

Contractual Obligations in Ghana and Nigeria (ISBN 0714626112)

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'Bennion, [Footnote 51] one of the draftsmen of the Ghana Republican Constitution and allied enactments, has explained that the provisions of the former Courts Ordinance Cap 4 (1951), and the other enactments that regulated the Courts in Ghana had been so dismembered by suggested amendments that it became necessary to enact a new and comprehensive Courts Act, similar in scope to the English Judicature Acts 1873-5 and 1925, to replace the various enactments. The new Act was the Courts Act 1960 . . . The Local Courts were retained with certain jurisdictional amendments. It is astonishing in the extreme to read anything novel in this structure. Bennion went further to explain that the consequences of clearing the old judicial authority thought to be so far-reaching (it might for instance deter investors if the law became uncertain!), that it was thought wiser to introduce an element of flexibility in the Supreme Court practice. It is therefore submitted with respect that Mr. Justice Ollennu's view about the scope of the "previous decisions" of the Supreme Court is the better one [Footnote 52]'

See also pp. 187, 343.