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Particulars of Offence

1) Nana Appiah Mensah and 2) Menzgold Ghana Company Ltd. between 2016 and 2018 in Accra in the Greater-Accra Region of the Republic of Ghana induced members of the public to invest One billion, sixty hundred and eighty million, nine hundred and twenty thousand Ghana cedis (GH¢1,680,920,000) in Menzgold Ghana Company Ltd. by representing that you were authorised to take gold deposits in return for profits, a statement which was misleading.

Count Four

Statement of Offence

Defrauding by false pretence contrary to section 131(1) of the Criminal Offences Act, 1960 (Act 29).

Particulars of Offences

1) Nana Appiah Mensah, and 2)Menzgold Ghana Ltd between 2016 and 2018 in Accra in the Greater-Accra Region of the Republic of Ghana with intent to defraud obtained the consent of Angelina Vander-Pallen to part with the sum of GH¢20,000,060 by representing Menzgold as a company licensed to take gold deposit in return for profit on the value of the gold deposit, which you knew to be false at the time of making it.

Count Five

Statement of Offence

Defrauding by false pretence contrary to section 131(1) of the Criminal Offences Act, 1960 (Act 29)

Particulars of Offences

1) Nana Appiah Mensah, and 2)Brew Marketing Consult Ghana Ltd between 2016 and 2018 in Accra in the Greater-Accra Region of the Republic of Ghana with intent to defraud obtained the consent of Angelina Vander-Pallen to part with the sum of GH¢20,000,060 by representing Brew Marketing Consult as a company licensed to sell gold deposit in return for profit on the value of the gold deposit, which you knew to be false at the time of making it.

Count Six

Statement of Offence

Defrauding by false pretence contrary to section 131(1) of the Criminal Offences Act, 1960 (Act 29)

Particulars of Offences

1) Nana Appiah Mensah and 2) Menzgold Ghana Company Ltd. between 2016 and 2018 in Accra in the Greater-Accra Region of the Republic of Ghana with intent to defraud obtained the consent of Beatrice Owusu-Ansah to part with the sum of GH¢188,000,000 by representing Menzgold as a company licensed to take gold deposit in return for profit on the value of the gold deposit, which you knew to be false at the time of making it.

Count Seven

Statement of offence

Defrauding by false pretence contrary to section 131(1) of the Criminal Offences Act, 1960 (Act 29).

Particulars of Offences

1) Nana Appiah Mensah and 2) Brew Marketing Consult Ghana Ltd between 2016 and 2018 in Accra in the Greater-Accra Region of the Republic of Ghana with intent to defraud obtained the consent of Beatrice Owusu-Ansah to part with the sum of GH¢188,000,000 by representing Brew Marketing Consult as a company licensed to sell gold deposit in return for profit on the value of the gold deposit, which you knew to be false at the time of making it.

Count Eight

Statement of Offence

Defrauding by false pretence contrary to section 131(1) of the Criminal Offences Act, 1960 (Act 29).

Particulars of Offences

1) Nana Appiah Mensah and 2) Menzgold Ghana Company Ltd. between 2016 and 2018 in Accra in the Greater-Accra Region of the Republic of Ghana with intent to defraud obtained the consent of George Owusu to part with the sum of GH¢10,000,000 by representing Menzgold as a company licensed to take gold deposit in return for profit on the value of the gold deposit, which you knew to be false at the time of making it.

Count Nine

Statement of Offence

Defrauding by false pretence contrary to section 131(1) of the Criminal Offences Act, 1960 (Act 29).

Particulars of Offences

1) Nana Appiah Mensah and 2) Brew Marketing Consult Ghana Ltd between 2016 and 2018 in Accra in the Greater-Accra Region of the Republic of Ghana with

intent to defraud obtained the consent of George Owusu to part with the sum of GH¢10,000,000 by representing Brew Marketing Consult as a company licensed to sell gold deposit in return for profit on the value of the gold deposit, which you knew to be false at the time of making it.

Count Ten
Statement of Offence

Defrauding by false pretence contrary to section 131(1) of the Criminal Offences Act, 1960 (Act 29).

Particulars of Offences

1) Nana Appiah Mensah and 2) Menzgold Ghana Company Ltd. between 2016 and 2018 in Accra in the Greater-Accra Region of the Republic of Ghana with intent to defraud obtained the consent of Benjamin Aduse Poku to part with the sum of GH¢20,000,000 by representing Menzgold as a company licensed to take gold deposit in return for profit on the value of the gold deposit, which you knew to be false at the time of making it.

Count Eleven
Statement of Offence

Defrauding by false pretence contrary to section 131(1) of the Criminal Offences Act, 1960 (Act 29)

Particulars of Offence

1) Nana Appiah Mensah and 2) Brew Marketing Consult Ghana Ltd between 2016 and 2018 in Accra in the Greater-Accra Region of the Republic of Ghana with intent to defraud obtained the consent of Benjamin Aduse Poku to part with the sum of GH¢20,000,000 by representing Brew Marketing Consult as a company licensed to sell gold deposit in return for profit on the value of the gold deposit, which you knew to be false at the time of making it.

Count Twelve
Statement of Offence

Defrauding by false pretence contrary to section 131(1) of the Criminal Offences Act, 1960 (Act 29).

Particulars of Offence

1) Nana Appiah Mensah and 2) Menzgold Ghana Company Ltd. between 2016 and 2018 in Accra in the Greater-Accra Region of the Republic of Ghana with intent to defraud obtained the consent of Boakye Emmanuel to part with the sum of GH¢20,000,000 by representing Menzgold as a company licensed to take

gold deposit in return for profit on the value of the gold deposit, which you knew to be false at the time of making it.

Count Thirteen
Statement of Offence

Defrauding by false pretence contrary to section 131(1) of the Criminal Offences Act, 1960 (Act 29).

Particulars of Offence

1) Nana Appiah Mensah and 2) Brew Marketing Consult Ghana Ltd between 2016 and 2018 in Accra in the Greater-Accra Region of the Republic of Ghana with intent to defraud obtained the consent of Boakye Emmanuel to part with the sum of GH¢20,000,000 by representing Brew Marketing Consult as a company licenced to sell gold deposit in return for profit on the value of the gold deposit, which you knew to be false at the time of making it.

Count Fourteen
Statement of Offence

Defrauding by false pretence contrary to section 131(1) of the Criminal Offences Act, 1960 (Act 29).

Particulars of Offence

1) Nana Appiah Mensah and 2) Menzgold Ghana Company Ltd. between 2016 and 2018 in Accra in the Greater-Accra Region of the Republic of Ghana with intent to defraud obtained the consent of Eunice Quartey to part with the sum of GH¢120,000,000 by representing Menzgold as a company licensed to take gold deposit in return for profit on the value of the gold deposit, which you knew to be false at the time of making it.

Count Fifteen
Statement of account

Defrauding by false pretence contrary to section 131(1) of the Criminal Offences Act, 1960 (Act 29).

Particulars of Offence

1) Nana Appiah Mensah and 2) Brew Marketing Consult Ghana Ltd between 2016 and 2018 in Accra in the Greater-Accra Region of the Republic of Ghana with intent to defraud obtained the consent of Eunice Quartey to part with the sum of GH¢120,000,000 by representing Brew Marketing as a company licensed to

sell gold deposit in return for profit on the value of the gold deposit, which you knew to be false at the time of making it.

Count Sixteen
Statement of Offence

Defrauding by false pretence contrary to section 131(1) of the Criminal Offences Act, 1960 (Act 29).

Particulars of Offence

1) Nana Appiah Mensah and 2) Menzgold Ghana Company Ltd. between 2016 and 2018 in Accra in the Greater-Accra Region of the Republic of Ghana with intent to defraud obtained the consent of Focus Life Properties Limited to part with the sum of GH¢8,300,000 by representing Menzgold as a company licensed to take gold deposit in return for profit on the value of the gold deposit, which you knew to be false at the time of making it.

Count Seventeen
Statement of Offence

Defrauding by false pretence contrary to section 131(1) of the Criminal Offences Act, 1960 (Act 29).

Particulars of Offence

1) Nana Appiah Mensah and 2) Brew Marketing Consult Ghana Ltd between 2016 and 2018 in Accra in the Greater-Accra Region of the Republic of Ghana with intent to defraud obtained the consent of Focus Life Properties Limited to part with the sum of GH¢8,300,000 by representing Brew Marketing Consult as a company licensed to sell gold deposit in return for profit on the value of the gold deposit, which you knew to be false at the time of making it.

Count Eighteen
Statement of Offence

Defrauding by false pretence contrary to section 131(1) of the Criminal Offences Act, 1960 (Act 29).

Particulars of Offence

1) Nana Appiah Mensah and 2) Menzgold Ghana Company Ltd. between 2016 and 2018 in Accra in the Greater-Accra Region of the Republic of Ghana with intent to defraud obtained the consent of Serwaa Akoto Owusu-Ansah to part with the sum of GH¢16,000,000 by representing Menzgold as a company

licensed to take gold deposit in return for profit on the value of the gold deposit, which you knew to be false at the time of making it.

Count Nineteen
Statement of Offence

Defrauding by false pretence contrary to section 131(1) of the Criminal Offences Act, 1960 (Act 29).

Particulars of Offence

1) Nana Appiah Mensah and 2) Brew Marketing Consult Ghana Ltd between 2016 and 2018 in Accra in the Greater-Accra Region of the Republic of Ghana with intent to defraud obtained the consent of Serwaa Akoto Owusu-Ansah to part with the sum of GH¢16,000,000 by representing Brew Marketing Consult as a company licensed to sell gold deposit in return for profit on the value of the gold deposit, which you knew to be false at the time of making it.

Count Twenty
Statement of Offence

Defrauding by false pretence contrary to section 131(1) of the Criminal Offences Act, 1960 (Act 29).

Particulars of Offence

1) Nana Appiah Mensah and 2) Menzgold Ghana Company Ltd. between 2016 and 2018 in Accra in the Greater-Accra Region of the Republic of Ghana with intent to defraud obtained the consent of Martin Okai-Armah to part with the sum of GH¢24,000,000 by representing Menzgold as a company licensed to take gold deposit in return for profit on the value of the gold deposit, which you knew to be false at the time of making it.

Count Twenty-One
Statement of Offence

Defrauding by false pretence contrary to section 131(1) of the Criminal Offences Act, 1960 (Act 29).

Particulars of Offence

1) Nana Appiah Mensah and 2) Brew Marketing Consult Ghana Ltd between 2016 and 2018 in Accra in the Greater-Accra Region of the Republic of Ghana with intent to defraud obtained the consent of Martin Okai-Armah to part with the

sum of GH¢24,000,000 by representing Brew Marketing Consult as a company licensed to sell gold deposit in return for profit on the value of the gold deposit, which you knew to be false at the time of making it.

Count Twenty-Two
Statement of Offence

Defrauding by false pretence contrary to section 131(1) of the Criminal Offences Act, 1960 (Act 29).

Particulars of Offence

1) Nana Appiah Mensah and 2) Menzgold Ghana Company Ltd. between 2016 and 2018 in Accra in the Greater-Accra Region of the Republic of Ghana with intent to defraud obtained the consent of Bernard Kwasi Mornyui to part with the sum of GH¢243,077,793 by representing Menzgold as a company licensed to take gold deposit in return for profit on the value of the gold deposit, which you knew to be false at the time of making it.

Count Twenty-Three
Statement of Offence

Defrauding by false pretence contrary to section 131(1) of the Criminal Offences Act, 1960 (Act 29).

Particulars of Offence

1) Nana Appiah Mensah and 2) Brew Marketing Consult Ghana Ltd between 2016 and 2018 in Accra in the Greater-Accra Region of the Republic of Ghana with intent to defraud obtained the consent of Bernard Kwasi Mornyui to part with the sum of GH¢243,077,793 by representing Brew Marketing Consult as a company licensed to sell gold deposit in return for profit on the value of the gold deposit, which you knew to be false at the time of making it.

Count Twenty-Four
Statement of Offence

Defrauding by false pretence contrary to section 131(1) of the Criminal Offences Act, 1960 (Act 29).

Particulars of Offence

1) Nana Appiah Mensah and 2) Menzgold Ghana Company Ltd. between 2016 and 2018 in Accra in the Greater-Accra Region of the Republic of Ghana with

intent to defraud obtained the consent of Richard Otoo to part with the sum of GH¢60,000,000 by representing yourself as a company licensed to take gold deposit in return for profit on the value of the gold deposit, which you knew to be false at the time of making it.

Count Twenty-Five
Statement of Offence

Defrauding by false pretence contrary to section 131(1) of the Criminal Offences Act, 1960 (Act 29).

Particulars of Offence

1) Nana Appiah Mensah and 2) Brew Marketing Consult Ghana Ltd between 2016 and 2018 in Accra in the Greater-Accra Region of the Republic of Ghana with intent to defraud obtained the consent of Richard Otoo to part with the sum of GH¢60,000,000 by representing Brew Marketing Consult as a company licensed to sell gold deposit in return for profit on the value of the gold deposit, which you knew to be false at the time of making it.

Count Twenty-Six
Statement of Offence

Fraudulent breach of trust contrary to section 128 of the Criminal Offences Act, 1960 (Act 29).

Particulars of Offence

1) Nana Appiah Mensah 2) Brew Marketing Consult Ghana Ltd and 3) Menzgold Ghana Company Ltd, between March 2017 and December 2017 in Accra in the Greater-Accra Region of the Republic of Ghana, dishonestly appropriated the sum of GH¢26,930,997.00 which was entrusted to you on behalf of Menzgold Ghana Company Ltd. for the benefit of its depositors, by causing the money to be transferred to Zylofon Media, a company related to you.

Count Twenty-Seven
Statement of Offence

Fraudulent breach of trust contrary to section 128 of the Criminal Offences Act, 1960 (Act 29).

Particulars of Offence

1) Nana Appiah Mensah 2) Brew Marketing Consult Ghana Ltd and 3) Menzgold Ghana Company Ltd, between April 2017 and December 2017 in Accra in the Greater-Accra Region of the Republic of Ghana, dishonestly appropriated the

sum of GH¢23,410,000.00 which was entrusted to you on behalf of Menzgold Ghana Company Ltd. for the benefit of its depositors, by withdrawing the money from the account of Brew Marketing Consult Ghana Ltd for the personal use of Nana Appiah Mensah.

Count Twenty-Eight

Statement of Offence

Fraudulent breach of trust contrary to section 128 of the Criminal Offences Act, 1960 (Act 29).

Particulars of Offence

1) Nana Appiah Mensah, 2) Brew Marketing Consult Ghana Ltd and 3) Menzgold Ghana Company Ltd, between January 2018 and April 2018 in Accra in the Greater Accra Region of the Republic of Ghana, dishonestly appropriated the sum of GH¢55,549,814.00 which was entrusted to you on behalf of Menzgold Ghana Company Ltd. for the benefit of its depositors, by causing the money to be transferred to Zylofon Media, a company related to you.

Count Twenty-Nine

Statement of Offence

Fraudulent breach of trust contrary to section 128 of the Criminal Offences Act, 1960 (Act 29).

Particulars of Offence

1) Nana Appiah Mensah, 2) Brew Marketing Consult Ltd, and 3) Menzgold Ghana Company Ltd, between January 2018 and April 2018, in Accra in the Greater-Accra Region of the Republic of Ghana, dishonestly appropriated the sum of GH¢18,742,141.30 which was entrusted to you on behalf of Menzgold Ghana Company Ltd. for the benefit of its depositors, by causing the money to be paid to Nana Appiah Mensah.

Count Thirty

Statement of Offence

Fraudulent breach of trust contrary to section 128 of the Criminal Offences Act, 1960 (Act 29).

Particulars of Offence

1)Nana Appiah Mensah 2) Menzgold Ghana Company Ltd. in July 2018 in Accra in the Greater-Accra Region of the Republic of Ghana, dishonestly appropriated

the sum of GH¢2,000,000.00 which was entrusted to you on behalf of Menzgold Ghana Company Ltd. for the benefit of its depositors, by causing the money to be transferred to Zylofon Media Company Ltd, a company related to you.

Count Thirty-One
Statement of Offence

Fraudulent breach of trust contrary to section 128 of the Criminal Offences Act, 1960 (Act 29).

Particulars of Offence

1) Nana Appiah Mensah, and 2) Menzgold Ghana Company Ltd between July 2018 and August 2018 in Accra in the Greater Accra Region of the Republic of Ghana, dishonestly appropriated the sum of GH¢66,000,000.00 which was entrusted to you on behalf of Menzgold Ghana Company Ltd. for the benefit of its depositors, by causing the money to be paid to Abigail Mensah for your benefit.

Count Thirty-Two
Statement of Offence

Fraudulent breach of trust contrary to section 128 of the Criminal Offences Act, 1960 (Act 29).

Particulars of Offence

1) Nana Appiah Mensah, and 2) Menzgold Ghana Company Ltd between October 2017 and July 2018 in Accra in the Greater Accra Region of the Republic of Ghana, dishonestly appropriated the sum of GH¢113,400,000.00 which was entrusted to you on behalf of Menzgold Ghana Company Ltd. for the benefit of its depositors, by causing the money to be paid to be paid to Nana Appiah Mensah.

Count Thirty-Three
Statement of Offence

Money Laundering contrary to section 1(2)(a)(i) of the Anti- Money Laundering Act, 2020 (Act 1044)

Particulars of Offence

Nana Appiah Mensah between March 2017 and December 2017 in Accra in the Greater-Accra Region of the Republic of Ghana, transferred the sum of GH¢26,930,997.00 from Brew Marketing Consult Ghana Ltd to Zylofon Media for the purpose of disguising the illicit origin of the money, knowing it to be proceeds of crime.

Count Thirty-Four
Statement of Offence

Money Laundering contrary to section 1(2)(c) of the Anti- Money Laundering Act, 2020 (Act 1044)

Particulars of Offence

Nana Appiah Mensah between April 2017 and December 2017 in Accra in the Greater-Accra Region of the Republic of Ghana, took possession of the sum of GH¢23,410,000, knowing at the time of receipt of the money that it formed part of proceeds of crime.

Count Thirty-Five
Statement of Offence

Money Laundering contrary to section 1(2)(a)(i) of the Anti-Money Laundering Act, 2020 (Act 1044)

Particulars of Offence

Nana Appiah Mensah, between January 2018 and April 2018 in Accra in the Greater Accra Region of the Republic of Ghana, transferred the sum of GH¢55,549,814 from Brew Marketing Consult Ghana Ltd. to Zylofon Media, for the purpose of disguising the illicit origin of the money, knowing it to be proceeds of crime.

Thirty-Six
Statement of Offence

Money Laundering contrary to section 1(2)(a)(i) of the Anti- Money Laundering Act, 2020 (Act 1044).

Particulars of Offence

Nana Appiah Mensah, between January 2018 and April 2018 in Accra in the Greater Accra Region of the Republic of Ghana, took possession of the sum of GH¢18,742,141.30 from Brew Marketing Consult Ghana Ltd., knowing it to be proceeds of crime.

Thirty-Seven
Statement of Offence

Money Laundering contrary to section 1(2)(a)(i) of the Anti- Money Laundering Act, 2020 (Act 1044).

Particulars of Offence

Nana Appiah Mensah, in July 2018 in Accra in the Greater-Accra Region of the Republic of Ghana, transferred the sum of GH¢2,000,000.00 from Menzgold

Ghana Company Ltd to Zylofon Media Company Ltd, for the purpose of disguising the illicit origin of the money, knowing it to be proceeds of crime.

Count Thirty-Eight
Statement of Offence

Money Laundering contrary to section 1(2)(a)(i) of the Anti- Money Laundering Act, 2020 (Act 1044).

Particulars of Offence

Nana Appiah Mensah, between July 2018 and August 2018 in Accra in the Greater-Accra Region of the Republic of Ghana transferred the sum of GH¢66,000,000 from Menzgold Ghana Company Ltd to your sister Abigail Mensah, for the purpose of disguising the illicit origin of the money, knowing it to be proceeds of crime.


Count Thirty- Nine
Statement of Offence

Money Laundering contrary to section 1(2)(c) of the Anti-Money Laundering Act, 2020 (Act 1044)

Particulars of Offence

Nana Appiah Mensah, between October 2017 and July 2018 in Accra in the Greater Accra Region of the Republic of Ghana, took possession of the sum of GH¢113,400,000 from Menzgold Ghana Company, knowing it to be proceeds of crime.

DATED AT THE OFFICE OF THE ATTORNEY-GENERAL THIS 29TH DAY OF AUGUST 2023.


YVONNE ATAKORA OBUOBISA
DIRECTOR OF PUBLIC PROSECUTIONS
FOR: ATTORNEY-GENERAL

THE REGISTRAR
HIGH COURT
ACCRA

Brief Facts

The 2nd accused person (A2), Menzgold Ghana Limited and the 3rd accused person (A3), Brew Marketing Consult Limited, are sister companies owned by the 1st accused person (A1), Nana Appiah Mensah alias NAM1. A2 was first registered as Menzbank Ghana Company Limited in 2013 whereas A3 was registered in December 2016. A1 is a director and Chief Executive Officer (CEO) of A2 and A3 and also majority shareholder of both companies.

A1 operated A2 as a deposit-taking business under the guise of gold trading, without the requisite licence. On 11th March 2015, the Bank of Ghana (BoG) issued a public notice to the effect that Menzbank was an unlicensed deposit-taking institution. A1, in a bid to circumvent the notice of BoG, changed the company's name from Menzbank to Menzbanc. Sometime in 2017, A1 further changed the company's name from Menzbanc to Menzgold Ghana Company Limited.

The business module of A1 was that A3 sold gold/gold collectibles/gold dore to the public for the purpose of investing same in A2, when A3 did not have a licence to sell gold. On 22nd August 2016, the Minerals Commission, granted A2 a three (3) year licence to purchase and export gold. The terms of the licence stipulated that A3 was to purchase gold from small-scale miners for export only. A2 and A3 breached its restricted gold purchase and exportation licence by selling gold to persons in Ghana. In 2016, A1 and A2 established what they called gold vault market which provided the public with a platform to trade in gold and gold collectibles. A1 and A2, in an attempt to circumvent the requirements of the law, set up A3 for the purposes of selling gold to the public to enable A2 to take the gold deposits.

Between 2017 and 2018, A1 and A2 invited members of the public to purchase gold and gold collectibles from A3 and deposit same with A2. In various forms of invitations, the accused persons representing A2 and A3 as deposit-taking businesses, invited the members of the public to deposit purchased gold and

gold collectibles with A2 in return for profits ranging from 7% to 10%. In response to this invitation, over 16,000 members of the public deposited huge sums of money with the expectation that they were dealing with an authorised deposit-taking business which would guarantee them the returns as advertised by the accused persons.

A2 and A3 continued with their operations despite several engagements and warning notices issued by the relevant agencies. Meanwhile, members of the public started facing challenges either with delayed payments or reduced dividends; a number of cheques issued by A1 and A2 were also dishonoured. On 7th September 2018, the Securities and Exchange Commission (SEC) directed A2 to suspend its business for operating without a licence from the SEC.

Between November 2016 and March 2019, many customers of the accused persons petitioned the police complaining that they had invested huge sums of money with the accused persons but were unable to realise their investments after persistent efforts by them.

Investigations revealed that the accused persons under false pretences took a total sum of One billion, sixty hundred and eighty million, nine hundred and twenty thousand Ghana cedis (GH¢1,680,920,000) from their customers which these customers have not recovered.

Investigations further disclosed that between 2017 and 2018, the accused persons transferred huge sums of depositor's funds from Menzgold Ghana Company Ltd. and Brew Marketing Consult Ltd to Zylofon Media, a company related to A1. Huge sums of money were also withdrawn by A1 or transferred into his bank account for his personal use.

Investigations have established that the money fraudulently obtained from depositors and dishonestly appropriated by the accused persons remained unpaid as Menzgold Ghana Company Ltd.'s licence was revoked.

In the course of investigations, a number of vehicles were recovered from the accused persons which have been auctioned, and the proceeds kept in an exhibit account. Some gold bars were also recovered from the accused persons.