

## TREE CROPS REGULATIONS, 2023

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## TREE CROPS REGULATIONS, 2023

IN exercise of the power conferred on the Minister responsible for Food and Agriculture by section 25 of the Tree Crops Development Authority Act, 2019 (Act 1010) and on the advice of the Board, these Regulations are made this 6th day of October, 2023.

### *Preliminary Provisions*

#### **Purpose of Regulations**

1. The purpose of these Regulations is to regulate the tree crops industry by providing for

- (a) the registration and licensing of value chain actors in the tree crops industry;
- (b) the facilitation of agreements between actors in the tree crops industry;
- (c) compliance and safety standards for the tree crops industry;
- (d) the filing of statistical returns; and
- (e) any other matter necessary for the efficient and effective implementation of the provisions of the Act.

#### **Application of Regulations**

2. These Regulations apply to an activity in the tree crops industry.

### *Matters related to the Board*

#### **Briefing sessions**

3. (1) The Board shall, each quarter, have briefing sessions with the Minister to review and update policy development of the tree crops industry.

(2) The Minister shall, at least every six months, update the Board on policy initiatives that may impact the tree crops industry.

#### **Responsibilities of the secretary to the Board**

4. (1) The secretary to the Board shall

- (a) ensure that
  - (i) meetings of the Board are properly recorded and minutes of the meetings of the Board certified by the chairperson of the Board are circulated to the members of the Board in a timely manner;

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- (ii) documents for meetings of the Board are compiled and circulated to the members of the Board;
  - (iii) feedback and appropriate responses to specific items on the agenda are obtained for the meetings of the Board;
  - (iv) matters that may warrant the attention of the Board are brought to the attention of the Board;
  - (v) a financial statement on the Fund is presented each quarter to the Board; and
  - (vi) the business of the Board is conducted efficiently and effectively;
- (b) provide guidance and advice to the Board and assist in the orientation of members of the Board;
  - (c) develop for the approval of the Board, a calendar for meetings of the Board for the year;
  - (d) support the body appointed by the Board under subsection (1) of section 18 of the Act to manage the Fund; and
  - (e) perform any other function assigned by the Board.

**Notice of vacancy on the Board**

5. (1) The secretary to the Board shall, within seven days after the occurrence of a vacancy in the position of the chairperson of the Board, communicate the vacancy to the Minister.

(2) The chairperson shall, within seven days after the occurrence of a vacancy in the position of a member of the Board, communicate the vacancy to the Minister.

**Value chain committees**

6. (1) In furtherance of subsection (3) of section 8 of the Act, a value chain committee for each tree crop shall comprise seven members,

- (a) four of whom shall be representatives of the tree crop subsector on the Board; and
- (b) three other persons selected by the actors of the various tree crops.

(2) The members of a value chain committee shall elect a member of the committee who is a member of the Board as the chairperson of the committee.

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(3) The secretary to the committee is the value chain specialist of the Authority in charge of tree crops.

**Terms and scope of activities of committees**

7. The Board shall

- (a) determine the terms and scope of activities for a committee of the Board; and
- (b) establish a system to regularly monitor the performance of a committee of the Board.

**Corporate and strategic plan**

8. (1) Subject to the approval of the Board, the Chief Executive Officer shall develop and implement a multi-year corporate and strategic plan for a period that the Board may determine.

(2) The Chief Executive Officer and the Board shall have due regard to the

- (a) object of the Authority,
- (b) policy of the Ministry, and
- (c) legitimate expectation of stakeholders

in the development and approval of the corporate and strategic plan.

(3) The Board shall, on the basis of the corporate and strategic plan developed under subregulation (1), set identifiable organisational goals for the secretariat of the Authority.

(4) The Board shall, on the basis of the organisational goals set under subregulation (3),

- (a) assign responsibilities, duties and deliverables to, and
- (b) assess the performance of

officers and staff of the Authority.

(5) The Board

- (a) shall develop a system to co-ordinate, monitor and evaluate the efficient and effective implementation of the corporate and strategic plan; and
- (b) may cause the corporate and strategic plan to be reviewed at least once a year to reflect changes occasioned by new development and emerging trends in the tree crops industry consistent with the framework of the corporate and strategic plan.



*TREE CROPS REGULATIONS, 2023***Preparation of studies and use of consultants**

9. Where the Authority does not have the technical capacity or the Authority is constrained by workload, the Authority may use the services of a consultant for

- (a) the preparation of studies, or
- (b) the strategic analyses of scientific, technological, statistical data and socio-economic research

in respect of tree crops.

*Cross-Sectoral Planning Groups of Relevant Agencies***Cross-sectoral planning groups of relevant agencies**

10. The Board shall

- (a) identify thematic areas for the establishment of cross-sectoral planning groups of relevant agencies; and
- (b) determine the composition of a cross-sectoral planning group in collaboration with the relevant agency.

**Administrative instructions for cross-sectoral planning groups**

11. The Board shall issue administrative instructions for the operation of a cross-sectoral planning group.

*Management of the Authority***Divisions of the Authority**

12. (1) The Authority shall have divisions on tree crops determined by the Board as necessary for the efficient and effective performance of the functions of the Authority.

(2) The Board may modify a division of the Authority for the efficient performance of the functions of the Authority.

(3) The Chief Executive Officer shall ensure cooperation, collaboration, co-ordination and harmonisation of the programmes and activities of the divisions of the Authority.

**Organisational structure of the Authority**

13. In furtherance of section 13 of the Act, the Chief Executive Officer shall develop an organisational structure and a staffing plan for the Authority for the consideration and approval of the Board.

*TREE CROPS REGULATIONS, 2023**Decentralisation of the Authority***Zonal offices**

**14.** (1) The Board shall, having regard to the following factors, establish zonal offices:

- (a) the identification of at least two tree crops in the zone;
- (b) the proximity of the zone to value chain actors;
- (c) the concentration of actors in the zone;
- (d) emerging areas in the production of tree crops;
- (e) maturity of the value chain in the zone;
- (f) access to the zonal office;
- (g) other agroecological factors; and
- (h) any other factor determined by the Board.

(2) Without limiting subregulation (1), the Board shall establish zonal offices in each of the following locations:

- (a) Wenchi in the Bono region;
- (b) Apemenim near Agona Nkwanta in the Western region;
- (c) Tamale in the Northern region;
- (d) Kade in the Eastern region;
- (e) Jasikan in the Oti region; and
- (e) Assin Fosu in the Central region.

**Functions of a zonal office**

**15.** A zonal office shall

- (a) act as a liaison between the secretariat of the Authority, actors in the tree crops value chain, relevant public institutions and other stakeholders;
- (b) ensure co-ordination among various stakeholders of the tree crop value chain;
- (c) provide training for registered actors in the zone in collaboration with relevant agencies;
- (d) provide information for stakeholders in the zone;
- (e) attend to issues of the tree crops industry that may be handled on a decentralised basis as determined by the Chief Executive Officer;
- (f) receive applications for the registration of actors;
- (g) receive applications for the licensing of registered actors; and
- (h) perform any other function determined by the Board.



*TREE CROPS REGULATIONS, 2023**Registration***Register**

16. (1) The Authority shall establish, keep and maintain a register of actors.

(2) The register shall contain

- (a) a list of the names of registered actors; and
- (b) any other particulars that the Authority may determine.

(3) The Authority

- (a) may effect a correction or alteration to the register; and
- (b) shall communicate the correction or alteration under paragraph (a) to the affected party.

(4) The Authority shall

- (a) keep the register at the offices of the Authority; and
- (b) publish the register on the authorised website of the Authority.

(5) The register shall be open to the public.

(6) A person may, on the payment of a prescribed fee,

- (a) inspect the register, or
- (b) obtain an extract from the register

during the business hours of the Authority.

**Requirement to register**

17. (1) An actor in the tree crops value chain shall register with the Authority.

(2) An actor who falls under the category of

- (a) main actors, or
- (b) auxiliary actors

as specified in the First Schedule shall register with the Authority.

**Qualification for registration**

18. (1) A person who meets the requirements set out in the Second Schedule qualifies for registration under these Regulations.

(2) Without limiting subregulation (1),

- (a) a Ghanaian exporter in the tree crop value chain shall provide proof of

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- (i) the ability of the exporter to finance an export volume of not less than two hundred metric tons of a tree crop each year; and
- (ii) a warehouse capacity of at least thirty per cent of the export volume, where applicable; or
- (b) a non-Ghanaian exporter shall provide proof of
  - (i) ability of the exporter to finance an export volume of two hundred metric tons of a tree crop each year, and in the case of cashew, an export volume of five hundred metric tons;
  - (ii) warehouse capacity of thirty per cent of the volume indicated in subparagraph (i);
  - (iii) an adequate tree crop base that is traceable in an operational area; and
  - (iv) the employment of not less than fifty per cent of senior staff who are Ghanaian citizens.

**Application for registration**

19. (1) A person who seeks to register an activity in the tree crops value chain shall apply to the Authority as set out in Form One of the Third Schedule.

- (2) An application under subregulation (1) shall be
  - (a) accompanied with supporting documents, including evidence of the qualification of the applicant; and
  - (b) submitted
    - (i) to the zonal office of the Authority where the activity is located;
    - (ii) to the headquarters of the Authority; or
    - (iii) electronically through a digital channel specified by the Authority.

**Consideration of application**

20. (1) Where the Authority is satisfied that an applicant meets the requirements specified under regulation 18, the Authority shall register the applicant.

(2) The Authority shall, not later than thirty days after the receipt of an application for registration, give notice of the acceptance or refusal of the application to the applicant.

*TREE CROPS REGULATIONS, 2023***Certificate of registration**

21. Where an application for registration is accepted by the Authority, the Board shall

- (a) direct the Chief Executive Officer to enter the name of the applicant in the register; and
- (b) within fourteen days after the notice of acceptance issued under subregulation (2) of regulation 20, issue the applicant with a certificate of registration as set out in Form Two of the Third Schedule.

**Rights conferred by registration**

22. (1) A producer in the tree crops industry who registers with the Authority is entitled to the following:

- (a) support services, including seedlings distribution;
- (b) extension services; and
- (c) innovations from research and development by accredited research institutions.

(2) An aggregator in the tree crops industry who registers with the Authority is entitled to the following:

- (a) a licence to buy directly from a farmer within the registered enclave of the aggregator; and
- (b) technical support, including quality measurement and standards approved by relevant authorities.

(3) A processor in the tree crops industry who registers with the Authority is entitled to the following:

- (a) a subsidy on exports;
- (b) technical assistance and advisory services;
- (c) access to investment funds, in the case of a processor who is a citizen;
- (d) an import duty waiver for processing machinery, in the case of a processor who is a citizen; and
- (e) a fifty per cent waiver for processing machinery, in the case of a processor who is not a citizen.

(4) A trader, an importer or an exporter who registers with the Authority is entitled to technical support in

- (a) warehouse management;



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- (b) inventory management;
- (c) quality assurance; and
- (d) any other activity within the value chain.

**Suspension of registration**

23. The Authority may suspend the registration of an actor where
- (a) the actor is under investigation by the Authority for an offence under the Act or any other relevant enactment;
  - (b) there is a case of proven professional misconduct against the actor;
  - (c) the actor has made a false declaration in an application for registration; or
  - (d) the actor has contravened a provision of the Act or these Regulations.

**Cancellation of registration**

24. The Authority shall, on the recommendation of a committee of the Board assigned responsibility to recommend cancellations of registration, cancel the registration of an actor of the Authority where
- (a) the Authority establishes that the registration was obtained by fraud, misrepresentation or concealment of a material fact;
  - (b) the actor is convicted of an offence under the Act or these Regulations; or
  - (c) the actor is no longer entitled to register an activity in the tree crops value chain.

**Notice of suspension and cancellation of registration**

25. The Authority shall, before the suspension or cancellation of the registration of an actor,
- (a) give the actor at least thirty days' notice of the intention of the Authority to suspend or cancel the registration; and
  - (b) provide the actor with an opportunity to make a representation to the Authority.

**Removal of name from register**

26. The Board may direct the Chief Executive Officer to remove the name of an actor convicted of an offence under the Act or these Regulations from the register.

*TREE CROPS REGULATIONS, 2023***Restoration of registration**

27. Where the Board is satisfied that the grounds for removal of the name of an actor from the register no longer exists, the Board may direct the Chief Executive Officer to restore the name of an actor to the register.

*Licensing***Requirement to obtain licence**

28. A person who registers an activity in the tree crops value chain shall obtain a licence to carry out that activity.

**Types of licence**

29. (1) The Authority may issue the following types of licence to a registered actor:

- (a) a plant multiplication licence for seed breeders and nursery operators;
- (b) an aggregator licence;
- (c) a trader licence;
- (d) an exporter licence;
- (e) an importer licence;
- (f) a processor licence; and
- (g) any other licence peculiar to a particular tree crop.

(2) An aggregator licence shall only be issued to a citizen.

(3) Where an actor operates in more than one category, the actor shall obtain a separate licence for each category.

**Application for licence**

30. (1) A person who seeks to obtain a licence to carry out any of the activities in a value chain shall apply to the Authority as set out in Form One of the Fourth Schedule.

(2) An application under subregulation (1) shall be accompanied with the prescribed fee and submitted

- (a) to a zonal office where the activity is located;
- (b) to the headquarters of the Authority; or
- (c) through a digital channel specified by the Authority.

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(3) The applicant shall furnish the Authority with a copy each of the following:

- (a) a certificate of incorporation or certificate of registration;
- (b) the constitution of the company;
- (c) proof of membership of the relevant value chain association;
- (d) the National Identification Cards of the directors of the company;
- (e) a business operating permit;
- (f) the Tax Identification Number of the company;
- (g) the Tax Compliance Certificate of the company;
- (h) the Environmental Impact Assessment or Environmental Audit Certificate, where applicable; and
- (i) a licence issued by the Food and Drugs Authority under the Public Health Act, 2012 (Act 851), where applicable.

(4) An application under consideration may be withdrawn at any time before the licence is issued or refused.

(5) Where any information or document required for an application is not provided by the applicant within the time specified or any extension granted by the Authority, the application is deemed to be withdrawn.

(6) An applicant whose application is deemed to have been withdrawn under subregulation (5) may re-apply for a licence under this regulation.

**Consideration of application**

31. (1) The Authority shall, on the receipt of an application for a licence, consider the application.

(2) The Authority shall, in considering the application, have regard to the requirements specified under subregulation (3) of regulation 30.

**Grant of licence**

32. (1) The Authority may, after considering the application,

- (a) grant the licence as set out in Form Two of the Fourth Schedule with or without any conditions; or
- (b) refuse to grant the applicant a licence.



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- (2) The Authority shall not grant a licence where
- (a) the Authority is satisfied that the grant of the licence would be contrary to the Act or these Regulations;
  - (b) the activity to be engaged in would not be in conformity with socially responsible and ecologically sustainable principles; or
  - (c) the activity would be detrimental to the tree crops industry.

(3) Where the Authority decides to refuse an application, the Authority shall, within fourteen days of the decision, give a notice in writing to the applicant of the refusal and the reason for the refusal.

(4) For purposes of this regulation, "socially responsible and ecologically sustainable principles" mean principles that promote the conservation and enhancement of the resources of a community in order to maintain ecological processes and increase the quality of life.

**Duration and renewal of licence**

33. (1) A licence is valid for a period of twenty-four months after the date of issue and may be renewed on application.

(2) A licensee who seeks to renew a licence shall, not less than one month before the expiry of the licence, apply for the renewal of the licence.

(3) An application for the renewal of a licence shall be accompanied with the prescribed fee.

(4) The Authority may refuse to renew a licence where the application for renewal is made after the expiry of the licence.

**Suspension and revocation of licence**

34. The Authority may revoke or suspend a licence where the Authority is satisfied that

- (a) a condition attached to the licence has not been complied with;
- (b) the licensee has contravened a provision of the Act or these Regulations, whether or not the licensee has been convicted of an offence in respect of the contravention;
- (c) the Authority has been provided with false, misleading or inaccurate information by or on behalf of the licensee either in connection with the application for the licence or at any time after the grant of the licence;

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- (d) the licensee has ceased to carry on the activity for which the licence was issued; or
- (e) any other circumstance that warrants the revocation or suspension of the licence exists.

**Procedure for suspension or revocation of licence**

35. (1) The Authority shall give notice, in writing, to the licensee of the reason for the suspension or revocation of the licence.

(2) The licensee may be present at a hearing before the Authority on the revocation or suspension or be represented by a person authorised by the licensee in writing.

(3) The Authority shall

- (a) suspend or revoke the licence if the licensee fails to show cause why the licence should not be revoked or suspended; or
- (b) revoke a licence if the Authority has proof that a winding-up order has been made against the licensee.

(4) Where the Authority has proof that there are grounds on which the power to revoke a licence may be exercised but that the circumstances do not justify a revocation, the Authority may suspend the licence for a period of not more than three months.

(5) The Authority shall, within fourteen days after a decision to suspend or revoke a licence, inform the licensee of the decision in writing.

**Application for amendment of licence**

36. (1) A licensee may apply to the Authority to amend

- (a) the particulars of a licence; or
- (b) the conditions attached to a licence.

(2) An application to amend a licence shall be in writing and accompanied with the prescribed fee.

(3) Where the Authority approves the amendment of a licence, the licence shall continue to have effect as amended until the licence expires.

*TREE CROPS REGULATIONS, 2023***Power to amend conditions of licence**

37. (1) The Authority may, on the initiative of the Authority, by notice in writing to the licensee

- (a) amend, vary, revoke or suspend any condition attached to a licence during the validity of the licence; or
- (b) attach a new condition to the licence.

(2) The Authority shall

- (a) give the licensee at least thirty days' notice of the intention of the Authority to amend, vary, revoke, suspend or attach a condition to a licence; and
- (b) provide the licensee with an opportunity to make a representation to the Authority.

(3) The Authority shall take the following into consideration when amending the conditions of a licence:

- (a) the estimated cost to be incurred by the licensee to comply with the amended or new conditions; and
- (b) the nature and size of the trade, process or industry being carried out on the business premises.

(4) A licensee who is dissatisfied with a decision of the Authority to

- (a) amend, vary, revoke or suspend a condition attached to a licence, or
- (b) attach a new condition to a licence

shall, within fourteen days after receipt of the notice under subregulation (1), appeal against the decision to the Board.

(5) The Authority shall not amend the conditions of a licence where an appeal for the amendment of the conditions of the licence is pending before the Board and the amended conditions shall not have effect until the time limited for appeal has expired or the appeal has been dismissed.

**Compliance with conditions of a licence**

38. (1) A licensee shall comply with the conditions of a licence.

(2) The Authority shall suspend or revoke the licence of a licensee who fails to comply with subregulation (1).



*TREE CROPS REGULATIONS, 2023***Display of licence**

39. A licensee shall

- (a) display the licence and any document that forms part of the licence, in a conspicuous manner on the licensed premises; and
- (b) permit an authorised officer of the Authority to inspect the premises.

**Notice of change in information**

40. (1) The following persons shall inform the Authority of any material change in information provided in an application under these Regulations:

- (a) a licensee;
- (b) an applicant for a licence; or
- (c) an applicant for the renewal of a licence.

(2) The notification to the Authority of a material change in information shall be made within seven days after the occurrence of the material change in information.

**Register of licences**

41. The Chief Executive Officer shall

- (a) keep and maintain a register of licences; and
- (b) publish a licence granted under these Regulations in the *Gazette*.

**Request for certified copy of licence**

42. (1) A licensee may apply, in writing, to the Chief Executive Officer for a certified copy of the licence.

(2) An application under subregulation (1) shall be accompanied with

- (a) the prescribed fee;
- (b) a statutory declaration by the licensee or a police report that indicates that the licence issued to the licensee is lost, destroyed or mutilated; and
- (c) a statement specifying the reasons for the application.

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(3) The Chief Executive Officer may, within fourteen days after receipt of the application under subregulation (1), issue a certified copy of the licence to the applicant, if satisfied that

- (a) the original copy of the licence is lost, destroyed or mutilated; or
- (b) a certified copy of the licence is required for any other valid reason.

*Appeals***Appeals**

43. (1) A person who is dissatisfied with a decision of the Authority in respect of an application under these Regulations may appeal, at the first instance, to the Board for a review of the decision.

(2) A person who is dissatisfied with a decision of the Board under subregulation (1) may appeal to the High Court against the decision.

*Accreditation and Certification***Accreditation**

44. (1) The Board shall, pursuant to paragraph (h) of section 3 and paragraph (a) of subsection (4) of section 8 of the Act, determine standards for each tree crop.

(2) The Board shall issue guidelines for the accreditation of producers in the tree crops industry to ensure that the tree crops industry meets the applicable standards determined by the Board for each tree crop and the products of the tree crop.

(3) The accreditation standards for a tree crop shall be optimal, achievable and designed to encourage sustainable production and efforts to continuously improve the tree crops industry.

(4) The Board shall, in collaboration with the Ministry, provide for authorised officers to inspect farms and ensure compliance with standards for purposes of accreditation of actors and the produce of the actors.

*TREE CROPS REGULATIONS, 2023***Certification of registered actors**

45. (1) The Board shall, in consultation with the relevant agency, certify a registered actor in an area of a tree crops value chain to enable the registered actor operate outside the minimum requirement of a licence issued under these Regulations.

(2) A registered actor may apply to the Board for certification to operate outside the minimum requirement of a licence issued under these Regulations.

(3) The Board shall grant an application under subregulation (2) where the Board is satisfied that the registered actor has passed the standard test conducted by the relevant regulatory body.

(4) Subject to compliance with these Regulations by a registered actor, certification of a registered actor under subregulation (1) may be categorised as a

- (a) provisional clearance;
- (b) partial licence; or
- (c) full licence.

(5) Where upon inspection, the Board is satisfied with a designated depot or warehouse, the Board shall certify the depot or warehouse for use in the tree crops industry.

(6) For purposes of this regulation, "minimum requirement of a licence" means the basic condition or requirement for an actor to qualify for a general licence.

*Production***Planting material**

46. (1) A producer of a tree crop planting material shall

- (a) procure source material or seeds from a stock approved by the relevant agency or the Authority; and
- (b) at the request of the Authority, provide documentation indicating that the source material or seeds procured under paragraph (a) are approved by the relevant agency or the Authority.

(2) The Ministry or an authorised tree crops research institution shall approve seeds, scion banks, and other planting materials for commercial propagation of tree crops.



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(3) An actor who owns an industrial plantation that has a budwood garden in the rubber industry shall supply a research institution, an academic institution and the Ministry with budwood.

(4) The Authority and the Ministry shall supervise the production of a tree crop planting material.

(5) The Authority shall, in consultation with the Ministry, approve the importation and exportation of tree crops planting materials.

(6) An actor shall use a tree crop planting material in a growing belt established by a suitability map approved by the Authority.

*Trading in Produce and Products of Tree Crops***Pricing of produce and products of tree crops**

47. (1) The Authority shall determine the minimum producer price of a produce of a tree crop using the applicable formula set out in the Fifth Schedule.

(2) The price of a product of a tree crop shall be determined by market forces.

**Buying season**

48. (1) The Authority shall publish, in a daily newspaper of national circulation and on the authorised website of the Authority, the commencement date of a buying season of the produce of a seasonal tree crop.

(2) The Authority shall, within fourteen days after the publication of the commencement date of a buying season, launch

(a) at the zonal offices of the Authority, and

(b) through a press conference,

the buying seasons for the produce of a seasonal tree crop when a season for buying the produce of a seasonal tree crop is due.

(3) The publication referred to in subregulation (2) shall specify, in accordance with regulations 50 to 56, the conditions and procedures for trading in the produce of a tree crop.

(4) A local processor of produce of a tree crop may purchase the produce of a tree crop for processing before the buying season is launched.

**Calibration of measuring instruments**

49. The Ghana Standards Authority shall calibrate and certify a weighing bridge, a scale or any other measuring instrument before the measuring

*TREE CROPS REGULATIONS, 2023*

instrument is used in the trade of produce of a tree crop or a product of a tree crop.

**Reservation of produce of tree crops for local market**

50. Where a produce of a tree crop is for export, the Authority shall, in consultation with the relevant value chain committee, determine the percentage of the produce that should be reserved for sale at the prevailing market price to a local processor.

**Conditions for trading in produce or product of tree crops**

51. A business entity shall, prior to engaging in the sale or export of produce of a tree crop or product of a tree crop,

- (a) register with the Authority in accordance with these Regulations and other relevant agencies;
- (b) furnish the Authority with particulars of the bankers of the business entity; and
- (c) comply with
  - (i) the statutory requirements for export out of the country;
  - (ii) the import regulations of the destination country; and
  - (iii) any other relevant international law on export.

**Official trade documents**

52. (1) An actor, a producer or a business entity shall issue a receipt to the purchaser of

- (a) a produce of a tree crop;
- (b) a product of a tree crop; or
- (c) a tree crop planting material.

(2) The receipt referred to in subregulation (1) shall be

- (a) in triplicate; and
- (b) countersigned by
  - (i) the actor;
  - (ii) the producer;
  - (iii) the business entity; or
  - (iv) a person acting on behalf of the actor, producer or business entity.

*TREE CROPS REGULATIONS, 2023*

(3) The actor, a producer or a business entity or a person acting on behalf of the actor, producer or business entity shall keep the original copy of the receipt and the purchaser shall keep the triplicate of the receipt.

(4) An actor, a producer or a business entity or a person acting on behalf of the actor, producer or business entity, and the purchaser shall on demand by an authorised officer, submit the receipt referred to in subregulation (3) for inspection.

(5) A local trader shall, at the request of the Authority, submit trading documents to the Authority.

*Inspection and Grading of Produce and Product of Tree Crops***Inspection and certification**

53. (1) The Authority shall authorise the inspection and grading of

(a) produce of tree crops at

(i) warehouses; and

(ii) exit points for export; and

(b) products of tree crops at

(i) the laboratory of the processor; or

(ii) any other laboratory chosen by the buyer and the processor.

(2) Grading of produce of a tree crop shall be in accordance with the

(a) national industry standards for quality and profitability; or

(b) export market standards for quality and profitability.

(3) An authorised officer under this regulation shall, in writing,

(a) notify the owner of a produce of a tree crop or product of a tree crop, where the product does not meet the required standard; or

(b) certify the produce of a tree crop or product of a tree crop for sealing in a recommended packaging material in accordance with the applicable standards, where the produce or product meets the required standard.

(4) The Authority shall authorise an officer to monitor the standard of the produce of tree crops and the product of tree crops at a local processing plant.



*TREE CROPS REGULATIONS, 2023**Packaging, Evacuation and Shipment of Tree Crops***Packaging**

54. (1) An exporter of a produce of a tree crop or a product of a tree crop shall use strong and clean packaging materials for the collection and export of the produce or product in accordance with standards approved by the Authority.

(2) An exporter shall ensure that the packaging material for the collection and export of the produce or the product of a tree crop bears the trademark registered with the Authority.

(3) The Authority shall, in consultation with the Food and Drugs Authority, and with due regard to international best practice and market preferences, approve the quality of the packaging material referred to in subregulation (1).

(4) Where a handsewn jute sack is used as a packaging material, the Authority shall ensure that the sack is securely stitched to ensure that the contents of the sack is not wasted in transit or during storage.

**Transport of produce or product of a tree crop**

55. (1) An actor shall not transport a produce of a tree crop or a product of a tree crop to a warehouse unless the produce, product or warehouse is in a condition approved by the Authority.

(2) An actor who transports a produce or product of a tree crop in a haulage truck shall ensure that, where applicable, the haulage truck is covered with water-proof material required for the protection of the produce or product.

(3) The shipment of a produce of a tree crop or a product of a tree crop shall

- (a) conform to the standards for certification;
- (b) be fumigated, except in the case of an organic produce or an organic product;
- (c) have a phyto-sanitary certification; and
- (d) be appropriately packaged.

*TREE CROPS REGULATIONS, 2023**Processing***Machinery for processing**

56. The Authority shall, in consultation with the Ghana Standards Authority, regulate the standard of imported and locally manufactured machinery that are used for processing the produce of tree crops to ensure

- (a) efficient processing of the produce; and
- (b) that the machinery can be maintained and repaired in the country.

**Standards for products of tree crops and processing produce of tree crops**

57. A processor shall comply with processing and packaging standards specified in the national industry export market standards and any other standards determined by the Authority.

*Data Collection and Scientific Research***Submission of data and information**

58. (1) The Authority shall keep and maintain an accurate database in respect of the following:

- (a) producers, aggregators, processors, traders and other market actors;
- (b) the size of the nursery or farm;
- (c) the location of the nursery or farm;
- (d) the age of the tree crop;
- (e) the total production of each tree crop;
- (f) the rate of productivity of each tree crop;
- (g) the quantity of exports of produce of tree crops;
- (h) the quantity of exports of products of tree crops;
- (i) the quantity of produce of tree crops locally processed; and
- (j) any other relevant agronomic data, study, report or information.

(2) For purposes of subregulation (1), a registered actor shall provide any data or information that the Authority may request in writing.

*TREE CROPS REGULATIONS, 2023*

(3) The data or information referred to in subregulation (2) does not include a trade secret of the registered actor.

(4) Despite subregulation (3), a registered actor shall, on the orders of a court and in the public interest, provide information on the trade secret of the registered actor to

(a) the Authority; and

(b) any other person

as the court may direct.

(5) A registered actor who operates a nursery shall, not later than the fifteenth day of the first month of each quarter of a financial year, submit to the relevant zonal office of the Authority the Statistical Returns Form as set out in Form One of the Sixth Schedule.

(6) A registered actor shall, in each season, submit the Produce and Product Statistical Return Form as set out in Form Two of the Sixth Schedule to

(a) the relevant zonal office of the Authority; and

(b) any other relevant agency.

(7) An actor shall not use any scientific data without prior approval of the Authority.

(8) For purposes of this regulation, "season" means a period of a year of operation.

**Scientific research**

59. (1) The Authority shall

(a) ensure the conduct of industry driven scientific research into

(i) breeding and development of high-yielding and climate-resilient tree crops planting materials; and

(ii) processing technologies for tree crops; and

(b) in collaboration with relevant agencies and in accordance with sustainability standards, ensure best practices in technological, ecological, economic, and social practices in the tree crop value chain.

(2) The Authority shall, in collaboration with a research institute, a university, an actor, the private sector and other relevant institution, oversee research into and development of tree crops in the institutions.



*TREE CROPS REGULATIONS, 2023**Use of Agrochemicals and Pest and Disease Control***Use of agrochemicals**

**60.** (1) The Authority shall, in collaboration with the relevant agencies,

- (a) implement approved practices for pest management; and
- (b) ensure the safe use of an agrochemical on a tree crop farm, in a warehouse and in any other sector of the tree crops value chain.

(2) The Authority shall, in collaboration with the relevant agencies, regulate the use of agrochemicals and other inputs in the tree crops value chain.

**Pest and disease control**

**61.** (1) An actor shall, within three days after a pest and disease infestation of a tree crop occurs on the farm of the actor, report the infestation to the Authority.

(2) The Authority shall, in collaboration with the relevant agencies, implement an effective control and management system in respect of pests and diseases on a farm, in a warehouse and in any sector of the tree crops value chain.

(3) The Authority shall, in collaboration with the Ministry and the Environmental Protection Agency, provide training for a producer to enable the producer report, as early as possible, pest and disease infestation of tree crop farms to the Authority.

(4) The Authority shall, in implementing the control and management system under subregulation (2), take into consideration

- (a) the livelihood of the affected actor; and
- (b) in the case of calamitous pests, compensation for the affected actor.

(5) The Authority shall, in collaboration with relevant regulatory agencies, establish emergency response teams for the prevention and management of pests and diseases, fire and other natural disasters that affect tree crops in the country.

*TREE CROPS REGULATIONS, 2023**Miscellaneous Provisions***Training of personnel**

62. (1) The Authority shall

- (a) organise and promote training programmes for actors;
- (b) liaise with the relevant agencies to develop curricula for training human resources for the tree crops industry; and
- (c) promote capacity building for actors and local manufacturers of equipment to ensure the fabrication of tools and equipment for the tree crops industry.

(2) The Authority shall, in collaboration with the relevant institutions, provide capacity building for a producer.

**Offences**

63. (1) An actor who

- (a) fails to register under
    - (i) regulation 19; or
    - (ii) paragraph (a) of regulation 51;
  - (b) operates without a licence or operates with an expired licence contrary to
    - (i) regulation 28; or
    - (ii) subregulation (3) of regulation 29;
  - (c) fails to provide data and information requested by the Authority under
    - (i) subregulation (3) of regulation 30;
    - (ii) regulation 40; or
    - (iii) subregulation (2) of regulation 58;
  - (d) accepts delivery of tree crop planting material or produce without the written authorisation of the Authority contrary to regulations 46 and 53;
  - (e) contravenes subregulations (1), (4) and (5) of regulation 52;
  - (f) fails to comply with the packaging requirements for the export of a tree crop under regulation 54; or
  - (g) transports a produce or a product of a tree crop contrary to regulation 55;
  - (h) uses scientific data without the prior approval of the Authority contrary to subregulation (7) of regulation 58;
- or

*TREE CROPS REGULATIONS, 2023*

(i) fails to report pest or disease infestation contrary to regulation 61  
commits an offence and is liable on summary conviction to a fine of not less than one hundred and fifty penalty units and not more than four hundred penalty units or to a term of imprisonment of not less than one year and not more than two years or to both.

(2) A licensee, actor or trader who contravenes regulation 38 or 39 commits an offence and is liable on summary conviction to a fine of not less than one hundred and fifty penalty units and not more than four hundred penalty units or to a term of imprisonment of not less than one year and not more than two years or to both.

(3) A person who exercises a statutory power or discharges a duty in contravention of these Regulations, commits an offence and is liable on summary conviction to a fine of not less than one hundred and fifty penalty units and not more than four hundred penalty units or to a term of imprisonment of not less than one year and not more than two years or to both.

(4) A person who

(a) cuts down any tree crop without a permit from the Authority;  
or

(b) causes the destruction of a tree crop by fire or cattle  
commits an offence and is liable on summary conviction to a fine of not less than two hundred penalty units and not more than five hundred penalty units.

(5) A public officer who fails to provide the Authority with an official document or information within a specified period commits an offence and is liable on summary conviction to a fine of not less than one hundred and fifty penalty units and not more than four hundred penalty units or to a term of imprisonment of not less than one year and not more than two years or to both.

**Interpretation**

64. In these Regulations, unless the context otherwise requires, "aggregator" means an individual or a group of individuals or a company that purchases produce of a tree crop directly from a producer;



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“agronomic data” includes information in respect of

- (a) an area, in hectares of farmland available;
- (b) an area of farmland cultivated;
- (c) a plant spacing;
- (d) the number of trees per hectare;
- (e) the age of farmland or plantation;
- (f) the yield per annum;
- (g) the yield per hectare;
- (h) the number of weeding or pruning per annum;
- (i) the type and quality of fertiliser used per annum;  
and
- (j) the type and quality of other chemicals used per annum;

“budwood” means the regenerative part of a plant;

“budwood gardens” means a plot of plants bearing buds that are suitable for budding seedlings;

“dealer” means an aggregator or trader;

“designated depot” means an approved and registered building space or storage for stocking tree crop produce or products;

“exporter” includes an individual, a group of individuals or a company that engages in the purchase of tree crops or products of tree crops from an aggregator, a trader or a processor for sale outside the country;

“exporter body” means a registered group or registered association of exporters of a tree crop produce or a tree crop product;

“growing belts” means a demarcated geographical area suitable for growing a tree crop;

“identifiable processor body” means a registered group or registered association of processors of a tree crop produce or a tree crop product;

“identifiable production body” means a registered group or registered association of farmers who are engaged in the production of a tree crop;

*TREE CROPS REGULATIONS, 2023*

- “identifiable trader and exporter body” means a registered group or registered association of traders and exporters of a tree crop produce or a tree crop product;
- “industrial plantation” means a farm size of more than five hectares established to supply a processing plant or a market;
- “local processor” means an actor who adds value to produce of a tree crop or product of a tree crop;
- “market actors” mean aggregators, traders, transporters, exporters and persons who engage in warehousing, packaging or any activity at the marketing phase of tree crops production;
- “market forces” mean economic factors such as demand, supply, distribution, packaging and publicity that control sale of products and produce in a given market;
- “Ministry” means the Ministry of Food and Agriculture;
- “national industry export market standards” mean quality standards on export produce or products set by the Ghana Standards Authority or the Food and Drugs Authority;
- “packaging material” includes jute sacks;
- “private sector” means
- (a) the part of the national economy controlled by market forces rather than by public authorities; or
  - (b) other sector of the economy that is not under the public sector or the Government;
- “processor” means a person who adds value to the produce of a tree crop or product of a tree crop;
- “producer” includes a picker cooperative of shea nuts and a farmer of a tree crop;
- “product” means the output of a value-added produce of a tree crop;
- “registered actor” means an actor who is registered with the Authority;
- “registered trader” means a trader who is registered with the Authority;
- “scion bank” means a nursery where improved varieties and clones of a tree crop are tendered in order to produce buds

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- or shoots to be used in vegetative propagation in the process of grafting or budding;
- “seasonal tree crops” mean cashew, shea, mango and other tree crops that are harvested once or twice in a year;
- “source material” means the parent tree from which a scion, bud or seed is taken for propagation;
- “stock” means a group of trees with the same genetic background kept for future use;
- “suitability map” means an outline that details the geographical areas that are suitable for growing different tree crops;
- “trade documents” mean invoices, receipts, waybills and other documents that are used in trading;
- “trader” means a person who buys
- (a) produce of a tree crop from an aggregator; or
  - (b) a product of a tree crop from a processor;
- “tree crop planting material” means seedlings for the propagation of tree crops;
- “value chain specialist” means an agronomic and post-harvest expert of a tree crop hired by the Authority to manage the value chain activities of the tree crop;
- “warehouse” includes a reception area and a packhouse; and
- “zonal office” means a decentralised branch of the Authority established under regulation 14.



*TREE CROPS REGULATIONS, 2023***SCHEDULES****FIRST SCHEDULE***(regulation 17(2))***CATEGORIES OF ACTORS FOR REGISTRATION****1. Main actors**

- (a) Farmers or producers
- (b) Aggregators
- (c) Nursery Operators
- (d) Traders
- (e) Processors, Millers, Refiners
- (f) Exporters and Importers
- (g) Service providers, including
  - (i) on-farm service providers such as weeders, sprayers, extension service providers, seed nut producers, nursery operators;
  - (ii) input dealers such as dealers in agro-chemicals and fertilisers;
  - (iii) logistics providers such as providers of transport and evacuators; and
  - (iv) providers of packhouses and warehouses.

**2. Auxiliary actors**

Other actors will have auxiliary membership.

Technical committees will produce registration details, among others, including the following:

- (a) name of actor;
- (b) business registration; and
- (c) size of establishment, where applicable.

**3. Nursery registration**

1. A person shall not establish or operate a nursery in any area unless the person is trained and registered with the relevant statutory Government institution.

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2. In addition, the person shall be registered with other relevant Government agencies such as the Ghana Seed Inspection Unit of the Plant Protection and Regulatory Services of the Ministry of Food and Agriculture in accordance with these Regulations.
3. Application for registration or renewal: A person who intends to operate a nursery shall make an application for registration to the relevant Government institution as set out in Form One of the Third Schedule.

The relevant zonal office shall issue a certificate of registration to a successful applicant.

The certificate of registration of a nursery operator as set out in Form Two of the Third Schedule is

- (a) renewable after one year; and
- (b) only applicable for a specified inspected area.

4. The operator of a nursery shall avail the certificate of registration for inspection when requested.

**4. Conditions for granting nursery certificate**

A person shall not be issued with a certificate of registration for a nursery, unless a joint inspection team composed of a relevant Government agency, including the Ghana Seed Inspection Unit of the Plant Protection and Regulatory Services, Ministry of Food and Agriculture and the Authority

- (a) has visited and inspected the site and is satisfied that the site is suitable for establishment of a nursery; and
- (b) is satisfied that the nursery operator or the agent of the operator has adequate knowledge of nursery management and production techniques.

*TREE CROPS REGULATIONS, 2023***SECOND SCHEDULE***(regulation 18(1))***QUALIFICATION FOR REGISTRATION****1. Producer**

A person who is a producer of a tree crop shall provide the following to qualify for registration with the Authority:

- (a) proof of membership of an identifiable production body;
- (b) a tax identification number;
- (c) national identification;
- (d) the size of land;
- (e) the location of the producer with the Ghana Postal Service co-ordinates;
- (f) the age of the farm, except in the case of shea; and
- (g) the source of planting material, except in the case of shea.

**2. Aggregator**

A person who is an aggregator of a tree crop shall provide the following to qualify for registration with the Authority:

- (a) proof of Ghanaian citizenship;
- (b) name of the business and registered trade mark;
- (c) location of processing business with the Ghana Postal Service co-ordinates;
- (d) installed capacity;
- (e) certificate of incorporation and commencement of business certificate;
- (f) nature of business;
- (g) names of directors;
- (h) address of registered head office;
- (i) national identification; and
- (j) tax identification number.

**3. Processor**

A person who is a processor of a tree crop shall provide the following to qualify for registration with the Authority:

- (a) name of the business and registered trade mark;
- (b) proof of membership of an identifiable processor body;



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- (c) location of processing business with the Ghana Postal Service co-ordinates;
- (d) installed capacity;
- (e) certificate of incorporation and commencement of business certificate;
- (f) nature of business;
- (g) major shareholders of the company;
- (h) names of directors;
- (i) address of registered head office;
- (j) bankers' reference;
- (k) national identification;
- (l) tax identification number;
- (m) a detailed list of its preferred or intended areas of operation in this country;
- (n) locations of storage tanks, main sheds, depots and port storage in the country where applicable; and
- (o) evidence that designated storage tanks, transportation trucks and tankers, depots and warehouses have been inspected in accordance with industry and national standards.

**4. Trader, Exporter or Importer**

A person who is a trader, an exporter or an importer shall provide the following to qualify for registration with the Authority:

- (a) proof of Ghanaian citizenship;
- (b) name of the business and registered trade mark;
- (c) proof of membership of an identifiable trader and exporter body;
- (d) location of business with the Ghana Postal Service co-ordinate;
- (e) certificate of incorporation and commencement of business certificate;
- (f) nature of business;
- (g) major shareholders of the company;
- (h) names of directors;
- (i) address of registered head office;
- (j) bankers reference;
- (k) national identification; and
- (l) tax identification number.

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**THIRD SCHEDULE**  
**FORM ONE**  
*(regulation 19(1))*



**GOVERNMENT OF GHANA**

Serial No.:

**APPLICATION FOR REGISTRATION OF TREE CROPS NURSERY**  
*(To be filled in triplicate)*

1. Full name of Applicant.....
2. National Identification No.....
3. Postal Address.....  
 Telephone Number ..... Email.....
4. Region ..... District.....  
 Location.....
5. Type of material to be produced:
 

| Crop/variety | No. of Seedlings | Source of Early Generation<br>Seed or Budwood |
|--------------|------------------|-----------------------------------------------|
| .....        | .....            | .....                                         |
| .....        | .....            | .....                                         |

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I confirm that I shall abide by the Regulations and ensure that all seed material for planting has been inspected and approved by the appropriate statutory institution.

Applicant's Signature.....

Date.....

## PART II

FOR OFFICIAL USE

Inspector Remarks .....

Recommended /Not recommended

Name of Inspector..... Signature..... Date.....

Approved/Not Approved by:

Name..... Signature.....

Date.....

## Additional information

1. Application for registration should be sent to the nearest TCDA office where the nursery is located.
2. Successful applicants shall be required to pay the prescribed fees and submitted to the TCDA.



*TREE CROPS REGULATIONS, 2023*

FORM TWO  
(regulation 21(b))



GOVERNMENT OF GHANA

Serial No.:

**CERTIFICATE OF REGISTRATION OF A NURSERY**

Name .....

P.O. BOX .....

Is/are registered to operate a ..... TREE

CROPS nursery for the year .....

Located at .....

Ward .....

Sub location .....

Location .....

District .....

Region .....

The following planting will be produced:

| <u>Types</u> | <u>number of planting stock</u> |
|--------------|---------------------------------|
| .....        | .....                           |
| .....        | .....                           |

*TREE CROPS REGULATIONS, 2023***Registration No** .....**Signed** .....**Date** .....

Conditions:

1. This certificate is valid until the ..... following the date of issue, unless earlier cancelled.
2. This certificate is not transferable to any other person, or nursery site.
3. All planting materials shall be sourced from approved sources.
4. No sale of planting material before final inspection and approved by the appropriate statutory institution.
5. All approved planting materials which are not distributed during the approved season will be subjected to re-approval before distribution.
6. All certified materials which cannot be sold during the certification season will be subjected to certification after six (6) months.
7. Nursery operators shall remit statistical returns to the appropriate statutory institution responsible for inspection and certification and a copy to the Authority on quarterly basis.

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**FOURTH SCHEDULE**  
**FORM ONE**  
*(regulation 30(1))*



**GOVERNMENT OF GHANA**

Serial No.:

**APPLICATION FOR LICENCE TO CARRY OUT ACTIVITY IN A  
 TREE CROP VALUE CHAIN**

*(To be filled in triplicate)*

1. Full name of Applicant .....
2. Personal Identification Number ..... Identification No .....
3. Postal Address ..... Telephone Number .....  
 Email.....
4. Region..... District.....  
 Location.....
5. Type of material to be produced:  

| Crop/variety | No. of Seedlings | Source Early<br>Generation Seed |
|--------------|------------------|---------------------------------|
| .....        | .....            | .....                           |
| .....        | .....            | .....                           |



*TREE CROPS REGULATIONS, 2023*

I confirm that I shall abide by these Regulations and ensure that all seed material for planting has been inspected and approved by the appropriate statutory institution.

Applicant's Signature.....

Date .....

## PART II

FOR OFFICIAL USE

Inspector Remarks .....  
 .....  
 .....

Recommended /Not recommended

Name of Inspector.....

Signature .....

Date .....

Approved/Not Approved by:

Name ..... Signature .....

Date.....

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## Additional information

1. Copy of Certificate of Incorporation or Certificate of Registration.
2. Copy of Constitution of Company.
3. Proof of Membership of relevant value chain association.
4. Copy of National Identification Card of Directors of Company.
5. Copy of valid business operating permit.
6. Tax Identification Number of the company.
7. Copy of valid Tax Compliance Certificate.
8. Copy of valid Environmental Impact Assessment or Environmental Audit Certificate, where applicable.
9. Copy of Food and Drugs Licence, where applicable.

Application for licence to be sent to the nearest zonal office where the successful applicant will pay the prescribed fee.

*TREE CROPS REGULATIONS, 2023*

**FORM TWO**  
(regulation 32(1)(a))



**GOVERNMENT OF GHANA**

Serial No.: .....

**LICENCE TO CARRY OUT ACTIVITY IN A TREE CROP  
VALUE CHAIN**

Name of Value Chain Actor .....

Type of Value Chain Activity.....

Licence No. .... Actor's Code .....

Valid from ..... to.....

Postal Address..... Physical Address.....

Email ..... Telephone Number.....

Region..... District.....

is hereby authorised to operate as a value chain actor in accordance with the purpose for which this licence is issued.

Issued by:

Signature.....

Date .....

*Chief Executive Officer*

*Tree Crops Development Authority*



*TREE CROPS REGULATIONS, 2023***Terms and Conditions of Licence for Value Chain Activity**

1. The licensed value chain actor shall submit the requisite statistical returns form to the Authority monthly.
2. The licensed value chain actor shall allow free access to the premises by an inspector authorised by the Authority.
3. The Authority may renew, suspend or revoke the licence of the value chain actor where the licensee fails to abide with the terms and conditions of the licence.
4. The licence of the value chain actor shall not be transferred.

## TREE CROPS REGULATIONS, 2023

## FIFTH SCHEDULE

(regulation 47(1))

**FORMULAE FOR DETERMINING MINIMUM PRODUCER  
PRICE OF PRODUCE OF TREE CROPS**

**Minimum Producer Price Formula for Raw Cashew Nuts (RCN)**

| <u>DETAILS</u>                                                                   | <u>\$</u> | <u>GHS</u> | <u>GHS</u> |
|----------------------------------------------------------------------------------|-----------|------------|------------|
| FOB Average International Price/ton of RCN .... (1)<br>[48 KOR, 180 NC, ≤ 10% m] | xx        |            |            |
| Discounted by 10% of (1) [46 KOR, 190 NC, ≤<br>10 moisture]                      | xx        |            |            |
| Average Bank of Ghana FX Rate .... (2)                                           |           | xx         |            |
| Average price of RCN in GH¢ (1x2) .... (3)                                       |           | xx         | xx         |
| Less                                                                             |           |            |            |
| <b>Agent cost:</b>                                                               |           |            |            |
| Transport to warehouse (2.80%) of (3)                                            |           | xx         |            |
| Off-loading and weighing costs (0.69 %) of (3)                                   |           | xx         |            |
| Weight loss (0.26%) of (3)                                                       |           | xx         |            |
| Overheads (utilities, administrative staff etc.), (0.53%) of (3)                 |           | xx         |            |
| Agent margin (5.78%) of (3)                                                      |           | xx         | (xx)       |
| <b>Exporter's cost:</b>                                                          |           |            |            |
| Loading costs (0.20%) of (3)                                                     |           | xx         |            |
| Council tax (0.13%) of (3)                                                       |           | xx         |            |
| Transport to port (3.40%) of (3)                                                 |           | xx         |            |
| Off-loading (0.69%) of (3)                                                       |           | xx         |            |
| Jute sacks (1.19%) of (3)                                                        |           | xx         |            |
| Stuffing labour (0.25%) of (3)                                                   |           | xx         |            |

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|                                                                     |           |      |
|---------------------------------------------------------------------|-----------|------|
|                                                                     | xx        |      |
| Overheads (staffing, admin) (0.53%) of (3)                          | <u>xx</u> | (xx) |
| Quality risk (0.27%) of (3)                                         |           |      |
| <b>Statutory Charges:</b>                                           | xx        |      |
| Ghana Standards Authority Fee (0.20%) of (3)                        | xx        |      |
| Quality Control permit (0.02%) of (3)                               | xx        |      |
| Fumigation (0.10%) of (3)                                           | xx        |      |
| Certificate of Origin (0.04%) of (3)                                | xx        |      |
| Narcotics Control Commission (0.02%) of (3)                         | <u>xx</u> | (xx) |
| Phyto-san (0.12%) of (3)                                            |           |      |
| <b>Other port costs</b>                                             | xx        |      |
| Shipping line charge (0.90%) of (3)                                 | xx        |      |
| Terminal handling charge (1.02%) of (3)                             | xx        |      |
| Documentation charge (0.12%) of (3)                                 |           |      |
| Service charge (including dry bags+ kraft paper)<br>(0.51%) of (3)  | xx        |      |
| Tree Crops Development Authority Development<br>levy (0.50%) of (3) | <u>xx</u> | (xx) |
| Exporter margin (4.44%) of (3)                                      | <u>xx</u> | (xx) |
| <b>MINIMUM PRODUCER PRICE</b>                                       | <u>xx</u> |      |

NOTE

1. KOR- Knut Outturn Ratio.
2. NC - Nut Count.
3. 10% discount is due to the difference in standards of local and international RCN (1 above).
4. The farmer gets 75.29% of the average FOB price.
5. Tree Crops Development Authority levy is paid by the Exporter.



*TREE CROPS REGULATIONS, 2023***Minimum Producer Price Formula for Fresh Fruit Bunches of Oil Palm**

| <u>Details</u>                                               | <u>\$</u> | <u>GH¢</u> | <u>GH¢</u>  |
|--------------------------------------------------------------|-----------|------------|-------------|
| Average International Price of CPO/ton .... (1)              | <u>xx</u> |            |             |
| Average International Price/ton of PKO .... (2)              | <u>xx</u> |            |             |
| Average Bank of Ghana FX Rate .... (3)                       |           | <u>xx</u>  |             |
| CPO Price/ton in Ghana Cedis, (1) x (3) .... (4)             |           | <u>xx</u>  |             |
| 18% of (4) - OER                                             |           | <u>xx</u>  |             |
| <b>Add:</b>                                                  |           |            |             |
| 0.79% of Average International Price of PKO in GH¢ ((2)x(3)) |           | <u>xx</u>  |             |
| Average Market Price                                         |           | <u>xx</u>  | <u>xx</u>   |
| <b>Less:</b>                                                 |           |            |             |
| Processing Cost plus Miller margin                           |           | <u>xx</u>  |             |
| Aggregators Margin                                           |           | <u>xx</u>  |             |
| Tree Crops Development Authority Levy                        |           | <u>xx</u>  |             |
| Average Transport Cost                                       |           | <u>xx</u>  | <u>(xx)</u> |
| <br>Minimum Producer Price                                   |           |            | <u>xx</u>   |

NOTE

1. FFB- Fresh Fruit Bunch of Oil Palm
2. CPO - Crude Palm Oil
3. OER - Oil Extraction Rate
4. PKO - Palm Kernel Oil
5. The minimum producer price is calculated and announced every month.
6. The FX rate used, is the average buying and selling rate of the Bank of Ghana's interbank FX rates for the period of pricing.
7. Miller margin@ 9% of CPO price
8. Aggregation of fruits@ 4.3% of CPO price for 5.56 MT of FFB.

*TREE CROPS REGULATIONS, 2023*

9. Transport of fruits @ GHS 154.50/ton, reviewable as and when GPRTU announces changes in transport fares.
10. Tree Crops Development Authority levy @ 0.25% of CPO price for 5.56 MTs of FFB to support industry development activities is paid by the processor.

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**Minimum Producer Price Formula for Raw Rubber Cup-Lumps**

| <u>Details</u>                                    | <u>\$</u> | <u>GH¢</u>    | <u>GH¢</u> |
|---------------------------------------------------|-----------|---------------|------------|
| Average International Price/ton of TSR20 .... (1) | <u>xx</u> |               |            |
| Average Bank of Ghana FX Rate .... (2)            |           | <u>xx</u>     |            |
| Average Price in Ghana Cedis (1)x(2) ... (3)      |           | <u>xx</u>     |            |
| 63% of (3) to the Farmer .... (4)                 |           | <u>xx</u>     |            |
| Conversion Rate (Wet to Dry), @58% of (4)         |           | <u>xx</u>     |            |
| Factory Gate Price                                |           | <u>xx</u>     |            |
| Less Tree Crops Development Authority levy (0.3%) |           | ( <u>xx</u> ) | <u>xx</u>  |
| Minimum Producer Price                            |           |               | <u>xx</u>  |

NOTES

1. TSR20 refers to the processed rubber sold on the international market.
2. The FX rate used, is the average buying and selling rates of the Bank of Ghana's interbank FX rates for the period of pricing.
3. 63% to farmer means, 37% caters for processing and other costs, plus processor's margin.
4. The minimum producer price is calculated and announced every month.
5. Tree Crops Development Authority levy is paid by the processor.



*TREE CROPS REGULATIONS, 2023***SIXTH SCHEDULE****FORM ONE**  
*(regulation 58(5))***GOVERNMENT OF GHANA**

Serial No.: .....

**STATISTICAL RETURNS FORM**  
*(To be filled in triplicate)*

1. Name of Nursery Operator: .....
2. Identification No./ VAT Certificate No.: .....
3. Personal Identification Number ..... Certificate No.: .....
4. Telephone Number: .....
5. Postal address: .....
6. Town: .....
7. Location of the nursery
  - (a) Ward: .....
  - (b) Sub-location: .....
  - (c) Location: .....

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(d) District: .....

(e) Region: .....

## 8. Period of returns

| Crop | Variety | Number of seedlings raised within the period | Number of seedlings issued, sold or distributed | Balance of seedlings | Average price of a seedling sold over the period (GH¢) |
|------|---------|----------------------------------------------|-------------------------------------------------|----------------------|--------------------------------------------------------|
|      |         |                                              |                                                 |                      |                                                        |
|      |         |                                              |                                                 |                      |                                                        |
|      |         |                                              |                                                 |                      |                                                        |
|      |         |                                              |                                                 |                      |                                                        |

9. Source of propagating material: .....

.....

.....

## 10. Declaration

I, ....., solemnly declare that the information I have given above, to the best of my knowledge, is true and complete.

Name of nursery operator: .....

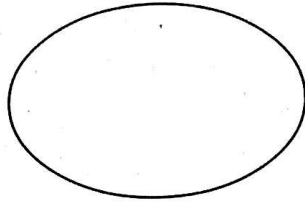
Signature:..... Date:.....

*TREE CROPS REGULATIONS, 2023***11. For official use only:**

Name of the officer who verified the records.....

Signature..... Date.....

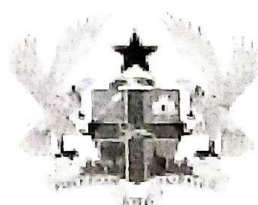
Stamp:



(This form must be filled and submitted to the appropriate officer of the relevant institution at the zonal office and copied to the Authority, not later than the fifteenth day of..... and the fifteenth day of ..... of every year).



## TREE CROPS REGULATIONS, 2023

**FORM TWO**  
(regulation 58(6))**GOVERNMENT OF GHANA****PRODUCE AND PRODUCT STATISTICAL RETURNS FORM**  
(To be filled in triplicate)

Return for the Month of ..... Year: .....

**Part A**

1. Name of Actor:.....
2. Postal Address:.....
3. Town: .....
4. Telephone/Mobile Number :.....
5. Email:.....
6. Website: .....
7. Company Registration Certificate No.:.....
8. VAT Certificate No.....
9. Location of Business (premises)
  - (a) Street/Area: .....
  - (b) Ward:.....

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(c) Distribution: .....

(d) Region: .....

10. Authorised Dealer Licence or Certificate Number.....

11. Licence or Certificate expiry date .....

12. Category of Dealership: (Specify): .....

13. **Part B** (To be filled by a local trader or a local aggregator)

| Product/<br>produce | Unit of measure<br>(Specify) | Quantity traded<br>/handled | Total value of<br>produce/product (GH¢) |
|---------------------|------------------------------|-----------------------------|-----------------------------------------|
|                     |                              |                             |                                         |
|                     |                              |                             |                                         |
|                     |                              |                             |                                         |

14. **Part C** (To be filled by an exporter or an importer)

| Product/<br>produce | Country<br>of origin | Country of<br>destination | Unit of<br>measure<br>(Specify) | Quantity<br>handled<br>during the<br>month | Total value of<br>produce/<br>product<br>handled<br>(GH¢) |
|---------------------|----------------------|---------------------------|---------------------------------|--------------------------------------------|-----------------------------------------------------------|
|                     |                      |                           |                                 |                                            |                                                           |
|                     |                      |                           |                                 |                                            |                                                           |
|                     |                      |                           |                                 |                                            |                                                           |

(Please attach copies of Ghana Revenue Authority export/import entries and bill of lading.)

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**15. Part D** (To be filled by a local processor)

| Product/<br>Produce | Unit of measure<br>(Specify) | Quantity handled |           | Total value of<br>produce/product (GH¢) |           |
|---------------------|------------------------------|------------------|-----------|-----------------------------------------|-----------|
|                     |                              | Raw<br>material  | Processed | Raw<br>material                         | Processed |
|                     |                              |                  |           |                                         |           |
|                     |                              |                  |           |                                         |           |

**16. Part E** (To be filled by .....)

| Product/<br>produce | Unit of<br>measure<br>(Specify) | Quantity<br>handled  |                | Total value<br>of produce<br>/product<br>(GH¢) |                | Quantity<br>exported<br>(if any) |                | Value of<br>export<br>(GH¢) |                | Export<br>destination<br>country |                |
|---------------------|---------------------------------|----------------------|----------------|------------------------------------------------|----------------|----------------------------------|----------------|-----------------------------|----------------|----------------------------------|----------------|
|                     |                                 | Raw<br>mate-<br>rial | Proce-<br>ssed | Raw<br>mate-<br>rial                           | Proce-<br>ssed | Raw<br>mate-<br>rial             | Proce-<br>ssed | Raw<br>mate-<br>rial        | Proce-<br>ssed | Raw<br>mate-<br>rial             | Proce-<br>ssed |
|                     |                                 |                      |                |                                                |                |                                  |                |                             |                |                                  |                |
|                     |                                 |                      |                |                                                |                |                                  |                |                             |                |                                  |                |
|                     |                                 |                      |                |                                                |                |                                  |                |                             |                |                                  |                |
|                     |                                 |                      |                |                                                |                |                                  |                |                             |                |                                  |                |

(For large scale processors, attach copies of Ghana Revenue Authority export entries and bill of lading).

*TREE CROPS REGULATIONS, 2023***17. Declaration**

I, .....  
solemnly declare that the information I have given above, to the best of  
my knowledge, is true and complete.

Name : .....

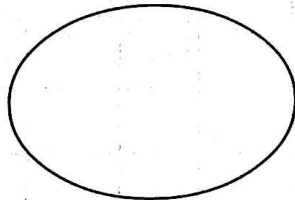
Signature: ..... Date: .....

**18. For official use only:**

Name of the officer who verified the records:.....

Signature:..... Date:.....

Stamp:





*TREE CROPS REGULATIONS, 2023*

**DR. BRYAN ACHEAMPONG, MP**  
*Minister responsible for Food and Agriculture*

Date of *Gazette* notification: 31st October, 2023.

Entry into force:

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