2023**

1.0 INTRODUCTION

The Tree Crops Regulations, 2023 was laid in Parliament on Tuesday, 31st October, 2023 by the Minister responsible for Food and Agriculture Hon. Bryan Acheampong in accordance with Article 11(7) (a) of the 1992 Constitution and Order 77 of the Standing Orders of Parliament.

The Rt. Hon. Speaker subsequently referred the Regulations to the Committee on Subsidiary Legislation for consideration and report pursuant to Order 166 of the Standing Orders of Parliament.

2.0 DELIBERATIONS

The Committee met with officials from the Ministry of Food and Agriculture and the Tree Crops Development Authority and discussed the Tree Crops Regulations, 2023. In attendance at the meeting to assist the Committee in its deliberations were officials from the Office of the Attorney-General and Ministry of Justice.

The Committee expresses its profound gratitude to the officials for attending upon the Committee and for assisting in the deliberations.

3.0 REFERENCE DOCUMENTS

The Committee referred to the following documents during the deliberations:

- i. The 1992 Constitution of the Republic of Ghana;
- ii. The Standing Orders of Parliament, 2000;
- iii. The Tree Crops Development Authority Act 2019, (Act 1010)

4.0 MANDATE OF THE COMMITTEE

The Committee is mandated by Order 166 of the Standing Orders of Parliament to assess Regulations submitted to the House among others as stated in Order166(3) pursuant to Article 11 (7).

5.0 BACKGROUND INFORMATION

Ghana's tree crop industry has enormous potential yet it has been inundated with systemic obstacles including low productivity, poor quality produce, price volatility, limited access to finance and markets, and a suboptimal regulatory environment, all of which contributes to an uncompetitive, ineffective, inefficient and unsustainable industry.

To unlock the potential within the industry, the government established the Tree Crop Development Authority (TCDA) in

2019 under Act 1010 as a corporate body with the mandate to regulate and develop in a sustainable environment, the production, processing, and trading of six (6) tree crops namely, cashew, coconut, mango, oil palm, rubber and shea.

Additionally, the TCDA is to institutionalize a highly developed, diverse, value added, internationally competitive and sustainable tree crop industry in Ghana.

6.0 PURPOSE OF THE REGULATIONS

The purpose of the Tree Crops Regulations is to give effect to section 25 of the Tree Crops Development Authority Act 2019, (Act 1010) by providing for the registration and licensing of value chain actors, facilitation of agreements between dealers and producers, compliance and safety standards in the tree crops industry, the filling of statistical returns and any other matter necessary for the efficient and effective implementation of the provisions of Act 1010.

7.0 OBSERVATIONS

7.1 The Shea crop Conflict

The Committee in its deliberations observed that, Shea as a crop is captured under the COCOBOD Act. The Committee is of the considered view that in approving this Regulations, the inclusion of shea would result in the creation of para

jurisdiction. To cure this, the Committee accordingly recommend that the Minister responsible for Food and Agriculture cause to be laid the COCOBOD Act for amendment to allow for the mandate of shea be brought solely under the Tree Crops Development Authority.

7.2 Regulation 3 – Briefing Sessions

The Committee noted that this particular provision is one of novelty aimed at creating an opportunity for the Ministry and the Tree Crops Development Authority to interact often in manner that would inure to the benefit of stakeholders in the tree crops industry and government.

7.3 Conformity with the Constitution

The Committee the Legislative Instrument has been laid before the House in accordance with Article 11(7a) and accordingly published and gazetted as stipulated in clause 7b of the Article 11 of the 1992 Constitution of the Republic of Ghana. The provision in Order 166 has been fully complied with to the latter.

7.2 Stakeholder Consultations

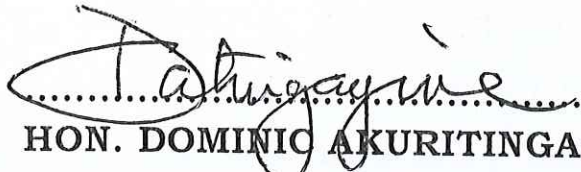
The Committee noted that the Tree Crops Development Authority held broader consultation with stakeholders on the Regulations. The stakeholders were drawn from the Ministry of

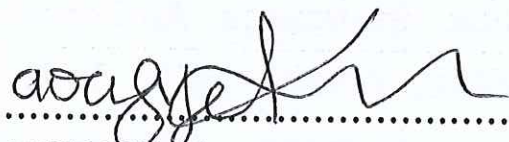
Trade and Industry (MoTI), Ministry of Local Government and Rural Development (MLGRD), Ministry of Food and Agriculture (MoFA), the Media, Ghana Export Promotion Authority (GEPA), the Agricultural Development Bank (ADB), COCOBOD, University of Ghana, University of Cape Coast, Mango Value Chain, Coconut Value Chain, Rubber Value Chain, Shea Value Chain Cashew Value Chain, Oil Palm Value Chain, the Ministry of Food and Agriculture, Ghana Export & Import (GEXIM) Bank, Ghana Standards Authority (GSA), PPRSD, ROAA, SFO, GIRSAL, GREL, SIGA, RPG, FAGE, Proforest, CSIR-OPRI, Ghana Sumatra, OPDAG, CRIG, SWIDA, Tietaa, Kwame Nkrumah University of Science and Technology (KNUST), JACKSALLY, NDA & SNG, OAS, Global Shea Alliance, SGT, COCOSHE, NOA, University of Development Studies (UDS), OLAM, small-scale, medium-large scale producers and other independent consultants.

8.0 CONCLUSION AND RECOMMENDATION

After a careful examination of the Legislative Instrument and having noted that the Legislative Instrument is being made in accordance with article 11(7) of the Constitution and other requirements stipulated in Order 166 of the Standing Orders of the House, the Committee recommends to the House to adopt this Report and allow the Tree Crops Regulations, 2023 come into force in accordance with Article 11(7) of the Constitution.

Respectfully submitted.


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HON. DOMINIC AKURITINGA AYINE (PhD)
CHAIRMAN, COMMITTEE ON
SUBSIDIARY LEGISLATION


.....
MRS. AKUA DUROWAA OWUSU AGYEKUM
CLERK TO THE COMMITTEE

28th November, 2023

