

AFRICA DEFENCE (GHANA) ACT, 1965 (ACT 313)

ARRANGEMENT OF SECTIONS

Section

1. Declaration of a situation which threatens peace
2. National assembly to be informed
3. Power to make regulations

**THE THREE HUNDRED AND THIRTEENTH
ACT
OF THE PARLIAMENT OF THE REPUBLIC OF GHANA ENTITLED
AFRICA DEFENCE (GHANA) ACT, 1965**

AN ACT to confer on the President certain powers to be exercised whenever the peace and security of Africa is being threatened.

DATE OF ASSENT: 26th November, 1965.

WHEREAS the Defence Commission of the Organisation of African Unity has made certain recommendations for the creation of an African Peace Keeping Defence Organisation to ensure and to maintain peace and security on the African Continent:

AND WHEREAS by reason of recent threats to peace in Africa it is necessary to give immediately full force and effect to these recommendations and to make other provision for the defence of Ghana and of such African States as may request the assistance of the Republic:

NOW THEREFORE BE IT ENACTED by the President and the National Assembly in this present Parliament assembled as follows:—

Section 1—Declaration of a Situation which Threatens Peace.

Without prejudice to the provisions of the Emergency Powers Act, 1961 (Act 56), if the President is satisfied that a situation has arisen in any State or territory of Africa which is likely to prejudice the peace and security of Africa, the President may, with the approval of the Cabinet, by legislative instrument declare that there exists a situation which threatens peace.

Section 2—National Assembly to be Informed.

When a declaration has been made under section 1 of this Act declaring that a situation exists which threatens peace, it shall be communicated to the National Assembly at once if it is sitting or, if not, as soon as it meets.

Section 3—Power to make Regulations.

- (1) On the declaration of the existence of a situation which threatens peace the President may with the approval of the Cabinet, by legislative instrument, make regulations providing for the manner and form necessary to meet the situation.
- (2) Without prejudice to the generality of subsection (1) of this section, regulations may be made under this section for any of the following purposes—
 - (a) the requisitioning of Ghanaian aircraft, ships, vehicles and other property necessary for transporting the Armed Forces, arms and ammunition and such other things as may be considered necessary to be transported or shipped out of Ghana;
 - (b) the closing of such sea ports, airports, roads and railways as may be considered necessary

- to facilitate the movements of troops and materials;
- (c) the mobilisation of ex-servicemen and such other persons as may be considered suitable to serve with the Armed Forces outside Ghana; and
 - (d) the conditions for the recruitment of volunteers who are not citizens of Ghana.
- (3) For the purposes of this section, "the Armed Forces" has the meaning assigned to it by section 98 of the Armed Forces Act, 1962 (Act 105).