

UDENRIGSMINISTERIET  
DEPARTEMENTET FOR UDENRIGSØKONOMI  
Markedsafdelingen

25 NOV. 1976

Folketingssekretariatet.

STORMGADE 10  
1470 KØBENHAVN K.  
TELEFON: (01) 12 28 25

60x1 BILAG M.1. NR. 400.C.2-0  
(BEDES ANFØRT VED BESVARELSE)

DATO 25. november 1976 n

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Til fordeling blandt medlemmerne af folketingets  
markedsudvalg og disses stedfortrædere fremsendes  
hoslagt i 60 eksemplarer teksten til Ghanas øverste  
militære Råds dekret af 3. november 1976 om konfi-  
skationen af ØK-virksomheden R. T. Briscoe, Ghana.

P.M.V.  
E.B.

*B. Melander*  
BØRGE MELANDER

DEN RIGSMINISTERIET  
DEPARTEMENTET FOR UDENRIGSØKONOMI  
Den økonomisk-politiske afdeling

Til  
medlemmerne af folketingets  
markedsudvalg og disses  
stedfortrædere

STORMGADE 12  
1470 KØBENHAVN K.  
TELEFON: (01) 12 28 25

1 BILAG M.1 NR 400.C.2-0.  
(BEDES ANFØRT VED BESVARELSE)

DATE: 22. november 1976.

Under henvisning til drøftelserne på udvalgets møde  
den 19. november 1976 fremsendes hoslagt til medlem-  
mernes underretning teksten til Ghanas Øverste Militære  
Råds Dekret af 3. november 1976 om konfiskationen af  
ØK-virksomheden R.T. Briscoe, Ghana.

*Jon Vigant*

Ghana's Øverste Militære Råd (Supreme Military Council)'s  
Dekret af 3. november 1976 om konfiskationen af ØK-virk-  
somheden R. T. Briscoe (Ghana).  
Overrakt ambassaden i Accra den 10. november 1976 og  
offentliggjort samtidig hermed. S.M.C.D. 65.

**R. T. BRISCOE (GHANA) LIMITED (TRANSFER OF ASSETS)  
DECREE, 1976**

WHEREAS the Supreme Military Council is satisfied that the company known as R. T. BRISCOE (GHANA) LIMITED has, over a number of years, committed various trade malpractices and indulged in various acts of wilful misrepresentation in its applications for foreign exchange allocations and in its dealings with the Government and its agencies as well as various acts of over-invoicing;

AND WHEREAS the said Council is satisfied that such malpractices and acts have been financially detrimental to the economy of Ghana;

AND WHEREAS the Council deems it necessary to take immediate and effective steps for preventing any further such malpractices and acts by the company and also to remedy any damage suffered by the economy of Ghana as a result of such malpractices and acts and to recoup any moneys lost to Ghana therefrom;

NOW THEREFORE BE IT ENACTED BY the Supreme Military Council as follows:—

1. (1) All rights, assets, property and interests whatsoever which immediately before the commencement of this Decree were held by or belonged to or were held on behalf of the company known as R. T. Briscoe (Ghana) Limited are hereby transferred to the State. Assets of Briscoe transferred to State.

(2) For the removal of doubts it is hereby declared that any interests held by the said company in any other company or enterprise are also transferred to the State under subsection (1) of this section.

2. All shares, debentures and other securities and also all interests whatsoever whether or not similar to the foregoing, which immediately before the commencement of this Decree were held by any person in R. T. Briscoe (Ghana) Limited are hereby transferred to the State. Shares in Briscoe transferred to State.

3. (1) Any right, asset, property or interest referred to in section 1 or 2 of this Decree shall be disposed of in such manner as the Supreme Military Council may direct. Disposal of assets.

(2) The Supreme Military Council may give such directions as it may think necessary for the discharge of the obligations and liabilities of R. T. Briscoe (Ghana) Limited.

4. (1) The Supreme Military Council may, notwithstanding any enactment, contract or agreement to the contrary, do all such acts as it considers necessary for the effective management and administration of R. T. Briscoe (Ghana) Limited including the making or termination of appointments, on such conditions as the Council thinks fit. Management and administration.

*R. T. BRISCOE (GHANA) LIMITED (TRANSFER OF ASSETS)  
DECREE, 1976*

(2) The Council may delegate all or any of the powers conferred on it by this section to such person or persons as the Council thinks fit.

Commissioner to give directives for implementation of Decree.

5. (1) The Commissioner responsible for Trade shall, subject to the powers of the Supreme Military Council under section 4 take all such measures as may be necessary for giving this Decree full effect.

(2) The said Commissioner may, under this section, give such directions as may be necessary for ensuring the full implementation of this Decree and it shall be the duty of all persons to give effect to such directions.

(3) The Commissioner may request from any person any information that he thinks necessary for giving effect to this Decree and it shall be the duty of any person so requested to give such information.

Offences.

6. (1) It shall be an offence for any person—

- (a) to obstruct directly or indirectly the implementation of this Decree;
- (b) to fail without reasonable excuse, proof of which shall be on him, to comply with any direction given by the Commissioner responsible for Trade under section 5 of this Decree;
- (c) to fail without reasonable excuse, proof of which shall be on him, to produce any information requested from him by the Commissioner under section 5 or to produce in response to such request any information which he knows to be false or which he has no reason to believe to be true;
- (d) to destroy, falsify or mutilate any record or document with intent to defeat the purposes of this Decree.

(2) Any person guilty of an offence under this section shall, on summary conviction, be liable to a fine not exceeding ₵10,000.00, or to imprisonment not exceeding five years or both; and in the case of a continuing offence to a further fine not exceeding ₵500.00 in respect of each day on which the offence continues.

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S.M.C.D. 65.

*R. T. BRISCOE (GHANA) LIMITED (TRANSFER OF ASSETS)  
DECREE, 1976*

7. This Decree shall be deemed to have come into force on the 3rd day of November, 1976. Commencement.

— - Made this 3rd day of November, 1976.

GENERAL I. K. ACHEAMPONG  
*Chairman of the Supreme Military Council*

Date of Gazette notification: 5th November, 1976.