

Ghana Legal Framework Analysis: Key Highlights

This one-pager aims to provide a brief overview of the most notable features of Ghana's national cooperative legal framework, based on the work of national legal experts and ICA member input.

In Ghana, the main rules for cooperatives are contained in The National Liberation Council Decree (NLCD) 252 which occurred during a military regime; the National Liberation Council. Cooperatives are regulated through the Department at Cooperatives (DOC) which is a Department under the Ministry of Employment and Labor Relation (MELR) and a government institution.

The NLCD 252 did not explicitly introduce the ICA Principles of cooperative. Some of the principles are somehow implicitly introduced in the bye-laws, but some rights and privileges has been taken away from cooperatives.

Main regulations: This table displays a selection of cooperative regulations identified by experts and ICA members. For the full analysis including all relevant regulations, see the full report.

Regulation	Brief Description
The National Liberation Council Decree (NLCD) 252 OF 1968	NLCD is the first cooperative law for independent Ghana and has been in existence from 1968 to date. It is the principal national legal instrument governing the operation of cooperatives.
The Legislation Instrument 604	The NLCD was further adopted by the Provisional National Defence Council military regime as a legislative instrument (LI 604)
Cooperative Credit Union Regulation 2015	This is a subsidiary legislation which regulate the operations of cooperative credit unions, and cooperative financial institutions in Ghana and bye-laws of respective cooperative societies.

Cooperative Friendliness: From the view of ICA contributing member organizations, the NLCD 252 of the Cooperatives in Ghana is more cooperative unfriendly than friendly. Some of the concern of cooperatives include: over regulations by the registrar, the law does not strengthen the financial and managerial competence of cooperative, and does not create an enabling environment for cooperatives to operate as a private sector organization.

Key recommendations for improvement: There should be a new co-operative law which will seek to address some of the following hindrance in the NLCD 252 of 1968; reduce the powers of the Registrar, recognize the ICA principles, supervision of cooperatives should be a joint responsibility of the government and the apex body of cooperatives

Conclusions: The national cooperative law is archaic and only sought to serve the purpose of a military regime at the time when it was promulgated. A reform of the law is imperative to trigger the needed positive impact that the cooperative model can have on its members.

