

# INTEGRATED LEGAL CONSULTANTS



## EDITOR'S NOTE

Integrated Legal Consultants (ILC) was founded in April 2007, in Accra, Ghana, to offer dedicated and innovative corporate legal services while ensuring that the Ghanaian and West African business community and our network of international clients benefit from the highest quality of corporate and commercial legal services that the ILC provides.

As part of this vision, ILC has introduced the publication of newsletters on legal and economic issues that would be of interest to its clients and equally affect their transactions. This is our third edition.

The property market in Ghana has attracted a lot of foreign investment over the years. The legal steps to be taken in the acquisition of property is of great importance to any investor.

In this issue, we have highlighted certain aspects of property acquisition in Ghana and highlighted the steps involved in the acquisition and registration of title to property in Ghana.

We hope you find it informative and educative. Your feedback is welcomed.

Happy Reading!

*Esohe Olajide*  
**Editor**

Mrs. Olusola Ogundimu  
**Editor-In-Chief**



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*This newsletter includes general information about legal issues and developments in the law. Such materials are for informational purposes only and may not necessarily reflect the most current legal developments. These informational materials are not intended, and must not be taken, as legal advice on any particular set of facts or circumstances. You need to contact a lawyer licensed in your jurisdiction for advice on specific legal issues and problems.*

## PROPERTY ACQUISITION IN GHANA AND ITS REQUIREMENT Salewa Fritz (Paralegal)

Property acquisition in Ghana is regulated by the Lands Commission. The laws regulating the acquisition of property are the Conveyancing Decree 1973 (NRCD 175), Land Title Registration Law 1986 PNDCL 152

Prospective land owners must know their vendor and further ascertain if the said vendor has the proper capacity to alienate the land. This should however be carried out by engaging a solicitor/legal practitioner duly licensed to practice in the jurisdiction.

It is a reality in recent times that prospective land owners are duped by fraudsters who represent themselves as land agents due to their failure to conduct adequate due diligence on the property.

A legal practitioner would advise on steps to be taken to ensure that accurate due diligence is carried out on the vendor and that the prospective land owner's interest is protected.

Searches are conducted at the Lands Commission and Collateral Registry.

Once the appropriate due diligence/search has been conducted, the relevant documentation will be drafted such as Contract of Sale, Deed of Sublease, Deed of Assignment etc.



A Bar Coded site plan/ Strata Plan in the name of the Purchaser will be prepared.

Upon the drafting of all documentation and after adequate review/perusal by both parties to the Agreement, documents will be executed by the parties in the presence of 1 (One) witness each.

Once all documents are in place, the documents must be lodged at the Land Valuation Division for the assessment of stamp duty.

In acquiring land in Ghana it should be noted that a foreigner can only obtain a 50-year lease renewable for a further term.

Effective 1st of April 2018, every prospective land owner is required to obtain a Tax Identification Number from the offices of the Ghana Revenue Authority.

For state owned lands, consent to assign must be obtained from the Lands Commission, thereafter the documents will be plotted.

Once the aforementioned have been met an application for the registration of the property would be submitted at the Land Registration Division of the Lands Commission for the issuance of Land Title Certificate.

If you require assistance in relation to property acquisition kindly send an email to

[salewa@integratedlegalconsultants.com](mailto:salewa@integratedlegalconsultants.com)



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