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A.F.R.C.D. 55.

TRANSFER OF SHARES AND OTHER PROPRIETARY
INTERESTS (FATTAL GROUP OF COMPANIES)
DECREE, 1979

BE IT ENACTED by the Armed Forces Revolutionary Council as follows:—

1. All shares, debentures, securities and proprietary rights owned by the persons specified in Part I of the Schedule to this Decree in or of the companies or enterprises specified in Part II of the said Schedule and any such interests held for or on behalf of the persons so specified in or of the said companies or enterprises are hereby transferred to the State.

Assets of Fattal Group of Companies transferred to the State.

2. (1) All shares, debentures, securities and proprietary rights transferred to the State under section I of this Decree shall be disposed of in such manner as the Armed Forces Revolutionary Council may direct.

Disposal of assets, property, etc.

(2) The Armed Forces Revolutionary Council may give such directions as it may think necessary for the discharge of the obligations and liabilities attached to any interest transferred to the State under section 1 of this Decree.

3. (1) The Armed Forces Revolutionary Council may, notwithstanding any enactment, contract or agreement to the contrary do all such acts as it considers necessary for the effective and proper management and administration of the assets including the making or termination of appointments on such conditions as the Council thinks fit.

Management and administration of assets, etc.

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

4. (1) The Commissioner responsible for Trade shall, subject to the powers of the Armed Forces Revolutionary Council under sections 2 and 3 of this Decree take such measures as may be necessary for giving full effect to the provisions of this Decree.

Commissioner to be responsible for implementation of Decree.

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

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

(4) The Commissioner may also, subject to the said powers of the Armed Forces Revolutionary Council, exercise on behalf of the State all the powers of owner of the interests transferred to the State by section 1 of this Decree.

*TRANSFER OF SHARES AND OTHER PROPRIETARY
INTERESTS (FATTAL GROUP OF COMPANIES)
DECREE, 1979*

Offences

5. (1) It is an offence for any person—

- (a) to obstruct directly or indirectly the implementation of the provisions 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 4 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 responsible for Trade under section 4 or to furnish 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 frustrate the implementation of the provisions of this Decree.

(2) Any persons found guilty of an offence under subsection (1) shall, on summary conviction be liable to a fine not exceeding ₵10,000.00 or to imprisonment not exceeding five years or to 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.

S.M.C.D.
175 and 176
repealed.

6. The Fattal Vehicle Assembly (Ghana) Limited (Transfer of Assets) Decree, 1978 (S.M.C.D. 175) and the Transfer of Shares and other Proprietary Interests (Fattal Group of Companies) Decree, 1978 (S.M.C.D. 176) are hereby repealed.

<
SCHEDULE

PART I

Mohamed Fouad Fattal
Mahmoud Fattal

PART II

COMPANIES AND ENTERPRISES

- (a) Fattal Brothers Limited
- (b) Fattal Textiles Limited
- (c) Motor Engineering Limited

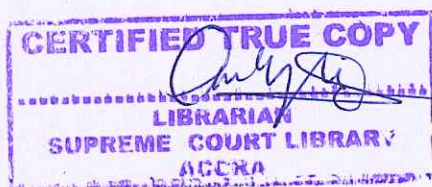
*TRANSFER OF SHARES AND OTHER PROPRIETARY
INTERESTS (FATTAL GROUP OF COMPANIES)
DECREE, 1979*

- (d) Metalico Limited
- (e) Bendu Limited
- (f) Famekwa Trading Company Limited
- (g) Produce Processing Company Limited
- (h) M. F. Fattal Enterprises Limited
- (i) Fafia Auto Products Limited
- (j) United Lamps Limited
- (k) General Leather Products Limited
- (l) Two Worlds Manufacturing Company Limited
- (m) Overseas Knitwear Fabrics
- (n) Fawaz Trading and Industries Limited
- (o) Labariq Limited
- (p) Sheet Aluminium Factory
- (q) Fattal Vehicle Assembly (Ghana) Ltd.

Made this 22nd day of September, 1979.

FLT. LT. JERRY JOHN RAWLINGS
Chairman of the Armed Forces Revolutionary Council

Date of Gazette notification: 22nd September, 1979.





*FATTAL VEHICLE ASSEMBLY (GHANA) LIMITED
(TRANSFER OF ASSETS) DECREE, 1978*

Management
and
administra-
tion of the
Company.

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 and proper management and administration of the company including the making or termination of appointments on such conditions as the Council thinks fit.

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

Commis-
sioner to be
responsible
for imple-
mentation
of Decree.

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

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

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

Offences.

6. (1) It is an offence for any person:—

(a) to obstruct directly or indirectly the implementation of the provisions 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 responsible for Trade under section 5 or to furnish 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 frustrate the implementation of the provisions of this Decree.

**FATTAL VEHICLE ASSEMBLY (GHANA) LIMITED
(TRANSFER OF ASSETS) DECREE, 1978**

WHEREAS the Supreme Military Council is satisfied that the company known as Fattal Vehicle Assembly (Ghana) Limited has committed various trade malpractices and indulged in various acts of evasion of purchase tax and customs duties;

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

AND WHEREAS the Supreme Military Council deems it necessary to take immediate and effective measures to prevent the commission by the company of any further acts of trade malpractices and tax evasion and also to remedy any damage to the economy of Ghana as a result of such malpractices and acts and to recoup any money lost to Ghana therefrom;

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

1. (1) All assets, property, rights and interests whatsoever which immediately before the commencement of the Decree were held or owned by or were held for or on behalf of the company known as the Fattal Vehicle Assembly (Ghana) Limited referred to in this Decree as "the Company" are hereby transferred to the State.

Assets of
Company
transferred
to the State;

(2) Without prejudice to subsection (1) of this section any assets, property, rights or interests held by the company in any other company or enterprise are hereby transferred to the State.

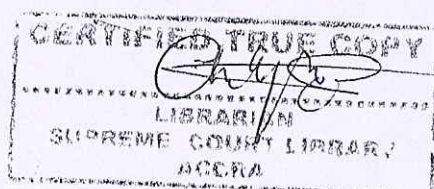
2. All shares, debentures and other securities and also all rights and interests which immediately before the commencement of this Decree were held by any person in the Company are hereby transferred to the State.

Transfer
of shares,
debentures,
etc., of
Company to
the State.

3. (1) Any asset, property, right or interest or shares, debentures and other securities transferred to the State under section 1 or 2 of this Decree shall be disposed of in such manner as the Supreme Military Council may direct.

Disposal of
assets,
property,
etc.

(2) The Supreme Military Council may give such directions as it may think necessary for the discharge of the obligations and liabilities of the company attached to any of the assets, property, rights or interests or shares, debentures and other securities transferred to the State under section 1 or 2 of this Decree.



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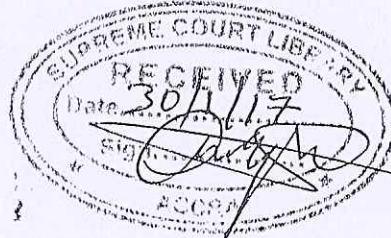
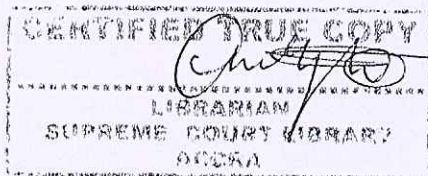
TRANSFER OF SHARES AND OTHER PROPRIETARY
INTERESTS (FATTAL GROUP OF COMPANIES)
DECREE, 1978

- (k) General Leather Products Limited
- (l) Two Worlds Manufacturing Company Limited
- (m) Overseas Knitwear Fabrics
- (n) Fawaz Trading and Industries Limited
- (o) Labariq Limited
- (p) Sheet Aluminium Factory.

Made this 29th day of August, 1978.

LT.-GENERAL F. W. K. AKUFFO
Chairman of the Supreme Military Council

Date of Gazette notification: 1st September, 1978.



*TRANSFER OF SHARES AND OTHER PROPRIETARY
INTERESTS (FATTAL GROUP OF COMPANIES)
DECREE, 1978*

- (c) to fail without reasonable excuse, proof of which shall be on him, to produce any information requested from him by the Commissioner responsible for Trade under section 3 or to furnish 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 frustrate the implementation of the provisions of this Decree.

(2) Any person found guilty of an offence under subsection (1) shall, on summary conviction be liable to a fine not exceeding £10,000.00 or to imprisonment not exceeding five years or to 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.

Commence-
ment.

5. This Decree shall be deemed to have come into force on the 25th day of August, 1978.

SCHEDULE

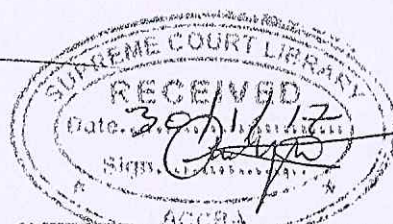
PART I

Mohamed Fouad Fattal
Mahmoud Fattal

PART II

COMPANIES AND ENTERPRISES

- (a) Fattal Brothers Limited
- (b) Fattal Textiles Limited
- (c) Motor Engineering Limited
- (d) Metalico Limited
- (e) Bendu Limited
- (f) Famekwa Trading Company Limited
- (g) Produce Processing Company Limited
- (h) M. F. Fattal Enterprises Limited
- (i) Fafia Auto Products Limited
- (j) United Lamps Limited



(82 L.)

S.M.C.D. 176.

**TRANSFER OF SHARES AND OTHER PROPRIETARY
INTERESTS (FATTAL GROUP OF COMPANIES)
DECREE, 1978**

BE IT ENACTED by the Supreme Military Council as follows:—

1. Notwithstanding anything to the contrary, all shares, debentures, securities and proprietary rights owned by the persons specified in Part I of the Schedule to this Decree in or of the companies or enterprises specified in Part II of the said Schedule and any such interests held for or on behalf of the persons so specified in or of the said companies or enterprises are hereby transferred to the State.

Transfer to State of certain shares etc. in Fattal Group of Companies.

2. (1) All shares, debentures, securities, rights and interests transferred to the State under section 1 of this Decree may be disposed of or otherwise dealt in in such manner as the Supreme Military Council may direct.

Disposal of transferred assets.

(2) The Supreme Military Council may give such directions as it may think necessary for the discharge of any obligations and liabilities attached to any interest transferred to the State under section 1 of this Decree.

3. (1) The Commissioner responsible for Trade shall, subject to the powers of the Supreme Military Council under section 2, take such measures as may be necessary for giving full effect to the provisions of this Decree.

Commissioner to be responsible for implementation of Decree.

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

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

(4) The Commissioner may also, subject to the said powers of the Supreme Military Council exercise on behalf of the State all the powers of owner of the interests transferred to the State by section 1 of this Decree.

4. (1) It is an offence for any person—

Offences.

(a) to obstruct directly or indirectly the implementation of the provisions 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 3 of this Decree;

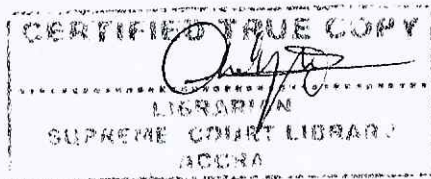
*FATTAL VEHICLE ASSEMBLY (GHANA) LIMITED
(TRANSFER OF ASSETS) DECREE, 1978*

(2) Any person found guilty of an offence under subsection (1) shall, on summary conviction, be liable to a fine not exceeding ₵10,000.00 or to imprisonment not exceeding five years or to 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.

Made this 21st day of August, 1978.

LT.-GENERAL F. W. K. AKUFFO
Chairman of the Supreme Military Council

Date of Gazette notification: 25th August, 1978.



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